CHAPTER III

Types of Thieves and Robbers

Thieves are said to be either prakāsa (open or patent) or aprakāsa (secret).\(^1\) These two classes of thieves are again subdivided into numerous groups according to their skill and mode of cheating.\(^2\) The secret thieves are said to be those who move about with tools for house-breaking without being observed and whose residence is not known.\(^3\) They are classified as follows: (1) those who quietly relieve a man of his money when he is attending to something else; (2) house-breakers, (3) highway-robbers, (4) cut-purses, and (5) kidnappers of women, men, cattle, horses and other animals. According to Manu,\(^4\) concealed thieves are they who steal and rob in the forests and such other secret places. Persons who disturb a sacrificial performance are also regarded as Concealed thieves by Narada.\(^5\)

In the Buddhist literature,\(^6\) the cora is distinguished from an ordinary thief. The coras are classified thus: (1) Sandhichedaka (burglars), (2) Gaṇaghāta-cora (plunderers of villages), (3) Panna-gātha-cora (highway robbers), (4) Pessanakecora (message-senders), and (5) Atavī-cora (criminal tribes living in forests). The last four definitely mean robbers, generally known as prakāta-cora or pratyākṣa-dhanāpācarī. In the Jaina canons\(^7\) various types of thieves are mentioned: (1) Anoma (thieves), (2) Tomahara (robbers), (3) Gantāhībeṣa (cut-purses), and (4) Tikkaṃ or Knot-cutters).\(^8\)

The Panhāvēracara Tīkā\(^9\) refers to seven types of robbers and eighteen ways of encouraging robbery. Kautilya\(^10\) refers to a class of robbers called the Pratirodhaka. These used to operate at night, hide in forests, make assaults on
persons, plunder the rich and take away large amounts of *panas*. According to Bloomfield, the *pasyatohara* was a secret thief. Among other secret thieves, we may name : (1) *kasyamoseke* (park-thieves), (2) Tunnel-thieves (thieves who entered into a house by digging tunnels), (3) Thieves who killed persons for ornaments, etc.: (4) Amateur Thieves and (5) Apprentice Thieves. The robbers, generally included in the list of the Secret Thieves may be broadly classified under the following heads: (1) Ordinary robbers, (2) Desert-Robbers, (3) Forest-Robbers, (4) Pirates and (5) State-Robbers. Another class of robbers living on the borders of Kingdoms harried border-villages and were known as *peccentaväsimmorā* (border robbers). They were probably low-class people like the *cendōlas* or wild tribes. According to Bloomfield, the *pasyatohara* thieves reached the apex of the thieving art. He says that they could rob a person without being observed while he looked on. Stealing of the collyrum off eyes imperceptibly has already been referred to. Bloomfield also points out that the *pasyatohara* thieves may mean daring robbers who take away things from a man who can do nothing except looking on helplessly. It is possible, however, that, by *pasyatohara*, the open thieves like the goldsmiths are meant. The park-thieves infested the parks of towns. Some such thieves used to roam in the parks of Śrēvastī and, whenever they came upon a sleeping man, kicked him and, if he would get up, asked him to go out, but if he still remained asleep, they robbed him and escaped. Thieves and sometimes well-to-do people murdered children and women to rob their jewels. Thus in the *Nayōdhhammakheña*, the robbers, Vijaya spirited the young son of a
merchant away to a dense forest, took his ornaments, killed him, threw the corpse into a ruined well, concealed himself in a intricate thicket of creepers and spent the whole day there in silence without any movement. In the Sūlaśa Jātaka, a certain thief coveted the jewels of the maid-servant of Anāthapiṇḍaka and with the design of killing her began to talk to her, gave her fish, flesh and strong drink. As she went to him one day, he asked her to follow him to a more private place with a view to killing her unobserved by anybody. In a Buddhist tale, four young men after enjoying a prostitute decided to kill her and rob her ornaments as well as the money given her by them as her fees. Čārūdatta in the Mṛcchakatika was accused of killing a courtesan and robbing her ornaments. Thieves did not hesitate even to murder their rich wives to take away their jewelleries. As for the amateur thieves, young men probably broke into others' houses for sheer bravado or for money to meet the expenses of their amusements or for illicit love. The young sons of thieves and their boy-assistants fall in the category of apprentice thieves who often accompanied their fathers, teachers or masters to assist them in their secret business, or committed theft or burglary alone, to learn the art, or just to demonstrate their skill to their teachers or parents. It is interesting to note that sometimes thieves were hired by interested persons to achieve their ends. This mercenary character of the thieves is evidenced by a Buddhist tale in which five hundred Naked Ascetics engaged some wandering thieves to murder their rival, a Buddhist monk and gave them one thousand pieces as their wages. A prostitute had the ring of a merchant
stolen by some thieves. (24) According to a folk-tale, (25) a man 
edployed an efficient thief to rob his cousin. According to a 
Jātaka tale, (26) hired brigands harassed the borders of 
Sāvatthi. They were probably engaged by a neighbouring enemy 
to weaken Sāvatthi.

Bloomfield (27) says that in the words dhakka, thakka, 
takka; thaka, theke (Hindu terms for a despised people, tribe, 
caste or guild), and sthaga (cunning, sly, fraudulent, dishonest), 
sthagāka (a thieving courtesan), 'we have . . . the precursors 
in Hindu literature of the Thugs or Phansigars, even though 
stinginess and roguery, rather than murderousness are their 
characteristics. The *Dhakka Brāhmaṇa* mentioned in one of 
Devendra's stories, means, according to Bloomfield, the 
'Brāhmaṇa of the Thugs.' According to Hornle, (28) Feli 'Core-
ghatāka' is equivalent to the modern 'thug'. Alberuni (29) has 
referred to the desert-thieves as plundering a caravan in a 
desert. The 'depredations of the Hurs in the desert of Sind and 
Beluchistan persist even to-day.' (30)

The forest-robbers (stevicore; vanacora), (31) according 
to D.C.Sircar, were 'either the forest-fold or outsiders who made 
the forest the field of their nefarious activities'. (32) 
and Angulimala are classical examples of the fierce robbers of 
the forest. There are some evidence, in Sircar's opinion to show 
that 'often the forest-fold were habitually criminal and lived on 
robbery.' (33) Their raids were known as stevi-sahkope. (34) The 
Vindhyas range and other jungly areas were the habitats of these 
mareyders. (35) The Jātaka stories (36) mention robber-villages 
(cora-grāme). According to Alberuni, (37) the Kirātas and Pulindas
were mountainers and hunters of the plains respectively and were robbers by profession. These robbers lived under chieftains called Pallías who 'frequently rose to the plane of rich and powerful kings.' (38) Generally robber-gangs armed with deadly weapons fell upon travellers and caravans passing through forests and sometimes also raided villages and devastated them ruthlessly, burning houses and kidnapping men, women and children indiscriminately. According to Bloomfield, 'Women and loot are their objects, the men they generally kill but sometimes sell as slaves'. (39) In Rock Edict XIII, Ashoka hints at the depredations of the forest-folk thus:

'And the forest-folk (atavāra) who live in the dominions of the Beloved of the Gods (i.e. Ashoka) even they he entreats and exhorts \( \text{\underline{in \hspace{1pt} regard \hspace{1pt} to \hspace{1pt} their \hspace{1pt} duty}} \). It is\( \text{\underline{hereby}} \) explained to them in spite of his repentance, the Beloved of Gods possesses power \( \text{\underline{enough \hspace{1pt} to \hspace{1pt} punish \hspace{1pt} them \hspace{1pt} for \hspace{1pt} their \hspace{1pt} crimes}} \) so that they should turn \( \text{\underline{from \hspace{1pt} evil \hspace{1pt} ways}} \) and would not be killed \( \text{\underline{for \hspace{1pt} their \hspace{1pt} crimes}} \). (40) According to Kautilya, (41) these criminal tribes living in forests used to attack villages or caravan-sarais. They were numerous and brave, ready to fight in broad daylight, seized and destroyed countries like kings and publicly plundered property and killed people. The depredations of the forest robbers have been referred to in many works. (42) The Abhiras, a criminal tribe forcibly carried away the beautiful Yadava women from the custody of Arjuna while he was leading them through a forest. (43) According to the Vedabhā-Jātaka, (44) the road connecting the Varṣapāri and Cedi countries ran through a forest infested by at least two gangs of five hundred robbers who made the life and property of the travellers very unsafe. The Takka-Jātaka (45) mentions a
border-village of Varanasi which was harried by robbers from the
mountains who forcibly carried away all the villagers with their
belongings to their dens. According to the teacher of Kautilya, the
Atavikas lived in the border-forests. Possibly they were the
peccantavasimcora (border-robbers harassing the border-villages)
of the Jataka tales. The Chinese pilgrim, Hiuen-Tsang who
visited India in the Seventh Century A.D. was robbed by a gang
of fifty robbers near Salka, modern Sialkot in the Punjab in a
desert forest of palasa trees. A tale in the Kathasaritasagara
relates how Samudrasena's caravan was plundered by a powerful
host of bandits in a wood at night.

A kind of forest-robbers called the Presanaka-core
(despatcher-thieves) used to despatch one of every two captives
they made to fetch ransom. If they captured a father and a son,
asked the father to go for the ransom to free his son; if
they caught a mother and her daughter, they sent the mother for to
bring the money and if they captured a teacher and his student, they
sent the student to bring the ransom. A father and his son being
asked by the 'despatcher-thieves' as to how they stood to one
another, replied with a view to saving their lives and money that
they were not related to each other. Some Sabaras abducted
people to extort money from their relatives.

An important kind of robbers was the pirates haunting
high seas and infesting coastal areas, especially the Western
cost of India. It is generally believed that long before
Alexander's invasion of India, Indian pirates inhabiting the
coast-towns of Sind sailed in their keels in the high seas
plundering and sinking ships and carrying fire and sword into the countries they visited. According to Strabo and Arrian, the Persians made the Tigris entirely unnavigable by hindering its course with numerous stones in order to protect their cities from the piratical attacks of the Indians. It was Alexander who removed these stones ‘for the furtherance of commercial intercourse’.

‘That the Persians built no city of any note upon the sea-coast was due to this dread of Indian pirates’. According to Pliny, companies of archers were carried on board merchant ships sailing out to the Tamil land because the Indian seas were infested with pirates. While speaking about Muziris, an important emporium in the Cera territory, he states that, ‘it is not a desirable place of call, pirates being in the neighbourhood who occupy a place called Nitreas’. The author of the Periplus of the Erythraean Sea writes about the prevalence of piracy along the Malabar seaboard. According to him, ‘After Kallina other local marts occur ... You come next to the islands called sesecreiena and the island of the Aigidiol and that of the Kaeneita near what is called the Chersonesus, places in which are pirates’. Ptolemy in his Geography describes the Konkan coast ‘extending from the neighbourhood of Simylla to an emporium called Nitra as Ariska Andron Peiraton, i.e. Ariske of the pirates’. The numerous creeks and rocky islands in the Western coast of Malabar ‘afforded ... secure harbourage to the cruisers of the Konkan pirates’. Marcopoli has elaborately described their modus operandi.

Even after Alexander’s invasion, the Indian Vikings of the Indus basin continued piracy as a means of their livelihood for many centuries and at the time of Alberuni, they were known
as the Bawārij (living near Cutch and Somnath) as they committed robberies on sea in vessels called bīra. No ship was stationed to guard the Western coastal belt which was frequently the scene of piracy and was ravaged by sea-rovers over whom Dahir (king of Debal) had apparently no control. In reply to al-Hajāj's request to set free the Muslim women captured on ship by the Meds of ad-Deibul (Debal), Dahir sent the following message: "Pirates over whom I have no control, captured the ship."

The immediate cause of the Arab invasion of Sind was this piratical attack.

The Nāvadhyaśaka is directed by Kautilya to destroy the pirate ships (kīṣṭhikās). Kautilya also refers to the sinking or plundering of ships probably by pirates. The Daśakumāra-Carita vividly describes a piratical attack: 'there sped up in a galley, surrounded by many boats... the boats, sailing very swiftly surrounded our boat like a pack of dogs closing in on a boar.' Then ensued a scuffle and the pirates defeated the sailors of the boat. The Divyavādasī describes the pirates as one of the dangers of the sea.

That the Eastern waters were also infested by pirates is proved by the Bodhisattvavātadāna Kalpalata of Ksemendra. The seventy-third Pallava or chapter of this book relates that Emperor Aśoka was one day approached by some Indian merchants who traded with the distant islands. They informed him of their huge losses brought about by the depredations of some pirates called Nagas (probably the Chinese). They destroyed all their ships and plundered their merchandise. They said that if the Emperor was unwilling to protect them, they would be forced to
give up sea-borne trade and the imperial exchequer would also be the loser in absence of sea-voyages. Then Asoka issued a sort of edict inscribed on a copper plate which was ignored by the Nagas. But when Asoka became a Buddhist, he succeeded in making the Nagas respect his edict and return all their booty which was then distributed among the merchants robbed. The Jats dwelling on the Sind, Cutch and Gujarat coasts in the seventh and eighth centuries and the Gurjharas chiefly of the Chapa or Chavada clan, living in Dwarka, Somnath, and Anahilavada Patan were dangerous pirates. (69) Huiyen-Tsan[70] was captured by some pirates not very far from the metropolis of Ayodhya. Leaving Ayodhya, when he was sailing down the Ganges on board a vessel with eighty passengers, ten pirate boats surrounded it. Taking it in tow, they brought it to the bank and decided to sacrifice the pilgrim to their goddess (Durga).

As referred to already, the rulers of ancient India, generally maintained a brigade consisting of thieves, robbers and desperadoes who may be called State-robbers. According to R.C. Hazra, 'the history of the employment of thieves or robbers for political purposes goes back to a very remote period.' (71) The Mahabharata (72) shows that the secret army of a king 'includes formidable fighters trained in the art of robbing' for harassing the enemy states. Founding of kingdoms by robber-chiefs with the help of their robber-bands has been referred to in some works. (73) According to a Buddhist tradition, the eldest brother of the Nandas became the leader of a robber-gang, pillaged villages and towns and ultimately established a kingdom. The robber-chief Vanaraśa founded a kingdom in the same way. Kautilya says that,
if a king 'is destitute of an army, he should, as far as possible, attract to himself the brave men of corporations, thieves, wild tribes, Mlecchas, and spies who are capable of inflicting injuries upon enemies.' According to Kautilya, with a view to destroying an enemy, a minister, posing as being dismissed by his master, may go to the enemy-camp with a 'band of spies, disaffected people, traitors, brave thieves, and wild tribes who make no distinction between a friend and a foe.' Thieves followed the army of king Harshvardhana. According to Kalhana, Bhikśūcara's army included marauders. Three verses of the Sukranitiśāra, two verses ascribed to Brhaspati and four to Katyāyana also refer to the State-robbers. State-sponsored robberies were very common in ancient India. In the Vedic and epic literature, tribes and States often indulged in cattle-raids in a mass scale which may also be called political robberies. Though condemned in later ages, cattle-raids and abduction of women were regarded as creditable performance for the Kṣatriyas at least in the Vedic and epic literature. In a ṛgvedic verse, we find this exultation: 'Thou shoutest, Indra, in this glorious and arduous conflict and assistest us to the acquirement of spoil in this battle where cows are won and men overpowered wherein the weapons descend on every side upon the fierce and courageous combatant.' Another verse says: 'The leader of the host, a hero, advances in front of the chariots intent on seizing the cows of the enemy; his army exults.'

In the Mahābhārata Duryodhana, with a view to improving his army and replenishing the treasury attacked king Virāṭa's go-grha and took away his numerous cattle.
Mahabharata, while not raising any objection against this political robbery, advises a king on the other hand to fill his treasury in times of distress by drawing wealth from his own kingdom and also from enemy countries with the help of dasyus (robbers). They were not, however, permitted to rob a Brāhmaṇa’s property or to make a person destitute. Kautilya also permits a king to replenish his treasury in times of great financial trouble by robbing his own subjects. According to him, one of the king’s spies, in the guise of a merchant should become a partner of a rich merchant and carry on trade with him. When a considerable amount of money has been accumulated as sale proceeds, deposits and loans, he should cause himself to be robbed of the amount by State-robbers. Or a spy, in the garb of a rich merchant, famous for his vast commercial undertaking may borrow from the corporations bar-gold, or coined gold for the merchandise to be procured from abroad. He may then allow himself to be robbed the same night.

Ancient Indian rulers had a band of daring spies thoroughly trained in thieving and robbery for using them to capture young people of criminal tendency, to harass enemy countries, and to kidnap enemy kings, remove his men and stores through underground tunnels and rob the enemy subjects of their wealth. Former thieves were also engaged by kings to detect thieves. The minister of Vīraketu had in his employ some valiant thieves whom he engaged in tunnelling into the chamber of an enemy king, in order to take the latter’s life. Kautilya’s fiery spies had to be expert tunnellers. According to Kautilya, these spies should act in the guises of hunters, cowherds, vintners,
ascetics, thieves, forest-folk and others. Fiery spies or spies disguised as robbers (pratirodhaka) may be engaged to kill seditious ministers. (90) Spies were often employed to carry off the brave soldiers, elephants or horses of the enemy. (91) According to Kautilya, (92) they also used to engage thieves in order to destroy the enemy's cattle or merchandise near wild tracts. These spies may poison, with the juice of the madana plant, the food stuff and beverage kept, as previously arranged in a particular place for the enemy's cowherds and go away unobserved. When the cowherds show signs of intoxication in consequence of their eating the above food, spies disguised as cowherds, merchants, and thieves may attack the enemy's cowherds, and carry off the cattle. They could assume the guise of ascetics or vintners for doing the same thing. (93) According to Kautilya, 'Those spies, who enter into the wild tracts of the enemy with the intention of plundering his villages, and who, leaving that work, set themselves to destroy the enemy, are termed spies under the garb of thieves.' (94) In the Mahāsālava Jātaka, (95) a king of Kosala sent some of his men to plunder a village across the Benares border to test the might of the king of that land. As there was no opposition, his men gradually plundered a village in the very heart of his kingdom and ultimately occupied the whole country. During Anantavarman's rule, Vidarbha's borders were harassed by his enemy's
troops disguised as 'men of the jungle.' According to Buddhist and Jaina traditions, robbers were engaged by the deposed Nanda king to create lawlessness in Chandragupta's kingdom. Carrying away by stealth relatives and gems of an enemy king was one of the duties of an envoy.

Along with thieves, wild tribes of plundering habits were also employed to devastate an enemy's territory. Most authorities agree in saying that ṛṣavī or ṛṣavika (wild tribe or wild troops) formed one of the six kinds of troops of a king. According to a modern writer, 'works on polity right from the Mahābhārata down to the Arthasastra of Kautilya have spoken highly of the fighting qualities of wild troops and the desirability of their employment in certain circumstances.' According to the Manasollasa the ṛṣavika army consists of Miśadas, Mlecchas, and similar people dwelling in the vicinity of mountains. The Rāmāyana refers to an army division composed of wild tribes. According to the Mahābhārata, the ends of the hairs of these men were brownish and a bit curling; their cheeks and necks were abnormally big, shoulders very broad, lower parts of the thighs were awful; their heads were round-shaped, and faces as large as those of cats; their voices were terrible. They were as audacious as the Garuḍas. They were very fond of wars and reckless of their lives. They never ran away from the battlefield. According to Kāmandaka, the ṛṣavika troops are 'by nature irreligious, greedy, anārya and non-observers of truth.' According to Kautilya, 'one has to pay the army of wild tribes either with raw produce or with allowance for plunder.' As they
are very eager for plunder, in its stead, 'they prove as dangerous as a lurking snake.' Thus it is clear that the wild troops were allowed to plunder the enemy country for their maintenance.

According to Hazra, the employment of State-robbers and desperadoes for harassing enemy countries forms part of the Kuta-yuddha, which is recommended by the writers of Arthasastra under particular circumstances. Forms of a Kuta-yuddha (unfair fight) include the creation of great terror in the enemy-country, (by means of burning and plunder), assault, etc.

Brhaspati, Katayana and Sukra lay down some rules for the State-robbers. According to Brhaspati and Sukra, 'the cultivators, artisans, artists, usurers (or bankers), guilds (or corporations), dancers, sectaries (bearing distinguished sect-marks) and robbers should resolve their disputes, according to their own rules.' According to Hazra, 'From this verse we learn that in ancient India State-robbers were allowed freedom to frame rules if necessary, for the proper conduct of their work and also to decide their disputes in accordance with these rules as well as with their established conventions and usages.'

Two other verses have also been ascribed to Brhaspati: (1) 'But whatever "booty" is brought from a hostile country by "a band of robbers at the command of their "royal" master, they shall share in due proportion as stated below after giving a sixth part to the king.' (2) "Their chief shall receive four shares, the "specially valient one among them shall have three shares; the "person who is particularly able shall take two shares; and the others remaining shall have equal shares."

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(106) (107) (108) (109) (110) (111)
The four verses ascribed to Katyāyana are:

1. Whatever booty is brought from an enemy country by a band of robbers at the command of their royal master, they shall divide among themselves according to the established rules on this point after setting aside a tenth part for the king.

2. The chief of the band of robbers shall take four shares from that amount of booty which remains after king's share is set apart, the specially valiant one among them shall receive three shares; the particularly able one shall get two shares and the rest shall have one share each.

3. And whatever amount is paid for his own release by that person, who, among them, as they become scattered in course of stealing or plundering, is caught, they shall pay according to their shares of the booty.

4. For all those people, such as merchants and cultivators, and robbers and artisans as well, who engage in joint undertakings without previously defining their respective shares, this is the rule of decision.

One verse of Sukra has already been referred to the other two verses are:

1. Whatever booty is brought from an enemy country by a band of robbers at the command of their royal master, they shall divide among themselves in equal shares after setting aside a sixth part for the king.
(2) 'And whatever amount is paid for his own release by that person who, among them, in case they are scattered in course of stealing or plundering, gets arrested, they shall pay in equal shares.'

Thus these robbers had to set apart for the state a specified share which differed according to different authorities, possibly under different circumstances. According to Candesvara, the king's share of the booty was determined by the proximity or otherwise of the enemy country, i.e. by the ease or difficulty of the work of the marauders.

Vacaspati Misra writes that 'a sixth part was due to the king when he gave protection and help to the robbers, but if, owing to distance from the place of action, he failed to do anything for them, he was to receive only a tenth part.' Devannabhatta, however, says that 'the sixth and the tenth part allotted to the king by Brhaspati and Katyayana, related respectively to booty brought from the domains of a more powerful enemy and a weak one.' It is also clear from the verses quoted above as pointed out by Hazra, that unless the robbers 'specified by mutual consent, their respective shares of the booty before beginning an operation, they had to abide by the rules laid down in the said verses, and that in case a robber of a party was caught in the course of an operation, the amount paid for his release had to be divided by all members of the party either equally (as said particularly by Sukrācārya) or in proportion to their shares of the booty (as prescribed by Katyayana).'

It may be contended that the robbers described as state-robbers were not really the regular troops of a state,
but that they were recruited whenever a necessity arose. The rules framed by Brhaspati, Katyayana and Sukra were probably based on the customs of the robber-guilds. The robbers had to pay to the king a share of the booty probably because the latter did not prevent them from looting neighbouring or enemy countries. Moreover, as they were his subjects, they were bound to pay him a certain share of their income. The kings might have also helped them during their raids and protected them when they were hotly pursued. These robbers remind us of the Thuggees and Pindaris who were protected by local chiefs in lieu of a share of their booty.

Open or patent thieves are named in the law-texts thus: (119) Dishonest traders who cheat customers by using false weights and measures and by other means, receivers of bribes, forgers, gamblers, quacks, artists, prostitutes, people who pretend to know how to interpret evil omens or to practise propitiatory rites, magicians, palmists, people who walk in disguise or pretend to teach the performance of auspicious ceremonies, false witnesses, corrupt judges, those who profess to arbitrate (for their own benefit?), hired servants who refuse to work, cheats and others. Kautilya calls the traders, artisans, musicians, beggars, buffoons and other idlers 'thieves in effect though not in name.' (120) According to the Parsvanatha-Caritra, thieves are of seven kinds: 'A straight-out thief; a betrayer of thieves; a minister; one who knows how to instigate strife; a purchaser of stolen goods; one who

--- 54 ---
feeds /a thief/; and one who gives him shelter. (121)

Dishonest traders were very common. (122) The fourth Board (123) of Megasthenes' City-officers supervised trade and commerce and had charge of weights and measures. The fifth board compelled the traders to sell new commodities separately from the old. Merchants also served as bankers and often misappropriated the deposits. Kalhana regards the merchants as hypocrites and says that 'a thing deposited in a merchant's hands is never again recovered.' (124) According to Ksemendra, (125) merchants turn deaf when somebody comes to take back the mortgaged property. Hemacandra (126) also says that merchants free from deceitfulness are rare. Some impressionist stanzas (nīti) tell of the joy of a substantial merchant on being made fiduciary for another's property. (127) Dishonest denial of deposit was regarded as theft and punished accordingly. Manu provides that in the absence of witnesses, spies may be engaged to test the honesty of the depositary by depositing some gold with him. If his dishonesty is proved, he must return the value of both the deposits. For the first offence, the depositary shall pay a fine equal to the value of the deposit. For the second offence, he should be punished as a thief ('if gold, pearls, or the like be demanded); or (in the case of a trifling demand), shall pay a fine equal to the value of the thing claimed. (128) According to Kalhana, 'A merchant in a law-suit relating to the embezzlement of a deposit is more to be dreaded than a tiger; because he shows a face smooth as oil, uses his voice but very little, and shows a gentle appearance.' (129) According to Kalhana, (130)
once a certain wealthy man deposited a lakh of cowrie-shells (dinnara) in the house of a merchant and began to take commodities from him on credit. After twenty or thirty years when he demanded the money, the merchant made out a bill for the cost of the articles taken by the depositor and also for the interest due on those advances. The total sum, according to his reckoning, exceeded the amount of one lakh. So, he demanded the balance from the depositor. The judges supported the argument of the merchant; but the king thought differently. He asked the merchant to produce a portion of the deposited money which, the merchant asserted, was still in his possession. When some coins were produced, the king looked at them and discovered some coins issued by him among them. He at once realised that the deposit had been used by the merchant. He declared that if the depositor had to pay interest on what he had taken from the merchant, the latter too should pay interest on the full lakh from the time of its being deposited.

A prostitute recovered the deposit of a poor Brahmana from a dishonest yogi by a clever trick. As the yogi denied the deposit, the prostitute asked the poor Brahmana to follow her to the yogi's house. She went there with five beautiful trunks filled with bones and requested him to keep them as deposit. At that time the Brahmana came there and demanded his deposit. To create confidence in her mind, the yogi returned the Brahmana's deposit. The tale of the merchant who said that the iron beam balance deposited with him by his friend had been eaten up by mice is well known and will also be mentioned later on.
Dishonest traders, quacks and others were called open thieves because they used to cheat or exploit people in some way or other. According to Brhaspati, a quack is a thief because he takes money from a patient though he does not know about medicines or diseases. Kautilya regards the gamblers as false players and directs the superintendent of gambling to supply dice to them. Substitution of this dice by tricks of hand is to be punished with a fine of 12 pennas. Even artists were regarded as open thieves because, as Kautilya points out, they diverted the attention of the villagers from cultivation, their sole means of subsistence, by their plays and also exacted cash and other things from those simple folk. Megasthenes says that astrologers were silenced for the rest of their life for making false forecasts.

Kautilya brands the king's officers as stealers of revenue. 'Just as it is impossible not to taste the honey or the poison that finds itself at the tip of the tongue, so it is impossible for a government servant not to eat up, at least a bit of the king's revenue. Just as a fish moving under water cannot possibly be found out either as drinking or not drinking water, so government servants employed in the government work cannot be found out while taking money for themselves.' Says Manu: 'Since the servants of the king, whom he has appointed guardians of districts, are generally knaves, who seize what belongs to other men, from such knaves let him defend his people: Of such evil-minded servants as wring wealth from subjects attending them on business, let the king confiscate all the
possessions, and banish them from his realm. In the twenty-fifth story of the Katharnava, a minister says to his King, 'I am, by nature, thievish, for king's officials are, as it were, swallowed up by greed.' Manu and Kautilya regard the goldsmiths as cheats. According to the former, 'the most pernicious of all deceivers is a goldsmith who commits frauds: the king shall order him to be cut piecemeal with razors.' Kautilya affirms that the goldsmiths 'carry on their fraudulent trade while pretending at the same time to be honest and innocent. According to him 'no offence of theirs shall be forgiven and at a time of great financial trouble, the king may confiscate the entire property of goldsmiths. In the fiction, a goldsmith is always viewed as a typical thief and his nicknames are Svarnataksara and Svarna-paharin. There is a proverb to the effect that even from the gold given by their mothers for making ornaments, they would pilfer a little. According to a Kashmirian proverb, if the goldsmith did not steal gold, he would get hectic fever. The Mrochakatike refers to a proverb: 'It is hard to find a ... merchant who never cheats, a goldsmith who never steals ... a courtezan without avarice.' According to the Kalavilasa of Ksemendra, a goldsmith 'knew the sixty-four arts including twelve of movements, six of hissing, eleven of new ways of deception and five of reducing weight.' The goldsmiths were assigned to the lowest class possibly for stealing gold. That the goldsmiths were not trusted is proved by the
following directive of Kautilya: Goldsmiths shall enter into or exit from the goldsmiths' office, (aksasālā) after their person and dress are thoroughly searched. (148)
REFERENCE

3. Kane, loc.cit.
5. Manu, IX. 257.
7. B.C.Iew, Śāh as Described in Early Texts of Buddhism and Jainism, p. 172.
8. J.C. Jain, Life in Ancient India as Depicted in the Jain Canons, p. 66.
17. The Jātaka, op.cit., Vol. III, No.419, See No. 318 also.
25. S.L. Sadhu, Folk Tales from Kashmir, pp.81ff.
32. Ibid., pp.378ff.; Kautilya, IV. 5 (for Vanacora).
33. Ibid., pp.378ff.; Kautilya, IV. 5 (for Vanacora).
34. Ibid., pp.378ff.; Kautilya, IV. 5 (for Vanacora).

37. Sache~ī, op. cit., p. 262.


42. Rgveda, X. 4. 6; Atharvaveda, IV. 36. 7. Pan~ántantra, op. cit., p. 201; Desakum~aracarita, trans. Ryder, p. 19, etc.

43. Mahabharata, XVI. 7.


45. Ibid., also see No. 63.


47. R.S. Tripathi, History of Kanauj, p. 146.


50. Ibid., Vol. IV, No. 459.

51. Samavedascokeha, ed. Jacob, Second Bhāya.


53. Ibid., p. 656.

54. Loc. cit.

55. Loc. cit.

56. R.C. Majumdar, The Classical Accounts of India, p. 338.

57. Ibid., p. 339.

58. Ibid., p. 305.


60. Loc. cit.
61. About the Malabar pirates Marco Polo writes: 'And you must know that from the kingdom of Melibur, and from another near it called Gozurut, there go forth every year more than a hundred corsair vessels on cruize. These pirates take with them their wives and children and stay out the whole summer. Their method is to join in fleet of twenty or thirty of these pirate vessels together, and then they form what they call a sea cordon that is, they drop off till there is an interval of five or six miles between ship and ship, so that they cover something like a hundred miles of sea, and no merchant ship can escape them. When one Corsair sights a vessel, a signal is made by fire or smoke and then the whole of them make for this, and seize the merchants and plunder them.' According to Yule, 'it was in this neighbourhood that Ibn Batuta fell into the hands of pirates and was 'stripped to the very drawers'. (P.C. Chakravarti, op. cit., p. 659). Ibn Batuta, however, says that the Malabar pirates 'captured only those vessels which attempted to pass their ports without the payment of toll'. (R.K. Mookerji, History of Indian Shipping, p. 139).


64. Kautilya, II, 28.

65. Kautilya, III. 12.

66. Dasakumārakahita, trans. S.V. Dixit, Chap. VI.


69. Ibid., p. 119.
72. Mahabharata (Critical Ed.), XII. 59, 13-92; Hazra, op. cit., Vol. XI, p. 89: Caur-deva-balais\(\text{\textsuperscript{\textcopyright}}\) cogreih pera\(\textsuperscript{	extregistered}\)astrasya p\(\textsuperscript{\textregistered}\)denas\(\textsuperscript{\textregistered}\)
(XII. 59. 46b).
74. Kautilya, VII. 14.
77. Kalhana, Rajatarangini, VIII. 1384.
78. Hazra, op. cit., p. 94.
79. The following lines are found in some editions of the P\(\textsuperscript{\textregistered}\)anca-\(\textsuperscript{\textregistered}\)tantra : 'Due to the bad effects of the company of dishonest people, the honest undergo a change for the bad. On account of his close association with Duryodhana, Bhism went out for cattle-lifting.' See Hazra, op. cit., Vol. XIII, Pt. I, p. 130.
80. Rgveda, X. 38.
81. Ibid., IX. 96. 1.
84. Kautilya, V.2; trans. Shamesastry, p. 274.
85. Kautilya, IV. 5; XII. 1, 4-5; XIII. 2; trans. Shamasastry, pp. 239ff., 410 ff.
87. Dasakumaracerita, pub. V. Ramaswami Sastrulu and Sons., p. 39.
88. Kautilya, XII. 5.
89. Kautilya, IV. 5; XII. 1, 5; XIII. 2-3; trans. Shamasastry, pp. 240ff., 420, 426ff.
90. Kautilya, V. 1.
92. Kautilya, XIII. 3; trans. Shamasastry, p. 432. R.P. Kangle (Kautilya Arthasastra, Part II, p. 563) translates this passage quite differently. According to him, these devices were to be adopted to take away the stolen goods from the custody of the forest-robbers and also to punish them.
94. Kautilya, XIII. 3; trans. Shamasastry, loc. cit.; R.P. Kangle, loc. cit. p. 564: 'Or after scattering in many groups the forest tribes that have come for plundering the town, he should destroy them. Thus secret agents for robbers have been described.'
96. Dasakumaracerita, trans. Ryder, p. 163.
98. Kautilya, I. 16; Shamasastry, op. cit., p. 31.
100. Kane, op. cit., p. 200.
102. Kane, op.cit., p. 201.


104. Loc.cit.

105. Kane, loc.cit.


108. Kautilya, VII. 6; Menu, VII. 195-96.


See Kane, op.cit., p. 284, note 381.


111. Ibid., pp. 96-97.

112. Ibid., pp. 97-99.

113. Ibid., p. 99.


119. Menu, IX. 257ff.; for Narada and Brhaspati, see SBE, Vol. XXXIII, pp. 223, 359. See Kane, op.cit., p. 520.


121. Caurasaurer pekamantrihedajhah Kenekskrayi //
annadah athanadascaive Caurah saptavidheh sarteh //
See Bloomfield in AJF, Vol. XLIV, pp. 105ff.

123. Mc Crindle, *Ancient India as Described by Megasthenes and Arrian*, pp. 87-88.


129. *Rajatarangini*, VIII. 129.

130. Ibid., VIII. 124ff.


135. *Kautilya*, II. I.


