CHAPTER X

CIVIL TITLES IN NĀRADASMRTI CONCERNING TRADE AND MONETARY ACTIVITIES.

1. Partnership

Manu has dealt with Partnership at fourth place and Yājñavalkya has given Sixteenth place to the partnership rules in the order of titles of law, while Nārada seems to have given a bit of priority and place the partnership at third place.

Definition of partnership given by Nārada reads "where traders or others carry on business jointly, it is called partnership." Nārada explains this concept of partnership in detail. A business where several partners are carrying on business for the purpose of gain, then naturally their contribution to the common stock is either equal or in proportion and this forms the basis of their undertaking or business. Āsaṅkha has explained this concept as follows:

If a principal amounting to 1000 drāmas is invested in their common business by four partners, then one contributes one half of the principal, i.e. 500 drāmas, another contributes one fifth of the principal i.e. 200 drāmas, third person also contributes one fifth and the fourth partner contributes one
tenth i.e. 100 dramma. Since the share in the stock is not equal, the profits and the changes also will be in accordance with the share contributed by each partner.

Manu has expounded the idea of partnership rather briefly, as the application of these principles of allotment of the shares must be made among those men who perform their work jointly. Manu's associated dealings mainly imply to the division of 'daksina' by the officiating priests at a sacrifice.

Yajnavalkya's concepts of partnership are brief and seem to be the reflection of Manu's ideas, i.e., among the traders carrying on a business in partnership with a view to gain the profit and loss shall be according to the contribution of each to the stock, or according as was determined by special arrangement*. Mitaksara's opinion about partnership is, an agreement by which several persons agree to do any business together, under such agreement, for such work as is done by each of the people, such as traders, actors, dancers and like others working with a view to gain the share of profit or loss will be determined by regard to the contribution of each i.e. according to the quantity of stock supplied by each*. Mitaksara very clearly explains the concept of partnership. It even refers to the
agreement or compact done between parties, such as having regard to the chief qualities and capacity in each partner as per their contribution in the stock.

Nārada defines the partnership and he discusses about the contribution of the stock, income, expenditure and about agreement, but Nārada does not state anything about the eligibility of the persons undertaking such joint enterprises or which trade is suitable for partnership etc. Bṛhaspati has filled this blank. He is more explanatory regarding this concept. He says', one should not trade jointly with the people who are weak, lazy, suffering from diseases, those who always meet with bad luck and one without shelter, but one should go in joint entreprise with people who are from good family, alert, efficient and intelligent, who know about commerce and bookkeeping part, who are honest and brave. Bṛhaspati's contribution is not only constructive but his description has helped to visualize the development of the thought and clarity in legal procedure. But at the same time one cannot say that Nārada has ignored this though in his step-by-step method of developing a subject, probably, Nārada might have assumed that the people only with inclination, money
and enterprise will dare to enter into partnership, others will not. Mitākṣarā also explains about the kind of people who may go in joint enterprise viz. actors, traders, dancers, farmers, etc. Manu also does not say anything about the qualities of people in partnership enterprises except the priests who perform sacrifices.

The distribution of income can be different in the different kind of traders. Sculptors and other artists and dancers may get the profit according to their work. Traders in business may get gain according to their share in the investment. The difference between artists and traders is, traders have to invest in the stock to reap the profit according to their share. Asahāya has explained it well. Distribution of the profit is preceded by the expenditure as stock and other miscellaneous expenditure which are incurred in the business. Narada has given a detailed and wise thought to the expenditure. He included the stores the food, charges like roll and duties, the loss and fright, expense of keeping valuables etc. All these are to be borne by the partners, according to the terms in their agreement.
Nārada emphasises on the care to be taken by each partner, not only of their stock but the whole business. Each partner is responsible for what has been lost through carelessness, or in consequence of his acting against the instruction or without authorization from other partners. This is the sort of set of rules proposed by Nārada. When the partners undertake one trade together, they should confide in each other; this is obligatory on the part of each partner. If one partner takes to a certain deal thinking they would earn profit from that, without the knowledge of other partners, there is possibility that he may run into loss. It is not only breach of trust but the whole business will suffer the loss. One of the members may do his part of work carelessly or spend carelessly, and the joint enterprise may suffer loss or harm thereby. Here Nārada seems to have followed Yājñāvalkya. Yājñāvalkya also says that: "whatever forbidden or not sanctioned, as also what has been injured through negligence of one of the partners then he shall make good that property".

There are times when property of the partners is in danger from outside, which may be natural calamity or from robbers,
5. or from the king. At such times whichever partner will bravely resist the danger and save the joint property with proper means, will be entitled to get the 10th part of the saved property as a reward of his trouble to save the property. This proportion is the same as prescribed by Yajñāvalkya, i.e. tenth part of the saved property as the reward to the partner who saved it. Mitākṣara has explained it in more precise terms. "He moreover from among them, who preserves any merchandise from any misfortune proceeding from either the king or the like such a one obtains a tenth portion of the Merchandise thus protected."

There can be problem in the partnership when one of the partners meets with an accident or dies. The following problems may arise. These involve the law of inheritance:

(1) If one of the partners dies, who would substitute him in the business?

(2) If a travelling merchant who comes in a particular country and dies, what happens to his property and goods?

(3) How long should the king wait for the heir to come and claim what should be done in case property is not claimed by his kith and kin?
Narada has answered almost all these questions very clearly. (1) If one of the partners dies, then his heir (son or one appointed by him) should replace him; if heir is not there then any one of the partners, who is capable of becoming his substitute should replace him.

If the merchant from abroad or other land dies in the country, without leaving any will or instructions as such, then it is king's duty to preserve his merchandise, till his heir comes forward to claim it. There is possibility that the relatives of the merchant may not know about his demise, or they are unaware of the place he visited last; so nobody may come forward to claim the wealth. In such an eventuality it again becomes the king's sacred duty to find out merchant's kith and kins and arrange to send the goods and wealth to them. In case the king is unable to locate the nearones of the merchant, then he should preserve the goods for 10 years. That is the limit prescribed by law. He can add the wealth to his treasury, only after ten years. In this prescribed procedure the king is not blameable and the sacred law also is not violated.
Explanation of inheritance in connexion of partnership is definitely a positive contribution by Nārada. This speaks for the advancement in convention as also law of the land which Nārada quite rightly and clearly expresses and places a seal of approval thereon. It is quite likely also that these prescriptions are from social practice mainly and kings take recourse to these to set their own laws. Yājñavalkya stops at saying that, if the merchant from other land dies, his wealth shall be taken by relatives, kinsmen or the people of his caste, respectively in the absence of each preceding one. Failing all these the king shall take the wealth. Though Mitāksara explains it in detail, it has quoted Nārada to explain the topic. Nārada explains, it in minute details which are left out by Yājñavalkya. He does not stop saying that the king should take the wealth, but he makes the law which binds the king with his duty. Nārada seems to bear a subtle understanding of human nature. Even an honest person may feel tempted towards unprotected wealth and king is not an exception to this. So Nārada wants to protect this honesty and control the greed and put the king on the path of morality.
8. with the help of law. Here again, Narada loudly speaks that king is not above the law.

Manu, Yajñavalkya and Narada all three have discussed about the officiating priests, a group of priests who officiate at the sacrifice and get the fees. The rules about the distribution of fees of the priests is made simple by Narada. (1) If a priest meets with some clamity and is not in a position to continue his duty with the group, then another priest should officiate for him and the fee stipulated for the priest should be given to the person who officiates instead. It is the same as Manu's view, or rather Manu's view is repeated by Narada. (2) Sometimes the priest may leave the party (sacrificer) without any offence from the sacrificer, with anger or avarice, or the sacrificer may ask the priest to leave without his fault. This is punishable offence from the viewpoint of Narada. The one who is faultless (either priest or the sacrificer) can go to the king for justice. Manu has very clearly said about such cases, i.e. a sacrificer who forsakes officiating priest and an officiating priest who forsakes a sacrificer, each being able to perform his work and not contaminated by grievous
crime, must each be fined one hundred Panas. Yājñavalkya also expresses similar views and the mode of fine is the same as that of Manu. He not only says about the sacrificer and priest but whoever being the father, the son, the sister, a brother, the husband and the wife, the preceptor and the pupil abandon each other when other is not guilty, shall be fined hundred Panas.

Asahāya has commented similarly but he does not say about the fine, as Nārada does. But Manu and Yājñavalkya clearly put the nature of punishment i.e. fine and its exact amount.

Nārada has given three types of priests i.e. (i) one appointed by forefathers. (ii) One who appointed by Sacrificer himself (iii) one who performs the functions through friendship.

Procedure about these priests who forsake the sacrificer and vice versa, is as follows, (i) if, the priest employed by forefathers forsakes the sacrifice and does away, then he should be taken to the king; (2) if the priest appointed by the sacrificer himself, forsakes then he also should be taken to king. (3) One who is officiating at the sacrifice only through friendship, if he forsakes then there is no fault. In this case Asahāya comments that a sacrificer can appoint
10. a better qualified person on fee and let go his friend. Rules about tolls and duties are also included under the title 'Partnership'. This toll-house seems to be situated near the entrance of the town or city, so that the king's officers can collect the duty or toll from the incoming goods. It seems to be customary that a trader on reaching a toll-house should pay the legal duty. Since it is an act proclaimed by the king, no one should try to avoid it. This roll is called king's tax.

In Asahāya's view, the duty is the king's due and the traders must not deceive the king of it.

The rules about the toll prescribed by Nārada are very interesting. These rules show the subtleness of the law-maker which escapes nothing. Some points are worth noting. They are:

1) One should not avoid toll-house i.e. going by other way to avoid toll-house.

2) Whatever bought or sold should be done within the hours of the day, legally specified. This seems common in Manu and Yajñavalkya. Manu also opines that evading toll-house, buying and selling at improper time, etc., are the offences against the state and fine for such offences
is eight times the amount of duty. Nārada also has suggested
the same amount as fine. Asahāya's interpretation of out of
the legally specified hours* is 'buying and selling at an
unseasonable time a commodity on which he has not paid the
prescribed duty.'

(3) The trader should state the true and appropriate value of
his merchandise at the toll-house, so that proper duty can be
charged by the officers.

Further Nārada has suggested about the goods which do not
come under the toll-tax rule. They are as follows:

(1) The property of the learned Brāhmaṇa (Śrotriya) which is
his household things and which are not for sale.

(2) The property of the stage actors which they carry for
their show from one place to another.

(3) The ware one can carry on one's back. It suggests the
quantity of the ware which can go tax-free and after certain
quantity the wares become taxable.

Asahāya explains the point regarding the duty on Śrotriya's
household material. The term 'Śrotriya' means 'a learned-
Brāhmaṇa, applies here to the Brāhmaṇas in general. Asahāya's
interpretation of 'śrotriya' seems to be right, because as far as the officer at the tax collecting office is concerned, he may be able to distinguish Brāhmaṇa from other crowd, but he may not be able to distinguish a learned Brāhmaṇa from a simple Brāhmaṇa (who is not learned). Moreover, tax collecting officer is supposed to charge toll on the saleable ware, which can be easily distinguished by him. So the use of term 'śrotriya' to denote all Brāhmaṇas seems proper. Again one point is important, that the household things of the Brāhmaṇa are not taxable but if he carries the merchandise for sale then they become taxable. So just being a Brahmin does not make one eligible to carry anything without duty. Same is the case regarding actor or dancer's holdings i.e. the state material, make-up material and drapery which is not for sale but for one's own use, is not taxable. The same principle is applied even today. It is expressed by Manu that the king may be dying of want but he should not charge tax on śrotriyas' (i.e. Brahmans). The main features of this title, are that this is an extension of Manu and Yajnavalkya's partnership. Manu discusses mainly about the partnership of the priests and their wages. Other aspects like toll duty, fine for the
priest for 'saking the sacrifices, fine for evading duty, etc., are scattered in context with other topics. Whereas Yājñaval-kya's treatment is very brief. He discusses almost all the topics, but clarification of the legal points is not there, which is found in Nārada. Actually, the treatment of this topic in Nārada seems to be for more evolved, mature, detailed, to some extent even subtle as compared to that in his predecessors. This and similar treatment in Nārada is his singular attainment.

(2) Sales affected by another than the rightful owner.

"Sales affected by another person than the rightful owner" is a title of law. It has acquired seventh place in Nārada's treatise. Introductory definition is there, before discussing it's implications. The property kept as deposit or the property of a stranger lost by him and found by another person, or articles stolen, all such things are usually sold in secret.¹

Only Nārada does give the definition and a proper introduction to the title of Law. Manu starts the title by straightforwardly prescribing that the property, the owner of which has disappeared, the king shall keep it as deposit for three years.
14. After the lapse of the period the king may take it. Yajnavalkya starts by prescribing how such lost property should be recovered, and such articles are not usually sold publicly. The men who do it are of low kind and they may sell the articles at a very cheap price and at an unusual hour. Persons selling such objects naturally would do it at an unearthly hour because the article they are selling does not belong to them and another thing is, fear of exposition and punishment.

According to Viramitredaya the term 'property kept as deposit' may include by implication a 'yacita' and 'other kinds of bailments. Under the IIInd title, the law of deposits, the types of deposits are given like Yacita and Anvahita deposits and Nyasa and Pratinyasa deposits. If these deposits are not restored to the rightful owner, then the depository will be punished like a thief. Same is the case of the guardian of a wealthy boy, i.e. if a minor boy is entrusted with his wealth with another person by the father or parents of the boy, appointing him as the trusty of wealth and the boy, Until the boy becomes adult enough to take charge himself, the guardian may misuse the money or property. Law treats
such guardian as thief and the sales affected by him are not legal (if tries to sell the ward's property) and authorised ones.

Valid Sales:

Valid sales according to Narada are as follows:

1. Sales affected in public where witnesses are available.

Manu observes that if a chattel is purchased in the market before number of witnesses, acquires that chattel with a clear legal title by purchase. Yajñavalkya also stresses the point that sales should take place openly, at right hour and with proper price of the chattel and before witnesses.

2. Sale of the slave should be done by the person authorised by the master. According to Viramitrodaya the term 'a slave' has to be interpreted in a pregnant sense, so as to include young sons and other dependent persons.

3. The price of the chattel should be reasonable i.e. not very low in this case.

4. Sale should take place at the proper time of the day, i.e. may be market time.

5. After or before setting a chattel, vendor should be able to point out the source of the chattel, i.e. whether he has purchased it, if so then from whom, if he owns it then the proof to that effect, if he is acting for
some body then the proper authorization should be produced.

These are the valid sales.

**Invalid Sales:**

Invalid sales are these as follows:

1. Sales affected in secret.
2. Sales by unauthorized persons.
3. Sales which are affected outside the proper market hours or day time.
4. If the vendor tries to hide the source of the chattel,
5. If the sale of the slaves is not by an authorized person.
6. Sales affected by a dubious or criminal personality.

In the cases where property is recovered by its rightful owner, he can claim the chattel from the person who possesses it. It is legal. It is made more clear in the 8th verse. It is stated that if any person has lost something and found it again, he should notify it to the king or concerned authority where he has lodged the plaint. In Manu's opinion if the original seller is not producible, but the buyer (with whom the owner has found his chattel), is not blameable.
because he has purchased it in the public. The king would allow him to go, without punishing him but the original owner of the chattel shall get it back. For this reason only the owner should notify to the king if he notices his lost chattel. Yājñavalkya also declares that the owner of the chattel can recover his own property sold by a stranger.

If the vendor is found selling the chattel owned by someone else and this is reported to the king, then the vendor shall have to restore the chattel to its owner, and return the price to its buyer and in addition to that he shall pay the fine. This statement is similar to that of Yājñavalkya.

Rules regarding the found treasure:

Nārada has included, the topic of treasure, may be because the king owns everything in the state. The treasure found anywhere in the state belongs to the king.

Manu observes three categories, i.e. if anybody besides Brāhmaṇas discovers a treasure trove and truly declares it, then the king shall take 6th part of the treasure and allow him to keep the rest. If a Brāhmaṇa finds the treasure, he need not give it to the king. He can keep it for himself.
and if the king himself finds treasure then he shall distribute half to the Brāhmaṇas and half he shall keep in the treasury. Same is the opinion propagated by Yājñavalkya. Nārada does not go into details, since he has followed here Manu only. He gives it in a more condensed form. The rule propagated by Nārada is little different than Manu's rule, i.e. if a Brāhmaṇa finds the treasure, his first duty is to notify to the king. If the king gives that treasure to him, he shall keep it. In case the Brāhmaṇa fails to notify to the king, then the Brāhmaṇa is viewed as a thief. This peculiar view is not found in Manu and Yājñavalkya. Nārada, though he has expressed his regards towards Brāhmaṇas, here, it seems he respects the law of the land more, and feels that everyone should be equal in the eyes of law. This is a unique feature.

(3) **Non-delivery of a sold Chattel**

The merchandise sold at a certain price and not delivered to the buyer, is termed as non-delivery of the sold chattel. Nārada has used the term 'merchandise' (Panyam) to that what can be sold and purchased including the movable and immovable property. Such property is declared to be of six
types viz., (1) 'by tale' (Ganimam) - merchandise which is
counted before selling, for instance Mangoes and like. The
term 'tale' is used by Dr. Jolly to denote the meaning of
'Ganimam', i.e. what can be counted before selling. It can
be termed as countables also; (2) by weight - what is sold
by weight, i.e. silver, sandal wood etc.; (3) by measure what
is sold by measure like rice, wheat etc.; (4) according to
work output - i.e., bulls, milk cows or mules etc. This
may refer to the slaves also; (5) according to beauty i.e.
of a prostitute, female slave, etc.; (6) by splendour this
refers to the pearls, and precious stones of which the value
is determined by its luminosity and the like. This classifi-
cation is done according to quality as well as measure of the
merchandise. Rules and punishments regarding non-delivery of
the Chattel. (1) If property is not handed over to the buyer
after sale then the vendor shall pay the produce. If the
property is immovable like field, the crop should be given
to the buyer. If the merchandise is movable, then the profit
arising from it should be given to the buyer.
(2) In the case of movable property like a milch cow, the milk or the price of milk should be given to the buyer.

Yājñavalkya observes that having received the price of the thing sold if the vendor does not deliver it to the buyer he shall be compelled to deliver it together with interest. Mitākṣarā explains that if a seller does not deliver such a thing on demand to a local purchaser, and if that merchandise bore a higher price at the time of the sale, but is obtainable at a low price at another time, then the seller shall be compelled to pay to the buyer the article together with the excess in value of the commodity — whether movable or immovable over the one to which it is reduced. When there is no difference in the price of commodity and its original price, but the commodity retains the same price at which it was agreed to be sold at the time of the (contract of) sake, the seller shall be compelled to make over to the buyer the merchandise itself together with the profit which a seller might have made. Nārada also declares that if there is fall in the market value of the article in question, the purchaser shall receive both article and the difference in the point of value. This rule is applied to those who are local buyers. But the buyers, who travel
abroad i.e. who are in the habit of visiting foreign countries for trading purpose, may claim the profit which might have accrued to them from travelling abroad. This is the same as Yājñavalkya's opinion, i.e. 'to one who has come from a foreign country should be given the foreign profit.'

(3) If the article is damaged or destroyed after selling and not delivered or stolen, then the vendor shall make up the loss and pay back the amount or give another commodity to the buyer. It is considered vendor's fault, because it is he who did not deliver the chattel after selling it. According to Jagannatha, this rule refers to those cases only where the purchaser has not formally asked for the delivery of the property purchased by himself'. Yājñavalkya observes that if the commodity is injured by the act of God or the king, the loss shall be of the seller alone, if he did not deliver it on demand. Mitākṣarā stresses that another unblemished commodity, similar to that which has been damaged must be delivered to the buyer.

(4) If the vendor shows good article and sells the one with blemish, then the vendor is compelled to pay twice the price of article to the buyer and equal amount of the fine to the king, (i.e. king shall fine him equal to twice the price of
the chattel. This particular rule is only given by Narada.

(5) If a man sells something to one person (takes price of the article from him) and delivers it to another person, then the vendor shall be compelled to pay twice its value to the rightful buyer (i.e., first buyer) and shall be fined the stipulated amount. Yājñavalkya's similar rule is stated by Narada. Yājñavalkya also says that if a man sells a commodity to one, when it had already been sold to another man, or a blemished commodity as unblemished one, the fine shall be double the price of the commodity.

In the case, where a chattel is sold to a person and it is delivered to him but he does not accept it and returns it to the vendor, then the vendor is free to sell the same chattel to another person and return the money taken from the first customer. Yājñavalkya has clarified it, i.e., "a commodity, even if sold once may be sold again, if the first purchaser does not take it and if there is loss on account of the fault of the buyer, the vendor is not responsible for that". That may mean, if the article is damaged in transition, the vendor is not bound to pay back the money. The buyer shall have to bear the loss:
All abovementioned rules are regarding the transaction of the merchandise where price is paid before purchasing. Where price is not paid but verbally, the deal is decided, and even there, there is no agreement as to the time of the delivery, then the vendor commits no wrong if he retains the commodity sold. Viśramitrodāya explains it, thus where the price for a sold chattel has not been paid, and the purchase concluded through a verbal engagement only, there is no offence whether it be ratified or not, unless there should be an agreement in this form, "this purchase cannot be rescinded".

Nārada concludes this title of law stating merchants who regularly buy and sell all sorts of merchandise for the benefit and this benefit is either in proportion to the price of the chattel or great or less. So merchants should fix the price for their merchandise, according to the locality and season and refrain from the dishonest dealings. Manu does not seem to have discussed this topic. While Nārada and Yājñavalkya have given due importance to the non-delivery of chattel.

4. Non-payment of wages.

This title is 'payment of wages' and 'non-payment of
wages', i.e. the fixation of pay for particular work' and the non-payment in the circumstances when the job is undone, half left or damaged.

As Narada defines it, i.e., this a series of rules stated for the payment and non-payment of the wages, is termed as non-payment of wages' - a title of law'.

This title of law includes the following aspects -

(1) Payment of wages for the jobs in general.
(2) The situation where wages are not fixed but the job is done.
(3) Nature of fines and punishment, if one fails to perform the job.
(4) Rules about transportation of merchandise and nature of fine.
(5) Rules about cattleheads, discussion of their responsibility and nature of fine on failure of duty.
(6) Rules about prostitute's wages.
(7) Rules about rented house and land.
(8) Rules about hired commodities

Payment of wages for the jobs in general:

Making the payment for the jobs done is obligatory, by
law on part of the master, to the hired servants. Moreover, he has to pay the wages exactly in the manner which is agreed before, i.e. if it is decided that wages would be paid at the commencement of the job, after the job is half done and at the end of the job, i.e., in the three parts. Āramitrodāya explains it as, "the amount of the wages has been fixed by an agreement in this form. 'I will give you this much, it shall be divided into three parts and will give you on three occasions, viz. at the commencement, in the middle and at the end of the job.' This rule is applicable where wages are fixed before the commencement of the job.

(2) The Situation where wages are not fixed:

If the fees or labourcharge is not fixed before hand, then the servants of a trader, a herdsman and an agricultural servant shall take certain part of the master's profit, i.e. trader's servant should take tenth part of the profit, a herdsman's servant take tenth part of the milk. An agricultural servant shall take tenth part of the grain. However it is Yājñavalkya's opinion that the tenth part of the produce should be taken; but Narada says 'Labha' i.e. profit, and the profit may mean
that gain acquired from selling the produce.

Duties of Servants:

Any work or any duty which is entrusted to a servant he should protect it, or administer it with due care and should not neglect it. Yajñavalkya also observes that the servants also must preserve to the best of their ability implements of the husbandry, such as the hide and the rope of the plough and the like.

Punishment:

Master can compel the servant to work if he leaves the Jon in between and goes away. First the master should try to persuade him and give him his wages in advance (thinking he may perform his duty well). Even after paying, if the hired servant does not do his assigned work, the court would compel the servant to pay back twice the amount of his wages.

Manu's views about fines is a little different. He ordains an exact amount for the fine. A servant who does not do the job according to agreement shall be fined eight Kṛṣṇalas and no wages shall be paid. Yajñavalkya has ordained twice the amount of the wages agreed as fine; if the servant has received
none then he should have to pay equal amount of the wages.

Here Yājñavalkay's version is more explanatory to understand Nārada's view. Manu has ordained fixed fine so it is self explanatory.

Rules about transportation of merchandise:

If one abandones the merchandise which he agrees to take to an agreed destination, then he should return the sixthpart of the wages. If a carrier fails to transport the goods entrusted to him he would have to pay his complete stipulated wages or he shall be compelled to pay twice. According to Mitākṣara this excessive fine is to be inflicted in the cases of important occasions like marriage ceremony and if the carrier at the time of the job (agreed time) denies to take the goods, then he should be charged twice the wages stipulated for him i.e. obstruction raised at the time of starting. If the goods are damaged because of the fault of the carrier, then he shall make good of it, but if the goods are damaged because of the atrocities of the king or natural calamity, then the carrier is not responsible for the loss. Yājñavalkya observes that if the vehicle or goods perish or damage because of the act
of god or the king, the carrier is not responsible for the loss, otherwise he shall have to forfeit it.

The other side of this problem is, if one employs a carrier and does not pay him, then, (1) if an employer does not pay wages which he has agreed before, then the court can completes him to give wages with interest. In Yajñavalkya's opinion if the employer causes to abandon the work, after setting out for it, he shall pay seventh part of the wages to the carrier, if he causes to abandon it on the way, he shall pay fourth part of the wages and if he causes to abandon it in midway then he shall have to forfeit the entire amount of the wages. Narada's view is a little different. If a man hires a conveyance, i.e. mules to carry load, carts or horses and promises to pay on extra hire to the owner, but does not take the conveyance, at the time specified or he does not want it, in that case, he shall have to pay one fourth of the promised wages to the owner of the conveyance. If he takes them half way only and causes to abandon the work, then he shall pay full hire. The 'Seventh part' of Yajñavalkya is not found in Narada. The Nepalese Ms. of Naradaśmirti gives a little different version about the cases above mentioned. (1) If
through the fault of employer (work is abandoned) he shall be rewarded for as much as has been finished by him.

(a) An employer who does not pay wages after having set the workman to work, shall be compelled to pay the wages together with interest.

Rules for herdsmen - Wages of the herdsmen ordained by Nārada is one young cow for tending hundred cows for one year and one milch cow for tending two hundred cows for one year. On each eighth day he is allowed to take milk of all the cows.

Manu's opinion differs from Nārada's. According to Manu, a hired herdsman whose wages are paid in the form of milk he (herdsman) should select one good milch cow out of ten (Manu does not say whether it is one out of each ten) with the consent of the owner and take that cow's milk. Probably this may mean 'one good cow's milk out of each ten cows, because it is considered as wages and no other wages are paid. Yājñavalkya's "non-payment of wages" (title of law) ends with the discussion of merchandise. He does not seem to discuss about herdsmen.

Duties of herdsmen - Herdsmen should take good care of the cattle and should not neglected. They are expected to make good of the beast or cattle strayed, lost or destroyed
or killed by dogs or fallen in a pit, unless he has tried to prevent it; i.e. if he tries hard to prevent such happening to the cattle, but fails to protect, then the blame does not go to him. This rule seems to have been formed on the basis of Manu's rule, i.e. during the day, the responsibility of the herd and its safety is of herdsman and owner's responsibility is at night, if the cattle is kept in the owner's house, otherwise if herdsman is entrusted the cattle at night also, then it is his responsibility and Narada has described herdsman's duties in the similar way, i.e. herdsman shall take the cattle to pastures everyday for grazing and he should bring it back in the evening after the cattle has eaten grass and drunk water. Yajnavalkya also stresses the point that the herdsman should bring back, the cattle in the evening in the same condition in which he took out in the morning.

When a cow meets an accident then the herdsman should try to save her at his level best, and if he is unable to save her he should go and immediately report to his master (i.e. the owner of the herd). He should struggle to protect the cattle. He should raise cry, if the sheep or goat is surrounded by wolves. He should raise cry if robbers come and seize the
beast. He should bring it to the notice of the master and solicit his help. Manu thinks, if herdsman raises alarm, but gets no help or robbers are overpowering and herdsman is rendered helpless, then it is not his fault.

In the case of natural death of animals (while tending them on the pastures) herdsman should be able to bring the tail, horns and other parts as the proof so that blemish would not come to him. Julius Jolly says that the rest (parts of animal) may be referred in accordance with the analogous rule of Manu, to the ear, hide, bladder, tendons, the yellow concretes bile and special proofs and marks.

Punishment for the herdsman who commit faults: If the herdsman do not take enough trouble to save the cow or does not raise alarm for help or announce it to the master then he must pay back the value of the cow to the owner of the herd and pay the stipulated fine to the king. This may be the proof of his carelessness.

Any cattle goes astray and if the herdsman do not try to find it or a beast is killed by dogs or wolves, or fallen in a pit and if herdsman do not take enough trouble to prevent the mishap or help the distressed animal then he shall make good
of it to the owner. This view is identical to that of Manu. Nepalese Ms. adds that, if the cattle die, let him give everything to the owner, the tail, the skin, the hindpart, the thigh, the bladder etc. and let him point out their particular marks. This is identical to Manu as discussed before.

The punishment includes fine and compensation to the owner of the cattle.

A very positive development by Nārada is he made it obligatory on part of the Masters to pay the proper wages as agreed before. Not only that but Nārada fairly laid-down the rules by which master and labourer should not be harmed.

Herdsmen can be paid in form of milk and a heifer as wages as well as cash. The punishments are mostly fines and Nārada does not suggest any bodily or harsh punishments.

**Rules about Public Women:**

Apart from the various types of marriage practices every society always has this reality to face and everytime lawmakers have the responsibility to regulate the practice of prostitution and make necessary rules for the same.

The duty of the public women is they should not decline a man after receiving money. If she does so, then she shall have
to pay twice the price stipulated. However illness is considered as a legitimate reason for breaking an engagement of this sort.

If a man approaches a public woman and does not pay the fee after having pleasure with her, or if he demands unnatural connexion or he pays for himself (i.e. for one person) and approaches the woman with many other men, then for all such offences the fine ordained is eight times the stipulated fee.

This is very interesting to note the keenness and insight of Nārada regarding the most neglected part of the society. However low their trade is considered, he is particular to see to their problems and give legal protection to them. Moreover eminent thinkers like Manu and Yājñavalkya do not seem to give any thought to this important aspect of the society. Nārada insists that particular fee should be paid and for atrocities committed by people on them such women can go to the court.

Rules about renting a land:— If a man takes a piece of land on rental basis and builds the house, he can take the thatch, timber and bricks with him when he leaves the land. The tenant, if he is not paying the rent for the land and
Builds the house in that case he cannot take the building material of the house. Julius Jolly's opinion about this rule is, the delivery of the materials, out of which the house has been constructed, to the owner of the ground has to be regarded as a compensation for the ground having been used, without authorisation from the owner.

Rules about the hired commodities:

Hired commodities or goods should be restored to the owner after the expiry of the period agreed upon. If the hired commodity is spoiled or destroyed then the hirer should make good of the same. This rule applies in the case of water-jars and the like having been injured or destroyed.

Manu's treatment of the "non-payment of the wages" is very brief. Manu has discussed labour's wages at one place in three verses and problems regarding herdsman at another place. Manu does not seem to speak about public women, renting land and hired commodities. Yajñavalkya makes separate chapters for 'non-payment of wages' and for 'the disputes between the owners of the cattle and herdsmen. Moreover, Yajñavalkya also does not seem to discuss about public women, renting the land and about hiring commodities.
Nārada's development is rather positive. Wherever wages are paid for hiring a servant, herdsman, public women, land, commodities, carrier, vehicle, beasts of burden and the like, Nārada has put them all together for the sake of easy reference of the similar rules and understanding of the law. This unification of the rules is unique about Nārada. He has given thought to those things like renting land and public women where other thinkers fell short. It is clear that law is casting its net wide and wider and Nārada also expounds his rules and views accordingly. Thus, he moves very much with his times, may be, he even influences the prevalent law of the land.

5. Rescission of Purchase

This title of law is a set of rules about that part of sale, when the buyer intends to return the commodity, he has bought due to some reason. Following aspects are discussed regarding the rescission of the purchase - (1) When purchaser returns the commodity - reasons; (2) time allowed to approve the article; (3) conditions about returning different commodities; (4) What the purchaser looses on returning the commodity.
A common buyer, when he purchases the commodity that is because he wants it and is happy about his purchase. After taking it home he may find fault with the commodity or he may think or discover that he has paid exorbitant price, or just think that the bargain was the foolish one or not necessary at all. 1

In such a case the buyer should return the article on the same day and in an undamaged condition, 2 so that the vendor does not suffer any loss, because it is not vendor's fault, if he has sold unblemished article. In such a situation rules are set about, 'how the rescission of purchase may take place', i.e., if the purchaser brings back the article after two or three days, that may mean that the purchaser might have used it and vendor may not get the same price for the article if he sells it to another customer. Rule is laid down to accommodate such condition. Purchaser should pay certain portion of the price of the commodity to compensate vendor's loss. Vendor would return the amount after taking some part stipulated by the rules from it. Discussion regarding these rules is as follows:

(a) If the commodity is returned on the second day, the purchaser will have to forfeit 30th part of the price. If it
is returned on the third day, purchaser will lose \(\frac{3}{5}\)th part of the price.

Approval time for certain commodities is allowed before the final purchase. If the customer is fully satisfied about the qualities and price of the commodity, he should decide within that stipulated time or return it. If the Customer has examined the article for full period of approval and purchased it he cannot return it.

Nārada has prescribed certain time for different commodities. The stipulated time of approval for milch cattle is three days. For other beats of burden, it is five days. In the case of precious stone the approval time is seven days. Male slaves can be examined within fifteen days and female slaves can be examined within a month. All sorts of grain is allowed the time of ten days. For iron and clothes it is only one day.

Manu does not seem to specify about the approval period, for any article which is purchased, it can be returned within ten days and after that the article cannot be returned. Nārada has followed Yājñavalkya in allotting the approval time except for one item, viz., clothes. Nārada has allotted one day for clothes and Yājñavalkya does not mention the period
for clothes. Whereas Nārada goes into details and has devoted three verses for the discussion about the clothes. He says, a worn gown, which is in ragged condition and soiled cannot be returned, except it be in the blemished condition at the time of purchase. If one uses a new apparel on approval and washing it for the first time, then if he returns that apparel to the vendor, he loses eighth part of the price. The vendor shall take the fourth part of the price if the apparel is washed twice and then returned. If it is washed for the third time, then one third of the price and one half of the price shall be taken by the vendor if it is washed for the fourth time. Viramitrodāya explains when apparel has been given to a washerman to be washed by him, he is bound to make good the value of that which has been spoiled by him. If it has been washed for a single time, he must make good its original value minus an eighth. If it has been washed twice, he must make good its original value minus a fourth. Thus if it has been washed three times, a third has to be deducted from the original value and so on. This explanation, though clear in its sense does not seem to fit in with Nārada’s context. Nārada is discussing about the approval time stipulated for the
clothes before final purchase. In continuation with the previous verse Nārada says that, if only fringe of the cloth is tattered then one fourth of the original value can be received back, but if the cloth is in rags then, there is no rule regarding the reduction of the value. Probably this 'no rule' suggests that there is no value for the cloth and it cannot be returned to the vendor.

This discussion about clothes is a notion of changing times from Manu's times through Yājñāvalkya to Nārada's. Manu does not mention any specific commodity and specific time for approval. Yājñāvalkya mentions other commodities but does not speak about clothes and Nārada goes into details about clothes. Here one can read nature of society's outlook. Manu's society seems rigid, more religious minded and not caring much about worldly pleasures and outward show of clothes. Rather the concept of rescission of purchase does not seem very popular with Manu. Yājñāvalkya's society seems to be more concerned about all the deals and the neatness and choosiness of the deals. Still clothes must have been a necessary item, which does not attract the selection, beauty and price wise to the commoners, which we can feel with Nārada. He not only allots
approval time for the clothes, he thinks about different types of clothes and its reduction rate price-wise. Nārada actually seems to be rallying with the time and understanding its nerves. Like Manu, he does not give his personal opinion after sanctioning certain social trends. Nārada seems to be more close to the social trends and usage and prescribes his rules accordingly. He is thus more scientific than Manu and Yājñavalkya both.

Now here one important point comes up, which demands attention. Nārada has already said that when the purchase takes place after the approval period, it is final and one cannot return the article. Still the rescission of purchase is discussed. One can conclude that this approval scheme may not be available for everyone and for all the items. Every time it may not be possible to give the commodity on approval. It is even difficult about the travellers. Lines dividing such issues in transaction are not quite clear with Nārada.

In case of the commodities which are returned on the second day of purchase, the vendor shall deduct 30th part of the price of chattel. If the commodity is returned, then the reduction is double (i.e. 15th part of the price). After
three days one cannot return the article. Even the damaged article like waterjar, ragged and soiled apparel cannot be returned if it's condition was new at the time of purchase.

Nārada was allowed only three days inclusive of the day of the purchase and approval period is separate. As Dr. Betai observes, Nārada adds one very wise rule, when he states that rescission cannot take place, if the thing is bought after proper examination and trial for the days fixed.

The reduction rate is different for the different commodities. It can be separated into two categories, i.e. clothes, stiched or unstiched, cloth and yarn made of wool, animal hair, cotton, embroidered cloth silk and cloth prepared from the inner bark of trees.

The stitched clothes lose their value with each washing till the clothing is washed for 4th time and the like.

Nārada has prescribed the rules regarding the examination of metals. There is no other way to examine the metal than putting it in to fire, to determine the purity of metal. And if one tries it, the metal loses it's weight by exposure in fire. The purest of metals is gold and the treatement by fire does not affect it. Siver, when tested by fire loses two
palas in the hundred. Tin and lead lose eight palas in the hundred. Copper utensils and copper lose five palas to the hundred. For iron, there is no rule as much, because of its nature, that iron is defiled easily in humid weather and water. This is a rule similar to that of Yājñavalkya. Only Narada does not give particulars about iron. Yājñavalkya does give; i.e. loss of weight of iron is 10 pālas to hundred. Mitākṣarā explains that; 'the value of gold is not diminished on its being heated in fire. Therefore, as much gold as has been delivered to a goldsmith for making an ornament, that much shall the goldsmith restore after having weighed it, otherwise he shall be compelled to restore the loss and also to pay a fine. Scientifically it is proved that metal loses weight in fire and this loss is legally approved. Any artisan in whose case loss of more weight of a metal than specified is found shall be punished.

These are the rules of rescission of purchase. Narada suggests that persons who are acquainted with the qualities of merchandise should not annul a purchase once made. He is supposed to know loss and profit and origin of the merchandise he deals with.
Notes (Partnership)

1. वाणिज्यक्रमे यह कर्म सम्भव होते हैं।
   तत्सम्भवतत्त्वान्विने व्यवहारवर्य होतम्।
   - Nr. III. 1

2. परन्तुताप्रयेन कर्म साधू चूक्ष्टा।
   आधारभूत: पुक्कादेनोयति कठोरत्वेऽरुपा।
   - Nr. III. 2

3. क्रमांगिज्यमिलितवा दूसरोत्सर्वे पिण्डे वाणिज्य पुरार्थवर्यः।
   ततैवेनायेष्व एक्चक्ताति निषिद्धताति।
   अन्वेषन पूर्वकः
   कर्तव्यः।
   अन्वेषणाति ब्राह्मवैवध।
   अपोरेण दर्शस्ति वैष्णवः।
   एवेत मान्यमि भेदवैणन्तिक:।
   on Nr. III - 2.

4. Manu VIII - 211
5. Manu VIII, 206-210
6. Yāj II 259
7. Mitakṣarā - on Yāj II 259
8. Mitakṣarā on Yāj. II 259
9. Bhāspati
10. Mitakṣarā on Yāj. II 259
11. Asahāya on Nr. III 2.
12. क्रमांगिज्यव्याधिकाराचारसाराचार्येऽव्रवेधः।
    क्वुत्वे व्याधिवर्य सम्य त्यथे व्याधिस्थानः।
    - Nr. III. 4
13. पृष्णदानानां दात्यः पृतिकंतुकूलं च यतः ।
अतिदवस्तव यतौ कुशात् सरसकारिनिम् ।
- *Nṛ. III, 5*

14. *Yāj. II, 260*

15. देवताकरराज्यो व्यस्ते समुपरिक्षो ।
वर्त्तनकालया खेत्ता तस्यासि दर्शन: स्मृत: ।
- *Nṛ. III, 6*

16. *Yāj. II 260*

17. Mitāksarā - on *Yāj. II 260*

18. एस्त्य वेलादिव व्यस्ते दायादोऽरुप्य कदापनपापतू।
अन्यं वा सति दायादेशकार्येव यथ वा ।
- *Nṛ. III 7*

19. - *Nṛ. III, 7. III 16*

20. कङ्किचैवलस्तैवर्तेऽक्तप्रेरायादमानागतो वर्णः ।
राजस्य भाष्यं देशं याबद्धार्दशस्यस्य ।
- *Nṛ. III, 16.8*

21. अस्वामिकमदापादिनश्वदितिभिः ततः ।
राज तदारस्तताक्ष्यादिवं धर्मं न हिंदो ।
- *Nṛ. III, 18*

22. *Yāj. II, 264.*

23. विन्यासां व्यस्तेणप्यवस्तितकम् नितस्तेतु।
लेभेऽ दक्षिणमाणि तत्स्तमाल्लकः कलितम् ।
- *Nṛ. III, 8.*

24. *Manu. VIII 206*

25. *Nṛ. III 8.*
26 Manu. VIII 388

27 Yaj. II, 237

28 अद्वैतमयं अन्यकारिष्टमयं याजेः याजद् यम्नतव्यं कमलंतव्यं
क्रोधोभावदिना अद्वान्तर यथा तद्वर्तति। अथ यम्नतव्यं
याज्य यथा तद्वर्तति। ततः प्राप्तविज्ञानात्मकार्योद्धारं तथा
वदिनम् गुह्यः।
- Asahaya on Nr. III, 9.

29 यदृच्छया च या: कुर्याददितिर्वर्जः प्रीतिपूर्वकम्।
- Nr. III, 10

30 क्रमागतेष्व धर्मौ वृद्धिकृतुः यम्नतव्यं च स्वयं।
यादृच्छिकृतुः याज्यतः तत्त्वायं नास्तिकिल्पिकम्।
- Nr. III, 11

31 ये यम्नतव्यं: प्रीतिविषय: कृमागत:। तथा ये स्वयं युताः भयन्ति।
तेऽपि त्यपेक्षा युक्तपरित्यागः विनयाविधारीः कृतः। यस्तु न
पूर्वदूरोऽनच च यथा युतः। यदृच्छयागतः: प्रीतिपूर्वकम्
करौऽति। तस्य तद्वर्तितं अन्य: कर्मचमुचातिरिक्तः। शेषाविनिर्मित्या
वा तस्मानो भयन्ति। तदा ते यदृच्छया गति परित्यज्जतस्ते देहातिरिक्ते
तदीयमाध्यमिकार्यस्त्व दक्षिणाभागः च तस्य प्रयथ्यागः याज्यस्त्व
काशी नास्तिकिति।... अथा शैलिको येहो भयन्ति।
- Asahaya on Nr. III, 11

32 सुलभस्यां वर्षिकाः प्राप्तः: सुलभं द्वाप्रयोगिकम्।
न ततः व्यवितीप्रजाः बालेरेष प्रकीर्तितः।
- Nr. III, 12
33 पर्याप्त नाम श्रव राशि बलि: पृष्ठान्वयं । त े व्यङ्ग्यकृत्तम् ।
वाणिज्येन व्यांविहारिते ॥
- Asahāya on Nr. III, 12.

34 Manu VIII, 400.

35 शुल्कस्थानं परिष्करणकाले कृपाविपक्षोऽः
रितियोक्त्रत्व च परिमार्जन दान्योऽष्टदशोमन्यत्यम् ॥
- Nr. III, 13.

36 "अभाषाद्विप्रमुखः शुल्कस्थ विनयतर्य ध्यानन्वयमुदिश्च ॥
कथाश्च शुल्कश्च परिष्करणसाधनस्वैव वाणिज् गच्छतः ॥
द्वितीयमदलतेश्च भाषणांश्च वाणिज्यं कृतस्त्र ॥
तृतीयं भाषणांश्च वाणिज्यं गच्छति ॥
रोपितरामस्वते पापिति वाणिज्यमुदिश्च वाणिज्यमुदिश्च
रामकृत्ति दशावतिति ॥
- Asahāya on Nr. III, 13.

37 Nr. III, 12, 13.

38 रजसर्वेक्षण सोहोनयोऽः पुजान्तता ॥
मृगोपीणयोऽः योश्चाः न तु वाणिज्यिज्ञानं ॥
पुरातितश्च द्विजातीति धनं रक्षोभविज्ञानं ॥
स्तन्यान्यं च यद् दृष्टं न तदहारं पुजार्यां ॥
- Nr. III, 14-15.

39 Manu VII, 133
Notes (Sales affected by another person)

1. विक्रेताः या परदूर्व नां लक्षणापूर्ण या
   विक्रेतासहिन्दी स्वामित्वकृतः ।
   - Nr. VII, 1

2. Manu, VIII, 30

3. Yaj. II, 168

4. Yaj. II, 168

5. Viramitrodaya, quoted by J.J., p. 144

6. Nr. II, 14

7. Nr. II, 13

8. Nr. II, 15

9. लक्षणापूर्ण समाप्त्य कृतं
   प्रकाशार्चकृतां शुद्धिः
   शृद्धिः केत्तुः ितेषो रसः कृमात् ।
   - Nr. VII, 2

10. Manu, VIII, 201

11. Yaj. II, 168

12. अन्त्यमानं तांत्राकादमसं जनादेहः ।
   हीनामल्प्यमेवत्स्वेवुद्वर्धिष्ठितः ।
   - Nr. VII, 3


14. Nr. VII, 3

15. Nr. VII, 3

16. न गृहेतागमं केत्ता शुद्धिक्षतात् तदागमात् ।
   विपयं तःविपयका तोषाद्विधं व सोहेन्द्रिति ।
   - Nr. VII, 4

17. Nr. VII, 3

18. Nr. VII, 3
19. Nṛ. VII, 4
20. Nṛ. VII, 3
21. Nṛ. VII, 2
22. Nṛ. VII, 2
23. स्त्रयायनस्त्रया नल्लो ताल्लो रोते स्त्रयायनस्त्रया
गृहीयायत्तम ते गृहीयायत्तम स्त्रयायायत्तम ॥
- Nṛ. VII, 8
24. Manu, VIII, 202
25. Yaj. II, 168
26. विख्यता स्त्रयायितवो तथा कृते गृहीं च तत्समाद् ॥
दवादुर्गुण तथा राज्ये विधिस्त्रयायितवमिविक्रेये ॥
- Nṛ. VII, 5
27. Yaj. II, 170
28. परेष निन्द्वान लक्ष्यवार्ता राजलक्ष्यवार्तिनिपिनिं ॥
राज्यार्थी निन्दिः तदाच्छेदो व्राह्मणाः ॥
- Nṛ. VII, 6
29. Manu, VIII, 35
30. Manu, VIII, 37
31. Manu, VIII, 38
32. Yaj. II, 34
33. ब्राह्मणोपिनि निन्दिः लक्ष्यवार्ता मिस्रिः राज्ये निविदयेत ॥
तेन द्वलयाः च भून्यात्तम लोकः स्त्रयायाविदयाः ॥
- Nṛ. VII, 7
Notes (Non-Delivery of Sold Chattel)

1. विक्रिय पण्य मूल्येनि क्रेट मनः प्रदीयते ।
   विक्रियायस्मुदार्ल हासिलवादयमायते ।
   - Nr. VIII, 1

2. लोकेष्वरसिद्ध नमिविहारी जाभो धार्नि तथा ।
   कृत्यकृत्यमूः तव तत्परमोभयो ।
   - Nr. VIII, 2

3. 'विरामित्रोदया' quoted by J.J., p. 147.

4. विक्रिय पण्य मूल्येनि क्रेट यो न प्रमुखति ।
   स्थायारस्योंदे दायशों ज्ञानात्य विवारितम् ।
   - Nr. VIII, 4

5. 'विरामित्रोदया' quoted by J.J., p. 147.

6. Yaj. II, 254

7. Mitaksara on Yaj. II, 254

8. अर्ध्यायाप्रोक्त सिद्ध पण्यमायतः ।
   स्थायनामेव नियमों दिनिपातों विवारितिविशेषः ।
   - Nr. VIII, 5.


10. Yaj. II, 254

11. उपह-पैत्र वा तुव्र्य दत्तेयताप्रियेत वा ।
    विक्रेतायेव तीजनासु विक्रीयार्यायुपचत: ।
    - Nr. VIII, 6.

12. आस्थायकता: अप्राथमिकि अनुसार विनय विक्रेते
    आस्थायकता: राजदेवोपाध्याया तीना उपहत्य पण्य वि
    वाग्युस्सैन्येवायुपचत: राजदेवायामप्रमतिमि विक्षुरूर्वान्यानि-
    सुपरिद्याति विक्रेत्य देयसिरवः ।
    - Jagannatha III, 3, 37, quoted by J.J. in
    Institutes of Narada, p. 158
13. Yaj. II, 256
14. Mitaksara on Yaj. II. 256
15. निद्रोध सर्वित्वत: तु तदार्जे य: प्रयुक्तात् ।
   सुल्खे तु हिन्दुण्यं दायीयो विनयं ताम्यवते ।
   - Nr. VIII, 7
16. तथान्यत्तथापिकितं योंत्रत्मै सम्पूर्णाः ।
   सौपित तद्विष्णुण्यं दायीयं विनयं धैव राजान ।
   - Nr. VIII, 8
17. Nr. VIII, 7 and 8
18. Yaj. II, 257
19. दीयमात्र हु गृहसाति कृतक पर्वः च व: कृयाः ।
   निर्विषे नस्तदान्यं निकृता नायरः पुराणा ।
   - Nr. VIII, 9
20. दस्तनूदलस्य पर्वः सावित्रेव प्रकीर्तितः ।
   अदलेश्वस्य सम्यांन विक्रेतरिक्रियः ।
   - Nr. VIII, 10
21. ताप्येऽविषज्ञ सर्वनिष्पेक्षौ क्योचिरः ।
   स च तामेऽस्त्राक्षासाध महानुष्ठाति वा न वा ।
   - Nr. VIII, 11
22. तत्समाधेऽविषज्ञ च काले च वाणयश समाश्रयः ।
   न निज्ञाय च पुष्टेत् ख्रयोत्तादी वाणयकथः ।
   - Nr. VIII, 12
Notes (Non-payment of Wages)

1. भूमान वेतनस्वार्थी दानादानविविधां: ।
   वेतनस्वार्थीकर्म तद्विवादधार्म त्वृतां ।
   - Nr. VI, 1.

2. मूलाय वेतनं द्वारम कर्मवामी यथाकृतम ।
   आदि मध्यस्तवसाने वा कर्मो यथानिविचत्तम ।
   - Nr. VI, 2.

3. वीरमित्रोदया, quoted by J.J., p. 139

4. भूमार्निर्द्विख्याया तु दम्मान्न समाप्तनुः ।
   लाभोधीजन्याना विन्दमोपकृतिबलाः ।
   - Nr. VI, 3

5. The phrase used 'the seed of the cow' (Gobija) is
   interpreted by commentators as 'milk of the cow'.
   - J.J., p. 139

6. Yaj. II, 194

7. क्रियोपकरणं वैयं क्रियं यत्पर्ययाहृतम ।
   तत्तस्वमेन कृष्णितं न जिकैन समाचारेत् ।
   - Nr. VI, 4.


9. कर्मव स्निन्न प्रतिश्चत्य कारों दलम भूतं बलात् ।
   भूतं यहतित्वा कृष्णी विगुणं भूतिमापकेः ।
   - Nr. VI, 5.

10. Krsnalas - i.e. of gold, sivler or copper according
to the case - Medhatithi on Manu, VIII, 215

11. Manu, VIII, 215

12. Yaj. II, 199-193

13. भूतिभिस्मचार्याद्वते यथैयुगमृतेत त्वपाय ।
   अवदत्त कार्यरत्वा तु सौदयं भूतिमापवेदं ।
   - Br. VI, 6.
14. अनन्यचाण्डीप्रेमसूति भृतिहानिमानवपुष्पपादु।
दुग्मण तु भृतिपर दाच्य: प्रस्थाणे विफ्नवरणव।
- नृ. VI, 8

15. Mitakṣara on Yaj. II. 197

16. Yaj. II. 197

17. भाषण ध्यानमार्गः प्रेमविपश्च:।
स दाच्यो यकुण्डस्तः तपायुवराजपद्विः।
- नृ. VI, 9.

18. Yaj. II, 197

19. नृ. VI, 6

20. Yaj. II, 198

21. अनन्य भाषयत्वा तु भाषणःवाच यानवाहते।
दाच्यो भृतियहार्थस तस्मादीये त्यजन।।
- नृ. VI, 7

22. Yaj. II, 198

23. नृ. VI, 6, Nepalese Ms.

24. नृ. VI, 7, Nepalese Ms.

25. गवं शारदलितरी वेदः त्याद्विद्वादश्शृणु।
प्रृति संस्करण गोपे संस्करणाधिकेतें। हान।।
- नृ. VI 10

26. Manu, VIII 231

27. अध्यायक्षणाधिको स्तवाभिस्व वायवायान।
वेदार्थस्तं पोपस्तां विनयं वायापि राजान।।
- नृ. VI, 13

28. Manu, VIII, 230

29. उपायायति या गोपः प्रत्यः रजनीक्षेत्।
वीणाः पीतारय तत्स्य पाय: तयात्क्रो पुष्पाण्वेत्।।
- नृ. VI, 11
30. Yaj. II. 16
31. सा चेतु गौर्यसन्त् गंगेद्वस्यायनं भक्तिः | अविभास्याण्य गम्य स्वामिने तत्प्रथितः ॥
   - Nr. VI, 12
32. Nr. VI, 13
33. निर्मित्याः कृतमिच्छसि: नवंतरं विषये मूर्तम् | हीनं पुनः दार्शनेन पालितम् निपाततेऽऽऽाऽऽाऽाऽाऽाऽाऽाऽाऽाऽाऽाऽाऽाऽाऽाऽाऽाऽाऽाऽाऽाऽाऽाऽाऽाऽाऽाऽाऽाऽाऽाऽाऽाऽाऽाऽाऽाऽाऽाऽाऽाऽाऽाऽाऽाऽाऽाऽाऽाऽाऽाऽाऽाऽाऽाऽाऽाऽाऽाऽाऽाऽाऽाऽाऽाऽाऽाऽाऽाऽाऽाऽाऽाऽाऽाऽाऽाऽाऽाऽाऽाऽाऽाऽाऽाऽाऽाऽाऽाऽाऽाऽाऽाऽाऽाऽाऽाऽाऽाऽाऽाऽाऽाऽाऽाऽाऽाऽाऽाऽाऽाऽाऽाऽाऽाऽाऽाऽाऽाऽाऽाऽाऽाऽाऽाऽाऽाऽाऽाऽाऽाऽाऽाऽाऽ.
46. अगोनो वा समाजामेंहृत्वस्त्रिपि वासपैतु ।
शूल सीवित्तूर्ण दांपथीं विनर्यं तापदेव तु ।
- Nr. VI, 19

47. पराजिरे गृह्य तृत्या रत्नमं दत्तवा वस्ततु यः ।
स तद्गृहीत्वा निर्णयेत्तृणां त्राभृष्टकामदिक्षम् ।।
- Nr. VI, 20

48. सतीम् विना वस्ततिवा हृ परम्पापाविचर्यतः ।
निर्णयेत्तृणां न गृह्यायां कदाचन ।।
- Nr. VI, 21


50. सतीम् वाहिनि भाषार्थ युण्यानवाजिन्यायतः ।
गृह्यतृतीयो भैरवमण्यं न गृह्यायन संचितात् ।।
- Nr. VI, 22

51. Vīramitrodaya quoted by J.J., p. 144
Notes (Rescission of Purchase)
11. Nr. IX, 7
12. Nr. IX, 8
14. Nr. IX, 9
15. Nr. IX, 3
16. Nr. IX, 3
17. Nr. IX, 7
18. Betai, R. S. 'A Reconstruction... p. 348
19. लोहानामणि लवंऽंतुरार्ज्ञा निष्क्यिता ।
क्ष्यत: तपविप्रयमाणाय न लवं दुर्मितोर्ज्ञते समाभासः ॥
- Nr. IX, 10
20. सुवर्णस्य क्ष्यो नाटित राजस्त दिखल वस्त्रम्।
श्रममंनवल्ले क्ष्यतु श् प्रुलीसयोः ॥
- Nr. IX, 11
21. तामेऽ पूर्ण वर्ष विधि दिक्कारे येष च तत्त्वमः।
तद्गातात्तिनेक्षर्वद्यतूर्दसिनयमः क्ष्ये ॥
- Nr. IX, 12
22. Yaj. II, 178
23. Mitaksara on Yaj. II, 178
24. क्रृत्वा नानायं कुर्यादित्तिम् पण्याविलोक्य:।
वृद्धिध्वस्य तु जानीयानु पण्यानामांग्यं तथा ॥
- Nr. IX, 16