Adhyaya IX

VERSE I

This verse is quoted in Vy arahāra-Bālambhaṭṭī (p. 1034).

VERSE II

This verse is quoted in Mitāksarā (2.195), which adds the following notes: — As a matter of fact, this appearing of husband and wife before the king as plaintiff and defendant is forbidden, and as such there is no room for this subject under the present head; but what is meant is that if, from other sources, the king should happen to hear of the misbehaviour of the one or the other of the party, he should interfere, and by means of judicious punishment bring them back to the path of righteousness; otherwise he becomes involved in sin. — Bālambhaṭṭī has the following explanatory notes: — ‘Svāih’, the women’s own brother and other relations, — ‘dvānīśham’, always, — ‘visayēśu’, even such objects of enjoyment as are not actually forbidden, such as beautiful things, tasty food, and so forth, ‘sajjantyaḥ’ addicted,— they should be kept under control.

It is quoted in Parāsharamādhara (Vyavahāra, p. 322); in Śnṛtisāroddhāra (p. 330), which adds that ‘though a regular law-suit between husband and wife has been prohibited, yet if the king happens to learn from other sources, of quarrels between them, he should intervene and make them keep to the right path,’ — in Kṛtyasārasamucchehaya (p. 98) which explains ‘sajjantyaḥ’ as becoming ‘addicted’— and in Nṛsimhaprasāda (Vyavahāra, 31 b).
VERSE III

This verse is quoted in Parāsharamādhava (Prāyashchitta, p. 286);—in Vivādaratnākara (p. 410);—in Vyavahāra-Bālambhaṭṭi (p. 608);—in Nṛsimhaprasāda (Samkāra 66 b);—and in Samskāraratnamālā (p. 674).

VERSE IV

This verse is quoted in Vivādaratnākara (p. 412);—and in Viramitrodaya (Vyavahāra, 158a), which has the following notes:—‘Kāle’ at the time suitable for giving away the girl—‘vāchyaṁ’ is to be blamed,—‘anupayaṁ,’ not approaching.

VERSE V

This verse is quoted in Vivādaratnākara (p. 412);—Parāsharamādhava (Vyavahāra, p. 323), which adds the following notes:—‘If they are not guarded, they bring grief to the families of their husbands and fathers; hence for the sake of both families, special care is to be taken of them;—in Nṛsimhaprasāda (Samkāra, 66 b);—in Samskāraratnamālā (p. 674);—in Kṛtyasārasamuchchaya (p. 98);—and in Viramitrodaya (Vyavahāra 158a).

VERSE VI.

This verse is quoted in Vivādaratnākara (p. 411);—in Parāsharamādhava (Vyavahāra, p. 323);—in Nṛsimhaprasāda (Vyavahāra, 32 a);—in Kṛtyasārasamuchchaya (p. 98);—and in Viramitrodaya (Vyavahāra, 158 a).
VERSE VII

'Kulam'—'Ancestors who can obtain offerings only from legitimate descendants' (Medhātithi, Govindarāja and Kullūka) ;—'relatives, who are dishonoured by ladies of the family misbehaving' (Medhātithi, alternatively, and Rāghavānanda) ;—'position of the family' (Nārāyaṇa) ;—'property' (Rāghavānanda).

'Ātmānam'—'Himself,' 'as only legitimate children can offer Shrāddhas' (Govindarāja, Kullūka and Rāghavānanda) ;—'because an adultress and her paramour may attempt his life' (Medhātithi).

'Dharmam'—'Tending of the sacred fires, to which the husband of an adultress is not entitled' (Govindarāja, Kullūka and Rāghavānanda) ;—'the duties of the Householder' (Nārāyaṇa).

This verse is quoted in Vivādaratnākara (p. 411) ;—in Parāśharamādha (Vyayahāra, p. 323) ;—in Kṛtyasārasamuchchaya (p. 987) ;—and in Nrṣimhaprasāda (Vyayahāra, 32 a).

VERSE VIII

This verse is quoted in Vivādaratnākara (p. 417).

VERSE IX

This verse is quoted in Vivādaratnākara (p. 414) ;—and in Vīramitrodaya (Vyayahāra, 159 a).

VERSE X

This verse is quoted in Vivādaratnākara (p. 416) ;—in Pavaśharamādha (Vyayahāra, p. 323), which adds the explanation :—'Inasmuch as it is not possible to guard them
by force, they should be employed in such work as will not leave them time for thinking of other men;—thus would they be guarded against evil;—in Madanapārijāta (p. 192);—in Nṛsimhaprasāda (Vyavahāra, 32 a);—and in Viramitrodāya ( Vyavahāra, 158 b), which explains 'prasahya' as 'by force, by keeping cooped up'; it adds that what is meant is that even though by forcible detention you can guard her body from misbehaviour, yet that cannot guard against the uncleanness of her mind.

VERSE XI

This verse is quoted in Vivādaratnākara (p. 416), which explains 'pārināhyasya' as 'ear-rings, bracelets, and so forth';—in Parāshararāmdhava (Vyavahāra, p. 323);—in Smṛtitattva (II, p. 147), which explains 'pārināhya' (which is its reading for 'pārināhya') as 'bed-stead and other household furniture';—and in Madanapārijāta (p. 191).

VERSE XII

This verse is quoted in Vivādaratnākara (p. 416), which explains 'āptakāribhiḥ' as 'trustworthy and alert.'

VERSE XIII

'Durjanasaṃsargah'—'Associating with wicked people, e.g., other unfaithful wives' (Nārāyaṇa);—'with adulterers' (Rāghavānanda).

This verse is quoted in Aparārka (p. 108);—and in Vivādaratnākara (p. 430), which adds that what are mentioned here are only by way of a few illustrations of what leads to the deterioration of a woman's character.

VERSE XIV

This verse is quoted in Vivādaratnākara (p. 412);—and in Viramitrodāya (Vyavahāra, 158 b).
VERSE XV

This verse is quoted in *Vivādaratnākara* (p. 412); — and in *Viramitrodaya* (Vyavahāra, 158 b).

VERSE XVI

This verse is quoted in *Vivādaratnākara* (p. 413), which adds the following notes: — ‘Prajāpatiniṣargajam,’ Prajāpati is Brahmā, what comes about, jāyate, at the time of creation by him (niṣargā) is ‘prajāpati niṣargajam’; — in *Kṛtyasārasamuchchaya* (p. 99); — and in *Viramitrodaya* (Vyavahāra, 158 b).

VERSE XVII

This verse is quoted in *Vivādaratnākara* (p. 412); — and in *Viramitrodaya* (Vyavahāra, 158 b).

VERSE XVIII

The second half of this verse has been taken as a corruption of the line विरिन्द्रियाः प्रदायाः: बिषयो नियमिति स्वतिः. Hopkins remarks: — “This is supported by the sūtras; cf. the text and quotations given by Mandlik, *Mayūkha*, 2. 366-367; also Baudhāyana, 2. 3. 46.”

This verse is quoted in *Vivādaratnākara* (p. 412), which adds the following notes: — ‘Nirindriyāḥ,’ devoid of the faculties conducive to steadiness, truthfulness and so forth; — “sṛṣṭiṃ,ḥ,” women are called ‘untruth’ in the sense of being addicted to lying; — and in *Viramitrodaya* (Vyavahāra, 158 b).

VERSE XIX

This verse is quoted in *Viramitrodaya* (Vyavahāra, 158 b), which has the following notes: — ‘Srutiṃ,ḥ,’ Vedic
texts,—‘nigamēṣu,’ in the Vedas,—‘listen to those rites that are referred to in the Vedas as expiatory of the misbehaviour of women,—and these will give you an idea of the character of women.’

It is quoted in Vivādaratnākara (p. 412), which adds the following notes:—‘Shrutayah,’ Vedic texts;—‘nigamēṣu,’ in the Vedas;—‘svālakṣaṇayam,’ characteristic;—‘tāsām etc.,’ listen to that Vedic text, from among the said texts, which is in the form of an expiation for the sin of unchaste thoughts, this text being indicative of the character of women in general.

VERSE XX

“This verse is a slightly altered mantra which occurs in Śāṅkhāyana Gṛhyaśūtra’ 3. 13. 5, and in the Chāturmāśya portion of the Kaṭhaka recension of the Kṛṣṇa Yajurveda. According to the former, it has to be recited by the ‘son of a paramour.’ But the Kaṭhas prescribe its use by every sacrificer who offers a Chāturmāśya sacrifice.”—Buhler.

‘Ṛetaḥ’—(a) ‘The semen of the legitimate husband, or (b) the husband himself, or (c) the secretions of the mother herself’ (Medhātithi). [In the case of (c) the word is in the accusative case];—‘secretions of the mother on her sexual desires being aroused’ (Kullūka, Govindarāja, Rāghavānanda, Nārāyāna and Nandana).

See also Āpastamba, Shrutāsūtra 1. 99 and Viṣṇu Śṛiṇti 73. 12.

This verse is quoted in Vivādaratnākara (p. 412), which adds the following notes:—This quotes the Vedic text referred to in the preceding verse; ‘tat,’ is the sin of desiring another man; the meaning thus is as follows:—‘Inasmuch as my mother entertained a longing for another man, the sin due to this—may the ‘seed’ of my father remove; in ‘pītā’ the nominative ending has the force of the genitive;—and in Viṃmitrodaya (Vyavahāra, 158 b).
VERSE XXI

This verse is quoted in *Vivādaratnākara* (p. 413);—and in *Viramitrodaya* (Vyavahāra, 158 b).

VERSE XXII

This verse is quoted in *Vivādaratnākara* (p. 416).

VERSE XXIII

"The story of Mandapāla is told in the Mahābhārata 1. 8335, adhyāya 229"—Buhler.

This verse is quoted in *Vivādaratnākara* (p. 416), which reads ‘shārīgī’, with Medhātithi.

VERSE XXIV

This verse is quoted in *Vivādaratnākara* (p. 416).

VERSE XXVI

This verse is quoted in *Vivādaratnākara* (p. 416);—in *Madanapāriṇātaka* (p. 190);—and in *Nṛsimhaprasāda* (Samskāra, 66 b).

VERSE XXVII

This verse is quoted in *Madanapāriṇātaka* (p. 191);—in *Vivādaratnākara* (p. 417), which notes that the construction is ‘pratyahāram lokayātrāyāh labhadoḥ śrenī;’ and that both the bringing forth and the rearing of children are her function;—and in *Nṛsimhaprasāda* (Samskāra, 66 b).
VERSE XXVIII

This verse is quoted in Vivādaratnākara (p. 417);—in Madanapārijāta (p. 191);—and in Nṛsimhaprasāda (Samskāra, 66 b).

VERSE XXXIV

Compare 10. 72.

VERSE XXXV

This verse is quoted in Vyavahāra-Bālambhatī (p. 675).

VERSE XLI

‘Vijnānam’—‘Treatises on logic, arts, and so forth’ (Medhātithi);—‘subsidiary sciences’ (Kullūka).

VERSE XLIV

Hopkins says—“The kings subsequent to Prthu, according to Medhātithi, have no legitimate claim to possession.”—But there is nothing in Medhātithi to this effect.

VERSE XLVI

This verse is quoted in Smrītattva (II, p. 149), which explains ‘niskraya’ as selling and ‘visarga’ as renouncing, divorcing.

VERSE XLVII*

This verse is quoted in Parāsharamādhava (Āchāra, p. 490), which adds that this rule regarding the betrothal of a girl pertains to cases where the bridegroom to whom the girl has been betrothed has no disqualifying defects;—in
Parāsharavādhara (Vyavahāra, p. 388), which adds that the irrevocability of a partition here spoken of is meant for those cases where all doubts regarding its fairness can be set at rest by reasonable arguments;—in Smṛtitattva (II, p. 145), and again on p. 182, where it is added that this irrevocability of partitions is meant for cases where the partition has been made by the objector himself;—and in Smṛtichandrikā (Samskāra, p. 218), which explains the first clause to mean that 'a man obtains his share in a property only once,' and adds that what is said in regard to the 'girl' applies only to those cases where there is no defect in the bridegroom (to whom the girl has been betrothed).

VERSE XLVIII

This verse is quoted in Vivādaratnākara (p. 578);—and in Vyavahāra-Bālambhāṭṭī (p. 574).

VERSE XLIX

This verse is quoted in Vivādaratnākara (p. 579).

VERSE L

This verse is quoted in Vivādaratnākara (p. 579).

VERSE LI

This verse is quoted in Vivādaratnākara (p. 579);—and in Vyavahāra-Bālambhāṭṭī (p. 521).

VERSE LII

This verse is quoted in Vivādaratnākara (p. 579), which explains the meaning to be:—'In a case where the owner of the field and the sower of the seed are not parties to an agreement, the benefit accrues to the former and not to the latter.'
It is quoted in *Parāśharāmādhava* (Vyavahāra, p. 350), which adds the following explanation:—In a case where the ‘field-owner’ and the ‘seed-owner’ have entered into an agreement that ‘the child born would belong to both of us,’ the child that is born of the connection between the former’s wife and the latter shall belong to both; but where there has been no such agreement, and yet the latter ‘sows his seed’ in the former’s ‘field,’ and a child is born, it will belong to the ‘field-owner,’ and not to the ‘seed-owner;’ because the ‘receptacle’ is more potent than the ‘seed,’ as is found in the case of the cow, the sheep and other animals.

It is quoted in *Viramitrodlaya* (Samskāra, p. 656), which adds that ‘*phalānabhisandhāna*’ means the ‘absence of any such agreement as that the child born of this connection shall belong to both of us;’ so that the son thus born would be ‘ksētraja’ and not ‘dvayāmusyāyaṇa.’

It is quoted in *Mitākṣarā* (2. 127), which adds a note the exact wording of which has been reproduced in *Parāśharāmādhava* (Vyavahāra, p. 350) [see above]. Bālam-bhaṭṭī has the following explanation of the verbal construction:—*Kṣētrinām bijinām,* ‘from among field-owners and seed-owners,’ if either party has not agreed to the understanding regarding the lending of the ‘field,’ then the child born belongs to the ‘field-owner,’ and the reason for this lies in the fact that ‘the receptacle is more potent than the seed;’—and the reason for this is declared to be ‘pratyakṣam,’ ‘ordinary perception,’ i. e., such is actually found to be, the case in ordinary experience;—the ‘*phakam*’ spoken of in the text stands for the *agreement* regarding the child;—it goes on to add that according to Medhātithī this verse serves to point out the special circumstance under which the ‘benefit does not accrue to the seed-sower,’ which has been stated in general terms in the preceding verse.
It is quoted in *Vyavahāra-Bālambhaṭṭī* (p. 653);— and in *Viramitrodaya* (Vyavahāra, 185 b), which adds the following explanation,—‘In a case where there has been no agreement regarding the phala, i.e., the expected offspring,—the child belongs to the woman’s husband, just as we find in the case where, without the knowledge or consent of the owner of the field, if some one sows his own seeds in that field, the outturn of the field belongs to the owner of the field, and not to that of the seeds.

**VERSE LIII**

This verse is quoted in *Mitāksāra* (2. 127) which adds the following explanation:—‘In a case where the ‘field’ is lent to the seed-owner for sowing, on the mutual understanding that the child born would belong to both parties, both of them will be owners of the child, as has been (dṛṣṭa) held by the great sages.

It is quoted in *Viramitrodaya* (Sanskāra, p. 656), which adds that the term ‘kriyā’ here stands for the agreement that ‘the child born would belong to both of us;’ and adds that it is only sons born under these conditions that can be called ‘Devānusyaśayaṇa.’

It is quoted in *Parāśararamādhara* (Vyavahāra, p. 350), which adds the following explanation,—‘In a case where the owner of the field lends his field to the owner of the seed, after entering into an agreement with him to the effect that the child born shall belong to both,—the child is held to belong to both the parties.’

It is quoted in *Vivādaratnākara* (p. 557), which adds that this rule applies also to the case where the ‘seed-owner’ concerned may already have sons of his own;—in *Vyavahāra-Bālambhaṭṭī* (p. 653);—in *Nṛsimhaprasāda* (Vyavahāra 38 a);—and in *Viramitrodaya* (Vyavahāra, 185 b), which adds the following explanation:—A man has agricultural land, and another has the seed-grains,—the two enter into an agreement
'let us, combine our resources and cultivate the land conjointly and the output shall belong to both of us,'—in this case the crop belongs to both; similarly when the husband of the wife enters into an agreement with another man that 'you beget a child on my wife and the child shall belong to both of us,' the child that is born belongs to both, and having two fathers, he is called ‘Dvīṇusyāyana.’

VERSE LIV

This verse is quoted in Smṛtītattvav (II, p. 150);—in Vivādāvatnākara (p. 579), which explains ‘ogha’ as ‘current of water’ and ‘āhṛtām’ as ‘carried,’ and adds that this also only serves to indicate the greater importance of the ‘field’;—and in Vyavahāra-Bālambhaṭṭī (p. 521).

VERSE LV

This verse is quoted in Vivādāvatnākara (p. 580), which explains ‘ṣa dharmaḥ,’ as ‘the principle that the owner of the seed does not obtain the fruit;”—also in Smṛtītattvav (II, p. 150), which adds that the term ‘dāsi’ here stands for the slave-girl married to another slave; the child of such a slave-girl belongs to the owner of the girl, not to that of the father; —and in Vyavahāra-Bālambhaṭṭī (pp. 521 and 574).

VERSE LIXVIII

This verse is quoted in Vyavahāra-Bālambhaṭṭī (p. 522).

VERSES LX—LX

‘Santānasya’—‘Son, and also the appointed daughter’ (Medhātithi);—‘Son’ (Govindarāja and Rāghavānanda).
"This practice is forbidden in Āpastamba 2. 27. 2-7; if the husband is alive; but with the widow, it is expressly enjoined by Gautama 78. 4 and 28. 21-22, and Vasiṣṭha 17. 56. Nārada gives an elaborate account of the formalities. See Jolly, Recht. Stellung S. 18, where the passage is discussed."—Hopkins.

This verse is quoted in Mūlaśārī (2. 127) as propounding the practice of 'niyoga' for the purpose of forbidding it under verse 64 et seq.—Bālambhaṭṭī adds the notes:—'Samyak,' in accordance with the scriptures,—'ūṣatā,' in the form of a son,—'ksaya,' in the event of threatened extinction of the family; this means that the practice is sanctioned only under very abnormal circumstances;—'vāy-yataḥ,' silent;—it then goes on to quote Medhatithi.

(59) is quoted in Vīrādhanamāhara (p. 415);—and both the verses in Purāśarmanāḥara (Vivāhāra, p. 350) ; and in Vīrādhanavīdaya (Samskāra, p. 737) which remarks that the term 'vātāra' in this verse stands for the girl whose betrothed husband has died after the betrothal, but before actual marriage.

Both verses are quoted in Vīvāhāra-Bālambhaṭṭī (p. 700);—in Nṛṣimhaprasādu (Vivāhāra, p. 38a);—and in Smṛtichandrāki (Samskāra, pp. 224-225), which explains the meaning as—'The widow, when directed by the father-in-law or other elders, may beget a desired (i.e., male) child from her husband’s (elder or younger) brother,—but only one; although some people hold that she may secure two sons.'

VERSE LXI

This verse is quoted in Vīvāhāra-Bālambhaṭṭī (p. 700);—and in Smṛtichandrāki (Samskāra, p. 295) which notes that this view has been held by some people on the ground that one son is as good as none at all.

VERSE LXIII

This verse is quoted in Vīvāhāra-Bālambhaṭṭī, (p. 523);—and in Dattaḥamimāmsā.
VERSE LXIV

"Verses 64-68 flatly contradict the rules given in the preceding ones. But it by no means follows that they are a modern addition, as held by Hopkins. For the same view is expressed by Āpastamba, 2. 27. 2-6, and was held, according to Baudhāyana, 2. 3. 34, by Aupajandhani. Moreover, Brhaspati Smṛti states expressly (Colebrook Dig. CLVII) that the contradictory statement occurred in the Mānava Dharinashātra as known to the author."—Buhler.

This verse is quoted in Mitāksarā (2.136), as prohibiting niyoga;—again under 2. 127, to the same effect, where Bālambhaṭṭī adds that 'anyasmin' means 'other than the husband.'

It is quoted in Viramitrodaya (Samskāra, p. 737), which remarks that the term 'vidhavā' here stands for the woman, whose husband has died after the marriage has been performed;—then it seeks to reconcile the apparent contradiction between verses 59 and 60 (permitting Niyoga) on the one hand, and verses 64-68 (forbidding it) on the other; the sanction is meant for the girl who is widowed after verbal betrothal, before marriage; while the prohibition applies to one who is widowed after marriage; this, it adds, is made clear by verse 65, which refers to the 'mantras recited during the marriage-ceremony.' It concludes therefore that there is no room for any doubts regarding the opinion of Manu, adumbrated in Mitāksarā.

It is quoted in Nrśimhaprasāda (Vyavahāra, 38 a);— in Smṛtichandrikā (Samskāra, p. 226), which says that this prohibition is meant for the Kali-age;—and in Viramitrodaya (Vyavahāra, 186 a).

VERSE LXV

This verse is quoted in Viramitrodaya (Samskara, p. 737, which notes that this verse supplies the reason for what has been asserted in the preceding verse;—in Nrśimhaprasāda (Vyavahāra, p. 38 a);—and in Viramitrodaya (Vyavahāra, 186 a),
VERSE LXVI

This verse is quoted in Viramitrodaya (Sanskāra, p. 738);—and in Viramitrodaya (Vyavahāra, 186 a).

VERSE LXVII

This verse is quoted in Viramitrodaya (Sanskāra, p. 738 and in Vyavahāra, 186 a).

VERSE LXVIII

This verse is quoted in Viramitrodaya (Sanskāra, p. 738 and Vyavahāra, 186 a).

VERSE LXIX

This verse is quoted in Mitākṣarā (1. 69), as enunciating the view that the sanction of the 'kṣetraja' son pertains only to those cases where the bridegroom has died after the verbal betrothal;—again under 2. 127, as describing the case in which alone 'nyoga' is permissible;—and it adds that this verse implies that the man to whom a girl has been betrothed has become her 'husband' even before the marriage rites have been performed.

Mitākṣarā adds the following notes:—When the 'husband' to whom the girl has been betrothed dies, then his 'own' i.e., uterine brother, elder or younger, 'vindita,' shall take her, i.e., marry her. It construes 'anena vidhānena' with the next verse.

It is quoted in Sūtratattva (II, p. 129), to the effect that the child born under this rule belongs to the person to whom the girl had been previously betrothed;—in Aparārka (p. 78), which also notes that this verse serves to restrict the sanction of 'nyoga' or of 'marriage of widows' to cases of mere betrothal, not of actual marriage;—in Parāsharāmādha (Vyavahāra, p. 351), to the same effect; and
it adds that for this reason the foregoing conflicting verses 59-68 should not be understood as setting forth two optional alternatives;—and in *Vivāṇātrodayā* (Sanskāra, p. 737), to the effect that ‘niyoga’ does not mean mere intercourse, without marriage, it means marriage and then intercourse;—and again on p. 756, as laying down the marrying of the girl by her younger brother-in-law, on the death of her (betrothed) husband.

This verse is quoted also in *Nṛśimhaqrasāda* (Vyavahāra, 38 a).

**VERSE LXXX**

This verse is quoted along with 69 in *Mitākṣarā* (2. 127), which adds the following notes:—‘Yathāvidhi,’ in accordance with the scriptures, ‘adhiṣṭhitam,’ having married, ‘ancēva niḥānena,’ (of the preceding verse) i.e., besmearing himself with clarified butter, with speech held in check and so forth, ‘suklastraṁ sukhiṁratāṁ’ with her mind and body under full control, ‘mithah,’ in secret, shall approach her once during each course, till conception takes place. It proceeds to declare that all this does not make the woman the actual ‘wife’ of the brother-in-law; hence the child born of this union belongs to the real (i.e., the former) husband;—Bālambratī adds that the action of the brother-in-law is purely for the purpose of providing a child for his dead brother; it goes on to add the following notes:—Kullūka Bhaṭṭa remarks that the fact of the child born of the intercourse here sanctioned belonging to the dead betrothed is clear from the restriction imposed, that there is to be intercourse only once during the course, and that also only until conception takes place. Having thus stated the view of the older writers, Bālambratī enters into a long discussion and comes to the conclusion that the sanction of remarriage must refer to a regular widow—who loses her real husband after full marriage, and not only after betrothal; and it
naively remarks that the opinion of the older writers is due to prejudice against 'niyoga,' by reason of its having been forbidden during the Kaliyuga.

It is quoted in Smritiattva (II, p. 129), which also quotes Kullūka Bhattacharya's remark (quoted in Bālabhatii above). It goes on to add that what is here laid down should be done only if the woman concerned is willing to do it, not otherwise; as is clearly declared by Vāsishtha.

It is quoted in Parāsharacādhara (Vyavāhāra, p. 351);—and in Vīramitrodaya (Samskāra, p. 737).

VERSE LXXI

See above, S. 98.

"Medhātithi and Nandana say that the verse is meant to forbid marriage of a girl whose betrothed has died. But Kullūka thinks that it refers to all cases where a betrothal has taken place, and that it removes a doubt which might arise through a too strict interpretation of S. 227."—Buhler.

This verse in quoted in Vīra-pālā-Bālabhatchi (p. 326);—and in Smritisandikā (Samskāra, p. 220).

VERSE LXXII

'Viprudusṭāṁ'—'Blemished, by bodily defects' (Medhātithi, Kullūka, Rāghavānanda and Nandana); 'belonging to a base family' (Nārāyana).

This verse is quoted in Parāsharacādhara (Āchāra, p. 492), to the effect that it is not only the giver of a detective maiden that is to be punished, but the girl herself is to be renounced;—in Madanapāriṇāma (p. 154), which adds the following notes:—'Viprudusṭā' is one who entertains longings for another man,—'Chhadmanā', by showing to the bridegroom a girl other than the one to be married;—in Vīramitrodaya (Samskāra, p. 744), which adds the following notes:—
'Vigarhitām', already previously married, but 'unpenetrated;' it quotes Medhātithi's words as 'pūrvam pratigrhitām akṣatayonimapi'; 'vipraduṣṭām,' having her affections centred in another man;—in Samskāramayūkha (p. 106), which explains 'vigarhitām' as 'defective';—and in Smṛtichandrīkā (Samskāra, p. 221), as laying down the divorcing of a girl, after the detection of some defect in her,—it explains 'vipraduṣṭām' as 'vividham prakarṣṇa duṣṭām,' 'having several serious defects.'

VERSE LXXIV

This verse is quoted in Vivādaratnākara (p. 418), which explains 'sthitimatī' as 'endowed with modesty and other virtues.'

VERSE LXXV

This verse is quoted in Vivādaratnākara (p. 438), which explains the construction as 'vṛttim vidhāya prositē;' and explains 'jivēt' as 'should maintain herself by the means provided for her by her husband.'

VERSE LXXVI

Kullūka, Nārāyaṇa and Rāghavānanda hold that after the expiration of the terms mentioned, the wife shall go to seek her husband. Nandana says—'the meaning is that no sin is committed if she afterwards takes another husband.'—Medhātithi, having noted and dismissed two other explanations—(a) that 'she should maintain herself by blameless methods' [which is the explanation attributed to Medhātithi himself by Buhler], and (b) that 'she may have intercourse with another man,'—propounds the explanation that 'she may take service under another man as a toilet-woman in his house, and on the return of her husband, she may return to him, if he can induce her to go.' He also notes and rejects the explanation of the 'ancients' that 'she may marry another man.'
EXPLANATORY—ADHYAYA IX

VERSE LXXVII

This verse is quoted in Vivādaratnākara (p. 423).

VERSE LXXVIII

This verse is quoted in Vivādaratnākara (p. 423).

VERSE LXXIX

This verse is quoted in Vivādaratnākara (p. 423).

VERSE LXXX

This verse is quoted in Parāshuramādhava (Āchāra, p. 508), which explains ‘cyāḍhitā’ as ‘suffering from a long-lingering disease’; -- in Madanapārvyāla (p. 188), which adds the following notes: — ‘Madyapā’, the woman who is addicted to drinking what is forbidden for the caste to which she belongs, — ‘asatyavrīttā’, whose conduct is not good, — ‘pratikūlā’, in the habit of doing things disagreeable to her husband and of beating her children, servants and others, — ‘arthaṅghni’, prone, through idleness, to wasting money, — ‘adhirūdana’ means the taking of another wife.

It is quoted in Aparārka (p. 100), which adds the note that ‘cyāḍhitā’ means suffering from a lingering disease; — it quotes this verse in support of the view that what is meant to be a ground for superseding the wife is not the drinking of liquour, but the drinking of any intoxicant; the drinking of wine being one of the ‘serious’ sins, it would make the woman liable to be renounced, and not only superseded.

It is quoted in Vivamitrodlaya (Samskāra, p. 871), which adds that ‘Madyapā’ here has been held by older writers to refer only to women of the twice-born castes; but in reality it refers to all the four castes, for all of whom the drinking of all the three kinds of ‘wine’ — Gāwli, Mādhvī and Paisā — is forbidden; — ‘asatyavrīttā’ is ill-behaved or untruthful; — ‘pratikūlā’, acting
in ways injurious to her husband;—‘vyāḍhita,’ suffering from such diseases as render her unfit for household work;—‘himṣrū,’ addicted to beating children and maidservants;—‘arthaghnī,’ ‘prone to wasting the wealth acquired;’—‘sārvadā’ is to be construed as qualifying ‘asatyavṛttā’ and the other epithets,—the meaning being the wife who is always untruthful.

It is quoted in Samskāravaratnāmālā (p. 592), which explains ‘vyāḍhita’ as a ‘confirmed invalid.’

VERSE LXXXI

This verse is quoted in Medunapārijāta (p. 188), which adds that ‘adhibhivattavyā’ has to be supplied at the end;—in Vīramitrodāya (Śamkāra, p. 873);—in Aparārka (p. 100);—in Nīrṇayāsvarūdhra (p. 230);—in Parāsharāmādhava (Ācāra, p. 508);—and in Vīdhānapārijāta (II, p. 363).

VERSE LXXXII

This verse is quoted in Aparārka (p. 100), which adds that the qualification ‘sick’ includes also the ‘barren’ wife, and ‘one who gives birth to female children only’;—in Parāsharāmādhava (Ācāra, p. 508), as laying down a special consideration in the case of the devoted wife;—and in Vīramitrodāya (Śamkāra, p. 872) which adds that ‘hitā’ is mentioned only by way of illustration.

VERSE LXXXIII

‘Kula’—‘His own relations as well as the wife’s parental relations’ (Medhātithi);—‘either the family members or the public, according to circumstances’ (Rāghavānanda).
This verse is quoted in *Parāsharamādāhava* (Āchāra, p. 69), which adds that ‘casting off’ means ‘sending her to her father’;—in *Parāsharāmādāhava* (Prāya-schūtita, p. 288), which explains ‘tyājya’ as ‘left among her own paternal relations, till such time as she is free from her defects’;—in *Vidhānapārījāta* (II, p. 59);—in *Aparārka* (p. 101), which explains ‘kuḷasamānḍhāν’ as ‘pitrādh-kulasamānḍhān’, in the presence of her father and other members of the family;—in *Nirūyaśmāluḥ* (p. 230);—in *Viramitrodāya* (Samskāra, p. 874), which explains ‘kuḷa’ as ‘her father and other relations’;—and in *Mudānapārījāta* (p. 189).

**VERSE LXXXIV**

This verse is quoted in *Vivādaratnākara* (p. 137).

**VERSE LXXXV**

*Cf.* the Mahābhārata 13. 47. 31.

This verse is quoted in *Parāsharāmādāhava* (Āchāra, p. 509), as laying down the order in which the several wives of a man are to be honoured;—in *Smrtitattva* (p. 298) as declaring who is to be regarded as the ‘Senior’ wife, ‘Jyēśṭhā’;—also in Vol. II, p 191;—in *Vivādaratnākara* (p. 419), which explains ‘svāḥ’ as ‘belonging to the same caste as her husband,’ and ‘svārāvāḥ’ (which is its reading for ‘aparāḥ’) as ‘belonging to a different caste’;—in *Viramitrodāya* (Vyavahāra, 198 a),—and by *Jīmūtavāhana* (Dāyabhāga, p. 257), which says that the wife of one’s own caste, even though married later, would be the *Senior* and hence entitled to associate with the husband in his religious acts.

**VERSE LXXXVI**

This verse is quoted in *Parāsharāmādāhava* (Āchāra, p. 509);—in *Vivādaratnākara* (p. 419);—in *Viramitrodāya* (Vyavahāra, 198 a);—and by *Jīmūtavāhana* (Dāyabhāga, p. 259).
VERSE LXXXVII

‘Pūrvadrśtaḥ’—‘Known by the ancients’ (Kullūka, Rāghavānanda and Nandana);—‘known from olden times’ (Medhātithi);—‘declared in the Purāṇas (Nārāyaṇa).

This verse is quoted in Virādaranāikara (p. 419);—in Viramitrodaya (Vyavahāra, 198 a);—and by Jīmūtavāhaka (Dāyabhāga, p. 259).

VERSE LXXXVIII

‘Aprāptam’—‘Who has not attained the marriageable age,’ (Medhātithi and Rāghavānanda);—‘who has not attained eight years of age’ (Kullūka and Nārāyaṇa).

This verse is quoted in Parāśharamādhava (Āchāra, p. 481), which explains ‘aprāptam’ as ‘one whose marriage time has not arrived, i.e., who is still a child’;—in Smṛtītattva (II, p. 124), which explains ‘aprāptam’ as ‘one who has not attained the age that is most commended for marriage’;—in Viramitrodaya (Sāmskāra, p. 755), which reproduces the explanation of ‘aprāptam’ given in Parāśharamādhava;—in Smṛtikavumudī (p. 39), as countenancing the marrying of a girl even before she is of proper age;—in Shuddhikavumudī (p. 30) to the same effect;—and in Sanskrānāyukha (p. 103), which explains ‘aprāptam’ as ‘one who has not attained the right age,’ who may be given away in consideration of the special qualifications of the bridegroom.

VERSE LXXXIX

This verse is quoted in Aparārku (p. 93), which adds that what is meant is that ‘so long as a man with good qualifications is not available she shall not be given to one devoid of qualifications,’ and not that there is nothing wrong, under the circumstances, to keep the girl unmarried even after puberty; as this latter view is contrary to other texts,
It is quoted in \textit{Smrtitattva} (II, p. 124), which adds that all that is meant is that the girl should not be given to a man devoid of qualifications;—in \textit{Smrtikaumudi} (p. 38);—in \textit{Hemadri} (Kāla, p. 804), which says that what is meant is that 'she should not be given to a man without qualifications when a qualified man is available,' and it is not meant that a girl should never be given to a man without qualifications;—in \textit{Smrtichandrikā} (Sanskāra, p. 216), which has the same note;—in \textit{Samskāraratnamāla} (p. 456), which also has the same note;—and in \textit{Samskārarahayikha} (p. 102), which says that 'api' and 'kānum' indicate that the verse is not to be taken in its literal sense; all that is meant is to eulogise the marrying of the girl to a qualified man.

\textbf{VERSE XC}

This verse is quoted in \textit{Parāśharamādhava} (Āchāra, p. 484);—in \textit{Vīramitrolaga} (Sanskāra, p. 772); in \textit{Hemādri} (Kāla, p. 805) in \textit{Smrtichandrikā} (Sanskāra, p. 217);—and in \textit{Samskāraratnamāla} (p. 501).

\textbf{VERSE CXI}

This verse is quoted in \textit{Vīramitrolaga} (Sanskāra, p. 772); in \textit{Parāśharamādhava} (Āchāra, p. 181), which says that the meaning is that the man whom she takes as husband does not incur any sin in marrying her;—in \textit{Hemādri} (Kāla, p. 805), which explains the last clause to mean that the man also incurs no sin;—in \textit{Smrtichandrikā} (Sanskāra, p. 217), which has the same note;—and in \textit{Samskāraratnamāla} (p. 504) which explains 'adhyamānā' as 'not given away', either on account of the absence of a giver, or on account of the giver, though present, being disregarded, and reproduces Mādhava's explanation.
VERSE XCII

"Stēnah" is not the reading of Medhātithi, who only notes it as a vār. loc.

This verse is quoted in Viramitrodaya (Samskāra, p. 772); —in Nirṇayasindhu (p. 223); —in Aparārka (p. 94); —in Madanapārijāta (p. 148); —in Smṛtichambrikā (Samskāra, p. 217); —and in Samskāraratnamālā (p. 501).

VERSE XCIII

Cf. 3, 23, 24, 51 and 52; 8, 366; —9, 46, 71, 97 and 98; —11.62.

"According to some people, this verse does not form part of the text of Manu"—says Medhātithi. This is not his own opinion, as Hopkins wrongly asserts.

This verse is quoted in Viramitrodaya (Samskāra, p. 772); —in Madanapārijāta (p. 149); —in Nirṇayasindhu (p. 223); —in Aparārka (p. 94), which explains 'shulka' as the price; —and in Smṛtikarumudī (p. 38).

VERSE XCIV

This verse is quoted in Viramitrodaya (Samskāra, p. 766), which says that the following is the upshot of the texts bearing on this subject: —If the age of the girl is 8 years or less, she should be married to a man whose age is three times that of hers; if it is between 8 and 12, the age of the bridegroom should two and a half times; —if her age is between 12 and 16 then that of the bridegroom shall be two years less than the double of her age. Of the sentence 'dharmā sīdati sūvarah,' it gives two explanations: —(a) if he finds that his religious duties would otherwise suffer, he may marry earlier; and (b) if he marries in haste,—i.e., if he marries before he has reached the prescribed age, or if he marries a girl whose age is lower than the one prescribed,—then he suffers in spiritual merit.
It is quoted in *Parāsharamādhava* (Āchāra, p. 474), as laying down the extent to which the bride should be younger than the bridegroom;—in *Parāsharamādhava* (Prāyashchitta, p. 121), which adds that this verse applies to cases where the girl has not menstruated up to 12 years;—in *Nirnayāsindhu* (p. 215);—in *Samskāramayukha* (p. 82), which explains ‘tryastavarsah’ as ‘twenty-four years old’;—in *Hemādri* (Kāla, p. 801);—in *Smrti Chandrika* (Samskāra, p. 112), which explains ‘saturdv’ as ‘one of lower age,’ and deduces the conclusion that there is nothing wrong if the girl is married before her menstruation;—and in *Gadādhara Paddhati* (Kāla, p. 222), which explains ‘saturdv’ as one who is in a hurry to enter the Householder’s stage.

VERSE XCV

‘Deva-duttā’—‘Given by the gods, Bhaga, Aryaman, Savitṛ and the rest mentioned in the Vedic text recited during marriages’;—‘from Agni’ (Nārāyana);—‘from Soma, Agni and the Gandharvas’ (Medhātithi and Nandana).

This verse is quoted in *Virādaratnākara* (p. 181).

VERSE XCVI

This verse is quoted in *Virādaratnākara* (p. 118), which adds that the term ‘praṇaya’ here stands for the act of conceiving and ‘santāna’ for the act of depositing the seed, fecundating.

VERSE XCVII

This verse is quoted in *Madhurapārvyāsa* (p. 153);—in *Nirnayāsindhu* (p. 227);—in *Viramotrodaya* (Samskāra, p. 730);—in *Samskāramayukha* (p. 105), which explains the meaning to be that ‘if the girl agrees she may be given to the younger brother, but if she prefers to be given...’
to some one else, she should be given to this latter;—in Purusārthchintāmani (p. 454);—in Vyavahārād-Bālam-bhattī (p. 530);—in Guḍādharapūludhati (Kāla, p. 227);— and in Smṛtichandrikā (Sanskāra, p. 219).

VERSE XCIII

This verse is quoted in Smṛtītattva (II, p. 140).

VERSE XCIX

This verse is quoted in Samskāramayūkha (p. 104), which says that this refers to cases where no defects have been discovered in the bride-groom;—in Samskāra-ratnamālā (p. 503), which has the same note;—and in Smṛtichandrikā (Sanskāra, p. 218), which says that this refers to cases where the bride-groom has no defects.

VERSE C

This verse is quoted in Smṛtichandrikā (Sanskāra, p. 232), which says that this refers to cases where the father receives the money for his own benefit.

VERSE CI

This verse is quoted in Aparārka (p. 110), which adds that fidelity to each other is an obligatory duty, the transgression of which necessitates expiation;—and in Vivādaratnakara (p. 421).

VERSE CII

This verse is quoted in Vivādaratnakara (p. 421).

VERSE CIII

This verse is quoted by Jīmatuvāhana (Dāyabhāga, p. 6).
"The father's estate is to be divided after the father's death, and the mother's estate after the mother's death' (Kullāka Rāghavānanda, Nārayana and Nandana).—'The mother's estate devolves on the sons, only on failure of daughters'. (Nārayana).—The word 'ārdhvaṁ' indicates by implication that the rule holds good in the case of the father's turning an ascetic (Rāghavānanda).—The equal division takes place if the eldest does not desire to receive an additional share (Kullāka).—The last clause shows that division of the property may take place with the parents' permission during their lifetime. (Kullāka, Nārayana and Rāghavānanda)."—Bühler.

Of the Bhāṣya on this verse we have a single short sentence; on the next verse it is wanting in all the MSS. hitherto found; so also on several other important verses bearing on inheritance. It seems it has been purposely destroyed by the 'Editors' who reconstructed the Bhāṣya under King Madana. And from the fact that the pruning knife began to operate with the verse dealing with the rule regarding the larger share of the eldest brother, one feels justified in assuming that the conclusion arrived at on this point by Medhātithi was detrimental to the interests of the said King, who therefore set himself systematically to collecting all available MSS. of the work and destroying this portion.—In the absence of some such strong motive, one fails to see why the King should have taken all this trouble regarding the 'reconstruction' of Medhātithi's commentary.

This verse is quoted in Vivādaratnakāra (p. 455), which adds the following notes.—'Sātrevaṁ', equal, there being no setting aside of the twentieth part (for the eldest brother).—It might be argued that, since Mana has himself laid down that the twentieth part should be set aside as the additional share for the eldest brother, when they are dividing the paternal estate after the father's death, why should he speak of 'equal shares'?—But the fact
of the matter is that the said additional share is meant only for those cases where the eldest brother happens to possess special qualifications.—Udayakara has however explained the present verse to mean that what of is to be divided into 'equal' shares is only that part of the property which remains after setting aside the said twentieth part.—Halāyudha and Pārijāta have read 'sahā' in place of 'saman' and Pārijāta has explained it as 'among themselves'.—The term 'paitrkam' is to be expounded as 'mātā cha pitā cha pitarou, tayoḥ idam paitrkam'; so that the 'mother's estate' also becomes included,—so says Halāyudha.—Though the text uses the term 'paitrkam riktham', 'father's estate', it is meant to include the estate of the grandfather and other forefathers also; in which latter also the brothers have shares.—Though it is true that both the father's and the mother's estate are meant, yet it has to be borne in mind that to the mother's estate, the sons are entitled only in the absence of a daughter or her descendants.

It is quoted in Vyavahāramayūkha (p. 41), which adds that even though the text repeats the particle 'cha', yet it does not mean that both the parents should die before the property is divided.

It is quoted in Parāśharamādhava (Vyavahāra, p. 326), which adds the following notes:—'Pitūḥ ārdhvam', this phrase indicates the time for the division of the father's property; and 'mātūḥ ārdhvam' indicates that for the division of the mother's property; thus the meaning of the verse comes to this:—On the death of the Father, his estate is to be partitioned, even though the Mother may be living; similarly on the death of the Mother, her estate is to be partitioned, even though the Father may be living; there being no reason why the partition of the estate of the one should await the death of the other.

It is quoted in Vyavahāra-Bālambhaṭṭi (p. 443);—in Vivādachintāmani (Calcutta, p. 124) which has the following notes;—'Samam', equal,—i.e., without setting apart
EXPLANATORY—ADHYAYA IX

20 per cent. for the eldest:—it might be argued that Mama has actually sanctioned 20 per cent. as the special share of the eldest brother, in connection with the partition that is done after the Father’s death;—but this sanction should be taken as referring either to cases where the eldest brother has very special qualifications, or where he is specially desirous of having a special share;—it explains the mention of the ‘mother’ as being due to the term ‘patrkam’ meaning ‘parental’, and hence including the mother’s property also, which can be partitioned only after the death of the ‘mother.’

It is quoted in Śnrtisūrodhāra (p. 331);—in Dāyaka-kramāsaṇīgraha;—in Vīramitrabhaḍa (Nyavahāra, 170 a), which adds the following notes,—‘Pātrkam’, belonging to the Father and the Mother; the sense being that the Father’s property is to be divided after the Father’s death, and the Mother’s property after the Mother’s death;—the particle ‘ea’ does not imply that‘after the death of both the parents is another time for partition’; for the simple reason that the Mother or the Father being alive can be no obstacle in the partitioning of the property of the other;—and in Jinnāharāhāna (Dāyabhāga, p. 23), which says that this verse is meant to answer the question ‘why the sons should not partition the property during the lifetime of the parents?’—the reason being that during that time they have no proprietary right over it.

VERSE CV

What is said here refers to cases where ‘the eldest son is specially virtuous’* (Kālluka and Rāghavānanda),—or ‘possesses eminent qualities, and the others are less distinguished’ (Nārāyaṇa).

* This verse is quoted in Mātkarā (p. 117), where Bālambhaṭṭī has the following notes,—‘Patriyam’, inherited from the father;—‘Śhēśāḥ’, brothers other than the eldest,—Upanāṣī-veyuk, should follow him, like their father. Mātkarā adds
that such unequal division, even though sanctioned by the scriptures, should never be adopted, being opposed to popular sentiment, and also to Vedic texts.

It is quoted in *Viramitrodaya* (Rājaniti, p 35), in support of the view that the eldest son should succeed to the kingdom;—in *Aparārka* (p. 722), which adds that this rule is meant for cases where the younger brothers are still in status propellere, or are not entitled to any share by reason of being idiots and so forth, or are inexperienced; and in *Vivāda Ratnakara* (p. 157), which adds the following notes:—What is meant is that in partition, the eldest brother, if he happens to be possessed of all the qualities of the superior brother, should be treated as the sole master, like the Father himself;—‘tānu-puṣṭi-vṛtyaḥ’ means that ‘they should live on the subsistence provided by him.’

It is quoted in *Sūtradhatu* (II, p. 170);—and in *Vivāda Dvandvāntamgata* (Calcutta, p. 125), as laying down an alternative course;—in *Viramitrodaya* (Nyavahāra, 174 b); and by *Jīmaśabāha* (Dāyabhāga, pp. 35 and 103).

**VERSE CVI**

*Cf. Shruti— ‘Nāpatrasya lokastri’* (Aitareya Brāhmaṇa 7. 3. 9).

This verse is quoted in *Vivāda Ratnakara* (p. 157), which adds the following notes:—‘Putrābhacat’; becomes one who has fulfilled the dictates of the scriptures regarding the begetting of offspring;—the addition of ‘matāra’ is meant to indicate that the man becomes ‘with son’ even before the child has had its sacramental rites performed;—‘ānupnāyaḥ’, becomes freed, by the birth of a single son, from one of the three kinds of debts which have been described in the Shruti as besetting a man from his very birth.

It is quoted in *Viramitrodaya* (Rājaniti, p. 35);—in *Parāshararamadharac* (Ācharā, p. 501);—in *Viramitrodaya*
(Sanskāra, p. 163); —in Nyāyasindhu (p. 139); —in Samskāra-vatmanālā (p. 686); —in Srotahandvikā (Sanskāra, p. 43); —in Vyavahāra-Bālabhāṣṭī (p. 656); —in Nrsimhaprasāda (Sanskāra 25 b); —in Shrāddhakriyākarmāṇḍī (pp. 450 and 491), which explains ‘patribhara-vat’ as ‘becomes saved from the hell called Pat’; —in Shraddhākarmāṇḍī (p 86); —in Viraṇamodaya (Vyavahāra 171 b); —and by Jīmūtavāhana (Dāyabhāga, pp. 37 and 250) as lending support to the view that one’s title to another’s property is determined also by the benefits conferred by the former on the latter.

VERSE CVII

“This verse alludes to the Vedic text quoted, Vishistha 17 1; Visnu 15 43.” Bühler.

This verse is quoted in Viraṇamodaya (p. 157), which adds the following notes — ‘Sammayate’, concentrates; — ‘ānuntayan’, endless bliss; — ‘ashnait’, obtains, i.e., becoming freed from debt; — ‘Kāmaśānt’, this is a mere exaggerated statement, because it cannot be taken to mean that the younger sons have no share in the paternal estate, since it has been distinctly declared that they do have such share.

It is quoted in Viraṇamodaya (Sanskāra, p. 163); — in Vyavahāra-Bālabhāṣṭī (p. 656); — in Srotahandvikā (Sanskāra, p. 43); — in Viraṇamodaya (Vyavahāra 172 a); — by Jīmūtavāhana (Dāyabhāga, p. 37); — and in Rājaśīvāvatmākara (p. 40 b).

VERSE CVIII

This verse is quoted in Viraṇamodaya (p. 157), which adds the following explanation: The eldest brother should take care of the younger brothers, as if he were their father, and he should not separate them; — ‘patra-vat’
vartéran', they should not entertain feelings of hatred towards him;—in Vyavahāra-Bālambhaṭṭī (pp. 513, 656 and 691);—in Smrtichandrikā (Samskāra, p. 90), as attributing the qualities of father and son to the elder and younger brothers respectively;—and in Viramitrodāya (Vyavahāra 172 a).

VERSE CIX

This verse is quoted in Virādaratnākara (p. 457), which adds the following notes:—'Kulam vardhayati', the prosperity of the family being brought about by the adopting of proper business-methods and the taking care of the younger brothers;—'vināśhayate', all that this means is that he is in a position to ruin the family;—in Vyavahāra-Bālambhaṭṭī (p. 656);—and in Viramitrodāya (Vyavahāra 172 a).

VERSE CX

This verse is quoted in Virādaratnākara (p. 457), which adds the following notes:—The 'behaviour of the eldest' consists in lovingly maintaining and taking care of the younagers;—'bandhurat', like the maternal uncle and other relations, he should be treated with respect and saluted and so forth, and he should not be treated disrespectfully;—in Vyavahāra-Bālambhaṭṭī (pp. 513 and 691);—and in Viramitrodāya (Vyavahāra 172 a).

VERSE CXI

This verse is quoted in Virādaratnākara (p. 459), which has the note that what is meant is that separation is considered desirable, because it affords the opportunity for several performances of sacrifices; it is not meant that the separation itself is conducive to merit, like the performance of the Jyotistoma, or that non-separation is sinful, like the eating of the flesh of the animal killed by a poisoned arrow.
It is quoted in Aparārka (p. 749), which adds that conjoint life is meant for those cases where some of the brothers may be still studying, in cases where all of them have read the Veda and are capable of taking the fires, it is far better that they should live separately; again on p. 722, to the effect that it is not necessary that the brothers must divide immediately after the father's death;—in Vīrā- duḥkintāmāni (Calcutta, p. 125) as sanctioning partition as conducive to religious merit;—in Vīramatrodhyagā (Vy.āvahāra 172 a);—and by Jīmātavāhāna (Dāyabhāga, p. 37), which says that this is a clear case of voluntary option.

VERSE CXII

This verse is quoted in Mitāksarā (2, 114), which notes that this unequal division pertains to cases where the Father himself is dividing his self-acquired property among his sons, no such division being permissible regarding ancestral property.

It is quoted in Mahamāyopārā (p. 645), which supplies the following explanation:—The twentieth part of the property going to be divided, as also the best thing among the articles, should be given to the eldest brother; to the second brother, the fortieth part of the estate and also an article of the second quality; and to the youngest brother, the eightieth part of the estate and a third-rate article; the property that remains after this is to be divided equally;—it goes on to add that, though this unequal division has been sanctioned by several texts, yet it should never be adopted in practice, as it is contrary to popular sentiment, and what is against popular sentiment should not be done.

It is quoted in Vīrādaratnākara (p. 468), along with the next two verses which adds the following notes.—This deduction of special shares pertains to cases where the eldest brother is endowed with superior qualifications;—the law on this point may be thus summed up. In a case where
there are several sons born of the same mother, and every one is endowed with qualities,—but there is a gradual inferiority in the qualities,—then the eldest brother should receive as his special share, the twentieth part out of the whole property, as also the best among the articles in the property; the second brother is to receive half of that, i.e., the fortieth part, and also one article of the second quality; and the youngest brother, the eightieth part, and also an article of the lowest quality;—when however the eldest and the youngest alone are possessed of superior qualities, then the said special shares are to be given to these two only, the second brother receiving only his ordinary share, the special share prescribed for the qualified second brother,—i.e., the fortieth part of the property,—being equally divided among the three;—in a case where there are several brothers between the eldest and the youngest, and many of them are possessed of superior qualities, each one of the middle brothers is to receive a fortieth part as his special share;—when the eldest brother is possessed of very superior qualities, while the others are entirely devoid of qualities, he shall take as his special share the best among the articles,—the best of every kind of articles, e.g., ruby among the gems and so forth,—and also one among each kind of cows, buffaloes and other cattle.

It is quoted in Vyarahāramayūkha (p. 143);—in the Smṛttottara II (p. 193);—in Vrādachintāmān (Calcutta, p. 128), which notes on p. 125 that this refers to cases where the elder brother is endowed with special qualifications, or where he is specially desirous of having the extra share;—in Smṛtosāroddhāra (p. 331), which says that this refers to the property acquired by the father when he divides it among his sons during his own lifetime;—and by Jīmūtavāhana (Dāvabhāga, p. 64), who says that equal partition is to be made after all these 'special shares' have been extracted, as is made clear by verse 416; the special share of the eldest brother being the twentieth part of the property along with the 'best article'.
VERSE CXIII

This verse is quoted in Virāḍavatmākara (p. 168), which adds an explanation [see preceding note].

VERSE CXIV

"Yachcha sātashayam kṛčaḥ: 'A dress or an ornament' (Medhātithi);—something impartible, like an idol' (Nandana).

"Dashtah varam'—'The best among ten animals' (Medhātithi, Kullūka, Nārāyana and Rāghavānanda);—ten superior articles' ('others' in Medhātithi; the reading for 'varam', in this case, being 'varān').—'Everything shall be divided into ten shares and the eldest shall receive one such share in excess' (Nandana).

This verse is quoted in Virāḍavatmākara (p. 169), which adds an explanation (for which see note on 112).

VERSE CXV

This verse is quoted in Virāḍavatmākara, (p. 176), which adds the following explanation —The additional share proscribed in the last quarter of the last verse, 'the best among them', is not to be taken if all the brothers are equal in learning and other qualities. This is only by way of illustration; it means that none of the additional shares mentioned in verses 112–114 is to be taken, as is clear from the clause 'yat kṛčheva dāyaṃ syāt'—which means that some little thing is to be given to the eldest brother, as a mark of respect due to his superior age. When there is no difference among them on account of qualities, then 'Senor' among the brothers is to be determined by the portion of their mothers, the son born of the senior-most wife having been declared to be the 'senior.' That this is the finally adopted view (and not a mere tentative one) is proved by the fact that both
Lakṣmīdhara and the Pārijātā have accepted the view that ‘the son of the senior wife, even though younger in age, is to be regarded as senior.’

This is quoted by a Jīmūtavāhana, (Dāyabhāga, p. 74).

VERSE CXVI

This verse is quoted in the Vṛtvahāramayūkha (p. 43);—and by Jīmūtavāhana (Dāyabhāga, p. 64).

VERSE CXVII

This verse is quoted in the Vṛtvahāramayūkha (p. 43);—in the Smṛtisāroddhāra (p. 331), which has the following notes—‘ekādhikam’, i.e., two shares,—‘adhyavāham’, i.e., a share and a half,—‘tataḥ evaḥ’, ‘born after the eldest brother’,—‘amštvamamśtvam’, i.e., one share each; this refers to cases where no ‘special share’ has been taken;—and by Jīmūtavāhana (Dāyabhāga, p. 64).

VERSE CXVIII

‘If there are several brothers and only one sister, the former must deduct from their several shares as much money as will make up the fourth part of one brother’s share’ (Nārāyana).

This verse is quoted in Aparārka (p. 731), which adds the following notes:—‘Svēbhyaṃsvēbhhyāḥ’ means ‘from out of the share of one brother’; the plural number is used in view of the plurality of daughters;—‘śvāt śvāt’, the repetition is in reference to daughters of diverse castes;—thus the meaning comes to be as follows:—When a Brāhmaṇa has wives of all the four castes, and each of these has daughters, then the daughter born of the Brāhmaṇa wife is to receive the fourth
part of the share accruing to the son of the Brāhmaṇa wife; similarly the daughter of the Kṣatriya wife is to receive the fourth part of the share of the son of the Kṣatriya wife. This however is not the sister's 'rightful inheritance'.

It is quoted in Mitākṣara (2.124), which adds the following explanation:—The Brāhmaṇa-sons should give to the Brāhmaṇa-daughters the fourth part of the share that accrues to them in accordance with their castes, whereby 4 parts go to the Brāhmaṇa, etc. (see verse 153 below): it does not mean that each brother should give a fourth part out of his own share; what is meant is that the daughter of a certain caste is to receive the fourth part of what is prescribed as the share of the son of that caste;—the last clause 'patitāḥ svapradātsaṅkhyā' indicates the obligatory character of the rule. For this same reason it is not right to hold that all that the daughter is to receive is money enough for her marriage. It goes on to add that the explanation provided by Asahāya and Medhātitha is the right one. Thus it is decided that after the father's death, the daughter is actually entitled to a share.

It is quoted in Vivadavatmākara (p. 494), which adds the following explanation: It does not mean that the brother should take out a fourth part of his own share and give it to his sister; what is meant is that the daughter of a certain caste is to receive the fourth part of what is prescribed as the share of the son of that caste, which thus is to be given to her, for the purpose of her marriage. Thus the meaning comes to be that out of the 'four shares' and the 'three shares' to which the sons of the Brāhmaṇa wife and those of the Kṣatriya wife respectively are entitled,—out of the combined total of these—a 'fourth part' shall be given to the daughter; so that while it is the 'fourth part' that is to be given, the real purpose of this gift is to enable her marriage to be performed. Such is the view of Visnu, the Kalpataru and the Mitākṣara; while Halāyudha holds the opinion that no stress is meant to be laid on the 'fourth part', all that is meant is that
the daughter is to receive what would be needed for the performance of her marriage. And this is the view that 'appears' to be most proper; for whatever the 'fourth part' may be, the performance of the marriage would be necessary in any case.

It is quoted in Parāśarārthānīkha (Vyavahāra, p. 345), which supplies the following notes:—The meaning is that the brother belonging to the Brāhmaṇa and other castes should each give to the sisters of the Brāhmaṇa and other castes, the fourth part of his own share; that is to say, (a) in a case where a man has only one wife, and that of the Brāhmaṇa caste, and from her he has one son and one daughter,—the son shall divide his father's property into two parts, and having divided one of these two parts into four parts, he shall give one of these four parts to his sister and take the rest for himself;—when there are two sons and one daughter, the property shall be divided into three parts, and one of these three parts being divided into four parts, one of these four parts is to go to the daughter, and the rest the two sons shall divide between themselves;—when there is one son and two daughters, the father's property shall be divided into three parts, and one of these parts being divided into four parts, two of these latter parts shall be given to the two daughters, and the rest shall be taken by the son.—(b) But in a case where the man has left one son of the Brāhmaṇa wife and one daughter of the Kṣattriya wife,—the father's property shall be divided into seven parts ('four shares' accruing to the Brāhmaṇa son and 'three shares' to the Kṣattriya son), if there be one, the 'three shares' (accruing to the Kṣattriya son) shall be divided into four parts, one of these four parts shall be given to the Kṣattriya daughter, the rest of the property going to the Brāhmaṇa son; where there are two Brāhmaṇa sons and one Kṣattriya daughter the father's property is to be divided into eleven parts (4 shares for each of the Brāhmaṇa sons and three for the Kṣattriya if there be one), and the three parts (accruing to the Kṣattriya son) being divided into four parts, one of these
four parts shall go to the Kṣatriya daughter, and the rest of the property shall be divided between the two Brāhmaṇa sons. On the same principle is partition to proceed when there are brothers of different castes or sisters in varying numbers; such is the explanation provided by Medhātithi, and approved by Vijñāneshwara also;—Bhāruchī on the other hand holds that the ‘fourth share’ only stands for ‘such amount as may be necessary for her marriage,’ and that therefore unmarried girls have no right to the inheritance as such. This same view has been held also by the author of the Candraśākī,—of these two views, people may accept the one that appears to be the most reasonable.

It is quoted in Vṛdhaḥprasāda (Vyavahāra, p. 36a);—in Vivādaḥintāmani (Calcutta, p. 134), which says that the meaning is that ‘each daughter should receive the fourth part of what forms the share of a son of the same caste as himself,’ and adds that stress is not meant to be laid upon the ‘fourth part,’ what is meant is that so much should be given to her as would suffice for her marriage;—and in Vīramatirodaya (Vyavahāra, 179b), which says that this does not mean that ‘in the case of either form of partition among the brothers, each brother should give to the sister the fourth part of his share;’ as, if there were so, if there were several brothers to a single sister, she would have a very large property,—or if there were a single brother to many sisters, he would have nothing left for himself;—all therefore that is meant is that the brother should give to the sisters just enough to suffice for her marriage—so says the Vivādaḥatākara, the Vivādaḥintāmāni and the rest;—this is not right; as the text is clear on the point that by not giving to the sister the fourth part of his share, the brother incurs a sin which is quite different from that incurred in not providing for her marriage; the right explanation is that which has been provided by Medhātithi and the Mitāksara. (It then proceeds to quote these).

It is quoted by Jīmūtabhāgavat (Dāyabhāga, p. 114), which says that the root ‘dā’ used makes it clear that the sisters have no claims over the property.
VERSE CXIX

This verse is quoted in Mitāksarā (2. 119), to the effect that of the animals mentioned, if an odd one remains after partition, it is to be given to the eldest brother;—in Mahāparājīta (p. 686), to the same effect;—in Aparārka (p. 723), which explains ‘visanam’ as a number different from (not a multiple of) the number of brothers;—in Vivādaratnākara (p. 498), which says that the odd animals are not to be partitioned by being sold and the value divided, they should be taken by the eldest brother;—and in Vyavahāramayukha (p. 57).

VERSE CXX

This verse is quoted in Mitāksarā (2. 136), which says that this refers to cases where the brothers (the one dead and his younger brother who beget the son on his sister-in-law) were not divided, while verse 146 below pertains to cases where they have been divided;—and in Vivādaratnākara (p. 542), which adds the following explanation:—The undivided elder brother having died without a son, if the younger brother begets, by commission, a son on his widow, then, when there comes about partition between this son and his uncle-progenitor, it will be done in equal shares, and the son shall not obtain any special share by reason of his dead father having been the elder brother.

VERSE CXXI

‘Pradhānasya’.—‘The principal, body-born, son’ (Medhāūthi);—‘The father, the husband of the widow’ (Kullūka, Narāyaṇa and Rāghavānanda).

“The subsidiary son has not the same rights as the principal, his dead father, the husband of his widow-mother; it is this father, the husband of the widow, who is the ‘principal etc.’ (Kullūka and Narāyaṇa);—‘the father is the principal, not
the mother, hence even though the mother is the elder sister-in-law, yet the son does not have the same right as his dead father' (Nandana).

This verse is quoted in Vivāda ratnakāra (p. 542) as supplying a reason for what has been said in 120; it adds the following explanation:—'upasrarjana' is subsidiāry, i.e., the Kṣetrajya son,—it is not lawful that this son should be treated like the principal, the 'body-born', son; because in this case (of niyoga) the father, the progenitor-uncle, is the 'principal';—such is the explanation given by the author of the Prakāsha. Lakṣṇimidhara construes 'Upasrarjanam' as 'Upasrarjanatvam'; but that makes no difference in the meaning.—'Dharmēṇa', according to the injunction of the scriptures.

VERSE CXXII—CXXIII

These verses are quoted in Vivāda ratnakāra (p. 473), which adds the following explanation. The question here raised pertains to the case where there are several sons born of several mothers belonging to the same caste as the father; the term 'pārājálaḥ' (in verse 123) stands for the younger son born of the senior wife, as is clear from the latter half of the verse; which means that the next best bullocks—those not the very best—shall belong to those brothers who are junior by reason of the junior position of their mothers; i.e., whose mothers are junior to the mother of the aforesaid brother;—and in Vyavahāra-Bālambhaṭṭī (p. 461)

VERSE CXXIV

Medhātithi reads 'agyēsthāyām' and remarks that it is another 'special share'; but it adds that this may be only another special share for the son of the senior wife (the reading in this case being ज्येठायाम).

This verse is quoted in Vivāda ratnakāra (p. 473), which reads 'Jyēsthāyām' and remarks that this lays down
another special share for the brother who is 'elder' by reason of being born of the senior wife.—‘\textit{Vyasabhasadashah}\textsuperscript{a}’ means 'cows that have a bull for their sixteenth'; these \textit{cows} being the animals that are most cognate to the animal mentioned, ‘bull’.—‘\textit{Shesah}\textsuperscript{a}’, the remaining brothers, by reason of the non-seniority of their mothers, should each take a bull which is not the very best.—It goes on to add that, according to the author of the \textit{Prakasha}, what is here stated by Manu is the opinion of 'others'; his own view being stated in the next verse, where seniority among brothers is made to rest upon the priority of their birth.—Halayudha however explains the three verses (122—124) as follows:—When the younger brother is born of the senior and the elder from the junior wife, then the former shall have the best bull as his 'special share',—of the other bulls, which are not the very best, one each should be given to the other brothers, the quality of each being in accordance with the respective seniority of their mothers,—and the remainder is to be divided equally among the brothers (123);—but when the elder brother is born of the senior wife, then we have the rule laid down in 124: the cows 'with a bull as their sixteenth' goes to the eldest brother, and each of the other brothers receives as his 'special share' one bull, the quality of which is to be determined by the relative seniority of their mothers.

It is quoted in \textit{Vyavahara-Balamkutii} (p. 461).

\textbf{VERSE CXXV}

"As this verse and the following one contradict the rules given in verses 123-124, the commentators try to reconcile them in various ways. Medhātithi thinks that verses 123-124 are an \textit{Arthavāda}, and have no legal force, and Rāghavānanda inlines to the same opinion.—Nārāyaṇa and Nandana hold that the seniority according to the mother's marriage is of importance for the law of inheritance (verses 123-124), but
that it has no value with respect to salutations and the like, or to prerogatives at sacrifices (verses 125-126). Kul-lāka, finally relying on Govinda-raja’s opinion, thinks that the rules leave an option, and that their application depends on the existence of good qualities and the want of such. It is, however, probable that according to the custom of Hindu writers, the two conflicting opinions are placed side by side, and that it is intended that the learned should find their way out of the difficulty as they can.”—Buhler.

This verse is quoted in Vīracaritrodga (Rāpanīti, p 36),—in Nīmayasundha (p. 177); and in Vīparahāra-Bālam-bhātī (p. 461).

VERSE CXXVI.

For the ‘Subrahmapayā verses’ see Antareya Brahmāna 6 3.

According to Rāghavānanda the meaning of the second half is that since between twins the one born first is the last conceived, the right of primogeniture is given to the son born last. This is the view hinted at by a passage in the Uttaracharita, where Lava says of his brother pvasrakramena sa kila pyāya (Act IV).

This verse is quoted in Vīracaritrodga (Rāpanīti, p. 37), which adds the following notes—That mantra is called ‘Subrahmapayā’ which, at the Jyotistoma sacrifice, is recited for inviting Indra; in thus the ‘oldest’ son is represented as addressing the father; and it is the senior by birth that is regarded as the ‘oldest’; and in a case where the sacrificer has twin sons, even though the conception of both may have been simultaneous, yet the son that is born first is held to be the ‘oldest’, this is made clear by a text of Devāla’s where it is declared that of twins, that child is to be regarded as the ‘oldest’ whose face is seen first. In the Samskāra section we find the other view stated (see below).

It is quoted in Vrādavatmākara (p. 477), which has the following notes—The ‘Subrahmapayā’ is the mantra recited at the Jyotistoma by Chhandogas, when the
form employed is ‘so and so, the father of so and so is sacrificing’; and here it is the elder son that is named; and he is the one that is born first.

It is quoted in Viramitrodhayā (Samskāra, p. 161), which adds the following notes:—Between twins seniority is determined by birth in the womb; i.e., that child is ‘elder’ who is the first to be born in the mother’s womb; while the one born, i.e. conceived, later is regarded as junior; and it is not that seniority belongs to the child that comes out of the womb first; this conclusion is based on the fact that the child born later has been conceived earlier and would have been born earlier also, had not its passage outside been obstructed by the second child conceived later; the order of conception being the reverse of that of birth. It is only when both children are born simultaneously that seniority belongs to one whose face the father sees first.—It goes on to add that this view has been held by ‘some people’ and in reality seniority must be determined by the priority of actual birth coming out of the womb.

It is quoted in Vyavahāra-Balambhaṭṭi (pp. 461 & 702); and in Samskāraratnamālā (p. 828), which has the following notes—‘Subrahmanya’ is the name of a mantra used, at the Jyotistoma sacrifice, for inviting Indra; it is recited along with the name of the sacrificer’s son, and the rule is that it is the name of the eldest son that is pronounced; and it is the eldest by age that is taken; so in partition also; and between twins also, though they are conceived simultaneously, yet one that is born first is regarded as the elder of the two.

VERSE CXXVII

This verse is quoted in Parāśiaranādhava (Achāra, p. 475) as a clear indication that the ‘appointment’ of the daughter is undisputed in a case where it has been done in accordance with a clear agreement between the father of the bride and the bridegroom;—in Nṛsimhaprasāda (Vyavahāra 38a);—in Vyavahāra-Balambhaṭṭi (pp. 651 and 633)
and by Jīmūtavāhana (*Dāyabhāga*, p. 223), to the effect that the appointed daughter offers the Ball to her appointing father through her son.

It is quoted in the *Vidhānapārījāta* (p. 699); —in the *Vivādacaritnākara* (p. 561); —in the *Svartichandrikā* (Samskāra, p. 182), as laying down the mode of appointing the daughter; —in the *Samskārataktamālā* (p. 414), to the effect that it clearly implies that there should be an express stipulation with the girl's husband; —in *Duttakāmānamsi* (p. 7); —and in *Viramitrodaga* (Vyavahāra 185a), which says that the son that is born of the Appointed Daughter after stipulation, belongs to the father of the girl; though the opinion has been held that this is so also in cases where there has been no open stipulation to the effect.

**VERSE CXXVIII**

This verse is quoted in *Vyavahāra-Bālambhaṭṭi* (p. 654), —and in *Viramitrodaga* (Vyavahāra 185a).

**VERSE CXXIX**

This verse is quoted in *Vyavahāra-Bālambhaṭṭi* (p. 654) —and in *Viramitrodaga* (Vyavahāra 185a).

**VERSE CXXX**

This verse is quoted in *Vivādacaritnākara* (p. 591); —in *Vivāda-chintāmanī* (*Calcutta*, p. 152), to the effect that like the son, the daughter also serves the purpose of propagating the father's race; —in *Hārabatā* *(p. 179)*; —in *Vyavahāra-Bālambhaṭṭi* (pp. 663 and 691); —in *Viramitrodaga* (Vyavahāra 203 a); —and by Jīmūtavāhana (*Dāyabhāga*, p. 270).
"According to Medhātithi, Kullūka and Nārāyaṇa, all Strūdhana is meant;—according to 'others' mentioned by Medhātithi, Nandana and Rāghavānanda, the so-called 'sāvāyika' or property derived from the father's family."—Buhler.

'Κυμαρί'—'an unmarried daughter (Medhātithi and Kullūka);—'a daughter who has no sons' (Nārāyaṇa).

The first half of this verse is quoted in Vivādaratnākara (p. 517) which adds the following notes:—'Yeuṭakam' here stands for what has been given to the girl at the time of her marriage, by her father and other relatives. Hālāyudha however holds that it stands for what has been given to the woman for such household purposes as the purchase of vegetables and other things, out of which, by her clever management, she may have saved and increased by judicious handling. To such property of the mother either the sons or the married daughters can have no right, as a rule; but if among the married daughters there be such as are childless or otherwise ill-conditioned, these are to have an equal share in the property.

It is quoted in Parāśaharanādhava (Vyavahāra, p. 372), which explains 'yauṭakam' as 'property obtained from the father's family';—in Aparārka (p. 721), the effect that when the mother's property comes to be divided among her daughters, the unmarried ones have the preference over the married ones;—in Śrīvishnu Dīpikā II (p. 186), which has the following note:—The term 'yauṭakam' is derived from the root 'yu' (to join), and hence signifying 'junction, or union, it stands for 'what is given at marriage';—in Vyavahāra-Bālambhaṭṭī (pp. 631 and 750);—in Dāyakramasaṅgraha (p. 21);—and by Jamūtarāhava (Dāyabhāga, p. 132), which says 'yauṭakam' stands for the dowry obtained at marriage,—this being indicated by the root 'yu' (to join) from which the word is derived,—marriage being the 'joining' of the husband and wife.
CF. 136 and 140.

This verse is quoted in *Vivādharatānākara* (p. 560), which adds the following notes:—"*Apotrasya*" i.e., one who has no 'body-born' son;—the second half is a mere reiteration of what goes before—says *Prakāsha*; it is an Arthavāda providing a reason for what has gone before—says *Udayakara* in his commentary on *Manu*. [These remarks are based on the reading of the second line as देविः पुत्र तु हरेरूप्यस्सापिवल धनम्.]

It is quoted in *Vyavahāra-Bākonbhatti* (pp. 631 and 664);—in Hemādri ( Shrādha, p. 87);—in *Gadātharapad-dhati* (Kāla, p. 427), which says that the two 'hall' are to be offered to the father and to the mother's father;—in *Vivādachintāmānaṃ* (Calcutta, p. 153) which adds that this refers to cases where neither of the parents of the deceased is alive;—and by Jimūtavāhāna (*Dāyagāpa*, p. 278) as indicating that the grandson is entitled to the property of his mother's father by reason of the mother deriving her body from that father.

**VERSE CXXXIII**

"Na lokē...na dharmataḥ"—Neither with regard to worldly affairs nor to sacred deities (Kullūka);—with respect to sacred duties, according to law (Rāghatānanda and Nandana).

* This verse is quoted in *Sūtrastūra* II (p. 191), to the effect that the son's son and the daughter's son being on the same footing, just as in the absence of the son, the property goes to the son's son, so also in the absence of the daughter it should go to the daughter's son;—again on p. 394;—and in *Vyavahāra-Bākonbhatti* (pp. 631, 664 and 752).
VERSE CXXXIV

This verse is quoted in Vivādaratnākara (p. 541), which adds the following notes:—The 'putra' here stands for the aurasa, 'body-born,' son;—'ava,' after the 'appointment' of the daughter;—'striyāḥ,' of the 'appointed daughter'; who the appointed daughter is, is described by Manu in verse 127.

It is quoted in Mitāksarā (2. 132) to the effect that when both the sons—the body-born son and the son born of the 'appointed daughter'—are there, all the property is not to go to the former only. The Bālambhaṭṭī adds that the meaning of the last quarter is that the 'special portion' ordained for the 'eldest son' does not accrue to the 'appointed daughter' or her son.

It is quoted in Aparārka (p. 739);—in Parāsharamādhava (Vyavahāra, p. 347), which has the same note as the Mitāksarā;—in Madanapārijata (p. 654);—in Vivādachintāmaṇi (Calcutta, p. 150);—in Dāyakramasaṅgraha (p. 51);—by Jimūtavāhan (Dāyabhāga, pp. 223 and 67), as setting forth a reason why the Appointed Daughter should offer the Ball through her son.

VERSE CXXXV

'Dhaman.'—What the appointed daughter received from her father either during his life-time or on his death' (Nārāyaṇa).—But Kullāka says that this prohibits the father inheriting the appointed daughter's estate on the plea that she was his 'son.'—According to Nandana it precludes the paternal uncle and other relatives from inheriting the property of an appointed daughter.

This verse is quoted in Aparārka (p. 754), which adds that this refers to the case of the daughter who has been 'appointed' under the terms that 'the son born of this girl shall be mine,' and not to that of one who is 'appointed' as herself being the 'son'; in the case of the latter the husband is precluded from inheriting her property, by Paṭhīṇasi.
It is quoted in *Virālavrutnākara* (p. 520), which adds that this rule is meant for cases where the dead sonless daughter has no unmarried daughter or sister; —in *Parāsharatmadhava* (*Vyavahāra*, p. 374), which adds that this refers to cases where no brother is born to the lady, even subsequently; —in *Vyavahāra-Bālbambhiti* (p. 742 and 765); —and by *Jimūtavāhana* (*Dāyabhāga*, p. 276), which says that this refers to cases where a son has been born to the Appointed Daughter and has died.

**VERSE CXXXVI**

'(a) Akṛtā vā (b) kṛtā' —'(a) Daughter not appointed explicitly, and (b) one appointed explicitly' (Kullūka); —'(b) unappointed, i.e., any ordinary daughter' (Govindaśā and Nārāyaṇa Xandana); —the 'unappointed daughter' is added only hyperbolically, the meaning being that 'when even the unappointed daughter is entitled to inherit, the appointed one is all the more entitled' (Medhātithi).

This verse is quoted in *Mītāksarā* (2.436), to the effect that in the absence of the son and the daughter, the property goes to the daughter's son. The *Bālbambhiti* adds that Vijñāneshvarā had taken the verse as applying to all daughters, but Medhātithi has come to the conclusion that the rule is meant for the 'Appointed Daughter' only.

It is quoted in *Āparāgra* (p. 135), to the effect that the 'daughter's son' who inherits his grandfather's property must offer *Śrāddhas* to him; —in *Nivāraprasāda* (*Vyavahāra*, 40 b); —in *Vivramīroatlaga* (*Vyavahāra*, p. 190 a and 205 b), which explains that the Appointed Daughter being a 'son', her son, even though the 'son of a daughter' (dauhitra) is virtually the 'son's son' (puttra); and hence just as the son's son inherits the property on the failure of the son, so does the daughter's son also, on the failure of the daughter; —and by *Jimūtavāhana* (*Dāyabhāga*, p. 224).
VERSE CXXXVII

This verse is quoted in Aparārka (p. 103), which explains ‘Bradhma’ as the sun;—in Vyavahāra-Balāmbhāṭṭī (pp. 657 and 707);—in Viramitrodaya (Vyavahāra 199 b);— and by Jimūtavāliana (Dāyabhāgya, p. 249).

VERSE CXXXVIII

This verse is quoted in Virāduratnākara (p. 583);— in Smṛtītattva II (p. 389), which (adopting the reading नुकसन्वशेषनायि तद्वपरिश्रथे यतेन स:) takes the verse as enjoining the begetting of a son for the purpose of being saved from the hell ‘Pit’;— in Vyavahāra-Balāmbhāṭṭī (p. 658 and 707);— and in Viramitrodaya (Vyavahāra 199 b).

VERSE CXXXIX

Cf. verse 133.

The second half of this verse is quoted in Smṛtītattva II (p. 185), as attributing the character of the ‘son’s son’ to the daughter’s son.

It is quoted in Dāyakramasaṅgīrati (p. 25);— in Dattakamīmāṃsā (p. 40);— and in Vyavahāra-Balāmbhāṭṭī.

VERSE CXL

This verse is quoted in Virāduratnākara (p. 563);— in Aparārka (p. 435), as referring to the case of the ‘grandson’ whose mother herself had been an ‘appointed daughter’ in the sense that she herself was made a ‘son’; in Madanapārījāta (p. 609);— and in Viramitrodaya (Vyavahāra 185b).

VERSE CXLI

“Medhāūthi, Kullāka and Rāghavānanda refer this rule to the case where a man has a legitimate son and an
adopted son, and think that in such a case the latter, being eminently virtuous, shall receive, like the Kṣētraṇa, a fifth or sixth part of the Estate. Medhātithi remarks that some think he is to have half, but that this opinion is improper, and finally that Upādhyāya, i.e., his teacher, allots to the adopted son less than to the Kṣētraṇa. Kullāka and Rāghavānanda state that Govindaṇāja took the verse to mean that the eminently virtuous adopted son shall inherit on failure of a legitimate son and of the son of the wife, but that this explanation is inadmissible on account of verse 165. Nārāyana says "it has been declared that the adopted son receives a share like the chief son, when he is eminently virtuous." — Buhler.

This verse is quoted in Viraṇharaṇākara (p. 567), which adds the following note: "Gunaḥ", such as caste, learning and character;—the fact of this adopted son being entitled to inherit being patent from the fact of his being a 'son', the specific mention of 'being endowed with virtues' is meant to indicate that in a case where a body-born son happens to be born after the adoption, the adopted son is to have a share in the inheritance only if he is 'endowed with virtues', while if he is not so endowed, he is entitled to maintenance only.

It is quoted in Dattakamāmāmsā (p. 28) as countenancing the adopted son's inheritance of the entire property of the adoptive father, when the latter leaves no 'body-born' son;—in Purusārthachintāmani (p. 370), to the effect that the adopted son is entitled to an equal share with the 'body-born' son;—and in Svāṃkara-vatvanāli (p 769) to the same effect as Dattakamāmāmsā.

VERSE CXLII

"The general meaning is that all connections with the first family ceases. Nevertheless, according to Kātyāyana and the later usage, if there is a special agreement to that effect, the son may belong to both fathers (dṛṣṭāmasyāyāna)."—Hopkins.
This verse is quoted in Mitakṣara (2. 132), which notes that ‘adopted son’ is here mentioned as representing all kinds of secondary ‘sons’; all of whom are entitled to inherit the ‘father’s’ property, as is clear from verse 185 below.—The Bālampāṭṭi has the following notes:—‘Dutrimaḥ’ is the same as ‘dattaka’, the adopted son;—‘janayituk’ of the progenitor;—according to Medhātithi ‘janayituk’ is to be taken as with the Ablative ending; thus then the adopted son is not affected by the impurity consequent on the death of his progenitor. This verse permits the adopting of sons even of gotras other than the adopter’s own.—‘Pinda’ means the offering of śrāddha, and this offering of śrāddha follows the gotra and the inheritance, i.e. šrāddha is to be offered to that ‘father’ whose ‘gotra’ and ‘inheritance’ one receives;—it is for this reason that the ‘svadāḥ’ i.e. śrāddha, offered by the adopted son, ceases—‘vyapati’—from the person who gave the son to be adopted by another; i.e. the adopted son shall not offer śrāddha to that person.—In reality however the term ‘pinda’ here stands for ‘sāpinda’; if it is taken in the sense of ‘śrāddha’, then the subsequent sentence ‘vyapati svadāḥ’ becomes a superfluous repetition. It is for this reason that all cultured people treat, in all matters, the adopted son as belonging to the gotra of the adoptive father, and on the death of the adopted son, it is the sāpindas of the adoptive father that observe impurity for ten days; and in all matters he is regarded as a ‘sāpinda’ of the family of the adoptive father. It is for the same reason that the adopted son is regarded as having ceased to be the sāpinda of his progenitor’s family.—All this however holds good in a case where the progenitor has got other sons; in cases where he has none such, his property must go to his begotten son, even though adopted by another person; and he must perform his śrāddha also. It is in this sense that the ‘dvayāmusyaśayana’ has been held to benefit both the families.
The verse is quoted in Parāśaravamādavata (Vyavahāra, p. 351), which adds the following notes:—The 'adopted' son is mentioned only by way of illustration, it stands for all the secondary sons.—Though there are texts that lay down that the secondary sons are entitled to inherit the property of the 'father', yet these must refer to other Yāgas, except so far as the 'adopted' son is concerned, who inherits in Kali-yuga also.

It is quoted in Viramitrodaya (Sanskāra, p. 208), as indicating the legality of adopting sons of other gotras also. It proceeds to set forth the order of preference among the several alternatives regarding the gotra &c. of the son to be adopted:—(1) One who is both saṅgotra and saṁyuṣa of the adopter,—(2) who is saṁyuṣa but not saṅgotra,—(3) who is saṅgotra but not saṁyuṣa,—(4) who has the same pravara, —(5) who is neither saṅgotra nor saṁyuṣa nor pravara.—It is quoted again on p. 686, as likely to be understood as prohibiting the performance of shrāddhā for the progenitor, and hence implying that the son adopted by another person ceases to be the 'saṁyuṣa' of his progenitor.—It is quoted again on p. 716, where the following notes are added:—The adopted son is not to take the 'gotra' or the 'estate' of his progenitor, and the 'saṁyuṣa' character as also the 'performance of shrāddhā' of the person who gives away the son to be adopted,—becomes removed from the adopted son, and the reason for this is that 'the Pinda follows the 'gotra and the estate' and hence ceases when these two cease.

It is quoted in Sūrtitātra II (p. 38), where the clause 'gotravikṣhānuyah pāndhā' only is quoted in support of the principle that inheritance is based upon the benefit conferred by the inheritor upon the original owner of the property.—It is quoted again on p. 384 as indicating the superiority of the Daughter to the adopted and other secondary sons;—and again on p. 391, as laying down that the liability to offering Pindas is based upon the inheritance of property.
It is quoted in *Nirṇayagāṇḍha* (p. 278), which notes that what is here stated refers to cases where the progenitor has other sons.

It is quoted in *Vivādavatnākara* (p. 568), which adds that in view of the general principle that the 'offering of Pīṇḍas' follows 'gotra and inheritance', the former ceases in the case stated;—'svadhā' stands for shrāddha and other offerings.

It is quoted in *Vyavahāramāyūkha* (p. 51), which adds the following notes:—The meaning is that the 'Pīṇḍa' is concomitant with 'gotra and inheritance';—this refers to the 'purely adopted son', the Devānusayāṇa retaining the gotra, etc., of his progenitor also;—'Pīṇḍa' stands for the shrāddha and other after-death rites, according to Medhātithi, Kullūka Bhaṭṭa and others; while, according to others, 'pīṇḍa' stands for the 'sagpaṇḍa-character' and 'svadhā' for the shrāddha and other after-death rites; as a matter of fact, however, what the terms "gotra-riktha-pīṇḍa-svadhā" stand for is all that is due to the relationship of the progenitor; and all this is precluded in the case in question; thus it follows that the adopted son ceases to have the relation of 'uterine brotherhood' with the other sons of his progenitor, and so forth.

It is quoted in *Madanaśārirājāta* (p. 135) as indicating the change of gotra for the adopted son;—in *Gotrapra-varamībandhabhakacandra* (p. 185), which says that this applies only to the offering of Shrāddha and such things;—in *Smrtichauḍrikā* (Samskāra, p. 185) as laying down the cessation of the generator's gotra;—in *Samskāramāyūkha* (p. 79) as lending support to the view that the son adopted in another family loses the Sāpindya also of his progenitor's family;—in *Samskāracartramālā* (p. 455), which says that this is meant for cases where the progenitor has got another son;—in *Dattakamīmāṃsā* (p. 30), which explains the second line to mean that 'in giving his son for being adopted by another person, he relinquishes the shrāddha that that son would have offered';—in *Dattakachauḍrikā* (p. 53), which
explains the verse to mean that—"By the mere act of being given to be adopted the son ceases to be a son to his progenitor, and thereby relinquishes all his gotra and all claims to his property";—and in _Nesimhaprasāda_ (shrāddha 4a).

**VERSE CXLIII**

This verse is quoted in _Parāshararāmādhara_, (Vyavahāra, p. 368);—and in _Vivādaratnākara_, (p. 586), which adds the following notes—'ānuyuktāsatah' is the son begotten by the widow without the permission of her elders;—'bhūgam' share in the property of the husband of the widow;—this means that such a son is precluded from the offering of _Paśupatī_ and other rites also. This refers to cases where the widow has been bought over to the connection.

**VERSE CXLIV**

This verse is quoted in _Vivādaratnākara_, (p. 587), which explains 'ārdhānatah' as 'not in accordance with the method prescribed for _Nirṛtya_';—and in _Dattaka-mīmāṃsa_, (p. 29) as referring to the _Kṣetrapa_ son.

**VERSE CXLV**

"Medhātithi and Kullūka state that the object of this verse is to teach that a _Kṣetrapa_, it endowed with good qualities, may even receive (against verse 120) the additional share of an eldest son;—Nārāyana says the expression 'like a legitimate son' is used in order to establish the title to an equal share."—Bühler.

**VERSE CXLVI**

This verse occurs in _Vivādaratnākara_, (p. 542), which adds the following notes:—The man, who takes care of the property and widow of his brother who had separated
from him, should beget a 'Ksetrajja' son on that widow and make over the property to that son, he should never take the property for himself.

It is quoted in the Matkṣarā, (2. 136), which says that the meaning is that even when the brother is divided, if he dies, his widow is to be in touch with his property only through the child, and not by her own right. The Bālam-bhaṭṭī adds the following notes.—'Bibhriyāt', should take care;—"tamiēva cha' is another reading (for ēva taddhanam');—'taddhanam', the brother's property;—'tasyaiva,' to the son;—the use of the word ‘dālyāt' implies that the rule refers to the case of divided brothers; as in the case of undivided brothers, there would be no property belonging separately to the dead brother.

It is quoted in Aparārka (p. 742), which explains 'tasyaiva' to mean 'to the child only, not to its mother';—in Parāshāravāna (Vyavahāra, p. 357), which adds that the meaning is that when a divided brother has died, his widow can have anything to do with his property, only through her child;—in Nṛsimhaprasāda, (Vyavahāra, p. 41a);—and in Vīramitrodāya, (Vyavahāra 196a).

VERSE CXLVIII

This verse is quoted in Vivādaratnākara (p. 527), which adds that 'ēkayonisvā' means 'those belonging to the same caste', 'ēkujaṭānaṁ', 'begotten by one man',—'bhāvīsā', 'on wives belonging to diverse castes';—and notes that 'ēkujaṭānaṁ' is to be construed with 'bhāvīsā' also.

VERSE CXLIX

This verse is quoted in Vivādaratnākara (p. 527);—and in Nṛsimhaprasāda (Vyavahāra 35b).
VERSE CL

'Ekāṁshaścha pradhānatāḥ 'one most excellent share' (Medhātithi and Kullūka);— 'one share consisting of the best part of the property' (Nārāyaṇa and Nandana):— 'one share, because of his being the chief person' (Rāghavānanda).

This verse is quoted in Vivādaratnākara (p. 527), which adds the following notes:— 'Kīnāsha' is the ploughman — 'yānam', the horse and the rest;—thus the meaning is that the son of the Brāhmaṇa mother should receive the ploughman the cow, the bull, the conveyance, the ornament and the house; and among the 'three shares' of the inheritance to which he is entitled, one should be made specially important by containing the most important and the most valuable things;—the cow and bull etc. are to be given only if it be possible to do so.

VERSE CLI

This verse is quoted in Vivādaratnākara (p. 528);— and by Jīmūtavāhana (Dāyabhīga, p 212).

VERSE CLII

"According to Nārāyaṇa this rule refers to the case where each of the wives has several sons, while the preceding one is applicable where each wife has one son only. — Rāghavānanda thinks that the first rule shall be followed when the son of the Brāhmaṇa possesses good qualities, the second when he is destitute of them".— Buhler. •

• This verse is quoted in Vivādaratnākara (p. 528), as containing the sanction for partition with 'special shares';— in Parāsharanādha (Vyavahāra, p. 353);— and by Jīmūtavāhana (Dāyabhīga, p. 212).
VERSE CLI

This verse is quoted in *Vivādaratanākara* (p. 528), which adds that no significance attaching to the singular number in ‘vipraḥ’ this same rule applies to cases where there are several sons from the Brāhmaṇī wife.

It is quoted in *Parāṣaḥramādhava* (Vyavahāra, p. 343), which adds that this pertains to lands other than that which may have been received by the father as a religious gift, to which latter, the non-Brāhmaṇa sons are not entitled;—in *Vivādachintāmaṇī* (Calcutta, p. 144);—in *Dāyakrāma*-saṅgraha (p. 51);—and by Jīmūtavāhana (*Dāyabhāga*, p. 212).

On the failure of other sons, the rest of the property goes to the *Sapindas* (according to Medhātithi),—to the widow and the rest (according to Nārāyaṇa).

This verse is quoted in *Vivādaratanākara* (p. 535), which adds the following notes:—‘Saputraḥ’, one having sons of the twice-born castes,—‘aputraḥ’, one having no sons of the twice-born castes;—Halāyudha and Pārijāta have taken this verse to men that no part of the property goes to such son of the married Shūdra wife as is entirely devoid of good qualities.

It is quoted in *Parāṣaḥramādhava* (Vyavahāra, p. 344), which adds that this refers to such Shūdra-born sons as are not obedient to the father.

It is quoted in *Aparārka* (p. 735), which adds the ‘adhiṣṭhā’ means ‘more than the tenth share’;—also on p. 740 where it is added that the implication of this rule is that in the case of the man ‘without sons,’ the property besides the ‘tenth share,’ which goes to the Shūdra-born son, goes to the ‘widow and the rest.’

It is quoted in *Mālāksara* (2, 132-133), which explains the meaning to be that even though the son of the Shūdra wife is a ‘body-born’ son, yet he cannot inherit anything more than the tenth share, even when there are no other sons. It
adds the following explanation:—"Satpatrah" means 'one having sons of wives of the twice-born castes;'—"aputrāh": 'one who has no sons from the twice-born wives;'—when such a person dies, then his sons—Kṣētraja and the rest—or sapindus, shall not give to his son from the Shūdra wife, any more than the tenth share—This implies that the sons of Kṣattama and Vaishya wives inherit the entire property, if there is no son from the Brāhmaṇa wife.

It is quoted in Nṛsimhavprakāśa (Vyaśahāra 35b):—in Vyaśahāra-Bālambhāṭṭi (p. 688): in Vipraantu-bodhaya (Vyaśahāra 192b) which explains 'satpatra' as having 'son born of the wife of one's own caste;' and 'aputrā' as 'having no son born of the wife of one's own caste, and adds that on the death of such a person, the Kṣētraja and other sons will inherit his property, but the son born of Shūdra mother will not get more than the tenth part of the estate:—and by Jina-śatavāhara (Dāyabhāṣya, p. 219),• which says that even in the absence of a son of a twice-born caste, the Shūdra son shall not get more than the tenth part.

VERSE CLV

"The son of a Shūdra wife receives no share of his father's estate in case the mother was not legally married" (Medhātithi; 'others,' in Kullaka),—or in case he is destitute of good qualities (Kullaka and Rāghavānanda). According to Medhātithi and Nārāyana "ma rekshahbhāk" means 'receives no larger share than one-tenth, except if the father has given more to him.'—Bühler.

• This verse is quoted in Vīvādavyākara (p. 535), which adds the following notes:—According to Lakkhaṇāvākara the meaning is that 'if the father gives anything to the son of his Shūdra wife, he should give only the tenth part of his property';—Halāyudha and Pārijāta hold that the verse denies all share to the son of the Shūdra mother who is not a married wife.
It is quoted in Parāshararamanādhāra (Vyavahāra, p. 343); which adds that this refers only to such property as, may be given by way of an affectionate present; and hence there is no incompatibility with those texts that deny to the said son any part of the landed property.

It is quoted in Aparārka (p. 735), which notes that this debarring from inheritance is meant for those cases where the son in question has already received some affectionate presents from the father;—or that the verse may be taken to mean that the son is not entitled to anything more than the tenth share of the property.

It is quoted in Vyavahāra-maneśyūkha (p. 45) as debarring from all inheritance the son of a śūdra mother, who is not a legally married wife;—and by Jimūṭavāhana (Dāyabhāga, p. 219), which says that this denial of inheritance refers only to those cases where the śūdra son has already got the tenth part of the father’s property, during the latter’s life-time, through his favour.

VERSE CLVI

This verse is quoted in Vivādaratnākāra (p. 532), which adds the following explanation:—In cases where twice-born men have many sons from several wives of the same caste as themselves,—or (as indicated by the term ‘vā’) many sons from several wives of diverse castes,—the sons shall divide the property equally after having given something to the eldest brother as his ‘additional share.’

It is quoted in Śṛṅti-tattva II (p. 193).

VERSE CLVII

This verse is quoted in Vivādaratnākāra (p. 532);—and in Śṛṅti-tattva II (p. 193), which quotes and accepts the explanation given by Kullūka that this is meant to preclude the ‘additional share’ prescribed in the preceding verse.
EXPLANATORY—ADHYAYA IN

VERSE CLVIII

This verse is quoted in Vivādaratnākara (p. 519), which adds that the diversity of opinion on this question among the various Smṛtis—as regards the exclusion or inclusion of certain kinds of sons—is to be explained as based upon consideration of the qualifications of the sons;—in Vyavahāra-Bālabhattī (p. 552, 666 and 687);—in Dattakachandrika (p. 61);—and in Vivādachintāmaṇī (Calcutta, p. 147).

Medhātithi, Nārāyana and Nandana take the latter half to mean that the six sons are neither bandhu (kinsmen) nor dāyāda (heir); Kulūka says that this explanation would be against the declaration of Bandhāyana;—Nārāyana goes on to explain 'bandhuvāyāda' as 'heir to the kinsmen, i.e., inheritors of the estates of kinsmen, such as paternal uncles, on failure of sons and wives of these latter'.

VERSE CLIX

This verse is quoted in Parāskeramādhava (Prāśashehitta, p. 37);—in Parāskeramādhava (Vyavahāra, p. 349), where it is added that though the sons have been divided into these two sets, yet the duty that devolves upon them, as 'ṣapindus' or 'ṣapotras,' devolves equally on all the twelve,—such as the offering of water and so forth;—and as for inheriting the father's property, the latter set also are entitled to it, in the absence of the former set.

It is quoted in Vivādaratnākara, (p. 549);—and in Mitāksara, (2, 132), which has the following note:—The implication of this is that, in the case of the death also of the Sapinda or the Samānadaka of the father, the property goes to the first set of six sons and not to the second; though the duty of offering water and so forth devolves equally upon both sets. The Bālabhattī adds that from the last remark it follows that the compound 'adāyādabhāvadhavaḥ' is to be expounded as 'adāyāda' (non-inheritors).
+bandhava (relations), i.e. though they don't inherit the property, they make the offerings required of the Sapindala or Sragotra.

This is quoted in Vivadachintamanī, (Calcutta, p. 147); — and in the Dattakachandrikā, (p. 61).

VERSE CLX

This verse is quoted along with the last, in Parāsharamādhava (Prāyashchitta, p. 37);—in Parāsharamādhava, (Vyavahāra, p. 349);—in Vivādaratnakāra, p. 549); —and in Mitakṣara, (2. 132).

The latter half of this is quoted in Viramitrodaya, (Sanskāra, p. 211) which has the following notes:—This justifies the view that the ‘Shandra’ also is a ‘secondary son’; but it adds that this can be understood only in the sense that the son begotten by a Shūdra on a slave girl (not married) is to be regarded as a ‘secondary son’ only in the absence of a ‘primary son.’

The verse is quoted in Vyavahāra-Bālambhattī, (p. 666 and 687);—in Vivādachintamanī (Calcutta, p. 147); —and in Dattakachandrikā, (p. 61).

VERSE CLXI

This verse is quoted in Vyavahāra-Bālambhattī, (p. 701).

VERSE CLXII

Medhātithi has been mis-represented here by Kullūka and also by Buhler. (See text). Nārāyaṇa and Nandana hold that the rule refers to the case of two undivided brothers, where one having died, the other, who has sons of his own, begets on the other a Kṣetraja son; in which case on the death of the second brother, the Kṣetraja is entitled to receive only the share of his mother’s husband, not any in the estate of his natural father.
This verse is quoted in *Vivādavatnākara* (p. 543), which has the following notes:—The 'Kṣetraja' meant here is one begotten by one not 'commissioned' (by the elders);—'paɪrɪkam rikuton' means 'that property which the father gave to the mother for the purpose of maintaining the son.' Others however construe the verse as it stands, in the direct sense—'Each takes the property of his own father.'

It is quoted in *Aparārka* (p. 739), as laying down that the *Devānusṣayāno-Kṣetraja* is entitled to inherit the property of his progenitor-father.

It is quoted in *Smṛtīttvā* (p. 169), which explains the meaning to be that each is to take the property of the man from whose seed he was born;—and by *Jīmūtavāhana* (*Dāyabāga*, p. 229), which says that the son shall inherit the property of that person from whose 'seed' he may be born.

**VERSE CCLXIII**

‘Pradadyāt jīvanam’.—'And if one does not maintain them, he commits sin' (Maḍhāṭthi and Kullūka),—'but not, if they have other means of subsistence' (Nandana).

This verse is quoted in *Mitāksarā* (2, 132), which notes that this rule is meant for those cases where the 'adopted' and other 'secondary' sons are either not friendly towards the 'body-born' son, or entirely devoid of good qualities. The *Bālambhāṭṭi* has the following notes:—'ānveshamsya' means 'avoidance of sin'; so that the meaning is that if maintenance is not provided, sin is incurred.

It is quoted in *Vivādavatnākara* (p. 542), which has the following notes:—'Shēśānām', those precluded from inheritance;—'ānveshamsya' is pity, 'prajīvanam', maintenance;—in *Parāśaravatnādhara* (Vyāvahāra, p. 348), which adds that the verse is meant to be a mere eulogium on the 'body-born' son, it does not really preclude the fourth share for the other sons;—in *Nṛsimhāprāśada* (Vyāvahāra, 40a);—.
in *Virādachintāmani* (Calcutta, p. 149), which explains ‘ānvāhamskhyam’ as ‘pity’, and ‘praçjivam’ as ‘maintenance’;—and by Jīmūtavāhana, *(Dāyabhāga*, p. 229).

**VERSE CLXIV**

This rule refers to the case where the *Kṣētraja* was born before the ‘body-born’ son, and received no property from his progenitor-father (Rāghavānanda);—It refers to the case where a man dying leaving several widows, one of those is ‘commissioned’ to bear a son, while another gives birth to a ‘body-born’ son (Nārāyana).

This verse is quoted in *Virādavatnākara* (p. 543), which adds that the option of ‘fifth’ and ‘sixth’ share is meant to be determined by the presence or absence of good qualifications in the Kṣētraja son concerned;—in *Parāsharamādhnā* (Vyavahāra, p. 348), which deduces the following conclusion:—If the Kṣētraja son is endowed with exceptionally good qualifications, he receives a fourth share; if he is devoid of good qualities and also unfriendly to the ‘body-born’ son, then only a sixth share; if he is only devoid of qualities, but not unfriendly,—or if is he unfriendly but not devoid of qualities,—then a fifth share,—and by Jīmūtavāhana (*Dāyabhāga*, p. 229).

**VERSE CLXV**

‘*Gotravikśāmshābhaṅginaḥ.’—‘Become members of the gotra and also inherit’ (Medhātithi, Kullūka and Nandana);—‘share the family estate’ (Nārāyana);—‘they receive such share in the estate as will suffice for their maintenance’ (suggested by Nārāyana and Nandana).

This verse is quoted in *Virādavatnākara* (p. 544), which adds the following notes:—The first half of the verse is merely a reiteration of what has been prescribed before; the ‘ten’, beginning with the ‘adopted’ son, in due order, i.e., each
in the absence of the one preceding,—become ‘gotrabhāgmaḥ’—i.e., ‘entitled to do all that behoves a blood-relation’; as explained by Asahāyāchārya,—and ‘vikthāṃshabhāgmaḥ’, i.e., ‘entitled to inherit the father’s property’. This rule refers to cases where there is no ‘body-born’ son, nor ‘the appointed daughter’, nor the ‘Kṣetraja’ son;—in Dāyatattva (p. 14); —and in Vyavahāra-Bālambhaṭṭī (pp. 55 and 652).

VERSE CLXVI

’Svakṣetrē’—‘On his own wife’ (Medhātithi);—‘on his wife of the same caste as himself’ (others in Medhātithi, Nārāyaṇa and Kullāka).

This verse is quoted in Vivāda-vatukara (p. 553);—in Parāsharavatukara (Prayāshehitta, p. 38),—in Vyavahāra-Bālambhaṭṭī (pp. 538, 557 and 689);—and in Nrshihaprasāda (Vyavahāra 38a).

VERSE CLXXVII

This verse is quoted in Vivāda-vatukara (p. 555), which has the following notes—‘Tulpa’, wife,—‘vyādhi-tasaṇya vā’, the disease meant is of the incurable type,—‘svadharmaṇa’, according to the rules laid down, i.e., ‘smearing his body with clarified butter’ and so forth;—in Parāśaravatukara (Prayāshehitta, p. 38);—in Vyavahāra-Bālambhaṭṭī (p. 540 and 557);—in Nrshihaprasāda (Vyavahāra 38a);—and in Viramatrodaya (Vyavahāra 187b).

VERSE CLXXVIII

‘Sudṛṣhaṃ’.—‘Equal by virtue, not by caste’ (Medhātithi);—‘Equal by caste’ (Kullāka, Nārāyaṇa, Rāghavānanda and Nandana).

‘Mātā pitaḥ cha’.—‘Mother and father, mutually agreeing’ (Kullāka),—‘mother, it there is no father’ (Rāghavānanda).
‘Pr̥itisamyūktaṁ’.—‘Affectionately, not out of greed’ (Medhātithi);—‘not out of fear and so forth’ (Kullāka and Nandana);—‘not by force or fraud’ (Rāghavānanda).

‘Āpadi’.—‘If the adopter has no son’ (Kullāka and Rāghavānanda);—‘if the adoptee’s parents are in distress’ (Nārāyana).

This verse is quoted in Madnapārijāta (p. 652), which adds the following notes:—‘Sadrsham’, of the same caste; if the father is dead or gone to foreign lands, and the mother finds herself in distress, she is by herself, entitled to ‘give away’ the son; similarly if the mother happens to be insane or dead, the father, by himself, is entitled to give him away; in other cases the child can be given away only by the consent of both parents;—the addition of the term ‘āpadi’ means that no son can be given away in normal times; if he be given in normal times, the sin of it falls upon the giver, not the receiver, of the son.

It is quoted in Mitākṣarā (2. 132), which adds that no son should be given under normal conditions;—this being a prohibition meant for the giver, not for the adopter (adds the Bālambhaṭṭī), who therefore incurs no sin;—and in Vivanimitrodaya (Vyavahāra 188b).

It is quoted in Vivanimitrodaya (Samskāra, p. 224), which adds the following notes—‘Āpadi’, during a famine and so forth;—if the child is given in normal times, the sin lies on the giver;—or it may refer to the adopter, in which case ‘āpadi’ will mean ‘when he has no son’;—also on p. 211, where ‘sadrsham’ is explained as ‘of the same caste’;—it rejects the view of Medhātithi that the Ksatriya can be adopted by the Brāhmaṇa, and also that of the Kalpataru that the Brāhmaṇa ‘can adopt a Shūdra, on account of their being opposed to Shamaka, Gautama and Yājñavalkya.

It is quoted in Aparārka (p. 736), which adds the following notes:—‘Adbhīḥ’ stands for all those details that accompany gifts;—‘āpadi’, during a famine and so forth;—
or 'āpadi' may refer to the adopter, in which case it will mean 'in the event of his having no son';—'sadrsham', of the same caste as the giver and the adopter;—'prītasamuyktam', not moved by fear or any such motive.

It is quoted in Vīrmapānidasī (p 176);—in Vīrā-vāratnākara (p 567), which adds the following notes—'Āpadi', when the adopter has no son;—'sadrsham', of the same caste; but Medhatithi holds that the 'equality' is in qualities, not in caste;—'prītasamuyktam', free from all fear and such other motives;—and in Vyavahāra-māyūka (p. 47), which reads 'vā' (for 'cha') and remarks that in the absence of the mother, the father alone may give away the son, or the mother may do it in the absence of the father; it goes on to controvert Vijnāneshvara's view that the son of giving away the son in normal times accresces to the giver, not to the adopter;—'Sadrsham', equal in family-status and other qualifications, says Medhatithi; hence according to him the Kṣattriya also may be adopted by the Brāhmaṇa. But it prefers the view of Kullöka by which 'sadrsham' means 'of equal caste'.

This is quoted in Prāshānavani (Prāyakshita, p. 38);—in Vyavahāra-Bālamabhī (pp. 557 and 602);—in Dattakachandrika (p. 48), which explains 'āpadi' as 'when the adopter has no son';—and 'Sadrsham' as belonging to the same caste; it notes Medhatithi's opinion that 'Sadrsham' means 'possessed of equalities in keeping with the traditions of the family,' and hence even a Kṣattriya could be adopted by the Brāhmaṇa, and adds that what this means is that 'when the Brāhmaṇa has a body-born son, his other sons of the Kṣattriya and other castes, even though not entitled to the offering of Bals and water, yet for purposes of perpetuating his name, they serve the purposes of a son';—in Nṛśimhaprakāśa (Vyavahāra 38 a—and Shrāddha 4 a);—in Kṛṣṇa-vaṃśa-vīhara (p. 73), which explains 'adbhīk' as 'water' and notes that it includes Tela and the other ingredients also,—it explains 'sadrsham'.
as 'of the same caste', and 'āpadi' as 'in the event of the adopter having no son',—it adds that 'Prātisamnyuktam' (which is its reading for 'prātisamnyuktam') means that the father or mother should make over the child through love and not through fear or covetousness;—and in Datta-kamāmāna (p. 9 and 20), which explains 'āpadi' as 'during a famine or some such times of distress',—and adds that if the parents give away the child during normal times, they incur sin.

VERSE CLXIX

'Gunasouvichaksanam'.—'Knowing that by performing or not performing Shrāddhas &c. merit or sin will follow' (Kullūka);—knowing himself to be the son of such and such a person and hence likely to become an out-cast if he did not serve him properly' (Rāghavānanda);—'not a minor' ('some' in Medhātithi and Nārāyaṇa).

This verse is quoted in Aparārka (p. 738), which explains 'sadrsham' as referring to caste;—and in Vivādavatnākara (p. 572), which adds the following notes:—Here also, according to Medhātithi, 'sadrsham' means 'of similar qualifications';—'Gunasouvichaksanam' means 'knowing that there is merit in performing the after-death rites for the parents, and sin in not performing them.'—'putragnāvih', obedience and such qualities.

It is quoted in Parāvaharamādhava (Prāyashchitta, p. 38),—in Vyavahāra-Bālambhatti (pp. 546 and 557);—in Kṛtyasārasamuchchaya (p. 74), which quotes Vivādacandra to the effect that 'sadrsham' means 'of the same caste';—and in Nṛsimhaprabhāda (Vyavahāra 38a).

VERSE CLXX

This verse is quoted in Vivādavatnākara (p. 566);—which adds the following notes:—'Talpaja', born of the
wife;—the actual progenitor of this child being unknown, it belongs to the same caste as its mother; this is the case when there is no suspicion of the mother having had intercourse with a man of a lower caste; in the case of there being such suspicion, the child must be regarded as 'born in the reverse order', and hence not capable of serving any useful purpose.

It is quoted in Parāśkarana-dhara (Prāyashchitta, p. 38);—in Vyavahāra-Bālambhaṭṭī (pp. 547 and 557);—in Nṛsimha-prasāda (Vyavahāra 38a); and in Viṣṇumitra-dāya (Vyavahāra 187 b.)

VERSE CLXXI

This verse is quoted in Aparāśika (p. 739), which explains the meaning to be that the 'Aparāśika' son is one who is taken up on being abandoned by the parents for some cause, other than his having become an 'outcast';—and in the Virāḍarātanākara (p. 571), which adds the following notes:—'Utsram', abandoned, for some such reason as extreme poverty and consequent incapability to maintain him, or the presence of some defect in him; the acceptance also by the receiver should be for the definite purpose of making him his son; also in Parāśkarana-dhara (Prāyashchitta, p. 38);—in Vyavahāra-Bālambhaṭṭī (pp. 547 and 557);—and in Nṛsimha-prasāda (Vyavahāra, p. 38 a).

VERSE CLXXII

This verse is quoted in Mitāksara (2. 129), which adds that if the girl remains unmarried, then the son belongs to her father; but if she is married subsequently, the son belongs to her husband;—in Parāśkarana-dhara (Prāyashchitta, p. 38);—in Vyavahāra-Bālambhaṭṭī (p. 557);—in Nṛsimha-prasāda (Vyavahāra 38 a);—and in Viṣṇumitra-dāya (Vyavahāra 187 b).
VERSE CLXXIII

This verse is quoted in *Vivādaratnākara* (p. 567), which adds that the term ‘samskrīyate’ stands for the rites of offerings etc. other than those performed with *mantras* prescribed in connection with marriage;—it quotes the opinion of others to the effect that the rites meant are those laid down in the Atharvan texts:

It is quoted in *Viramātyodaya* (Vyavahāra 189 b);—in *Pārāsharamādhava* (Prāyashchitta, p. 38);—in *Vyavahāra-Bālambhaṭṭi* (pp. 547 and 557);—and in *Nṛsimha-prasāda* (Vyavahāra, p. 38a).

It is quoted in *Aparārka* (p. 738);—and in *Viramātyodaya* (Samskūra, p. 742), which remarks that the ‘rites’ spoken of here are with a view to just qualify the son thus born to serve as the ‘son’ of his mother’s husband;—and it does not stand for the regular marriage-rites.

VERSE CLXXIV

‘Sadrsha’ sadrsha ‘pīvā’.—‘Equal or unequal, by good qualities, not by caste’ (Kullūka and Rāghavānanda);—‘whether of equal or lower caste’ (Nārāyana).

This verse is quoted in *Mitāksarā* (2. 131), which adds that ‘sadrsha’ and ‘asadrsha’ should be understood to be in regard to qualities, not caste;—in *Aparārka* (p. 738), which also adds the same remark;—in *Vivādaratnākara* (p. 570), which adds the following notes:—‘Sadrshaḥ’, of the same caste, ‘asadrshaḥ’, of a different caste,—says the Pārījata; the author of the *Prakāsha* adds that even though the text contains the term ‘asadrshaḥ’ yet one should not buy a son either of a lower or a higher caste than his own;—and Medhātithi has said that ‘sadrsha’ and ‘asadrsha’ refer to sons of the same caste, but of diverse qualifications.
It is quoted in *Madanaparîjata* (p. 653), which also explains 'sudrsha' as referring to qualifications;— in the *Parâsharâmaâadhava* (Prâyashchitta, p. 38);— in *Vyavahâra-Bâlambhaṭṭī* (p. 557);— and in *Varinâhpravâda* (Vyavahâra 38 a).

**VERSE CLXXV**

This verse is quoted in *Vîramatrodâya* (Samskâra, p. 743), which explains the construction as 'petya vêchchhaya parityakta';— in *Parâsharâmaâadhava* (Prâyashchitta, p. 38);— and in *Vyavahâra-Bâlambhaṭṭī* (p. 558).

**VERSE CLXXVI**

"Râghavânâda, relying on Yâpânâvalyâ 2 130, thinks that the word 'vâ' at the end of the first half-verse, permits the insertion of 'or not a virgin.'"—Buddha.

This verse is quoted in *Aparâkṣa* (p. 96), which adds the following explanation:—It, on the death of her flawless husband,—or even during the life-time of a husband who is either impotent or insane, or out-cast,—a woman has recourse to a second man, that man is called her 'pranârâbhava' husband, and the woman who is formally married to such a husband is called 'pranârâbhik'; or the meaning may be that if a woman abandons the husband of her youth,—who has no defects and is fully capable of maintaining her,—and has sexual intercourse with another man, but returns again to her former husband, she is 'gâtapratyâgyata' and also 'ksatayoni'; and the husband (deserted and resumed) is 'pranârâbhara'.—Both these kinds of the 'pranârâbhava' are described by Vâsishṭha.

It is quoted in *Vîramatrodâya* (Samskâra, p. 740) to the effect that re-marriage is permitted only so long as the girl is still 'aksatayoni' 'virgin'. It adds the following notes:—If the virgin here described marries again, it is the second husband that is called 'pranârâbhava'; and it is this
man, and his sons, that are excluded from shrāddhas and gifts etc.; the name cannot apply to the former (deserted) husband or his sons. Though the woman being ‘punarthbhūḥ’, both the husbands, being related to her, are liable to the title ‘punarthbhava’ (‘related to the Punarbhū’), yet the most reasonable view appears to be to apply the title to that particular husband by virtue of whose connection the woman herself becomes ‘punarthbhū’. Aparārka has applied the title to both the husbands; but this view becomes annulled by the above considerations. Though in the explanation provided by us, there would appear to be no distinction made as to whether the *gatapratyāgatā* girl is or is not still a *virgin*, yet both Nārāyana and Medhātithi have held that the epithet ‘aksatayoniḥ’, ‘virgin’, is meant to be construed with the ‘*gatapratyāgatā*’ also. And this is the correct view.

It is quoted in the *Nṛsimhāpravasāda* (Vyavahāra 38a.)

VERSE CLXXVII

This verse is quoted in *Aparārka* (p. 738), which explains that the ‘Kārana’, cause, for abandoning, consists in the child having become an *out-cast*,—and ‘sparshayēt’, offers, surrenders.

It is quoted in *Vivādapatnākara* (p. 571), which has the following notes:—‘Ākāraṇāt’, without fault,—‘ātmānam sparshayēt’ should offer himself with the words,—‘I am your son’;—in the *Pārasahramādhava* (Prayashchitta, p. 38);—in *Nṛsimhāpravasāda* (Vyavahāra 38a);—in *Vyavahāra-Bāhombhāṭṭi* (p. 546);—in *Shrāddhekrīyakamūndi* (p. 455);—in *Shuddhikāmūndi* (p. 92);—and in *Vīramitrodaya* (Vyavahāra 189b), which says that the abandoning of the child should be only because of inability to support it, and not by reason of the child having become an *out-cast* and so forth.
VERSE CLXXVIII

"The designation ‘a corpse’ indicates that his father derives imperfect benefits from his offerings (Kullūka, Nārāyaṇa and Rāghavānanda),—or that he is blameable (Rāghavānanda)."—Buhler.

This verse is quoted in *Parāsharatanādhava*, (Prāyashchitta, p. 38);—in *Vivādaratnākara* (p. 574), which adds the following notes:—‘Pārayaṇ,’ conferring some benefits upon the man whom he regards as his father,—he is called ‘śava’ ‘corpse,’ because of his being capable of conferring very little benefit upon his father;—in *Vyavahāra-Bāhambhattī* (pp. 552 and 688);—in *Nṛsīmha-prasāda* (Vyavahāra 38a);—in *Viramitrodāya* (Vyavahāra 189b);—and by Jīmūtavāhana (*Dāyabhāga*, p. 220), which says that this refers to the son of a Shādra woman who is not a married wife.

VERSE CLXXIX

This verse is quoted in *Vivādaratnākara* (p. 537), which adds the note that the son meant is born to a slave from a slave-girl not married to him;—the Kalpaśāstra holds that the son meant is that born from the slave-girl belonging to a personal servant;—in *Vyavahāra-Bāhambhattī* (p. 566);—in *Nṛsīmha-prasāda* (Vyavahāra, p. 38a);—and by Jīmūtavāhana (*Dāyabhāga*, p. 222), which says that in the absence of the said sanction, the son is to have only half a share.

VERSE CLXXX

• "These substitutes are not to be taken if there is a ‘body-born’ son (Medhātithi),—or an ‘appointed daughter’ (Kullūka).
• This verse is quoted in *Vivādaratnākara* (p. 574), which adds the following notes:—‘Patacraṇataḥśāṅkha,’ ‘substitutes of the Body-born Son and the Appointed Daughter,’—they perform the necessary functions only in the absence
of these two;—the reason for this is supplied by the term 'Kriyālopāt'—which means 'on account of the risk of transgressing the injunction that one should beget children';—the injunction is an obligatory one; and as such has to be obeyed by some means or the other; hence when the primary method of having children fails, one must have recourse to the secondary method of having substitutes.

It is quoted in Smrītīttvā, II, (p. 262), to the effect that the name 'son' is applied to the substitutes only figuratively;—in Aparārkā (p. 97);—in Mitākṣarā, (3. 259), to the effect that the substitutes are not really sons, they are so called because they perform the functions of the son;—in Vīramitrodaya (Samskāra, p. 207), which notes that those 'sons' whose bodies are made up of the constituents of the body of one of the two parents,—e.g. the 'Kṣetraja,' 'Gūḍhaja,' 'Kāniyin' 'Paunarbhalava' and 'Sahoḍha'—are called 'substitutes because the constituents of the body of the other parent are wanting;—and in the case of the Appointed Daughter, even though her body is made up of the constituents of the bodies of both parents, and as such she would appear to be exactly like a regular 'son,' yet she has been regarded as a 'substitute' or 'secondary son,' on the ground that being a girl, she has a body wherein the constituents of the father's body are less than those of the mother's; it is for this reason that Yājñavalkya has called her 'equal' to the 'Body-born' Son;—the son of the Appointed Daughter is 'secondary,' the constituents of the bodies of his grandparents existing in his body indirectly (through his mother). In the case of the 'Dattaka,' 'Krīta,' 'Krātrima,' 'Svayam-datta' and 'Apabidhāla,' on the other hand,—where the 'son' is nyā born of either of the adoptive parents,—there is no connection at all with the constituents of the bodies of these latter; and in their case, their character of 'secondary son' would rest entirely upon the verbal authority of the texts, and in their case the term 'pratīnīdhi,' 'substitute,' would mean 'anukalpa,' 'secondary alternative.'
It is quoted in *Madanapārījāta* (p. 837), which notes that these sons are not regular 'sons,' the name being applied to them only on the ground of their performing the functions of the son;—in *Vyadhāra-Bālambhāṭṭī* (pp. 552, 652 and 683);—in *Dattakāmanāṃśa* (p. 29);—in *Dattaka-chandrikā* (p. 48);—and in *Vīramitrodāya* (Vyavahāra 189b), which says that the reason for their being called 'secondary substitutes' lies in the fact that there have been no marriage and other rites performed.

**VERSE CLXXXI**

This verse is quoted in *Vivādaratnākara* (p. 574);—and in *Aparārka* (p. 97).

**VERSE CLXXXII**

Medhātithi on verses 182—202 is wanting in all Mss. But Kullūka criticises his view on 187, and *Vivādaratnākara* (p. 522) quotes him on 194.

"Hence no subsidiary sons (Kullūka and Rāghavānanda), or no Kṣetras (Nārāyaṇa) are necessary in such a case. Kullūka and Rāghavānanda add that the brother will take the estate and give the funeral offerings on failure of a wife, daughters and so forth (Yāḍaṇa, 2. 135)."—Buhler.

This verse is quoted in *Vivādaratnakara* (p. 582);—in *Smritiattra*, II (p. 389), which explains 'ēkajātānām' as 'born of the same father and mother';—in *Motāksara*, (2. 432), to the effect that the verse is meant to prohibit the adopting of any other person as 'son,' so long as the brother's son can be adopted; it does not mean that the nephew is a regular 'son.'

It is quoted in *Vīramitrodāya* (Sanskāra, p. 211), which adds the following notes:—The term 'putrīṇah' indicates some action taken by the man who adopts the 'son'; so that
the meaning of the sentence comes to be this:—Among uterine brothers, if a son is born to even one, the others, having no sons of their own, should adopt that son as theirs; nor would this be repugnant to the prohibition that there can be no adopting of one who is the only son of his parents; as the only ground for this prohibition lies in the consideration that if the only son becomes adopted by another person, the line of his own father becomes extinct; which consideration is not present in the case in question as the ‘line’ of all uterine brothers is one and the same; then there is another reason also; what the prohibition interdicts is the giving of the only son to be adopted, while in the case in question there is no giving away, the son being regarded as belonging to all the brothers, only by mutual understanding.

It is quoted in Vyavahāra-Bālambhāṭṭī (p. 668);—in Dattakamūṁśā (p. 10) as lending support to the view that, so far as possible, one should adopt his own brother’s son, and adds that ‘ekujātānām’ makes it clear that the adopting is to be done by the uterine brother, not by a brother born of different fathers or different mothers, and that ‘bhvāty:reqām’ implies that there can be no mutual adoption by the brother of the son of the sister;—and in Vivātrodaya (Vyavahāra 1086).

VERSE CLXXXIII

This verse is quoted in Vivādavatnākara (p. 582);—in Smṛtitattva (p. 300) as attributing the character of the regular ‘son’ to the son of the co-wife;—in Smṛtitattva II (p. 187);—again on p. 388, where ‘ekujatānām’ is expounded as ‘ekah patiḥ yāsām’;—in Hēmādrī (Śrāddha, p. 97);—in Śrāddhahākriyākamudī (p. 459 and 465), to the effect that a woman’s property is inherited (1) by her son, (2) by her grandson, (3) by her great-grandson, (4) by her daughter and (5) by her step-son; and also as entitling the step-son to do the ‘ṣupāṇḍana,’ ‘amalgamating,’ Śrāddha for
his step-mother;—in Ṛtvasūrasannadhāya (p. 76), to the effect that the step-son is as good as a son;—in Dattaka-māmāmsā (p. 14), to the effect that the step-son is a 'son', even without being 'appointed', because he is constituted by the elements of her own husband’s body;—in Dattakachandrikā (p. 50);—in Śūrtisāravadhāra (p. 200), to the effect that if a woman has no son of her own, her after-death rites are to be performed by her step-son;—in Shuddhakavamudī (p. 103);—and in Vyavahāra-Bālambhāṭṭī (p. 668).

VERSE CLXXXIV

"Kullūka and Rāghavānanda add that, as the son of Shūdra wife is enumerated among the twelve, and not considered, like the son of Ksattrya and Varsa-wives, a legitimate son, he inherits only on failure of all other subsidiary sons."—Buhler.

This verse is quoted in Vyādharatnākara (p. 552), which explains ‘Satrshāhy’ as ‘equal in qualifications’;—in Vyavahāra-Bālambhāṭṭī (p. 555, 691 and 698);—and in Vīramitrodvaya (Vyavahāra 192a).

VERSE CLXXXV

"Kullūka and Rāghavānanda insert, after ‘who leave no son’, ‘nor widow and daughters’, and before ‘brothers’, ‘who leaves no parents.’ Nārāyanā, who (as also Govindarāja and Nandana) reads ‘ēva nā’, ‘or brothers’, says that the father inherits the estate of an undivided son leaving no male issue, or the brothers with his permission, and that the estate of a divided son descends to his wife and other heirs mentioned in Yājñavālkya H 135-136."—Buhler.

The first half of this verse is quoted in Mitāksarā (2. 132) to the effect that all sons, ‘body-born’ as well as others, are entitled to inherit the father’s property. The Bālambhāṭṭī quotes verse 184 and notes that ‘son’ cannot be
taken as standing for the *body-born* sons only; because the rights of the body-born born have been declared in another verse already.

It is quoted in *Aparārka* (p. 653);—and in *Vivādaratnākara* (p. 552), which quotes the first half only;—it quotes the second half on p. 592, where *aputrasya* is explained as 'without sons, primary as well as secondary.'

The second half is quoted in *Mitākṣarā* (2. 136), as laying down that the property of a sonless man goes to his Father or Brother;—again as justifying the conclusion that, if the man leaves a large property, his wife is to receive enough for her maintenance and the remainder is to go to his brother;—again, where the view is expressed that all that is meant is that both the Father and the Brother are entitled to inherit; and no priority or preference is meant to be implied by the order in which the two are mentioned;—on this the *Bālambhūṭṭi* notes that this view is supported by the use of the particle *vā*;—again, where it is explained as meaning that brothers inherit only in the absence of the father.

It is quoted in *Vyavahāra-Bālambhūṭṭi* (p. 650 and 651);—in *Duttakuchāndrika* (p. 61);—and by *Jinātāvāśā* *Dāyabhāga*, (p. 253 and 293), to the effect that it is this brother that inherits, not the brother's son.

**VERSE CLXXXVI**

According to Kullūka and Rāghyānanda the verse is meant to indicate the right of the *kṣetrajña* and other secondary sons to inherit the estate of grand-father and others dying childless.—According to Nandana it indicates the right of grand-sons and great grand-sons to inherit before brothers and the rest.

This verse is quoted in *Vivādaratnākara* (p. 592);—in *Aparārka* (p. 744), as describing the 'nearest sapindas'; the sense being that that sapinda is the 'nearest' who makes
water-offerings to the same persons (father, grandfather and
great-grandfather); so that the uterine brother would be the
‘nearest’; the son of the uterine brother would be one step
removed, as his ‘father’ would be different;—still one further
removed would be the brother’s grandson, as his ‘father’
and ‘grandfather’ would both be different; so on with the
others.

It is quoted in Smṛti-bhāṣya II (p. 134), to the effect
that the father, the grandfather and the great-grandfather,
irrespective of their wives, are the ‘dvīties’ (i.e., recipients)
of the water and other offerings;—and again on p. 195;—and
in Vyavahāra-Bālambhaṭṭī (p. 655);—in Vivannieṭrodaya
(Vyavahāra 198b);—and by Jīmūtavāhana (Dāyabhāga,
pp. 157 and 253).

VERSE CLXXXVII

‘Sapindāta’;—‘In the text the word is masculine. Kullūka
begins by taking it generally as masculine or feminine, then,
after giving the law of inheritance for the sons, he begins by
taking the wife as the first female inheritor, quotes seven verses
of Bṛhaspati and Vṛddha Manu, and also Yājñavalkya (2. 135-
136) to prove the statement; and ends by giving a list of
female sapindas, after denouncing Medhātithi, because he denies
the wife the right of sharing the inheritance’.—Hopkins.

Rāghavaṇanda agrees, in substance, with Kullūka; but in
order to make the rule still more fully agree with Yājñavalkya
(2. 135-136), he asserts that the cognates (Bandhus) are also
implied by the term ‘sakulya’.—According to Nandana, the
‘sakulyas’ are Śrīmāṇadalakas.

The first half of this verse is quoted in Mitāksarā (2.136),
as lending support to the view that among brothers, the first
claim is that of the uterine one, those born of other mothers
being a step further removed;—in Aparārka (p. 744) to the
effect that the nearer sapindāta has the prior claim,—‘nearness’,
having been described under 186,
It is quoted in *Vivādaratnākara* (p. 592), which adds the following notes:—‘Avarntarah’, near,—‘dhanam’, of the man without son,—‘sakulya’ here stands for *Samānadalaka*;—in *Vyavahāramayūkha* (p. 63), in support of the view that the claim of the sister comes next to that of the grandmother (paternal);—in *Smritiattva II* (p. 195), which explains the meaning to be that ‘from among the Śapiṇḍas of the dead man, the nearest will inherit his property’;—in *Dāyakramasaṅgraha* (pp. 10 and 28);—in *Nṛsīṁha-prasāda* (*Vyavahāra*, p. 40b);—in *Vyavahāra-Bālambhaṭṭi* (pp. 570 and 662);—in *Vivādachintāmani* (Calcutta, p. 134);—and by Jīmūtavāhana (*Dāyabhāga*, p. 332), which, explains ‘sakulya’ as ‘beyond the Śapiṇḍa’, and also as ‘the descendant of great-great-grandfather’.

**VERSE CLXXXVIII**

‘*Sarveṣāṃ*’.—‘Of all the heirs mentioned in the preceding verse’ (*Rāghavānada*);—‘of all males and females related in any way to the deceased’ (*Nandana*);—the term indicates that other persons, not named here, such as fellow-students and so forth, are also entitled to the inheritance (*Kūlōka*).

“Nārāyana points out that this rule refers solely to the property of a Brāhmaṇa”.—Buhler.

This verse is quoted in *Madhavanārījāta* (p. 675), which says that it refers to any Brāhmaṇa neighbour of the deceased;—in *Mitāksara* (2. 136), to the effect that on the failure of blood-relations, a fellow-student, and a learned Brāhmaṇa, the property shall go to any ordinary Brāhmaṇa;— in *Vyavahāra-Bālambhaṭṭi* (p. 665);—in *Dāyakrma-saṅgraha* (p. 12);—and by Jīmūtavāhana (*Dāyabhāga*, p. 333).

It is quoted in *Vivādaratnākara* (p. 597);—and in *Parāśharamādhana* (*Vyavahāra*, p. 354), which makes the same remark as *Mitāksara*. 
VERSE CLXXXIX

The first half of this verse is quoted in *Mitakṣara* (2. 136), which remarks that this only means that the king shall not take the Brāhmaṇa’s property, and not that even a son may not inherit the Brāhmaṇa’s property;—again, to the effect that no part of the Brāhmaṇa’s estate shall be an escheat to the king.

It is quoted in *Mudraṇapāryājata* (p. 675), to the effect that the property of the Kṣatriya caste, in the absence of legal heirs, shall go to the king, and not to the Brāhmaṇa;—in *Vivādaratnākara* (p. 597);—in *Parāścharamādhava* (Vyavahāra, p. 355) to the effect that on the failure of legal heirs, the Brāhmaṇa’s property shall never go to the king, while that of the other castes shall go to the king;—in *Dāyakramasaṅgrahā* (p. 12);—in *Nṛsimha-prasāda* (Vyavahāra, p. 41a);—and by Jīmūtavāhana (*Dāyabhāga*, p. 338).

VERSE CXC

According to Kullāka and Rāghavānanda, this verse refers to the case in which a duly authorised widow bears a son to her husband through a *ṣagotra*; and the former adds that this practice having been already sanctioned under verse 59, it is mentioned here again with a view to make it clear that the son may be obtained by the widow, not only "from the younger brother-in-law or a Sapiṇḍa"., but also from a remoter *ṣagotra*.—Nārāyana holds the meaning of this verse to be that the son that the widow bears, even *without authorisation*, is a *ṣagotra*, shall inherit the property of the husband of that widow. He adds that some people apply this rule to Shūdra females only.

This verse is quoted in *Vivādaratnākara* (p. 589), which adds the following notes:—The widow of a deceased person should bear a son from a *ṣagotra*—i.e. either from the younger brother-in-law or a Sapiṇḍa—should make
over the property owned by her dead husband to that son, and she should not take it herself; such is the opinion of the Pārijāta;—the author of the Prakāsha on the other hand holds the meaning to be that the king himself should make the widow bear a son through a sayotra, and hand over to him the father’s property;—the final result of both the explanations is the same.

It is quoted in Aparārka (p. 742), which explains ‘tasmai’ (which is its reading for ‘tasmin’) as ‘to that child’;—and in Vyavahāra-Bālambhaṭṭī (p. 758).

VERSE CXCI

Kullūka and Nandana take this verse as referring to the case in which a woman married twice successively two husbands and bore a son to each of them; in this case, on the death of the husbands, the property of each should be given by the mother to his own son.—Rāghavānanda, while accepting this explanation, proposes another:—’If two sons begotten by two different men contend for the separate property of their mother, &c., &c.’—Nārāyaṇa holds that the verse refers to a contention between a ‘body-born’ son and a ‘golaka’ or ‘Pavamnarbhava’ son for the estates of their respective fathers held by their mother.

This verse is quoted in Vivādaratnākara (p. 588), which notes that the term ‘stṛi’, according to the Pārijātu, stands for the prostitute, the re-married widow or the dissolute woman;—and in Vyavahāra-Bālambhaṭṭī (pp. 483 and 758).

VERSE CXCII

According to Kullūka and Rāghavānanda, this rule applies to unmarried daughters only, the married daughters receiving only a fourth of a brother’s share (see 118 above).—Nārāyaṇa holds that ‘mātrikam rikham’ refers to property other than the ‘strīdhana’, and qualifies the ‘sisters’ as ‘without son’.
This verse is quoted in *Madanapârîjâta* (p. 667), which adds the following notes:—The meaning of the verse is that the mother's estate is to go (1) to her own daughters, (2) on their absence to her daughter's sons, (3) in the absence of these latter to her own sons, not to the sons of her co-wives, (4) in the absence of her sons, to the sons of her own son;—the expression 'samaam sariv sahodarâh' is meant to preclude the brothers born of different mothers;—the sons of co-wives being entitled to inherit only in default of the woman's own sons (or grandsons).

It is quoted in *Mitâkṣarâ* (2. 145), as asserting the title of both sons and daughters to the estate of their mother; it explains the construction as—'Màtrikam riktham sariv sahodarâh samaam bhañjara samâbhaya bhaginîyashcha samaam bhañjara';—it does not mean that the 'sons and daughters together shall divide the property equally'; if this were the meaning then the words used would have been 'bhrâtrâvîbhagiyah' or 'bhrâtarañ';—the term samaam is meant to preclude the special additional share' (of the eldest brother), and 'sahodarâh' to preclude the brothers born of other mothers;—The *Bâlapârîta* reproduces the remarks noted above from the *Madanapârîjâta*, attributing it to the *Kalpaśraya*.

It is quoted in *Aparârka* (p. 721), which remarks that the particle 'cha' ('bhaginyashcha') denotes option, not combination; and in the option, the first title is of the unmarried daughters;—in *Vivâdârâtanâkara* (p. 515), which adds the following notes—'Samaam', without any additional share being allotted to the eldest, 'bhaginyah', those that are 'unmarried and those that have had no children, 'Samâbhaya', uterine;—in *Vivâdâchintâmanî* (Calcutta, pp. 125 and 142), which explains 'samaam' as 'not
in unequal shares',—'Sanābhayāḥ' as 'uterine', and notes that this refers to unmarrried sisters only,—in Nityāchārapaddhati (p. 296);—in Viramitrodaya (Vyavahāra 216a), which says that the sense is that all uterine brothers and sisters are entitled to equal shares in the mother's property,—and all half brothers and sisters are excluded;—and by Jīmūtavāhana (Dāyabhāga, p. 126), which has the same note.

VERSE CXCIII

The grand-daughters should be unmarrried (Kullūka);—when the married daughters are dead, their daughters shall be presented at will by their maternal uncles with the share which their mothers would have received as a token of respect' (Nārāyaṇa);—'Pritipūrvavam' means 'at the pleasure of the sons' (Rāghavānanda);—the gift to the grand-daughters is absolutely compulsory (Nandana).

This verse is quoted in Madanapārījātā (p. 666) which explains 'tāsāṁ' as 'of the daughters of the deceased lady;—in Aparārka (p. 722);—in Vivādhavatnākara (p. 516), which adds the following notes:—'Tāsāṁ', of the daughters-mentioned in the preceding verse,—'yathāmshataḥ', according as the property is large or small;—in Vyavahāramayūkha (p. 71) as laying down that some part of the woman's property should be given to her grand-daughters;—in Vivādhachintāmaṇī (Calcutta, p. 142);—and in Viramitrodaya (Vyavahāra 216b), which explains 'yathārthataḥ' as 'in consideration of their poverty and other circumstances'.

VERSE CXCIV

This verse is quoted in Purāṇapraṇādhava (Vyavahāra, p. 368), which notes 'that the term 'six-fold' is meant to preclude a lesser, not a larger, number;—in Mitākṣara (2. 135-136), as setting aside the view that women have no rights to property except through their husband or son;—Bālambhaṭṭi explaining 'adhyagni' as that obtained near
the fire at the marriage ceremony,—‘adhyāvāhanikam’ as
that obtained at the time of her coming to her husband’s
place;—It is quoted again under 2. 143, where it is noted
that the six kinds mentioned are meant only as denying a
lesser number; it goes on to quote Kātyāyana as explaining
each of these terms:—(1) ‘That which is given to the girl
at the time of marriage near the fire is called adhyāgni,—
(2) what she receives at the time of being carried away
from her father’s house is called adhyāvāhanika,—(3)
what she receives as a loving present from her father-in-law
or mother-in-law at the time of offering obeisance is
called prītiddatta,—(4) (5) (6) whatever the married girl
receives from her husband or from her parents or brothers is
called Svaḍāyika.’

It is quoted in Vītātaratnākara (p. 522), which offers
the following explanations:—‘Adhyāgni’, what is given
by anyone at the time of marriage, ‘adhyāvāhanika’,
whatever is carried behind her when she is being carried
away from her father’s house,—Medhātithi however holds
that adhyāvāhanika is what she receives from her parents-
in-law at the time of returning to her father’s place; and
this view also may be accepted;—‘prītiddhatu’, what
she receives from the father-in-law and other elders as a
reward for her character, efficiency and other good qualities;
—the mention of ‘six kinds’ is for the purpose of precluding
a lesser, not a larger, number; in fact a seventh kind,
‘ādhivedanika’—what she receives by way of compensation
for being superseded by another—has also been mentioned
by Yājñavalkya.

* It is quoted in Vyavahāramayukha (p. 68), which
also remarks that the ‘six’ are mentioned only for the pur-
pose of denying a lesser number;—and in Homādri (Dāra,
p. 51), which explains ‘adhyāgni’ as ‘what is given to the
woman before the fire’,—‘adhyāvāhanikam’ as ‘given to her
by her father and relatives at the time of her marriage’,—
‘prītikarmāni’, ‘given by the husband as a token of conjugal’
love'—and—'prāptam' as given to her, even after her marriage, by her brother and others.'

VERSE CXCV

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

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

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

VERSE CXCVI—CXCVII

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

These verses are quoted in Varāsharamādhaśa (Vyavahāra, p. 363), which explains the meaning to be that on the death of a woman married by any of the forms of marriage here named, without leaving any heir—beginning from the daughter down to the son's son,—her property goes to her husband, and not to her mother or other relations,—while the property of an heirless woman, who has been married by the Āsura, Rākṣasa or Paśu forms, goes to her parents.
They are quoted in *Aparārka* (p. 753), which remarks that the devolution of the property on the husband should be regarded as an optional alternative; it apparently takes ‘āśwādisu’ of verse 191 as including all those mentioned under 196.

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

They are quoted in *Vyavahāramayukha* (p. 72);—in *Svetātman II* (p. 186), which explains the meaning to be that the ‘strādham’ obtained at the time of the marriage under the forms mentioned in 196 goes to the husband, while that obtained at the time of marriage under the forms mentioned in 197 goes first to her mother, and in her absence to her father;—in *Vyavahāra-Bālambhaksi* (p. 756);—in *Dāyākramasangraha* (p. 23);—in *Virādaḥintāman* (Culeutta, p. 143), which explains ‘aprājāyām’ as ‘childless’; and by Jīmūtavāhana (*Dāyabhāga*, p. 141).

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

**VERSE CXCIII**

This verse is quoted in *Mudanapūrja* (p. 667), which makes the following remarks.—The term ‘strī’ here stands for the step-mother and ‘kanyā’ for the step-daughter,—‘Brāhmaṇī’ stands for higher caste in general, so that the property of a *shudra* step-mother will go to the daughter of her *Brāhmaṇī* or *Kṣatriyā* or *Vaiṣhyā* co-wife,
that of the Vaishyā step-mother will go to the daughter of Brāhmaṇī or Kṣattriya co-wife, and that of the Kṣattriyā step-mother to the daughter of the Brāhmaṇī co-wife,—inasmuch as the present text makes the property inheritable by the step-daughter of a higher caste, it follows that step-daughters of the lower caste are not entitled to inherit the property of the step-mother of a higher caste, so long as this latter has a son.

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

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

It is quoted in Mitāksarā (2. 145) to the effect that on the death of a childless woman her property goes to her step-daughter born of a co-wife of the higher caste, and in the absence of such a daughter, to the child of that daughter. It adds that the term ‘Brāhmaṇī’ stands for the higher caste; so that the property of a childless Vaishyā woman goes to the daughter of her Kṣattriya co-wife. The Bālambhāṭṭā adds that the property goes to the step-daughter, not to the step-son; and it goes on to reproduce the exact words of Madanapārijātā and of Parāsharatndhava. It remarks that this rule is meant to be an exception to what has gone before, by which the property of the childless woman would go to her husband or brother, etc.;—further, that the term ‘kathanačara’ is meant to include property even other than that received from her father.
It is quoted in *Vyavahāramayūkha* (p. 71), which adds that ‘vā’ here stands for ‘cha’; so that the property is to be divided between the step-daughter and the step-daughter’s child;—it has been held that the term ‘Brāhmaṇī’ stands for *equal and higher castes*; but we find no authority for this.

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

**VERSE CXCI X**

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

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

It is quoted in *Vyavahāramayūkha* (p. 69), which explains ‘nirhāra’ as *expenditure*;—and in *Vivomitra* (Vyavahāra 215a), which explains ‘nirhāra’ as ‘vyaya’.
VERSE CC

Buhler mispresents Nandana, being misled by the wrong reading ‘bhurtyabhāvē’ (while the husband lives) for ‘bhurlutra-bhāvē’ (on the death of the husband). There could be no division of the property by the heirs while the husband was alive.

This verse is quoted in Mudunapārijāta (p. 686), which adds that ‘Dhṛta’ means ‘possessed as her own private property, having been given to her as a loving present’;— and in Vyavahāramadhyākha (p. 70), which explains ‘dhṛta’ as ‘presented to her by her husband or other relatives and worn by her.’

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

VERSE CCL

This verse is quoted in Smrtitattva II (p. 385), as enumerating persons not entitled to inheritance, and hence to the offering of funeral oblations;— in Parāsharamādhava (Vyavahāra, p. 201, and again on p. 366), where ‘nairindreyāḥ’ is explained as ‘whose organs have become deficient through
some disease’;—in Mitākṣarā, (2. 140), which has the following notes;—‘Nirindriya’ is one whose organs have disappeared by reason of some disease;—these persons are debarred from inheritance, being entitled to mere subsistence and clothing; if they are not supported, his relations become degraded. The Bālandhāṭṭha adds the following explanations:—‘Jātyandha-badhirāḥ’ are those who are blind and deaf by birth,—‘mūka’ is one who is incapable from birth of uttering words,—thus are these two distinguished from ‘nirindriya,’ which means those who have lost some organ as the result of disease.

It is quoted in Vivādasūrārakacarita, (p. 187), which adds the following notes:—The term ‘jāti’ is added with a view to denote incurability,—‘jātra,’ one who is incapable of distinguishing what is his own and what belongs to others,—‘nirindriyāḥ’ includes the lame and the like, who are not entitled to the performance of śravaṇa and smārta rites;—and in Dāyakramasangraha, (p. 29).

It is quoted in Vīvaṇḍhārārakacarita, (p. 73), which explains ‘nirindriyāḥ’ as devoid of the offactory and other organs;—in Virāntasūtra (Rājaṇiti, p. 10), which explains ‘nirindriya’ as one who has lost his organs through disease;—and in Madanapārājita, (p. 682), which has the same explanation of ‘nirindriya’ and adds that all these men have no share in the property, but they have to be supported.

VERSE CCH

‘Atyantam’—‘For life’ (Medhātithi and Kullūka);—‘at all’ (taken with ‘valayast’, ‘not giving’) [Nārāyaṇa].

This verse is quoted in Mitākṣarā, (2. 140) to the effect that if the persons mentioned in the preceding verse are not properly maintained the persons responsible become ‘degraded,’—‘atyantam’ means ‘for life’; it goes on to add that these persons are debarred from inheritance only if they are found—
to have the said disqualifications before the division of the patrimony,—not after the partition has taken place; and that if the said disqualifications are subsequently removed by medication, they get their share in the property. It concludes by saying that the said disqualifications are applicable in the case of women also.

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

VERSE CCIII

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

‘Apatyam.’—The Kṣetrajasōn (Kullūka, Rāghavaśānta and Nandana).

This verse is quoted in Vivādāratnākara (p. 488), which explains ‘tantu’ as child;—in Aparārka (p. 750), to the effect that marriage is legal for the persons enumerated in 201; it remarks that in view of the epithet ‘jāiś’, ‘born’, in the term ‘jātyandha’, the present verse cannot be taken as referring to cases where the disabilities appear after marriage; it comes to the conclusion that the disability to inheritance cannot thus be due to their not marrying and hence not being able to perform religious rites; it must be due to the mere authoritative assertion of the law.
It is quoted in Viramitrodāya (Sanskāra, p. 195) as indicating that the marriage of the said persons is sanctioned.

VERSE CCIV

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

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

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

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

VERSE CCV

'Apiryē'.—This is construed, by Nandana as apitryah in the sense 'since the division has not been made by the father';—this rule refers to acquisitions by trade (Medhātithi, Kullūka and Nārāyaṇa), by agriculture (Medhātithi, Kullūka and Nandana), or service of the king (Medhātithi).
This verse is quoted in *Vivādaratnākara* (p. 507), which explains the meaning to be as follows:—In a case where all the brothers are unlearned, if they acquire wealth, this wealth, which is not inherited from the father, is to be divided equally among them, and there is not to be any additional share to any one on the ground of any additional amount of work that he may have done.

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

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

**VERSE CCVI**

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

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

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

This verse is quoted in *Vivādaratnākara* (p. 499), which adds the following notes:—‘Vidyādhana’ and ‘andrāhika’ are going to be described later on,—‘Maitra’ is what is obtained from a friend,—‘Mādhuparkikam’ is what is obtained as a mark of respect at the time of the offering of the Honey-mixture,—‘tasyaiva bhavet’ should be impartible;—in *Dāyakramavijñāraha* (p. 35);—and in *Vyavahāra-Bālambhaṭṭi* (p. 476).
It is quoted in *Vyavahāramayūkha* (p. 55);—in *Aparārka* (p. 724), to the effect that what one has acquired entirely by his learning he shall not give to his co-sharers;—in *Vivādachintāmani* (Calcutta, p. 135), which explains ‘*maitrām*’ as ‘what has been obtained as a friendly present’;—and ‘*Mādhuparkikām*’ as the *arhaṇī* offerings received at the time of *Mādhuparka-offering*;—and by *Jīmūtavāhana* (*Dāyabhāga*, pp. 168 and 179).

**VERSE CCVII**

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

**VERSE CCVIII**

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

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

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

This verse is quoted in *Mītāksarā* (2, 118), which explains ‘*Shramena*’ as ‘by service, by fighting and so forth’;—and it reads the second line totally differently, the
meaning of which is 'that shall not be given to the co-sharers, nor what is gained by learning.'—The Bālambhataṭṭi adds that 'anupaghnan' is to be construed as 'anupaghnata.'

It is quoted in Aparārka (p. 723), which explains 'shrāma' as 'soldiering, agriculture and so forth';—and 'ihā' as 'work without much labour';—in Vivādaratnākara (p. 501);—in Parāśarāmādīhava (Vyavahāra, p. 377), which explains 'shrāma' as 'agriculture and so forth' and notes that 'pitrārvyam' here means 'undivided property';—in Mehanapārījata (p. 685), which explains 'shrāmēṇa' as 'by service, soldiering and so forth';—by Jīmūtavāhana (Dīyabhāga, p. 178);—and in Viramitrodhaya (Vyavahāra 220b), which explains 'shrāmēṇa' as 'by service and other means.'

VERSE CCIX

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

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

It is quoted in Vivādaratnākara (p. 461), which adds the following notes:—'Paitṛkam', ancestral—'anarāpyam', 
(which is its reading for ‘anavāptam’), which is hard to be recovered by the father; such property being ‘self-acquired’ by the father, he shall not divide it with his sons, except when he is quite willing.

It is quoted in Parāsharamādhatva (Vyavahāra, p. 339), which has the same explanation as Mitaksāra;—in Dāyatutra (p. 9);—in Nṛsimhaprasādā (Vyavahāra 35a);—in Vivādachintāmani (Calcutta, p. 126), to the effect that in regard to the property acquired by the father, independently of his ancestral property, sons have no voice, he himself being the sole disposer of it;—in Vitamitrodaya (Vyavahāra 177b), which explains ‘svayamārjita’,(1) as ‘svayamārjitaṁvīva’, ‘it is as if it were his self-acquired property’; and (2) as giving the reason for the law laid down, ‘since,’ ‘it is his self-acquired property’;—and says that ‘akāmaḥ’ implies that if the father so wishes, he may divide the property among his sons;—and by Jīmūtavāhana (Dāyabhāga, p. 201).

VERSE CCX

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

It is quoted in Vivādavatmākara (p. 601), which adds the following note:—‘Saha jīvadāḥ’, living after joining together,—‘samastatvṛtā vibhāgāḥ’, i. e., there is to be no additional share for the eldest, and so forth.

• It is quoted in Vyavahāromāyūkha (p. 65), which mentions two opinions—one, is that which has been set forth in Aparārka, and another that there is to be absolutely equal division all round;—in Nṛsimhaprasādā (Vyavahāra,
p. 41b);—by Jīnuṭāvāhana (Dāyanā, p. 342), which says that the equal partition is meant for brothers of the same caste as the father;—and in Vīramitrodāya (Vyavahāra 210a), which explains the implication of the last clause to be that there is no unequal division due to seniority, but there is unequal division on other grounds.

VERSE CCXI

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

‘Bhūgo na hupyatā,’—‘His share must not be divided by his co-parceiners among themselves’ (Nārāyana); ‘the disposal of his share is prescribed in the next verse’ (Medhātithi, Rāghavānanda).

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

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

It is quoted in Aparārka (p. 749), which explains ‘amśhapradāna’ as partition; and points out that ‘hiyatā’ means disqualification by reason of ‘renunciation’, ‘becoming an outcast’ and so forth; his share however is not lost, does not disappear,—it has to be determined and disposed of as laid down in the next verse.
It is quoted in Vivādavatnākara (p. 601), which explains as follows:—'Hence among united brothers, if any one should take to renunciation, or by some such cause become deprived of his share, or should happen to die, his share does not disappear';—and in Dāyvattra (p. 55).

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

VERSE CCXII

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

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

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

This verse is quoted in Mitākṣara (2. 139), which adds the following explanation:—'This verse lays down the manner of disposing of the share set aside in accordance with the preceding verse; which is as follows:—The uterine
brothers shall divide it; i.e., it shall be divided equally among all his uterine brothers, those that were united with him as well as those not so united and those who may have gone to foreign lands; they should all come together and divide the said property equally among themselves;—also those step-brothers who had been united with him, and his uterine sisters; all these should divide it equally among themselves.—The Bālambhaṭṭī has the following notes:—That the un-united full brothers are meant by the first half is shown by the mention of the 'united' in the second half;—that the second half refers to half brothers is shown by the mention of 'uterine' brothers in the first half;—the half-brothers meant here must be understood to be of the same caste as the original owner.

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

It is quoted in Aparārka (p. 749), which adds the following explanation—The said share should be taken by those uterine brothers who were united with the original owner, and
not those who were not united, even though they be his uterine brothers; if there be no united uterine brothers, then it shall be divided among all his uterine brothers equally—without any inequality due to seniority and so forth;—if there be no uterine brothers, then it shall go to the uterine sisters;—and if there be no uterine sisters, then it shall go to the step-sisters and step-brothers.

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

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

VERSE CCXIII

This verse is quoted in Mitākṣara (2.126) as having been understood by some people to mean that ‘misappropriation’ of the entire property is wrong only for the eldest brother, and not for the younger brothers. This view, it says, is wrong; the verse clearly implying that, just as it is wrong for the eldest brother who is in the place of father for the younger brother to misappropriate the property, so it is also for the younger brothers, who are as ‘sons’ to the eldest brother.

It is quoted in Parāśaramādhava (Vyavahāra, p. 383), which takes it to mean that when even the eldest brother, who is independent, is held to commit a wrong if he does the
mis-appropriation, it is all the more culpable in the case of the younger brothers, who are not independent.

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

VERSE CCXIV

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

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

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

VERSE CCXV

'Sahāraṇthānam.'—'Joint acquisition—one earning by agriculture, another by receiving gifts, another by service, another taking care of what others bring in and so forth' (Medhātithi);—'joint concern,—such as joint trading and so forth' (Nārāyaṇa).—Explained by Jimūtaśārista (Dāyabhāga, 2. 86) as 'effort i.e., desire to have a division' (Hopkins).
This verse is quoted in *Vivadaratnakara* (p. 468), which explains ‘utthānam’ as ‘action tending to the acquisition of wealth’;—in *Aparārka* (p. 719 and p. 727) as an exception to the general that the father may make an unequal division;—and in *Vivādachintāmani* (Calcutta, p. 129), which says that this refers to cases where the property has been acquired by the equal efforts of all the brothers, and hence it does not conflict with the text which lays down that the brothers are to accept without demur even an unequal partition among them by their father, of the property acquired by him.

**VERSE CCXVI**

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

It is quoted in *Parāshuramādhava* (Vyavahāra, p. 340), which explains ‘pitryam’ as ‘belonging to the parents’;—in *Mudanapārijāta* (p. 655), which also adds the same explanation of ‘pitryam’;—in *Aparārka* (p. 729), which adds the explanation that ‘if a son is born after partition has been made he shall take only his father’s, not the brothers’ property, and if there be no brothers, he shall share the father’s property with those who may have lived jointly with his father’;—in *Vyavahāramayukha* (p. 46);—in *Vivādachintāmani* (Calcutta, p. 159), which remarks that the first half of the verse having definitely made the new-born son the sole heir to the father’s property, his joint brothers, mentioned in the second half, could be entitled to it only on the death of that new-born son;—in *Nṛsimhāprasaṇḍī*
Vyawahāra 35a):—in Smṛtisāroddhara (p. 332);—and by Jīmūtavāhana (Dāyabhāga, p. 203), which explains the meaning to be as follows—'If the father, after having divided his property among his sons and taken his own share, obtains another son, then the share taken by the father devolves upon this son, and if the father had been living with some other sons, then the new-born son shall receive his share out of the share of all those with whom the father may have been living.'

VERSE CCXVII

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

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

This verse is quoted in Mitāksara (2. 135-136) as laying down the rights of the mother and grandmother to the son's property. The Bālambhaṭṭi explains 'vrttāyām', as 'dying'.

It is quoted in Aparārka (p. 744);—in Vivādaratna-kara (p. 591), which adds the following notes:—'Childlessness' meant here is 'absence of sons and wife and others';—the grandmother inherits only in the absence of father, brother or other Sapindas;—the father inherits in the absence of the mother;—'dāyādyam' means 'property inheritable by heirs'.
It is quoted in *Vyavahāramayūkha* (p. 63) to the effect that in the absence of 'brothers' sons', the first claim is that of the grandmother; and in *Smṛtitattva* II (p. 195) to the effect that in the absence of 'brothers' sons', the property goes to the grandfather, and in his absence, to the grandmother; the rights of the grandfather being superior to those of the grandmother, just as those of the father are superior to those of the mother.

**VERSE CCXVIII**

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

This verse is quoted in *Vivādaratnakāra* (p. 524)—in *Parāśharamādhava* (Vyavahāra, p. 382);—in *Dāyakrama-saṅgraha* (p. 54)—in *Nṛsimhaprasāda* (Vyavahāra 37b);—in *Vīramitrodaka* (Vyavahāra 220 a);—and by Jimūta-vāhana (*Dāyabhāga*, p. 345.)

**VERSE CCXIX**

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

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

This verse is quoted in *Mādanasvāmījāta* (p. 685), which adds the following notes—Only those clothes are impartible which are worn;—'patram,' conveyances, e.g., horses, palanquins and so forth; of these also those are not to be divided which have been in the constant use of any one exclusively;—or 'patra' may be taken as 'property consisting of written
document;—in Dāyakrama-saṅgraha (p. 37);—and in Vivarmitrodaya (Vyavahāra 221 a), which explains ‘patram’ as conveyance.

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

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

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

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

VERSE CCXXI

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

This verse is quoted in Vivādaratnākara (p. 611);—in Vivarmitrodaya (Rājaniti, p. 152);—and in Vyavahāra-Bālambhaṭṭī (p. 880).
VERSE CCXXII

This verse is quoted in *Vivādavrataṅkara* (p. 611);—in *Vyavahāra-Bālambhatṭi* (p. 880);—and in *Vivādachintāmāṇi* (Calcutta, p. 166).

VERSE CCXXIII

This verse is quoted in *Vivādavrataṅkara* (p. 610);—in *Parāsharavamādhava* (Vyavahāra, p. 388), which explains ‘aprāṇībhīḥ,’ as ‘by dice, leather-tablets, sticks and so forth,’ and ‘prāṇībhīḥ,’ as ‘by cocks and other animals’;—in *Smṛtitattva* (p. 27);—in *Aparārkā*, p. 802;—in *Mitākṣarā* (2. 199);—in *Vivamitrodaya* (Rājaniti, p. 153), which adds the following notes—‘Aprāṇībhīḥ,’ with dice, tablets and so forth;—‘prāṇībhīḥ’ with rams, cocks and other animals;—‘gambling’ and ‘prize-fighting’ are names applicable to only such acts as are accompanied by betting; where there is no betting, the act is called ‘sport’ and not deprecated among people;—in *Smṛtisāroddhāra* (p. 333);—in *Nṛsimhāpravasāda* (Vyavahāra, p. 44b); in *Vivādachintāmāṇi* (Calcutta, p. 166), which explains ‘aprāṇībhīḥ’ as dice and the like— in *Smṛtichauḍbrikā* (Vyavahāra, p. 19);—and in *Vivamitrodaya* (Vyavahāra 223b).

VERSE CCXXIV

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

This verse is quoted in *Aparārkā* (p. 804), which notes that this refers to such gambling as is not done under the supervision of the King’s Officers;—in *Parāsharavamādhava* (Vyavahāra, p. 392);—in *Mitākṣarā* (2. 202), which notes that all these rules pertain to such gambling as is accompanied by fraudulent practices, or is conducted without the guidance
of game-house-keepers appointed by the king;—in *Vivādaratnākara* (p. 611);—and in *Vyavahāramayūkha* (p. 109), which explains ‘dvijalinga’ as consisting of the wearing of the sacred thread, the reciting of the Veda and so forth.

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

**VERSE CCXXV**

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

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

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

It is quoted in *Viramitrodāya* (Rājanīti, p. 153);—and in *Vyavahāravā-Bālambhaṭṭi* (p. 880).
VERSE CCXXVI

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

VERSE CCXXVII

This verse is quoted in Vivādaratnākara (p. 611);—in Vīramitrodaya (Rājanīti, p. 153);—and in Vyavahāra-Bālambhatti (p. 880).

VERSE CCXXVIII

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

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

VERSE CCXXIX

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

VERSE CCXXX

This verse is quoted in Vivādaratnākara (p. 658), which adds that the term ‘daridra’ here stands for that impecunious
person who is unable to render any compensatory service; —in Parāśāramādhatu (Vyavahāra, p. 159); —and in Vyavahāra-Bālambhaṭṭi (p. 880).

VERSE CCXXXII

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

VERSE CCXXXIII

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

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

It is quoted in Mitāksarā (2, 306), which explains the meaning to be that the king shall not have a suit reopened simply with a view to exact a heavier fine; he may however have a decided suit reopened when the losing party applies for reconsideration and stipulates that he would be prepared to pay a double fine in the event of the suit being again decided against him.
It is quoted in \textit{Parāshhāramūdhava} (Vyavahāra, p. 161), which adds that the verse refers to cases where the finding of the Court has been accepted by the parties concerned;—in \textit{Kṛtyakalpatara} (64 b), which has the following notes—\textit{'Tiritam,'} decided and finished,—\textit{'aunshistam,'} deposed to by the witnesses,—\textit{'yatp krachama,'} in the village-assembly or other places;—and in \textit{Vīrāmitrodāya} (Vyavahāra 38 b), which says 1,000 \textit{Panas} are meant.

\textbf{VERSE CCXXXIV}

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

This verse is quoted in \textit{Kṛtyakalpatara} (65 a);—and in \textit{Vīrāmitrodāya} (Vyavahāra 38 b).

\textbf{VERSE CCXXXV}

\textit{'Surāpah,'}—Refers to the \textit{Brāhmaṇa} only (Medhātithi), to the \textit{Kṣatvirya} and the \textit{Vaishya} also (Nārāyaṇa and Kullūka).

This verse is quoted in \textit{Vivādaratnākara} (p. 634), which adds the following notes: The \textit{\textquoteleft taskara\textquote right} here stands for the stealer \textit{\textquoteof gold;--'pythak,' severally;—} and in \textit{Vyavahāra-Bālambhaṭṭī} (p. 116).

\textbf{VERSE CCXXXVI}

This verse is quoted in \textit{Vivādaratnākara} (p. 634);—and in \textit{Vyavahāra-Bālambhaṭṭī} (p. 116).
VERSE CCXXXVII

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

VERSE CCXXXVIII

This verse is quoted in Vivādaratnākara (p. 635), which adds the following notes: —'Asambhojyāh', i.e., people should not join with them in any convivial gatherings; —'asampāthyāh', they are unfit for teaching; —'asamyājayāh', unfit for sacrificing; —'avivāhināh', not entitled to marry; — in Vyavahāra-Bālambhāṭṭi (p. 116); —and in Prāyashchittaviveka (p. 37), to the effect that one who has committed a 'heinous' crime is not entitled to any of the acts to which the twice-born are entitled.

VERSE CCXXXIX

This verse is quoted in Vivādaratnākara (p. 635), which adds the following notes: —'Jñāti' are paternal relations; —'sambandaśi', maternal relations; —'kṛtalakṣaṇāśi', branded; —'nīrdayāśi', undeserving of the sympathy of gentlemen, even when suffering from diseases; —'nīramānakārāśi', not deserving of salutations even though possessing seniority and such other qualifications.
VERSE CCXL

"Uttama-sāhasam" see 8. 138.

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

VERSE CCXLI

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

VERSE CCXLII

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

"Praśasanam."—"Death" (Medhātithi, Kullūka and
Nandana); "banishment" (Nārāyaṇa and Rāghavānanda, who
criticise Medhātithi's explanation).

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

VERSE CCXLIII

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

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

VERSE CCXLV

* Cf. Taittirīya Brāhmaṇa III, 1. 2. 7; also Manu 1. 98—101.
This verse is quoted in *Vivādaratnākara* (p. 638);—
and in *Vyavahāra-Bālambhaṭṭī* (p. 1053).

VERSE CCXLVI

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

VERSE CCXLVII

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

VERSE CCXLVIII

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

VERSE CCXLIX

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

VERSE CCLI

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

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

VERSE CCLII

*Cf.* 7. 69-70.

VERSE CCLIII

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

VERSE CCLIV

This verse is quoted in *Virādaratnakara* (p. 294), which adds that the subject of ‘parihīyate’ is ‘rāja, the king; —and in *Vivādachintāmani* (Calcutta, p. 80), which says that ‘parihīyate’ is to be construed with ‘sah’ understood.

VERSE CCLV

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

VERSE CCLVI

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

VERSE CCLVII

This verse is quoted in *Virādaratnakara* (p. 291), which has the following notes: —‘Prachchhamaratrachakāḥ’, those who commit burglary by breaking through walls and so forth; —‘ātavyāḥ’, thieves who frequent the forests and commit thefts even during the day; —‘ādhy’ is meant to include the thief living in one’s neighbourhood and such others.
VERSE CCLVIII

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

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

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

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

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

VERSE CCLIX

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

‘Shilpopachārayuktāh’.—‘Men living by such arts as painting and the like’ (Medhātithi and Kullūka);—Nārāyaṇa and Nandana, read ‘shilpopakārayuktāh’ and explain it as
people living by *śilpa*, the arts of painting and the rest, and by *upakāra*, hairdressing and other arts of the toilet; Nandana explains it as 'umbrella and fanmakers'.

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

**VERSE CCLX**

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

**VERSE CCLXI**

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

*Anākasamsthānaḥ*.—'Wearing various disguises' (Nārāyana and Nandana); — stationed in various places (Kullūka).

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

**VERSE CCLXII**

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

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

VERSE CCLXIV

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

It is quoted in Aparārka (p. 841).

VERSE CCLXV

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

VERSE CCLXVI

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

'Utsādasyēt'.—Govindarāja and Nārāyaṇa read 'utsāha-yēt' 'should incite them to commit crimes'.

VERSE CCLXIX

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

VERSE CCLXX

This verse is quoted in the Aparārka (p. 849), which explains 'hodham' as 'stolen property',—and 'apakaraṇam' as implements of thieving.

VERSE CCLXXI

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

This verse is quoted in Aparārka (p. 849);—in Vivādaratnakara (p. 338), which adds the following notes:—'Bhakta', cooked food;-'bhānda', thieving implements other than arms;—'avakāsha' sheltering place;—and in Vya-vaḥara-Bālambhaṭṭi (p. 991).

VERSE CCLXXII

This verse is quoted in Aparārka (p. 850);—in Vivādaratnakara (p. 341), which adds the following notes:—'Rāstrādhikṛtān' i.e., inhabitants of the village;—'dēshitān', deputed to guard the village;—'madhyasthān', those men who are looking on while people are being robbed.
by thieves and harassed;—all these the king shall punish like thieves;— in *Vivahāra-Bālambhaṭṭi* (p. 991);—and in *Vivādachintāmaṇi* (Calcutta, p. 93).

**VERSE CCLXXIII**

This verse is quoted in *Vivādaraṭṭañkara* (p. 625), which adds the following notes:—‘*Samaṇa*’, scriptural conventions;—‘*dharmaśivanaḥ*’ Brāhmaṇa and the rest;—‘*āplośeṭ*’, should burn i.e., inflict pain;—and in *Vivahāra-Bālambhaṭṭi* (p. 991).

**VERSE CCLXXIV**

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

**VERSE CCLXXV**

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

It is quoted in *Mitākṣarā* (2. 302), which explains ‘*vividhaik dāyaiḥ*’ as ‘such penalties as confiscation of the entire property, cutting off of limbs and death’;—in *Vivādaraṭṭañkara* (p. 367), which explains ‘*kosa*’ as the ‘king’s
amassed wealth',—and 'upajāpakaṁ' as persons creating dissension in the kingdom (among the soldiers, 'virānāṁ' which is its reading for 'arūnāṁ');—in Vyavahāramayūkha (p. 110);—in Parāsharāmadhava (Vyavahāra, p. 395);—in Vyavahāra-Bālambhaṭṭi (p. 991);—and in Viramitrodaya (Vyavahāra 225 b).

VERSE CCLXXVI

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

VERSE CCLXXVII

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

This verse is quoted in Vivādaratnākara (p. 321), which reads 'anguliḥ' (Dual) and explains it as the thumb and the index-finger;—'grahaḥ', detection;—in Parāśharāmadhava (Vyavahāra, p. 302), which explains the 'two fingers' as the thumb and the index-finger;—in Aparārka (p. 845);—in Mitāksarā (2, 274) to the effect that a pickpocket detected thrice should be put to death;—in Vivādachintāmaṇi (Calcutta, p. 87), which adds the following explanations—'If one is detected in untying cattle for stealing it, then, if it is the first offence of its kind, his fingers should be cut
off; in the second offence, his hands and feet, and in the third, death-penalty is to be inflicted;—and in Nṛsimhapraśāda (Vyavahāra 42b).

VERSE CCLXXVIII

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

'Mōsasya somīdhāṭṛṇ'.—'Receivers of stolen goods' (Kullūka);—'abettors of theft' (Medhātithī and Nārāyaṇa).

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

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

VERSE CCLXXIX

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

VERSE CCLXXX

This verse is quoted in Vivādaratnakara (p. 320), which adds the following notes:—'Kośṭhāgāram', granary,—'avichārāyan', there should be no delay when once it has been ascertained that the man has committed the offence.
EXPLANATORY—ADHYAYA IX

It is quoted in Mitāksara (2. 273), where Bālambhaṭṭi has the note that—'avichārayan' means without delay.

VERSE CCLXXXI

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

VERSE CCLXXXII

This verse is quoted in Vivādārunākara (p. 221);—in Vyavahāramayūkha (p. 97);—in Parāsharavānādhava (Vyavahāra, p. 279);—in Aparārka (p. 765);—in Vivāda-chintāmanī (Calcutta, p. 63);—and in Viramitrodaya (Vyavahāra 143 b).

VERSE CCLXXXIII

This verse is quoted in Aparārka (p. 765), which explains 'paribhāsaṇa' as 'reproof';—in Vivādārunākara (p. 222), which explains 'paribhāsaṇa' as reprimanding—'don't do this again'—without punishment,—'shodhyaṃ', i.e., by the person who committed the act under urgent necessity;—in Vivāda-chintāmanī (Calcutta, p. 63), which explains 'paribhāsaṇa' as 'warning never do so again—without any punishment';—and in Viramitrodaya (Vyavahāra 143 b).

VERSE CCLXXXIV

This verse is quoted in Smṛtisattra (p. 535).
VERSE CCLXXXV

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

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

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

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

VERSE CCLXXXVI

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

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

VERSE CCLXXXVII

This verse is quoted in Aparārka (p. 825), which adds the following explanations:—That man suffers the ‘first
amercement' who deals with honest customers—who pay the right price—dishonestly, giving them cheaper articles; and the 'middle amercement' is the penalty for the man who, selling the right commodity, receives a higher or lower price.

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

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

**VERSE CCLXXXVIII**

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

**VERSE CCLXXXIX**

This verse is quoted in *Vivādaratnākara* (p. 367); — in *Aparārka* (p. 853); — and in *Vāeacakāra-Bālambhaṭṭi* (p. 919).
VERSE CCXC

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

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

VERSE CCXCI

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

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

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

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

VERSE CCXCIII

This verse is quoted in Vivādāvatmākāra (p. 321).

VERSE CCXCIV

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

VERSE CCXCV

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

VERSE CCXCVI

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

VERSE CCXCVII

This verse is quoted in Viramitrodāya (Rājanīti, p. 320).
VERSE CCXCVIII

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

VERSE CCXCIX

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

VERSE CCC

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

VERSE CCCI

*Cf.* Aitareya Brāhmaṇa 7. 15.

VERSE CCCII

This verse is quoted in *Viramitrodāya* (Rājanīti, p. 19), where ‘tejorṣṭtum’ is explained as ‘conduct in keeping with the portions of Indra and other gods.’

VERSE CCCIV

This verse is quoted in *Viramitrodāya* (Rājanīti, p. 19), where ‘chaturāḥ’ is explained as the four months beginning with Shrāvaṇa.

VERSE CCCV

This verse is quoted in *Viramitrodāya* (Rājanīti, p. 19), where ‘aṣṭau’ is explained as eight months beginning with Mārgashirṣa.

VERSE CCCVI

This verse is quoted in *Viramitrodāya* (Rājanīti, p. 19).
VERSE CCCVII

This verse is quoted in *Viramitrodaya* (Rājaniti, p. 19).

VERSE CCCVIII

This verse is quoted in *Viramitrodaya* (Rājaniti, p. 19).

VERSE CCCIX

This verse is quoted in *Viramitrodaya* (Rājaniti, p. 19).

VERSE CCCX

This verse is quoted in *Viramitrodaya* (Rājaniti, p. 19).

VERSE CCCXI

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

VERSE CCCXII

This verse is quoted in *Viramitrodaya* (Rājaniti, p. 20), which adds the following notes:—"*Manoḥrītvah*, free from idleness,—"*śīvēnaḥ*, thieves.

VERSE CCCXIII

This verse is quoted in *Viramitrodaya* (Rājaniti, p. 151), which adds the following explanations:—"*Parām āpādam* the worst calamity, brought about by the depletion of his treasury and by being attacked by a more powerful King;—even though fallen in such, the king should not 'provoke the Brāhmaṇas to anger', by forcibly seizing their property or by treating them with disrespect.
It adds that from 313 to 321, it is mere Arthavāda, and all that it means is that even when a Brāhmaṇa commits an offence, he should not be punished.

VERSE CCCXIV

See Mahābhārata, Mokṣadharma 12. 344,55,57-58,60-61. This verse is quoted in Vīramitrodāya (Rājanīti, p. 151).

VERSE CCCXV

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

VERSE CCCXVI

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

VEESE CCCXVII

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

VERSE CCCXVIII

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

VERSE CCCXIX

This verse is quoted in Vīramitrodāya (Rājanīti, p. 151).
VERSE CCCXX

This verse is found in the Mahābhārata 12-78-28.
This verse is quoted in *Viramitrodāya* (Rājanīti, p. 152).

VERSE CCCXXI

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

This verse is found in the Mahābhārata 5-15-34; 12-56-24.
This verse is quoted in *Viramitrodāya* (Rājanīti, p. 152).

VERSE CCCXXII

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

VERSE CCCXXIII

*Cf.* Mahābhārata 6-17-11; also *Vikramādityakaccharita* 4-44-68.
This verse is quoted in *Rājanīticaturākara* (p. 40a).

VERSE CCCXXVI

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

VERSE CCCXXVII

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

VERSE CCCXXVIII

This verse is quoted in *Parāśharamādhava* (Āchāra, p. 417).
VERSE CCCXXIX

This verse is quoted in *Mudanapārījāta* (p. 227), which explains ‘lohaṇām’ as metals;—in *Parāsharamādhava* (Āchāra, p. 417);—and in *Nṛsimhaprasāda* (Āhnika, 36a, and Samskāra 74a).

VERSE CCCXXX

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

VERSE CCCXXXI

This verse is quoted in *Mudanapārījāta* (p. 227), which explains ‘bhāṅḍāṇām’ as ‘saleable commodities’;—in *Parāsharamādhava* (Āchāra, p. 417);—and in *Nṛsimhaprasāda* (Āhnika 36a).

VERSE CCCXXXII

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

VERSE CCCXXXIII

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

VERSE CCCXXXIV

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

VERSE CCCXXXV

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

VERSE I

This verse is quoted in *Vīramitrodāya* (Sanskāra, p. 512);—in *Samskāramayukha* (p. 52), which says that this text contains three sentences (and statements)—(1) ‘The three castes should learn from the Brāhmaṇa (this latter phrase being understood),’ (2) ‘The Brāhmaṇa alone shall expound,’ and (3) ‘The other two castes—i.e. the Ksattriya and the Vaishya—shall not do the expounding’; and in *Smṛtičandraśīkā* (Sanskāra, p. 143), which says that this rule refers to normal times.

VERSE III

‘Vaishōṣyāt’.—‘Through pre-eminence,—of qualities’ (Medhātithi),—‘of race’ (Govindarāja, Kullūka, Nārāyaṇa and Rāghavānanda).

‘Niśamayaadhūraṇāt’.—‘On account of the observance of the restrictive rules, i.e., those prescribed for the Accomplished student’ (Medhātithi, Govindarāja, Nārāyana and Rāghavānanda);—‘on account of his possessing superior knowledge of the Veda’ (Kullūka).

VERSE V

‘Ānulomyēv’.—‘In the direct order, i.e., by a Brāhmaṇa on a Brāhmaṇi and so forth’ (Medhātithi, Govindarāja and Kullūka);—‘the bridegroom being always older than the bride’ (Nārāyaṇa).
This verse is quoted in *Parāśarāmādhava* (Āchāra, p. 511), which explains the meaning to be that children born of a Brāhmaṇa couple are Brāhmaṇa by caste; so also in the case of Kṣattriya couples and so forth;—and in *Nṛśimhaprasāda* (Samskāra 76a).

**VERSE VI**

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

**VERSE VII**

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

**VERSE VIII**

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

**VERSE IX**

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

**VERSE X**

This verse is quoted in *Parāśarāmādhava* (Āchāra, p. 512), which adds that these are called ‘apasaṃda,’ ‘base-born,’ on account of their being devoid of the pure caste of the Father;—and in *Nṛśimhaprasāda* (Samskāra 76a).
VERSE XI

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

VERSE XII

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

VERSE XIV

This verse is quoted in Smrtikanāvadi (p. 4), which adds the following notes:—'Anantaravastrijāh,' born of wives of inferior castes;—'matrdosāt,' by reason of the inferiority of the mother's caste,—'anantaramanānāh,' named after the mother's caste.

VERSE XVI

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

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

VERSE XVII

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

VERSE XIX

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

VERSE XX

This verse is quoted in Prāyashchittaśīvaka (p. 87).
VERSE XXII

"As 'a' and 'i' are constantly exchanged 'lichehhi' may be considered as a vicarious form for 'lichehhi', and it may be assumed that the Manusamhitā considered the famous Kṣattriya race of Magadha and Nepal as unorthodox."—(Buhler).

VERSE XXVIII

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

VERSE XXXI

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

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

VERSE XXXV

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

VERSE XXXVIII

‘Mūlavyasanar̥ttimān’—‘Who lives by executing criminals.’ (Govindarāja and Rāghavānanda);—‘who lives by digging roots for selling them as medicines or for curing hemorrhoids’ (Nārāyana and Nandana).

VERSE XL I

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

VERSE XLII

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

VERSE XLIII

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

VERSE XLVII

This verse is quoted in Aparārka (p. 119).
VERSE XLVIII

“Govindarāja quotes a verse of Yama according to which the Chūchūka is the son of a Vaishya by a Kṣattraīya female and the Madgu the offspring of a Shūdra and a Kṣattraīyā.”—Buhler.

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

VERSE LIV

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

VERSE LV

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

VERSE LXII

This verse is quoted in Aparārka (p. 119):—and in Nṛsimhacprasāda (Prāyaśchitta 7b.)

VERSE LXIV

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

'Aśāryāyāmi'—'A Shūdra female' (Medhātithi, Govindarāja, Kullūka, Rāghavānanda and Nandana);—'the daughter of a Vṛāya and the like' (Nārāyaṇa).

'Yadhrechkhayā'—'By chance, i.e. even on an unmarried one' (Medhātithi and Govindarāja);—'unknowingly (Nārāyaṇa).

VERSE LXVII

This verse is quoted in 'Vīramitrodaya' (Sāmkāra, p. 396).

VERSE LXVIII

This verse is quoted in 'Vīramitrodaya' (Sāmkāra, p. 396).

VERSE LXXIV

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

VERSE LXXV

This verse is quoted in 'Vīramitrodaya' (Paṇibhāsā, p. 45).

VERSE LXXVI

This verse is quoted in 'Madhavaparījata', (p. 215);—in 'Mitākṣara', (1. 118) to the effect that three out of the six functions are conducive to merit and these are to be practised as means of livelihood; so that while the former are obligatory, the latter are not so;—in 'Parāśkaramādhava' (Āchāra, p. 140), to the same effect;—in 'Vyavahāra-Bālambhatti', (p. 424);—and in 'Somākṣara-maṇḍalikha' (p. 122).
VERSE LXXVII

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

VERSE LXXIX

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

VERSE LXXX

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

VERSE LXXXI

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

VERSE LXXXII

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

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

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

VERSE LXXXIV

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

VERSE LXXXVI

This verse is quoted in Madanaparajāta, (p. 232), which explains 'vyapoheta' (which is its rendering for 'apophera') as 'should avoid' i.e. 'should not sell'; it adds that 'rasas' having been already mentioned, 'harana' is mentioned again for the purpose of indicating that the selling of salt is more blameworthy.

VERSE LXXXVII

This verse is quoted in Madanaparajāta, (p. 232), which adds that 'vyapoheta' of the preceding verse is to be construed with all that follows;—in Matāksara, (3. 38);—and in Sanskāramayukha, (p. 123), which says that 'all these should not be sold.'

VERSE LXXXVIII

The second half of this verse is quoted in Matāksara (3. 38), which adds the following notes:—'Dadhī and kāra' stand for all preparations of milk and curd; 'ghrtam' for all oily substances;—in Madanaparajāta (p. 232),
which adds that ‘ksauṇḍram’ stands for bees-war; honey itself being mentioned separately (‘maudha’);—and in Samskāramayūkha (p. 123).

VERSE LXXXIX

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

VERSE XC

‘Shuddhān’—‘unmixed’ (Madhātithi, Govindarāja, Kullūka and Rāghavānanda);—‘white’ (Nandana);—‘of good quality’ (Nārāyana).

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

It is quoted in Mitāksarā (3. 39), which adds that ‘dharma’ stands for such necessities as medication and the like.

VERSE XCI

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

VERSE XCII

This verse is quoted in Mitāksarā (3. 40);—in Parāshararāmaṇḍhara (Āchāra p. 422);—in Aparārka (p. 934), where it is pointed out that this refers to a Brāhmaṇa who
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has not performed the requisite expiatory rites;—again on p. 1046;—in Smṛtatattva (p. 353)—in Madanapārijāta (p. 232);—in Saṃskāramayukha (p. 124);—in Nṛsīhāpravrśaḍa (Āhnika 36b);—and in Prāyashchitāvaiveka (p. 427), which says that only strong deprecation is what is meant.

VERSE XCIII

This verse is quoted in Madanapārijāta (p. 232);—in Mitāksarā (3. 40)—and in Saṃskāramayukha (p. 124), which explains 'ītaresām' as 'all aforesaid articles except milk';—and adds that all this refers to normal times.

VERSE XCVI

This verse is quoted in Mitāksarā (3. 39), which adds the following notes:—'Kṛtāma' is cooked food, and this should be exchanged with cooked food; it notes the reading 'Kṛtāmaḥkākṛtāmaṇa', and explains it as 'cooked food should be exchanged for uncooked rice and other grains'.

It is quoted in Aparārka (p. 933);—in Madanapārijāta (p. 233), which explains 'nimātavād' as 'should be exchanged';—in Parāsharanāḍhāra (Āchāra p. 131), which adds that the law laid down regarding the selling of sesamum applies to that of ravae also;—in Saṃskāramayukha (p. 124);—and in Prāyashchitāvaiveka (p. 129).

VERSE XCV

This verse is quoted in Aparārka (p. 934), which explains 'jyāyaśi vṛtti' as the 'functions of the Brāhmaṇa.'
ordained for the higher castes, he should have all his property confiscated and then banished from the kingdom;—and in Vivādachintāmani (Calcutta p. 101).

VERSE XC VII

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

VERSE XC VIII

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

VERSE XC IX

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

VERSE C

This verse is quoted in Mitāksarā (3.35);—and in Madanapārijāta (p. 233), which notes that the verb 'kṣeritā' means 'should perform'.

VERSE C I

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

VERSE C II

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

This verse is quoted in Madanapārijāta (p. 233);—in Aparārka (p. 935);—in Smṛtitattva II (p. 362), which notes that Kullūka Bhaṭṭa explains ‘jvalānāmbusamāḥ’ as ‘like water and fire’;—in Parāśharamanādhava (Āchāra, p. 183), which notes that the reading is ‘agarhitā’;—in Parāśharamanādhava (Prāyashchitta p. 326);—and in Prāyashchittaviveka (p. 409).

VERSE CV

This verse is quoted in Smṛtitattva I (p. 353);—in Aparārka (p. 935);—in Parāśharamanādhava (Prāyashchitta p. 326);—in Parāśharamanādhava (Āchāra p. 183);—in Madanapārijāta (p. 233);—and in Vatudharmasangraha (p. 75).

VERSE CVI

See Aitarīya Brāhmaṇa 7. 13—16.
This verse is quoted in Aparārka (p. 935);—and in Parāśharamanādhava (Prāyashchitta p. 326).

VERSE CVII

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

VERSE CVIII

See Mahābhārata 12. 141. 28 etc. seg.
This verse is quoted in Aparārka (p. 935);—in Madanapārijāta (p. 234), which explains ‘shravajāghani’ as the loins of a dog;—and in Parāśharamanādhava (Prāyashchitta p. 326).
VERSE CIX

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

VERSE CX

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

VERSE CXI

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

VERSE CXIII

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

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

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

VERSE CXV.

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

'Jayāḥ'—'Conquest in war' (Medhātithi);—'winning law-suits' (Nandana).
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‘Prayogah.’—‘Money-lending’ (Medhātithi);—‘Teaching’ (Nandana).

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

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

It is quoted in Purāṇa (Vyavahāra, p. 330);—in Smṛtiṭattva II (p. 350), which adds the following notes:—‘Dāya’ is inheritance of ancestral property,—‘lābha’ is finding of treasure-trove and such things,—‘jaya’ is conquest of war,—‘prayoga’ is money-lending,—‘karmayoga’ is trade, agriculture, sons and daughters;—in Vālānapārījata II (p. 245);—in Mitākṣara (2.113);—in Hemādri (Śrāddha, p. 525);—in Hemādri (Dāna, p. 11), which explains ‘prayoga’ as ‘monetary transaction for earning interest,’ and ‘karmayoga’ as ‘officiating as priests at sacrifices’;—and in Nyāsa (Āhnikā 37a).

VERSE CXVI

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

This verse is quoted in Aparārka (p. 936);—and in Mitākṣara (3.42), both of which read ‘giriḥ’ for ‘dṛṅghaḥ’; ‘giriḥ’ is explained by Nandana as ‘selling of fruits and roots growing on hills.’

VERSE CXVIII

This verse is quoted in Vīramitrodaya (Rājaniti, p. 263).
VERSE CXIX

This verse is quoted in Viramitrodaga (Rājanīti p. 263).

VERSE CXX

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

This verse is quoted in Viramitrodaga (Rājanīti, p. 263), which adds that the verb 'dadyukt' is to be supplied.

VERSE CXXI

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

VERSE CXXII

The first half of this verse is quoted in Aparārka (p. 161);—in Mitāksara (1. 120);—and the whole verse in Parāsharavatāhavā (Āchāra p. 421), to the effect that the highest duty of the Shūdra is saving the Brāhmaṇa, that of the Kṣatriya and the Vaiśya being meant only as a means of liveli-
hood;—in Vidhānapāriśīṭā II (p. 728);—in Samskāramāyūkha (p. 126);—and in Vivaranatraya (Paribhāṣā, p. 46), which explains ‘vishistam’ as ‘excellent,’ as conducive to both merit and livelihood, and ‘nispaham’ as ‘very little effective,’ as conducive to livelihood only.

VERSE CXXV

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

VERSE CXXVI

‘Na pātakām’—‘no sin, in eating garlic and other forbidden vegetables and fruits’ (Govindaśīja and Kullāka),—‘in keeping a slaughter-house’ (Rāghavānanda).

This verse is quoted in Viśvanātraya (Samskāra p. 134);—and in Nṛṇayasundha (p. 235).

VERSE CXXVII

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

This verse is quoted in Śrītattva (p. 353)—and in Varṣakriyākāmādī (p. 571), which adds that there would be nothing wrong in the Shūdra amassing wealth for the benefit of Brāhmaṇas and others.
Adhyāya XI

VERSES I and II

‘Garvartham’.—‘For the purpose of maintaining his Teacher’ (Govindaśāya, Kullūka and Rāghavaśānta);—‘in order to procure for his Teacher’ (Nārāyaṇa).

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

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

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

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

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

VERSE VII

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

VERSE VIII

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

VERSE IX

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

VERSE X

This verse is quoted in Aparaṅkha (p. 283).
This verse is not commented upon by the Commentators; it is quoted by Medhatithi under 2. 189, and in several important Nibandhas.

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

It is quoted in Smrititattva I (p. 319);—in Smrititattva II (p. 361) as mentioning persons who must be supported;—in Parasharmanadha (Acharya p. 186);—and in Parasharmanadha (Prayashchitta, p. 384), which adds that this refers to abnormal times of distress.

VERSE XII

According to Narayana and Nandana, ‘the king’ is the agent to be understood with the verb ‘aharet’, ‘may take’;—this being supported by a parallel passage in the Mahabharata which ends with ‘Yajnarthamparamartho harèt’.

VERSE XIV

According to Medhatithi, Kulluka and Raghavanananda, this refers to Kshatriyas as well as Brahmanas;—according to Govindaraja it refers to the former alone.

VERSE XV

‘Adanamityah’.—‘Men of all castes who constantly amass wealth’ (Medhatithi and Narayana);—‘Brahmanas who always accept gifts’ (Kulluka, Govindaraja and Raghavanananda).
VERSE XVI

This verse is quoted in Mitākṣarā (2.275), where Bālambhaṭṭī has the following notes:—‘Bhakta’ is food; ‘saptame bhaktē’ on the fourth day;—‘ashvastanavidhānēna,’ in such a way that there may be nothing left over for the second day;—‘hūmakarmāṇal,’ from a man whose religious acts are very poor.—It is quoted again under (2.43), where the meaning is explained as that ‘if, in the absence of food, a man has gone without food for three days, he should wrest from a man deficient in religious acts just enough for one day.’

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

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

VERSE XVII

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

VERSE XVIII

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

VERSE XXIV

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

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

VERSE XXVI

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

VERSE XXVII

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

VERSE XXVIII

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

VERSE XXIX

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

VERSE XXX

This verse is quoted in Aparārka (p. 168);—in Smṛtitattva II (p. 87);—and in Parāśharamādhava (Āchāra, p. 684), which explains 'sāmparāyikam' as future effect, in the shape of accession to Heaven and so forth;—in Hēmādri (Dāna p. 88), which explains 'sāmparāyikam' as 'pertaining to the other world' i.e., supernatural;—in Shraddhakriyakamandā (p. 288);—in Dānapayukha (p. 8);—in Yadviharmasāṅgraha (p. 8);—in Samskāravatnamālā (p. 14);—in Smṛtisāraddhāva (p. 306);—in Vīvomitrādaya (Paribhāṣā, p. 29 and 71), to the effect that the secondary course is effective only when the primary one is impossible,—it explains 'prabhās' as 'capable' and 'sāmparāyikam'...
as 'pertaining to the other world';—in Varṣakriyākaumudī (p. 352);—in Hemādri (shrāddha, p. 452); — and in Nityā-chāropradīpa (p. 9 and 196), which explains the meaning to be that 'so long as one is able to adopt the primary course, he is not entitled to the adopting of the secondary one'.

VERSE XXXI

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

VERSE XXXII

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

VERSE XXXIV

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

VERSE XXXV

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

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

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

VERSE XXXVI

See 2. 172; 5. 155; 9. 18.
VERSE XXXVIII

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

VERSE XLI

'Vīra'—'Son' (Govindarāja, Kullūka, Nārāyana and Rāghavānanda);—'a Ksattriya' (Nandana);—'a deity' (suggested by Rāghavānanda).

This verse is quoted in Aparārka (p. 1154), which adds the following notes:—The construction is 'māsamayān aparidhyā ';—'vīra' is the sacrificer;—if the omission lasts longer than a month, the man should perform the 'Three monthly Goghna expiation';—in Vidhānapāraja H (p. 115);—in Parāshuramādhava (Pṛyāshchitta p. 425);—and in Pṛyāshchittacarvāka (p. 391), which explains 'aparidhyā' as 'abandoning',—'vīrahatyā' as 'murdering the sacrificer'.

VERSE XLII

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

VERSE XLIII

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

VERSE XLIV

This verse is quoted in Medhātithi (3. 220), which notes that the use of the general term 'nāraka' implies that what is here said is applicable to the case of men born of reversed parentage; such general sins as those of killing
and the like being possible in their case also;—in \textit{Parāsharamādhava} (Āchāra p. 50), which adds that the verse is indicative of those sins that accrue from the omission, through sloth, of the obligatory duties;—in \textit{Parāsharamādhava} (Prāyashchitta p. 6);—in \textit{Prāyashchittarivēka} (p. 10), which says that the meaning is that the act is \textit{sinful}, and hence involves expiation;—and in \textit{Smṛtisārodilhāra} (p. 351).

\textbf{VERSE XLV}

Cf. Aitarēya Brāhmaṇa 7. 28.

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

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

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

\textbf{VERSE. XLVI}

This verse is quoted in \textit{Mitākṣarā}, (3. 226), to the effect that the sin accruing from ‘\textit{non-degrading}’ offences even when intentional, is wiped off by the performance of expiatory
rites; — in Aparārka, (p. 1040)— in Madanapāriṇāta, (p. 705); — in Prāyaśchittavivēka, (p. 18), which says that all that is meant by the mention of ‘Vedābhyaśa’ is that the expiation of unintentional delinquencies is lighter than that for intentional ones,—it explains ‘prthayagriḍh’ as ‘other kinds of expiation’; — and in Smṛtisāroddhāra, (p. 354).

VERSE XLVII

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

It is quoted in Nṛsmha-prasāda, (Prāyaśchittā, p. 2a); — and in Prāyaśchittavivēka, (p. 111 and 148), as forbidding association with sinners.

VERSE XLVIII

This verse is quoted in Prāyaśchittavivēka, (p. 6).

VERSE LI

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

[The additional verse relating to the ‘stealer of a hymn’ has been translated by Buhler as part of the text; it has...
been so accepted by Rāghavānanda and Rāmchandra, but not by the other commentators. We have followed the text of Medhātithi here; hence from this verse onward our verse-numbering will be one less than that in Buhler]. This additional verse is quoted in Smṛtitattva, (p. 248).

VERSE LIII

This verse is quoted in Mitāksāra, (3. 220), to the effect that the omission of an expiatory rite involves sin;—in Parāsharavamādhava (Prāyashchitta, p. 3) to the same effect.— in Smṛtitattva, (p. 173);—and in Prāyashchittaviveka, (p. 17).

VERSE LIV

Cl. 9. 235.

This verse is quoted in Mālamapārvijāta, (p. 786).— in Aparārka, (p. 1014), which adds that 'sarā' stands here for the 'Priṣṭī' i.e. liquor distilled from grains;—in Nṛsimhaprasaṣāda, (Prāyashchitta, 3 b);—and in Prāyashchittaviveka, (p. 39 and 140).

VERSE LV

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

This verse is quoted in Parāsharavamādhava (Prāyashchitta, p. 419), as enumerating offences on the same footing as Brāhmaṇa-slaughter;—in Aparārka (p. 1047), which adds the following notes:—On the occasion of the examination of the disputed superiorty of qualifications of two rivals, if the Judge pronounces a false judgment, this act is as sinful as the killing of a Brāhmaṇa; ‘ālikanirbandha’ is false
accusation;—and in Madanapārijātā (p. 807), which adds the explanation that 'when a man without knowing the four Vedas, represents himself to the king as knowing them,—and some one is asked to examine the validity of the claim—if this latter should make a false report, the sin incurred by him is equal to that involved in Brāhmaṇa-slaughter'.

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

VERSE 161

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

It is quoted in Aparārka (p. 1017), as placing on the same footing as 'wine-drinking', such offences as 'forgetting' and 'reviling' the Veda and the killing of a friend; and the meaning of this is that there are alternative expiatory rites;—it explains 'ahādyam' as unceatable on account of bad smell and the like.

It is quoted in Purāṇaśravamālha (Prāyahashētta p. 293) in support of the view that these offences are 'apappāṭakas', 'ancillary sins', as distinguished from 'apapappāṭakas' 'minor sins'. 
It is quoted in \textit{Mudanapārījata} (p. 807), which makes the same remark as \textit{Mitāksarā};—and again on p. 825, where the following notes are added:—According to \textit{Smṛti-\-mañjarī}, ‘\textit{garhita}’ stands for onions and such other forbidden food, and ‘\textit{anādyu}’ for impure food; while according to \textit{Kalpataru}, ‘\textit{garhita}’ stands for such food as, though not forbidden by the scriptures, is deprecated by the people:—‘\textit{anādyu}’, garlic and such things;—the eating of these things is equal to wine-drinking, only when it is done intentionally.

It is quoted in \textit{Prāyashchittavivekā} (p. 177), which has the following notes—‘\textit{Brāhmaṇijñatā}’ means ‘forgetting the Veda through neglect of proper study’;—‘\textit{Vedaśindā}’, passing deprecatory remarks against the words and contents of the Vedas—‘\textit{Sukrivala}’, murdering of a friend other than the Brāhmaṇa,—‘\textit{garhita}’ is ‘food of the lowest born’,—‘\textit{garhita}’, is forbidden food, e.g., mushrooms and so forth, of which repeated eating is meant here. It notes the reading ‘\textit{garhita}’ as adopted by \textit{Kalpataru}, which explains ‘\textit{garhita}’ as ‘what is forbidden by the scriptures’, and ‘\textit{anādyu}’ as ‘what is very much deprecated among the people, such as garlic &c.’

**VERSE LVII**

This verse is quoted in \textit{Mitāksarā} (3. 265), as referring to the stealing of property belonging to the Brāhmaṇa;— in \textit{Purāścharanādāvā} (\textit{Prāyashchītta} p. 421);—in \textit{Aparārka} (p. 10148);—and in \textit{Prāyashchittavivekā} (p. 177 and 344), which has the following note—‘Deposīt’, belonging, to the Brāhmaṇa.

**VERSE LVIII**

This verse is quoted in \textit{Mitāksarā} (3. 234), to the effect that the ‘intercourse’ meant here is the actual consummation of the act, as is clear from the use of the term
‘ṛetaḥsēka’;—in *Aparārka* (p. 1048), which also adds that if the intercourse ceases before actual emission, the offence is not equal to the ‘violation of the Teacher’s bed’;—in *Parāśaravamūḍhavu* (Prāyashchitta p. 251), which adds that this refers to cases where the act is repeated for fifteen days;—in *Madhavanārāja* (p. 844), which notes that the use of the expression ‘ṛetaḥsēka’ indicates that if the act ceases before emission, it involves an expiation lighter than that in the case of ‘the violation of the Teacher’s bed’;— and in *Prāyashchittavivēkā* (p. 177), which has the following notes—‘Svajōnyāsu’, Sapinda-women, and such women as are blood-relations of one’s father or mother,— ‘kumārīsu’ Brāhmaṇa virgins,—‘Antyajāṣu’, Chandāla and other low-born girls,—‘Sukhyāḥ strīsu’, wives of Brāhmaṇa friends,—‘putrastrīsu’, wives of sons born of wives of different castes, or wives of sons other than the ‘body born’.

**VERSE LX**

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

**VERSE LX**

This verse is quoted in *Prāyashchittavivēkā* (p. 192), which has the following notes—‘Parivṛttitā’, of the elder brother who remains without wife and fire while his younger brother has taken both,—‘parivēdana’ of the younger brother, in the said circumstances,—‘cha’ indicates that
these two 'offences' apply in the case of sisters also,—the marrying of one’s daughter to either of the two persons just mentioned,—and officiating as priest at marriages and other rites of the said two persons.

VERSE LXI

‘Pratulopanan’.—‘Breaking a vow voluntarily taken’ (Mcadbāṭīthi and Nārāyaṇa):—‘breaking the vow of Student-ship’ (Govindarāja, Kullūka and Rāghavānanda).

This verse is quoted in Prāyaṣchittaviveka (p. 192), which has the following notes—‘Kanyāyā duṣqenam’ calling a virgin a ‘non-virgin’, or piercing with the finger her private parts,—‘vārdhasitram’ (which is its reading for ‘vārdhasyam’) for the Brāhmaṇa or the Kṣatryya,—‘vratāt chyntik’ (which is its reading for ‘vratulopanan’), ‘aracīr- nitvaṁ’, sexual delinquency of the Religious Student,—‘dāraṇām’, even such as have not been married by one,—‘apāyasya’, of the various kinds of children.

VERSE LXII

See 10, 20.

This verse is quoted in Prāyaṣchittaviveka (p. 192), which has the following notes—‘Vṛātyatā’, whose Upanayanaka has not been performed at the prescribed age, and one who has not performed the Soma-sacrifice,—‘bāndhavan- tyāga’, abandoning, without reason, of Sāpīnda and other relatives,—‘bhṛtyaṅguṣṭha’ (which is its reading, for ‘bhṛtyaṅguṣṭha’), imparting knowledge in exchange for wages received—‘bhṛtyaṅguṣṭha’, learning under a Teacher who teaches for wages received,—‘apanyānām vikṛtyaḥ’, selling of lac and other things even once, and repeated selling of milk and other things,—this is an ‘offence’ for the Brāhmaṇa.
VERSE LXIII

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

'Stryājīvalah.'—'Subsisting on one's wife's earnings by making her enter service' (Nārāyana and Nandana);—'by turning her into a harlot' (Kullūka);—'maintaining oneself by the separate property of his wife' (Medhātithi);—'living on money obtained by selling his wife' (Rāghavānanda).—Nandana who reads 'himsaustadhikistrypājīvalah,' (for 'himsaustadhīnāṃ stryājīvalah'), explains the compound as 'subsisting either on money earned by the sale of noxious herbs, or on the earnings of one's wife.'

This verse is quoted in Prāyashchittāviveka (p. 192), which has the following notes—'Sarvakarōṣṭ adhikārāḥ,' employment in mines,—'mahāyāntrapravartanam,' working of oil and other mills, or of machines for the sharpening of weapons and so forth,—'austadhīnāḥ hinaśā,' destroying the crops,—'stryājīraḥ,' living on the earnings of women,—'abhichāraḥ,' doing of jūpa, homa and such acts with the motive of bringing harm to others,—' mūdhakarma,' rites for captivating other persons and such other purposes.

VERSE LXIV

See 3, 118.

'Nākādamā.'—'Forbidden food' (Medhātithi and Kullūka);—'food given by persons from whom it should not be accepted, e.g., by a king, a gambler and so forth' (Nārāyana, Raghavānanda and Nandana).

This verse is quoted in Prāyashchittāviveka (p. 192), which has the following notes—The cutting of many trees
for purposes of fuel,—cooking for one’s own benefit, not for the purpose of offerings to Vishvēdevas,—‘ninditāna,’ the food given by tribes or thieves and such people.

VERSE LXV

This verse is quoted in Śṛṅgīlītattvau (p. 538);—and in Prāyashchittavīvēka (p. 192), which has the following notes,—‘anāhitāgnitā,’ omitting to kindle the fires by Shrāuta or Śmārta rites, when one has the capacity to lay them,—‘stēya,’ appropriating of articles other than gold, slaves, horses, silver, land and deposits,—‘ṛṇānām anapakriyā,’ the non-payment of debts due to Gods, Ṛṣis and Pīṭras,—‘asachchhāstraḍhigamanam,’ the study of heterodox literature,—‘Kaurishlavasya kriyā,’ constant addiction to dancing, singing and music.

VERSE LXVI

This verse is quoted in Prāyashchittavīvēka (p. 192), which has the following notes,—‘Kupa,’ articles of copper and so forth,—and the Brāhmaṇa serving a drunkard man or woman.

VERSE LXVII

This verse is quoted in Mitāksarā (3. 242);—in Madunāpārijāta (p. 924);—in Nṛsimhaprasādula (Prāyashchitta 30a);—and in Prāyashchittavīvēka (p. 42 and 461), which explains ‘ṛṇajāḥ kṛtyā’ as ‘causing pain,’—‘aghṛēya’ as garlic and the like,—‘jāthiṣyam’ as dishonest dealings with friends,—‘Maithumam pumśi,’ as ‘vulgarity.’

VERSE LXVIII

This verse is quoted in Mitāksarā (3. 242);—in Madunāpārijāta (p. 924);—in Nṛsimhaprasādula (Prāyashchitta 30a);—and in Prāyashchittavīvēka (p. 42 and 465).
VERSE LXIX

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

VERSE LXX

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

VERSE LXXII

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

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

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

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

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

VERSE LXXIV

'Svarjitā.'—'Svarjit' is the name of a sacrifice, according to Nārāyaṇa and Kullūka;—according to others the term is only an epithet of 'gosavāma.'

'Trīrītā.'—Qualifies the 'Agnistūtra,' according to Medhātithi;—but stands for a distinct sacrifice, the Trīrītostoma, according to Govindaṇāja and Nārāyaṇa.

For the Gosavāma, see Kātyāyana-shantasūtra 22.11.3; for the Abhijit, Āshvalāyana-shantasūtra 8.5.13; for the Agnistūtra, Ibid 9.7.22—25.
EXPLANATORY—ADHYAYA XI

This verse is quoted in Mitāksarā (3. 248);—and in Parāśaramādhaṇa (Prāyashchitta, p. 405).

VERSE LXXV

This verse is quoted in Prāyashchittavrīḍha (p. 172).

VERSE LXXVI

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

VERSE LXXVII

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

VERSE LXXVIII

This verse lays down an option regarding observances during the twelve years of penance (verse 72)—according to Medhā-tithi, Govindarāja and Kullāka;—according to Nārāyaṇa it provides a general rule for all penances.
This verse is quoted in *Mitāksarā* (3. 243), which says that this is an option to what has been said in verse 72;—in *Madanapārijāta* (p. 788), which also adds that this lays down an option;—and in *Parāshavaramādhava* (Prāyashchitta, pp. 399—400), which notes that the ‘vā’ of the ‘Kṛtavāsarāṇaḥ’ indicates that ‘shaving’ is an option to the wearing of matted locks.

**VERSE LXXIX**

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

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

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

**VERSE LXXX**

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

**VERSE LXXXI**

This verse is quoted in *Mitāksarā* (3. 244) as summing up the twelve years’ penance.
VERSE LXXXII

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

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

VERSE LXXXVII

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

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

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

VERSE LXXXIX

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

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

The liquor here meant is that distilled from ground grains, according to Medhatithi, Govindaraja and Kullaka; according to Narayana the death-penance is meant for all twice-born men partaking of liquor distilled from grains, and by Brâhmanas who have drunk any of the three kinds of liquor described under verse 95.

'Mohat'.—Nandana reads 'amohat' and explains it as 'not unintentionally', 'intentionally'.

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

It is quoted in Madurâpûrajâta (p. 815), which adds the following notes:—'Mohat' stands for 'ignorance of the scriptures'; and not for 'ignorance of the nature of the liquid drunk';—'agnivarmanam', 'heated to the extent of becoming red-hot';—in Nrsimhaprasâda (Prâyashchitta 9a);—and in Prâyashchittavivêka (p. 93), which explains 'agnivarmanam' as 'hot as fire,' and quotes Jikana to the effect that 'mohat' means 'intentionally'.

VERSE XCI

This verse is quoted in Purâshkaramâdhava (Prâyashchitta, p. 412), which adds that this refers to the same case as the preceding verse; i.e. to the intentional drinking of liquor distilled from grains;—and in Prâyashchittavivêka (p. 93), which says that the 'milk' and 'clarified butter' meant are those of the cow only.
VERSE XCI

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

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

VERSE XCII

This verse is quoted in *Viramātrodāya* (Ālmika p. 548);—in *Aparārka* (p. 1044), which adds the following notes:—

Being the refuse of grains' is applicable only to that liquor which is distilled from ground grains, and not to those distilled from molasses and honey, as neither of these two latter is 'grain,' which name is applicable only to *Vrīhi* and other cereals; thus then the drinking of liquor distilled from grains is forbidden for all twice-born men, and the other two kinds for the Brāhmaṇa only.

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

‘Madhūra.’—‘Distilled from honey’ (Madhātithi);—
‘distilled from Madhūka flowers (Kullūka);—‘distilled either
from grapes and from Madhūka flowers or from honey’
(Nārāyana).

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

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

It is quoted in Purāṇaśāstra-nādībha (Purāṇaśāstra, p.
111), which notes that the name ‘Svāra’ is applied primarily
to liquor distilled from grains only, and only indirectly to
those distilled from honey and molasses;—in Āryanītrod-
daya (Āhnikā, p. 548);—in Madhūkara-pārijāta (p. 814), which
notes that ‘dvijottama’ stands for Brāhmaṇas; hence the
meaning is that all kinds of liquor are forbidden for the
Brāhmaṇa from his very birth;—in Prāyasha-śilta-viveka (p.
89) in support of the view that the name ‘Svāra’ applies to
wines of all the three kinds;—and in Smrītasāra-vadhāra (p. 355)
to the effect that the name ‘Svāra’ applies directly to these three
types of wine only, and only figuratively to other kinds.

VERSE XCV

This verse is quoted in Mitāksara (3. 253), as implying
that it is for the Brāhmaṇa alone that all the three kinds of
liquor are equally forbidden;—in Aparāśka (p. 1069), to the
effect that (a) the Svarā is to be avoided by all the twice-born, even before initiation, (b) the Mādhava and the Gauḍī are to be avoided by the Brāhmaṇa at all times, but by the Kṣatriya and the Vaiśya only during the period of studentship.

It is quoted in Smṛtisūtra (p. 225);—in Vīramitrodaya (Āhniκa 548);—in Madanāpāriṣṭā (p. 814), to the effect that the Mādhava and the Gauḍī are forbidden only for the Brāhmaṇa, not for the Kṣatriya and the Vaiśya; but they are forbidden for all the three higher castes during the period of studentship;—and in Smṛtisāroddhāra (p. 355).

VERSE XCVI

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

VERSE XCVII

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

VERSE XCIX

This verse is quoted in Parāśwaramādhava (Pṛyāśchittra p. 414);—and in Pṛyāśchittravrāka (p. 117).

VERSE C

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

This verse is quoted in Parāśwaramādhava (Pṛyāśchittra, p. 414), which adds the following notes:—The alternative of ‘killing’ is meant for one who is a Brāhmaṇa in name only, while ‘austerity’ is for one who is endowed with such qualities as being devoted to sacrifices and so forth. It
goes on to add that the death-penalty is meant for cases of intentional stealing; non-intentional stealing of gold being possible in cases where a man steals a piece of cloth, to which (unknown to him) a piece of gold may be tied. It adds that the particular ‘austerity’ is meant as described by Mann himself in the next verse.

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

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

VERSE CI

“According to Nārāyana this verse refers to an unintentional offence; according to Kullika and Rāghvānanda, to the theft of a small sum.”—Buhler.

This verse is quoted in Parāśaravimālāwara (Prāyashchitta, p. 415), as describing the ‘austerity’ mentioned in the preceding verse;—and in Aparārka (p. 1080), which remarks that this refers to a case where the gold stolen belonged to a Brāhmaṇa devoid of good qualities, or where the theft has been committed by a Brāhmaṇa possessing good qualities in times of distress for the support of his family;—and that in a case where one, without qualities has stolen gold belonging
to a Brāhmaṇa with good qualities, in large quantities, or for such evil purposes as gambling and the like, the expiation must be one that ends in the culprit's death.

VERSE CIII

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

It is quoted in Parāśararāmdhava (Prāyashchitta, p. 255) ;—in Madanapūrijāta (p. 836 and 837), which notes that there are two expiations prescribed here;—(a) lying down upon a heated iron-bed, and (b) embracing the red hot image;—in Nṛsimhaprasāda (Prāyashchitta 11a) ;—and in Prāyashchittavivēka (p. 137), which explains 'garotulpaḥ' (which is its reading for 'garutulpa') as 'garoh talpam talpaṃ yasya,' 'sūrmi' as an iron image.

VERSE CIV

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

It is quoted in Madanapūrijāta (p. 836), which also adds that the man should go backwards and with eyes closed;—in Aparārka (p. 1083) ;—in Parāśararāmdhava (Prāyashchitta, p. 253) ;—in Nṛsimhaprasāda (Prāyashchitta, p. 11a) ;—and in Prāyashchittavivēka (p. 137), which says that the 'cutting' should be done with a razor as distinctly prescribed by Śaṅkha-Likhita.
VERSE CV

This verse is quoted in Madhavaparijata (p. 840); and in Prayagshchitavirika (p. 140), which says that this refers to unintentional intercourse with the gaur-patni who is unchaste.

VERSE CVIII—CXVI

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

They are quoted also in Smritiitra (p. 519); in Smritisroddhara (p. 358); and in Prayagshchitavirika (pp. 196—197), which says that this refers to the ordinary killing of the cow, and not to its killing for sacrifices;—and adds the following explanation.—He should shave his head, cover himself with the skin of the cow he has killed, and drink gruel of barley cooked in cow's urine, and thus live in the cow-pen, for one month, and during the next two months he should fast during the day and eat a little in the evening, "virasastra" is sitting without any support,—'abhishasta' attacked,—'bhaya' by dangerous animals,
'sarpa-prāṇaik' (which is its reading for 'sarpa-pāṇiya'), to the best of his power—'gām na kathayē', with a view to have her driven away,—'sucharitavrataḥ', he who has followed these restrictions in the right manner,—he should give ten cows along with one bull.

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

VERSE CXVII

This verse is quoted in Mātākṣara (3. 265), as referring to cases of intentionally committed offences, and as standing for the 'Three Years Penance';—in Aparārkā (p. 1105), which also notes that this stands for the 'Three Years Penance';—in Parāśaramādhāra (Prāyaśchittā, p. 425) as referring to the 'Three Years Penance';—in Prāyaśchitta-rivēla (p. 394 and 463);—and in Smrtisārodāhāra (p. 362), which says that 'ētāt' stands for the 'Three monthly Penance' prescribed for cow-killing.

VERSE CXVIII

This verse is quoted in Parāśaramādhāra (Prāyaśchittā, p. 436); in Vidhānapārjñāta (p. 507);—in Nīmāyasundha (p. 191);—in Vīramitrodvaya (Sanskāra, p. 554);—in Aparārkā (p. 1140), which notes that what is emphasised here is (a) that the ass should be one-eyed, and (b) that the entire procedure of the Pākṣyeṣṭu sacrifice laid down in Gīyāṣūtra should be carried out;—in Madanapārjñāta (p. 909), which explains 'pākṣyeṣṭu-vidhāna' as the entire procedure consisting of the 'Pārśasanāhāra' and 'Paryukṣaṇa' and ending with the 'Principal offerings' to Vātā and the other deities;—it notes that the 'night' means that of Amāvāsyā day;—and in Smrtisārodāhāra (p. 263).
EXPLANATORY—ADHYAYA XI

VERSE CXIX

This verse is quoted in Madanaparījāta (p. 909), which notes that (a) according to Aparārkā the ‘ājya-home’ should begin with ‘Vātāya svāhā’ and end with ‘Vahmayaevrāhā’ and after these ‘Principal offerings’ there should be one more offering of Ājya with the mantra ‘Samāsīṣchantu etc.;’ — (b) while according to Smrtimanjarī, after the ‘Principal offerings,’ the offering of clarified butter with the mantra ‘Samāsīṣchantu etc.’ should be made to Savarchala and other deities; — so that in view of these two views, this is a case of option.

It is quoted in Parāśhurāmādhvara (Prāyashchitta, p. 136); — and in Aparārkā (p. 1110), which adds the following notes: — The first offerings to be made are the offerings of Ājya with the mantras ‘Vātāya svāhā’ and so forth; — the time for the offering is the ‘night,’ and that on the Amārasyā day.

VERSE CXX

This verse is quoted in Aparārkā (p. 1110), which explains that this ‘emission of the seed’ is meant to be ‘in a woman’; — and in Madanaparījāta (p. 909.)

VERSE CXXII—CXXIII

These verses are quoted in Aparārkā (p. 1111), as laying down an ‘yearly penance’ for the unchaste student; — in Mitāksara (G. 280), as referring to the case where the woman with whom the student has misconducted himself is either the wife of an unlearned Brāhmaṇa or that of a learned Vaiśya; the expiation in the case of the wife of a learned Brāhmaṇa or learned Kshatriya consisting of the three or two years penance.

They are quoted in Parāśhurāmādhvara (Prāyashchitta, p. 136); — in Prāyashchittavrāka (p. 387); — and in Smṛtiśārodībhāra (p. 363).
VERSE CXXIV

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

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

VERSE CXXV

The 'Śāṅkarikaraṇa', 'apātrikaraṇa' and 'māhākaraṇa' offences have been enumerated above, under verses 68, 69 and 70.

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

VERSE CXXVI

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

VERSE CXXVII

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

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

This verse is quoted in Parāśaravānādha (Prāyashchitta, p. 128);—and in Prāyashchittavācaka (pp. 216 and 534).

VERSE CXXIX

"According to Govindarāja and Kullāka, the two penances are to be performed optionally, in case a virtuous Vaishya has been killed unintentionally. Medhatithi says that the first penance is to be performed for the murder of a Vaishya who was less distinguished than the one referred to in verse 126.—Nārāyana thinks that the verse refers to a Vaishya engaged in the performance of a sacrifice, and that the particle 'cā' takes the place of the cūpola, and thus one penance only is prescribed."—Buhler.

This verse is quoted in Prāyashchittavācaka (pp. 216 and 534), which explains 'cā-kahatu' as 'a hundred and one'.

VERSE CXXX

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

VERSE CXXXI

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

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

This verse is quoted in Mutāksarā (3. 270), as laying down the penances for the killing of each of the animals severally;—in Aparārka (p. 1431) as referring to the killing of a cat;—and in Madanapārśvijāta (p. 949), which explains 'upsprasrsha' as 'budhāng', and adds that this refers to unintentional killing; intentional killing involves double the expiation here prescribed.

VERSE CXXXIII

This verse is quoted in Parāsharomānīdhara (Prāyashchitta, p. 67);—in Aparārka (p. 1432), which explains 'pulāla' as paddy-stalks without grains; in Mutāksarā (3. 273);—in Madanapārśvijāta (p. 950), which adds that the 'pulālabhāra' and 'one māsa of Sīsaka' are optional alternatives;—and in Prāyashchittārīvēka (p. 527), which says that the gift prescribed removes the sin of the killing.

VERSE CXXXIV

This verse is quoted in Parāsharomānīdhara (Prāyashchitta, p. 64), which adds that this refers to cases where the offender is a wealthy person;—and in Prāyashchittārīvēka (p. 240).
EXPLANATORY—ADHYAYA XI

VERSE CXXXV

This verse is quoted in Parāśhara-mādhyamaka (Prāyashchitta, p. 62), which notes that this refers to cases where the offender is a wealthy person unable to do any fasting;—in Aparārka (p. 1132);—in Mitākṣara (3. 272);—in Madhupārvijata (p. 950);—and in Prāyashchittavātika (p. 239).

VERSE CXXXVI

This verse is quoted in Parāśhara-mādhyamaka (Prāyashchitta p. 69);—in Mitākṣara (3. 274);—and in Prāyashchittavātika (p. 239), which explains the meaning to be that for the killing of an ass, a ram or a goat, one should give a one year old bullock.

VERSE CXXXVII

This verse is quoted in Aparārka (p. 1132);—in Mitākṣara (3. 272);—in Madhupārvijata (p. 950);—and in Prāyashchittavātika (pp. 232 and 527), which says that this refers to incontinent killing, and that once only.

VERSE CXXXVIII

This verse is quoted in Aparārka (p. 1128), which explains ‘ānurasthitāḥ’ as ‘not faithful to their husbands,’ i.e., ‘adulterous’;—and in Prāyashchittavātika (p. 227).

VERSE CXXXIX

This verse is quoted in Prāyashchittavātika (pp. 30 and 50) which explains the meaning to be that, if the offender is not in a position to give the male cow or other things prescribed, he becomes absolved from the sin by mortifying the Kṣaṭ. 11. penance.'
VERSE CXL

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

VERSE CXLII

‘Kūchit.’—‘One paṇa’ (Nārāyana);—‘eight handfuls of grain’ (Nandana).

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

VERSE CXLIII

‘Rkṣaratam.’—‘One hundred verses, the Gāyatrī and the like’ (Kullāka);—‘the Gāyatrī itself repeated a hundred times’ (Nārāyana).

This verse is quoted in *Māksarā* (3. 276);—in *Parāsharāmaḍhava* (Pṛyāshchitta, p. 134), which notes that this refers to the cutting of trees etc., other than that for sacrificial purposes;—in *Aparaṅka* (p. 1134), which notes that ‘puṣpānām’ goes with ‘cīvrdhām’;—in *Madampārijātī* (p. 920), which notes that there is nothing wrong in cutting the trees etc., for the purposes of the five great sacrifices and other religious purpose;—and in *Prāyashchittarivēka* (p. 243), which says that this refers to the cutting of trees with very few fruits.

VERSE CXLIII

This verse is quoted in *Aparaṅka* (p. 1138), which adds that ‘ghātē’; ‘on cutting,’ is to be construed with
this verse;—and in Prāyāschataitāvēka (p. 242), which explains ‘anādya’ as shakti and the rest,—‘rasa’ as ‘molasses and the like,—‘phala’ as ‘the jujube and so forth,—‘puspā’ as the Madhūka and the rest,—if one kills the insects produced in these things unintentionally, one should eat clarified butter and then fast for a day.

**VERSE CXLVI**

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

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

It is quoted in Mutākṣerā (3. 255), which adds, that the sacramental rites are to be performed after the performance of the Taptaca-Kṛishhka.

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

**VERSE CXLVII**

This verse is quoted in Aparāka (p. 1074), which explains that ‘payath’ here stands for malki;—again on p. 1160, where it is added that this refers to cases where the water has been drunk and vomitted by women or children, and
it was contained in a vessel that had contained wine, but was not wet with it, so that the water had not imbibed either the taste or the smell of the liquor.

It is quoted in Parāsharanātha (Prāyashchitta, p. 319), which adds that this refers to cases of unintentional repeated drinking of the water;—and in Prāyashchittaviveka (p. 321), which says that 'pajah' means milk; 'Shaikhaapsi' is a particular herb.

VERSE CXLVIII

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

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

VERSE CXLIX

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

VERSE CCL

This verse is quoted in Mātākṣara (3. 254), as referring to cases where the twice-born eats dry grain which has come into contact with liquor;—in Aparārka (p. 1074), where 'snarasaṃprasthitam' is explained as 'that in which the taste of liquor is absent e.g. water contained in a vessel which had contained liquor; the eating of what bears the
taste of liquor being as bad as the drinking of liquor itself; it adds that here also the re-initiation is to follow the prescribed expiatory rites;—again on p. 1164;—in Nirguna-
sindhu (p. 191);—in Vidhānapārījata (p. 488);—in Viranītrodaya (Samskāra p. 545);—in Pārāsharomādha (Prāyashchitta p. 298);—in Prāyashchittavivēka (p. 104);—
and in Samskāraratnamāla (p. 279), which says that the ‘pūnak samaskāra’ is always to be preceded by the performance of the Tāpta-K śchākhā.

VERSE CXL

This verse is quoted in Smritottara (p. 556);—in Aparārka (p. 1073);—in Smṛta-śāstra (p. 37), as laying down in what respects the expiatory sacrament differs from
the ordinary initiatory sacrament;—in Prāyashchittavivēka (p. 104), which says that all this refers to things that had come into contact with wine sometime in the past;—
and in Gūḍaśaṅkarapadha (Kāila p. 325).

VERSE CXLII

Cf. p. 222.

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

VERSE CXLIII

This verse is quoted in Mitākṣarā (3. 291)

VERSE CXLIV

This verse is quoted, in Aparārka (p. 1164);—and in Pārāsharomādha (Prāyashchitta p. 296).
VERSE CLV

'Ajñātām'.—'Unknown' (Medhātithi);—'unintentionally' (Govindaśāja and Rāghavānanda);
'Bhaveṇāni kavakāni'.—To be taken together according to Medhātithi; separately, according to Rāghavānanda, who takes 'bhaveṇāni' as 'mushrooms growing on the ground,' and 'kavakāni' as 'mushrooms growing on trees'.

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

VERSE CLVI

Cf. 5. 19-21.
For the Taśta-Kṛcheha see 11. 215.
This verse is quoted in Aparāṅka (p. 1166);—and in Mitākṣara (3. 291).

VERSE CLVII

'Ekaḥaṃcodākē vases'.—This is to be done, on the fourth day (Medhātithi),—on any one of the three fasting days (Govindaśāja and Kullūka),—on the first day (Nārāyaṇa).

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

VERSE CLIX

This verse is quoted in Mañḍanaśārīrījata (p. 932), to the effect that on eating the uchchhīṣṭa of the cat and other
animals one should drink the Brāhmīśvararchalā for one
day;—in Prāyaschittavibhāga (p. 320), which explains
‘Brāhmīśvararchalā’ as the yellow sun-flower,—the offender
should pass one day living on this;—and adds that this
refers to cases where the act is unintentional; where it is done
intentionally, the penance should be kept for three days;—
and in Shuddhikāvanvā (p. 316).

VERSE CLX

‘Shodhamaḥ.’—Penance’ (Medhātithi, Govindarāja,
Kullāka and Rāghavānanda); ‘purgative decoctions’ (‘others’
in Medhātithi, Nārāyanā and Nandana).

This verse is quoted in Smṛtītattvā (p. 548);—and in
Prāyaschittavibhāga (p. 342).

VERSE CLXII

This verse is quoted in Mutākṣara (3. 265);—in
Madunāpārījata (p. 874), which adds the following notes:—
‘Dhana’ stands for valuables other than gold,—‘dvijottama,’
Brāhmaṇa,—his ‘svajātī’ is Brāhmaṇa; this refers to cases
where the Brāhmaṇa has stolen;—in Parāśararāmādhava
(Prāvashehittta p 127);—and in Prāyaschittavibhāga
(p. 342), which explains ‘dana’ as cooked food, and ‘dhana’
as cattle.

VERSE CLXIII

This verse is quoted in Mutākṣara (3. 265), which notes
that it refers to a case where the quantity of water stolen is
such as could be obtained for 250 Praṣas;—and in Madunā-
pārījata (p. 876), which notes that this refers to the stealing
of men belonging to Kṣatruṇa and other castes; the stealing
of the Brāhmaṇa being regarded as on the same footing
as the stealing of gold;—‘nāpi’ and ‘Naṅga’ have been
added as qualifications for the purpose of excluding water
contained in jars and other vessels. It quotes Aparârka as holding that the expiation here prescribed refers to the 'stealing' of tanks and wells full of water,—and also the above-mentioned remark of Mitâksarâ. It adds that this expiation is to be performed after the stolen article has been returned to the owner.

It is quoted in Prâyogasuchitaviveka (p. 344), which says that 'manusya' and 'strî' stand here for male and female slaves.

VERSE CLXIV

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

VERSE CLXV

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

VERSE CLXVI

This is quoted in Mitâksarâ (3. 265), which adds that since the expiation here prescribed is thrice as heavy as that prescribed in the proceeding verse, the 'grass' and other things mentioned here should be taken to be of that quantity which would be obtainable at a price three times that of the single meal.
It is quoted in *Aparārtha* (p. 1410), which notes that this refers to the stealing of 'grass' and other things whose value is three times that of the single meal of one man; in *Madanapārījāta* (p. 875), and in *Prāyashchittavivēka* (p. 345), which explains 'Śrīśākāmā' as 'rice &c.', and adds that the 'two days penance' is for stealing grains sufficient for two meals, for stealing more than that, there should be heavier expiation.

**VERSE CLXVII**

This verse is quoted in *Mātāksarā* (3. 265), which adds that, inasmuch as the expiation is twelve times as heavy as that prescribed in 165, the articles mentioned should be understood to be twelve times the value of the single meal;—in *Madanapārījāta* (p. 875), which makes the same remark;—in *Nyāsaṅghopasāda* (Prāyashchitta 74); and in *Prāyashchittavivēka* (p. 344), which explains ‘*Kamānavatā’* as ‘giving on small pieces of grain’.

**VERSE CLXVIII**

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

**VERSE CLXX**

This verse is quoted in *Śrīvatsvattra* (p. 544);—in *Parāśharamādha* (Prāyashchitta, p. 252), as referring to cases where the act is repeated for one month;—and again on p. 264, where it says that it refers to cases of repeated acts when unintentional, but a single act when intentional;—also in *Prāyashchittavivēka* (pp. 181 and 187), which says
that this refers to cases other than those where the intercourse has been within the forbidden circle,—it explains ‘Svayamish’ as ‘one’s own paternal and maternal relatives’—‘antyaśāru’ as ‘Chaṇḍāla women’;—and ‘Gurutalpaṇavatam’ as the ‘twelve years penance.’

VERSE CLXXI

This verse is quoted in Vivrantrālaya (Samskāra, p. 714);—in Nirnayasthānu (p. 198);—in Viḍhānatiṣṭhānī (p. 691);—and in Parāśhārayamādharva (Āchāra, p. 470), which has the following notes:—The term ‘bhagini’ qualifies ‘paitrvasasyā’ and the rest,—‘āptasya’ qualifies ‘the mother’s brother’, after which ‘daughter’ is to be understood; ‘āptasya’ means ‘Sapinda’; the ‘mother’ is one who has been married by the ‘gāndharva’ and other forms of marriage;—in the term ‘paitrvasasyā’ also the ‘pitrvasā’, ‘father’s sister’ meant is one who ‘is still within the limits of ‘Sapinda’ relationship, and who had been married by the Gāndharva form;—it is only when the term is taken in this sense that the qualification ‘bhagini’ has some significance.

It is quoted in Nisimhapatrasuṣṭa (Samskāra 52a);—and in Smrtichandrikā (Samskāra, p. 187), which explains ‘āptasya’ (which is its reading for ‘taniyān’) as ‘a near sapinda’.

VERSE CLXXII

This verse is quoted in Vivrantrālaya (Samskāra, p. 714);—in Nirnayasthānu (p. 198);—the first half in Parāśhārayamādharva (Āchāra, p. 470).

This verse is quoted in Smrtichandrikā (Samskāra; p. 187).

VERSE CLXXIII

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

EXPLANATORY—ADHYAYA XI

VERSE CLXXIV

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

VERSE CLXXV

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

It is quoted inAPERĀKA (p. 1121), which notes that the said 'equality' involves expiation by death;—in SMRTITATTVA (p. 513);—in Parāshwararaṇādhava (Prāyashchitta, p. 88), as referring to cases of intentional continuation of the act for a long time;—and in Prāyashchittavivēka (pp. 160, 187, 258, 412), which says that this prescribes the 'Twelve Years' Penance' for the unintentional eating of the Chaṇḍīkā's food;—that the accepting of gifts also that is meant is twenty-four unintentional repetitions of the acceptance.

VERSE CLXXVI

The second half of this verse is quoted in MULASARĀ (1. 70), and again under 3. 265, is laying down the 'Three Years' Penance' and such other penances for the woman's offence of adultery with a man of the higher caste;—and in APERĀKA (p. 98);—and the first half is quoted in Parāshwararaṇādhava (Prāyashchitta, p. 285), which explains that the first half of the verse lays down what is to be done by the husband of the offending woman, and the second half what is to be done by the woman herself; and in Prāyashchittavivēka (p. 370), which says that the meaning is that
the husband should keep her in a room, without toilet or bath, meanly dressed, sleeping on the ground, with food just enough to keep her alive,—all this till her next menstruation.

VERSE CLXXVII

This verse is quoted in Aparārka (p. 4125);—and in Prāyogchhottaravīkā (p. 373), which says that this refers to her fourth repetition of the act, done against her wishes.

VERSE CLXXVIII

‘Vṛṣalī’—‘Chāndāli’ (Medhātithi and Kullūka);—‘a Shūdra woman’ (Govindarāja and Nārāyaṇa).

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

VERSE CLXXIX

This verse is quoted in Prāyogchhottaravīkā (p. 144).

VERSE CLXXX

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

This verse is quoted in Madhavapārījāta (p. 849), which explains the meaning as follows:—‘By associating with an outcast on conveyances, seats and dinners after one year,—but by associating with him in sacrificing, teaching and the like, he becomes an outcast, not after one year, but immediately’.
It is quoted in *Aparārka* (p. 1087), which offers the following explanation:—By associating in any way with a known outcast, himself becomes an outcast; that is, becomes like him;—there are some acts in which associating with the outcast makes one an outcast, irrespective of all other considerations; and such acts are sacrificing, teaching and marrying; each of these acts by itself makes the associator an outcast;—the acts of going on the same conveyance, sitting together and eating, on the other hand, do not by themselves make him an outcast; they do so through other acts.

It is quoted in *Mitarā* (3. 261), as meaning that only such acts as those of ‘travelling together and so forth’ make one an outcast by being continued for one year;—it adds that ‘sitting’ includes ‘sleeping’ also. It remarks that the passage is to be construed as follows:—Samratvaśeṇa patati patitam sādhakam yamāvamaśhataḥ; and Yajnavidhyāpānādhyatam na te samratvaśeṇa patati, kintu sadhyā āre; and concludes thus:—By sacrificing and other acts the man becomes an outcast, at once, while by sleeping and other acts he becomes so only by continuing it for one year.

It is quoted in *Prāyaschittaśeṇa*ka (pp. 149 and 156), which construes ‘Yamāvamaśhataḥ’ as ‘Yamāvamaśhataḥ utpamnam samyogam ācheram’,—and adds that these three, when done all together and intentionally, do degrade the man.

VERSE CLXXXI

This verse is quoted in *Madanapārāyaṇa* (p. 851), which notes that in all these cases the lightness or heaviness of the expiation will depend upon the ease and capacity of the person concerned;—in *Mitarā* (3. 261);—in *Parāsharma-madbhava* (Prāyaśchitta, p. 23), which defines ‘samsarga’ as travelling together, sitting together and so forth;—in *Prāyaśchittaśeṇa*ka (pp. 141 and 165), which says that this refers to the *Mahāpātaka* only;—and that ‘Patta’ here stands for the mere ‘offender’ or ‘sinner’ (not literally the ‘outcast’);—and in *Smṛtisāravodhāra* (p. 356).
VERSE CLXXXII

This verse is quoted in *Mulanāpūrajātaka* (p. 964), which explains ‘nimdite ahumi’ as on the 4th or 9th or 14th day of the month; and such other forbidden days;—in *Nirṇayasindhu* (p. 408);—in *Aparārka* (p. 1206);—and in *Mitāksara* (p. 295), to the effect that the rites in question are to be performed near elders during the fifth part of the day and on such forbidden days as the 4th or 9th or 14th of the month.

VERSE CLXXXIII

This verse is quoted in *Mulanāpūrajātaka* (p. 964), which explains ‘prētavat’ as wearing the upper cloth over the right shoulder and so forth;—in *Mitāksara* (3.295), to the effect that the slave-girl may make the offerings under orders of the paternal relations of the outcast;—it explains ‘prētavat’ as implying that the offender should face the south, wear the upper cloth over the right shoulder and so forth;—and in *Nirṇayasindhu* (p. 408).

VERSE CLXXXIV

This verse is quoted in *Mitāksara* (3.295) to the effect that the outcast should henceforth be kept outside the pale of conversation, sitting together and other forms of association;—and in *Nirṇayasindhu* (p. 409).

VERSE CLXXXVI

This verse is quoted in *Mitāksara* (3.296), to the effect that the aforesaid offering should be made after the offenders have taken a bath in a sacred tank;—in *Nirṇayasindhu* (pp. 402 and 409);—in *Smṛtitattva* (p. 172);—and in *Mulanāpūrajātaka* (p. 966), which explains ‘prāṣyeṇuh’ as ‘should throw’.
VERSE CLXXXVIII

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

It is quoted in Aparārka (p. 99)

VERSE CLXXXIX

This verse is quoted in Prāyashchittavṛūḍha (p. 141)

VERSE CXC

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

• It is quoted in Prāyashchitramādhava (Prāyashchitta, p. 155), as indicating of the view that in the case of heinous crimes, even after the prescribed expiration has been gone through, the offender is not fit for being associated with, even though for all spiritual purposes he may have become 'purified';—in Prāyashchittavṛūḍha (p. 24); and in Yudhakarmasangraha (p. 109), which explains 'vaiśuddhaṁ vidhatāḥ dharmaṁ' to mean that 'one should not associate with them in eating or any such act.'

VERSE CXCI

See 2. 38.

This verse is quoted in Prāyashchitramādhava (Prāyashchitta, p. 433), as laying down the expiation for the 'Vṛṣṇi';—in Madhavapārṇyāta (p. 874), which adds that—(a) in the case of the omission being due to the absence of an initiator, the expiation should be that prescribed by Manus and Yājñavalkya, and (b) in the case of omission being due to no such
unavoidable circumstances, nor in times of distress, it should be ‘Three Years’ Penance’ prescribed under the section on cow-slaughter.

It is quoted in Aparārka (p. 1107), which explains ‘trīn kṛṣṇaḥhṛṣṇā’ as meaning—(1) The Prājāpatya, (2) the Kṛṣṇaḥhṛṣṇa and (3) the Atikṛṣṇaḥhṛṣṇa;—in Mitākṣara (3, 265), as laying down what should be done when one has become a ‘vṛćita’;—in Vīravitrodāya (Saṃskāra, p. 350);—and in Prāyaśchitāvivēka (p. 384.)

VERSE CXCH

This verse is quoted in Aparārka (1107.)

VERSE CXCHII

This verse is quoted in Vīdūhapaṃāṅjāta II (p. 176);—in Nirnāyaśindhu (p. 49);—in Aparārka (p. 1150);—in Mitākṣara (3, 290), which adds that this surrendering should be done in every case before the performance of the expiation specially prescribed for the act;—in Mahaṇaprājātā (p. 925), which notes that ‘japyaḥ’ refers to the 300 repetitions of the Sāvitrī laid down in the next verse;—in Shrīddhakarṇyaṅkumārdī (p. 222), which says that this clearly implies that the religious act that the man does with the ill-gotten wealth also becomes vitiated to that extent;—in Prāyaśchitāvivēka (pp. 103 and 115);—and in Vīravitrodāya (Vyavahāra 165 a), to the effect when a man acquires property by methods not sanctioned by the scriptures, he does not obtain any legal possession of that property, and hence his sons also have no claims to inherit that property.

VERSE CXCHIV

This verse is quoted in Parāśarameṇḍhara (Prāyaśchitta, p. 130), as relating to cases where both the giver and the gift are unfit and improper;—in Aparārka (p. 1150),
to the effect that ‘residence in the cow-pen’ is an essential factor in the expiation;—in Mitākṣara (3, 290), which adds the following notes:—The repetition of the Śāṅkūṭī here prescribed is to be done daily, as is clear from the Accusative ending in ‘māsaṃ’ which denotes duration;—and in Prāyaṣṭhitotttvāvīka (p. 403).

VERSE CXCV

This verse is quoted in Smṛtottarac (p. 473).

VERSE CXCVI

‘Viprāḥ satyaṃ ākṛtā.’ ‘Having truly promised to the Brāhmaṇas that he would never again accept an improper gift’ (Kullūka);—‘having told the truth to the Brāhmaṇas regarding his offence and the consequent penance’ (Nārāyana and Nandana).

This verse is quoted in Smṛtottara (p. 473).

VERSE CXCVII

This verse is quoted in Naṃgasyāntā (p. 383);—in Aparāraka (p. 1152), which explains ‘antya karma’ as the ‘antyēṣṭi,’ and adds that this refers to one who does the acts on hire, and not merely with a religious motive, and that it refers to the Brāhmaṇa who performs the death-rites for the Ksatriya and other castes,—the ‘Abhis’ is the name for all those Abhisāgna sacrifices which begin with the ‘Devātra’ and end with the ‘Drādāsravātra’;

It is quoted in Parāśararāmādhivā (Prāyaṣṭhitā, p. 129), as laying down the expiation for officiating at sacrifices performed by those who should not perform them;—and in Maṇḍapārājītyā (p. 947), which adds the following notes:—‘Antya karma,’ the rites performed on the cremation ground,—‘parēśāṃ,’ non-sūpācara or śāndras,—is the case of the former it is repetition that is reprehensible, and in that of the latter,
even the first act:—‘abhichāra,’ ‘murderous rite,’ is reprehensible, when it is performed against one who has not done any similar act against the man:—the ‘Ahīna’ is a particular kind of sacrifice.

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

VERSE CXCVIII

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

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

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

VERSE CXCIX

This verse is quoted in Mitāksarā (3, 277);—in Aparārka (p. 113);—and in Prāyāshchittavirūkha (pp. 11 and 118).
VERSE CC

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

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

VERSE CC1

This verse is quoted in Aparārka (p. 1184), which adds that in the case of the offence being unintentional, the expiation is to consist of bathing only;—and in Prāyaskchittarvariṣka (p. 162).

VERSE CCII

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

It is quoted in Aparārka (p. 1187), which explains 'Shārīram' as the passing of urine and stools;—and in the Prāyaskchittarvariṣka (p. 156), which explains 'Shārīram' as 'the passing of urine or stools'; and says that it refers to cases where the man omits the use of water on account of dire urgency.

VERSE CCIII

This verse is quoted in Sūrṣṭhitattva (p. 809);—in Nairāyanasudha (pp. 81 and 345);—in Vīramatrodoyā
(Samskāra, p. 579);—in Madanapārijāta (p. 957), to the effect that in the case of the omission of those Shravita and Smārta rites for which no specific expiation is prescribed, the fasting here laid down serves as the expiation; and where a specific expiation has been prescribed, it has to be done along with this fasting;—in Aparārka (p. 1188), which explains ‘abhojana’ as fasting, and adds the same note as the above;—in Parāsharamādhava (Pṛyaśchittā p. 443), which adds that this fasting has to be done along with the rites specifically prescribed;—in Mitākṣarā (3. 242);—in Pṛyaśchittavēka (pp. 286 and 368), which says that this refers to a single omission,—and explains ‘Snātaka’ as ‘house-holder’; and in Samskāravatvaṃśalā (p. 357), which says that this refers to cases of unintentional omission.

VERSE CCIV

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

VERSE CCV

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

VERSE CCVI

Cf. 4. 165, 167-169.
This verse is quoted in Aparārka (p. 223).

VERSE CCVIII

This verse is quoted in Smrtīsottvāra (p. 479);—in Mitākṣarā (3. 280), which remarks that when bleeding is brought about, it must involve both threatening (avagūraṇa) and striking (nįśiṣṭa),—as without these there could be
no wounding; but in the case of bleeding, the expiation would be ‘Krechehrātikrechhre’ (which is prescribed for the bleeding), and not ‘Krechhre’ and ‘Atikrechhre’ also (which are prescribed separately for ‘threatening’ and ‘striking’ respectively); —and in Prāyashchittavirāka (p. 464).

VERSE CCIX

This verse is quoted in Prāyashchittavirāka (p. 42).

VERSE CCXI

This verse is quoted in Parāshararnādhara (Prāyashchitta, p. 25), as describing the form of the ‘Prājāpatya’ penance; —again on p. 460 to the same effect; —in the Mulaanapārijāta (p. 710); —in Aparārka (p. 1236); —in Smrtitattva (p. 481 and p. 541); —in Prāyashchittavirāka (p. 508); —and in Samskāravatmamālā (p. 781).

VERSE CCXII

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

VERSE CCXIII

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

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

VERSE CCXV

This verse is quoted in Parāścharamādhava (Prāyashchitta, p. 26), as describing the form of the ‘Parīka’ penance;—in Sūtrāntaka (p. 546);—and in Prāyaschittavṛkṣa (p. 514).

VERSE CCXVI

This verse is quoted in Parāścharamādhava (Prāyashchitta, p. 240), as laying down the ‘three times bathing’ as part of the ‘Chandraśāna’ penance;—in Madhavaparījāta (p. 742), where ‘trisaraṇa’ is explained as the three ‘sam-dhyās’, morning, evening and mid-day;—in Aparārka (p. 1243), which adds that this penance is called ‘barley-shaped’ and ‘ant-shaped’, the latter when it is begun on the first day of the darker fortnight;—and in Prāyaschittavṛkṣa (p. 516).

VERSE CCXVII

This verse is quoted in Parāścharamādhava (Prāyashchitta, p. 241), which notes that this is the ‘Barley-shaped’ Chandraśāna as distinguished from the ‘ant-shaped’ one described in the preceding verse. When the penance begins on the first day of the brighter fortnight it is called ‘Barley-shaped’, and when begun on the first day of the
bright fortnight, it is called ‘Ant-shaped’. In verse 216, Aparāka and Mahamārjúta read shuklē kṛṣṇē, making the beginning in the brighter fortnight;—and in Prāyashchittāravēka (p. 516).

VERSE CCXVIII—CCXIX

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

VERSE CCXX

This verse is quoted in Mitāksara (3. 325);—in Prāyashchittāravēka (p. 517);—and in Hemātra (Kāla, p. 23), which says that it is the ‘Śāradā’ month that is meant here.

VERSE CCXXII

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

VERSE CCXXIII

This verse is quoted in Mahamārjúta (p. 748) which adds the following notes—Three during the day and thrice during the night. This rule regarding six baths is applicable to those fit for it physically, so that the number of baths may be increased or decreased. In Tāpta-Kṛṣhekhra penance there is a single bath;—in Aparāka (p. 1230);—and in Nṛsindhaprāsāda* (Prāyashchitta 38 a).
CCXXIV

‘Vrātī syāt.’—Should resolve to abstain from what is forbidden by cultured men’ (Medhātithi);—‘should⁰ wear the Muṇja-girdle, a staff and so forth’ (Govindarāja and Kullūka).

This verse is quoted in Mādānapārījata (p. 748);—in Āparārka (p. 1230);—and in Nṛsimhāprāsāda (Prāyashchitta 38a).

VERSE CCXXV

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

VERSE CCXXVI

This verse is quoted in Nṛsimhāprāśada (Prāyashchitta, 31b);—in Smṛtisāradhāra (p. 352), which explains ‘ētaiḥ’ as standing for the Kṛchekha and the rest;—and in Prāyashchittaravīka (p. 502).

VERSE CCXXVII

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

VERSE CCXXIX

‘Shaṅkara.’—‘The soul in the body’ (Medhātithi, Govindarāja and Kullūka);—the subtle body’ (Nārāyaṇa).
VERSE CCXXX

This verse is quoted in Prāyashchittavāraka (p. 30).

VERSE CCXXXII

This verse is quoted in Prāyashchittacintāka (p. 11).

VERSE CCXXXIII

This verse is quoted in Smṛtiśāstra (p. 487).

VERSE CCXXXVII

This verse is quoted in Smṛtiśāstra (p. 835).

VERSE CCXXXIX

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

VERSE CCXLI

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

VERSE CCXLV

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

VERSE CCXLVI

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

VERSE CCXLVIII

This verse is quoted in Muktākṣara (3, 302), which adds that this refers to cases where the penetin... is unable to give
cows;—and in Aparārka (p. 44 and p. 1216), which adds that this is destructive of all heinous offences; and declares that what is here expressly stated implies also such observances as celibacy, truthfulness, sleeping on the ground, eating only havisya food and so forth.

VERSE CCXLIX

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

VERSE CCLI

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

VERSE CCLI

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

VERSE CCLI

The two verses mentioned are Rgveda 1 24. 14 and 7. 89. 3

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

It is quoted in Mitākṣara (3. 306), which makes the same remarks as Madanapārjñātṛa.
VERSE CCLIII

This verse is quoted in Parāśaroṇamādhava (Prāyashchitta p. 174);—in Mūlakṣara (3. 307), which explains ‘agmatiprāhaṅgar’ as ‘poison, weapons, liquors, and things belonging to outcasts’;—in Madamopārjñāta (p. 994);—and in Prāyashchittavārakā (p. 415).

VERSE CCLIV

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

VERSE CCLV

This verse is quoted in Mūlakṣara (3. 305) as referring to cases of intentional offence;—and in Parāśaroṇamādhava (Prāyashchitta p. 157).

VERSE CCLVI

This verse is quoted in Parāśaroṇamādhava (Prāyashchitta p. 157);—in Madamopārjñāta (p. 982), as referring to cases of intentional repeated acts;—and in Prāyashchittavārakā (p. 501).

VERSE CCLVII

This verse is quoted in Parāśaroṇamādhava (Prāyashchitta p. 157);—in Madamopārjñāta (p. 972), as referring to the intentional once slaying of the learned Brāhmaṇa, or to the intentional repetition of the slaying of others;—in Madamopārjñāta (p. 972), as referring to the intentional once slaying of the learned Brāhmaṇa, or to the intentional repeated slaying of the unlearned Brāhmaṇa;—in Parāśaroṇamādhava (Prāyashchitta, p. 156);—and in Nīlamaprasāda (Prāyashchitta 326).
VERSE CCLIX—CCLX

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

VERSE CCLXI

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

VERSE I—IV

These verses are quoted in Madhava-pārvatī (p. 692), which adds the following notes: —‘Trilokhayayā’, the three kinds, highest, middling, and lowest, —‘tryadhishṭānasya’ which has three substrata, in the shape of mind, speech and body, —‘deshāleksanayuktasya’, the ten distinguishing features of ‘pārvatayānīdānya’ and the rest going to be described below (verses 5–7); —of this ‘dehin’ know the mind to be the ‘instigator’; —in Nyaya-upasūdana (Prāyashchittā 41 a); —and verse (3) only in Prāyashchittā vibrāka (p. 12).

VERSE V

‘Vittakābhilavīrśvabah’ —‘Adherence to false doctrines’ (Medhātithī); —‘constant deep hatred’ (‘others’ in Medhātithī).

This verse is quoted in Madhava-pārvatī (p. 692); —in Aparārkā (p. 997); —in Nyaya-upasūdana (Prāyashchittā 41 a); —in Hemādevī (Kāla p. 632); —and in Smṛtisārvādhdhāra (p. 88).

VERSE VI

This verse is quoted in Madhava-pārvatī (p. 692); —in Aparārkā (p. 998); —in Nyaya-upasūdana (Prāyashchittā 41 a); —in Hemādevī (Kāla p. 632); —and in Smṛtisārvādhdhāra (p. 88).

VERSE VII

This verse is quoted in Madhava-pārvatī (p. 692); in Aparārkā (p. 998), which adds that the ten kinds of sintul'act,
proceeding from the mind, speech and body, when committed intentionally and repeatedly, should be understood to be what leads to the man being born in such bodies as those of the Čandāla and the like; but of the same kinds of acts, when done unintentionally, the results are different;—in Nrṣimha-prasāda (Prāyashchitta 41 a);—in Hemādevi (Kāla, p. 632); —and in Smṛtiśāroddhāra (p. 88).

VERSE VIII

This verse is quoted in Madanopārijāta (p. 692); —and in Prāyashchittaviveka (p. 12).

VERSE IX

This verse is quoted in Madanopārijāta (p. 692); —in Smṛtiśārddha (p. 480); —in Mitākṣara (3, 68), in support of the view that mental acts lead to the soul being born in particular kinds of bodies; —and in Prāyashchittaviveka (p. 6).

VERSE X

This verse is quoted in Nrṣayasindhu (p. 154); —in Aparārka (p. 951); —in Parāsharavādha (Āchāra, p. 553); —in Madanopārijāta (p. 371); —and in Nrṣimha-prasāda (Sanskāra 70 a).

VERSE XI

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

VERSE XII

'Kṣetrajña'—Nandana is misrepresented by Buhler; he also takes the word in the sense of the jīvatmā.
'Bhūtātmā'.—The body (Medhatithi, Govindarāja, Kūlhaka and Rāghavānanda):—'The soul in the form of the material substances and other non-sentient things' (Nārāyana);—'the sense-organs and the rest (Nandana, who is again misrepresented by Buhler).

VERSE XIII

'Jīrasamyādh'.—Nandana is again misrepresented by Buhler; his words are 'Jīrāḥ saṁyādhi śāntam yasya,' which means 'that which derives consciousness from the Jīva,' and not 'who fully knows the Jīvas,' as Buhler puts it.

VERSE XIV

'Vyāpya.'—Pervade' (Govindarāja),—'rest on' (Kūlhaka);—'Conceal through illusion' (Nārāyana).

VERSE XV

'Sharāvadadeḥ'.—From the supreme soul' (Medhatithi and Nārāyana); —'from the body of qualified Brahman' (Rāghavānanda),—'from the Root Evolvent which is the body of the supreme soul' (others' in Medhatithi).

VERSE XVII

"Kūlhaka and Nandana assume that the subject of both clauses is: 'dbhīskṛto 'jīvāḥ'."—Buhler

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

‘Pashyate—' Examine' (Medhātithi and Kullāka); —‘ by their presence, cause to be performed ' (Raghavānanda).

VERSE XXIV

This verse is quoted in Parāśaramādaḥ (Prāyashchitta p. 487); —and in Nṛsīṃhāprasāda (Prāyashchitta, 40 b.)

VERSE XXV

This verse is quoted in Parāśaramādaḥ (Prāyashchitta p. 487); —and in Nṛsīṃhāprasāda (Prāyashchitta, 40 b.)

VERSE XXVI

This verse is quoted in Parāśaramādaḥ (Prāyashchitta, p. 487); —and in Nṛsīṃhāprasāda, (Prāyashchitta 40 b.)

VERSE XXVII

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

VERSE XXXII

‘Aḍhavrīgyam’—‘ Impatience’ (Medhātithi); —‘ Want of contented disposition ’ (Nārāyana).

VERSE XXXIX

This verse is quoted in Madanapārījāta (p. 693).
VERSE XL

This verse is quoted in Madanaparajata (p. 693);—in Parasharamadhava (Prayashchitta, p. 488);—and in Nrsimhaprasada (Prayashchitta 41 a.)

VERSE XLI

This verse is quoted in Madanaparajata (p. 693);—in Parasharamadhava (Prayashchitta, p. 488);—and in Nrsimhaprasada (Prayashchitta 41 a.)

VERSE XLII

This verse is quoted in Aparakha (p. 1,000);—in Madanaparajata (p. 693);—in Parasharamadhava (Prayashchitta, p. 488);—and in Nrsimhaprasada (Prayashchitta 41 a.)

VERSE XLIII

This verse is quoted in Aparakha (p. 1,000);—in Madanaparajata (p. 693);—in Parasharamadhava (Prayashchitta, p. 488);—and in Nrsimhaprasada (Prayashchitta 41 a.)

VERSE XLIV

'Chārmanah'—'Bards, singers etc.' (Medhātithi);—'rope-dancers' (Nārāyana).—'a class of mythological beings' (Rāghavānanda).

This verse is quoted in Aparakha (p. 1,000), which adds that the variation in the resultant condition is due to variations in the being's past acts;—in Madanaparajata (p. 693);—in Parasharamadhava (Prayashchitta, p. 488);—and in Nrsimhaprasada (Prayashchitta 41 a.).
VERSE XLV

This verse is quoted in *Aparārka* (p. 1,000); — in *Madanapāryājāta* (p. 693); — in *Parāśharmacādhava* (Prāyashchitta p. 488); — and in *Nṛśimhaprasāda* (Prāyashchitta 41 a).

VERSE XLVI

This verse is quoted in *Aparārka* (p. 1,000); — in *Madanapāryājāta* (p. 693); — in *Parāśharmacādhava* (Prāyashchitta, p. 488); — and in *Nṛśimhaprasāda* (Prāyashchitta 41 a).

VERSE XLVII

This verse is quoted in *Aparārka* (p. 1,000); — in *Madanapāryājāta* (p. 694); — in *Parāśharmacādhava* (Prāyashchitta p. 488); — and in *Nṛśimhaprasāda* (Prāyashchitta 41 a).

VERSE XLVIII

This verse is quoted in *Aparārka* (p. 999); — in *Madanapāryājāta* (p. 694); — in *Parāśharmacādhava* (Prāyashchitta, p. 488); — and in *Nṛśimhaprasāda* (Prāyashchitta 41 a).

VERSE XLIX

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

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

‘Mathān’.—‘Supreme soul’ (Medhātithi);—‘the deity presiding over the Mahat-tattva of the Sāṅkhya’ (Govindarāja and Kullūkā).

This verse is quoted in Aparārka (p. 999);—in Medanapārījata (p. 694);—in Parāsharomādhanav (Prāyashchitta, p. 489);—and in Nyāsinhaprasāda (Prāyashchitta 41 a).

VERSE LI

This verse is quoted in Medanapārījata (p. 694);—and in Parāsharomādhanav (Prāyashchitta, p. 489).

VERSE LV

This verse is quoted in Medanapārījata (p. 700);—and in Mitāksarā (3. 208).

VERSE LVI

This verse is quoted in Mitāksarā (3. 208);—and in Parāsharomādhanav (Prāyashchitta, p. 510).

VERSE LVII

This verse is quoted in Mitāksarā (3. 208), which explains ‘lata’ as the spider, and ‘serala’ as the lizard;—and in Parāsharomādhanav (Prāyashchitta, p. 511).

VERSE LVIII

This verse is quoted in Mitāksarā (3. 208).

VERSE LX

This verse is quoted in Parāsharomādhanav (Prayashchitta p. 492 and p. 514).
VERSE LXI

This verse is quoted in Mitāksarā (3.213);—in Parāśara-ramādehava (Prāyashchitta, p. 511); and in Vṛṣṇiha- prasūda (Sanskāra 74a).

VERSE LXII

"Rasaṃt", "Juice of sugar-cane" (Kullāka);—"quick- silver" (Nārāyana).

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

VERSE LXIII

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

VERSE LXIV—LXVII

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

VERSE LXVIII

This verse is quoted in Mitāksarā (3.214);—and in Parāśaramādehava (Prāyashchitta, p. 512).

VERSE LXIX

This verse is quoted in Mitāksarā (3.216);—in Madanapārṇaya (p. 702),—and in Parāśaramādehava (Prāyashchitta, p. 512).

VERSE LXXI

This verse is quoted in Mitāksarā (3.220), in the sense that the man neglecting his duties suffers the same tortures as the Ukkānokha and the rest.
VERSE LXXII

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

VERSE LXXXV

'Ātmajñānam.' — 'Knowledge of the Supreme Soul, taught in the 'Upanisads' (Medhātithi, Govindarāja, Kullūka and Nandana); — 'Meditation' (Nārāyana).

VERSE LXXXVIII

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

VERSE LXXXIX

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

VERSE XC

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

VERSE XCI

'Ātmajñānā. — 'Who realises the presence of all deities in himself' (Medhātithi and Govindarāja); — 'he who performs the Jyotisṭoma and other sacrifices in the manner of the Brahmarpana' (Kullūka and Nandana and Kāghavānanda).

VERSE XCI

This verse is quoted in Mitāksarā (3. 58) which explains 'Vedābhyāsa' as 'repeating the Pranava, Oṁ'; and in Vyākhyāsāṅgāraha (p. 26).
VERSE XCIII

'Kṛṣṇaṇaḥ'—'All whose ends have been accomplished' (Medhātithi);—'who has done all he ought to do' (Govinda-rāja).

VERSE XCIV

This verse is quoted in the Śmṛtichandārika (Sanskāra p. 129).

VERSE XCV

'Prātya'—'Having acquired excellence' (Medhātithi);—'after death' (‘others’ in Medhātithi, Govinda-rāja and Kullūka).

VERSE XCVI

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

VERSE XCVII

This verse is quoted in Vīramatrodaya (Sanskāra p. 500);—in Nṛsinnhaprasāda (Sanskāra, 46b);—and in Śmṛtichandārika (Sanskāra, p. 128).

VERSE XCVIII

'Prasātirupakarmataḥ'.—An obscure word, the different readings for which disgusted even Medhātithi. For the various explanations see Buhler.

VERSE XCIIX

Cf. 3, 76
VERSE CI

This verse is quoted in Parāśaramādhava (Prāyashchitta, p. 172); and in Smrta-Chandrikā (Samskāra, p. 129).

VERSE CII

This verse is quoted in Viramitrodaga (Samskāra, p. 510); and in Smrta-Chandrikā (Samskāra, p. 132).

VERSE CIII

"Ajñābhyah, -- 'Entirely ignorant' (Medhātithi and Nārāyaṇa), 'who have not read the Veda' (Nandana), -- 'who have learnt a little' (Govinda-rāja and Kūlūka).

"Grañthānah, -- 'Forgetful students' (Kūlūka and Nandana), -- 'those who learn the verbal text alone and do not ponder over the meaning', (Medhātithi, Govinda-rāja and Nārāyaṇa).

This verse is quoted in Smrti-tattva II (p. 73), which adds the following notes: -- 'Grañthānah, 'who can read only with the help of the book,' -- 'Dhārīnah, 'who can read without the help of the book,' -- 'Jñānānah, 'who have studied the scriptures and know their meaning.'

VERSE CIV

This verse is quoted in Viramitrodaga (Samskāra, p. 512); and in Smrta-Chandrikā (Samskāra, p. 144).

VERSE CV

"Shāstraṃ,' -- 'Veda' (Govinda-rāja and Nārāyaṇa); -- 'Veda and Smṛti' (Medhātithi), -- 'Smṛti'(Kūlūka)
VERSE CVI

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

VERSE CVIII

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

VERSE CIX

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

This verse is quoted in Smṛtichandrārika (Samskāra p. 6) as defining the ‘Shrista.’

VERSE CX

This verse is quoted in Nityāchārapraṇidhā (p. 69).

VERSE CXI

This verse is quoted in Mṛtākṣara (3 301) as describing the constitution of the Assembly or Court; it adds the following notes:—‘Hautukah’, who is conversant with the essential principles of the Mimāṃsā,—‘tarki’, who is
expert in the science of reasoning;—in *Madanapārījātā* (p. 774), which adds the following notes:—‘*Hetukāḥ*’ (which is its reading for ‘*hetukāḥ*’), expert in inference;—‘*tarkī*’, one who is expert in ‘*Tarka*’, which is the name given to that process of reasoning by which one comes to the correct conclusion on a definite question, by rejecting all other possible alternatives; the ‘*tarka*’ ‘argumentation’ meant here is one that does not go against the Vedic scriptures.

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

**VERSE CXII**

This verse is quoted in *Mūtāksarā* (3.300) as prescribing a second kind of ‘Assembly’;—in *Aparārka* (p. 21);—and in *Śmṛtichandārka* (Sanskāra, p. 8).

**VERSE CXIII**

This verse is quoted in *Mūtāksarā* (3.300), which notes that which particular form of the ‘Assembly’ is to be got together in a particular case should depend upon the gravity of the offence to be tried.

**VERSE CXVI**

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

**VERSE CXVII**

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

"Ātmanī".—'In the supreme self' (Kulūka and Nandana),—'in his own individual self' (Govindarāja).

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

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