

45 By that is explained the non-observance of conventions in the case of a region, a caste, a family and a corporation.

46 The king should do what is agreeable and beneficial to these, when they build dikes that are of benefit to the country or bridges on roads or carry out works beautifying the villages or defences (of the villages).

CHAPTER ELEVEN

SECTION 63 NON-PAYMENT OF DEBTS

1 (One *pana* and a quarter is the lawful rate of interest per month on one hundred *panas*, five *panas* for purposes of trade, ten *panas* for those going through forests, twenty *panas* for those going by sea. 2 For one charging or making another charge a rate beyond that, the punishment shall be the lowest fine for violence, for witnesses, each one of them, half the fine. 3- If, however, the king is unable to ensure protection, the (judge) should take into consideration the usual practice among creditors and debtors.)

4 Interest on grains (shall be) up to a half, on the harvesting of crops ; thereafter it may increase being turned into capital. 5 Interest on capital (shall amount to) half the profit, to be paid for one year, being set apart in a

45 *saṅgha* is an independent term, not to be construed with each of *deśa*, *jāti* and *kula*, as K. P. Jayaswal (*Hindu Polity*, II, 65) thinks. Cf. 3.7.40 above. — *anapākarma* is failure to carry out or observe.

46 *samkrama* 'a bridge, a causeway' ; cf. 2.3.30 above.

3.11

As in the *Manusmṛti*, the question of the evidence of witnesses is discussed in the section on debts. The law of evidence was indeed formulated primarily in connection with debts.

1 *dharmyā*. . . *vyāvahārikī* can hardly mean 'according to sacerdotal law' and 'according to secular law' as Jayaswal (*Manu and Yāj.*, p. 15) thinks. — *kāntiragānām* from Cb seems supported by Yāj., 2.38. 3 *caritram*, i.e., practices usual among the two parties. These are to be taken into consideration because the traders venture into regions where the king's protection cannot be assured. Cb has 'in such a manner as to suit the debtor and the creditor.' Meyer proposes to read *apakṣiyeta* 'the whole relationship between creditors and debtors breaks down' i.e., creditors charge exorbitant rates and debtors hardly repay. This is unlikely. Russ. follows Meyer. Breloer (II, 49-53) renders *rajanī ayogukṣemacāhe* by 'so far as it is useful to the king's fiscus or treasury,' i.e., local usage in the matter is to be taken into consideration only if the king's treasury does not suffer thereby. This seems hardly possible. Cf. 1.13.7-8 above.

4 *upārdhā* : i.e., half the amount of grains lent as interest. Cb Cs have 'one and a half times.' That would include the grains lent. — *param*, i.e., if at harvesting time the loan in grains is not returned. — *mūlyakṛtā*, i.e., the loan in grains with the interest is turned into a money loan. Meyer, reading *upārdhāparam* and a stop after *sasyaniṣpattau*, has 'interest in grains will be due when crops ripen. It may, after the fixing of the price, increase at least to half.' Breloer has 'up to a half of the ripening field. After the crops have ripened, the interest is half the produce' (II, 85-7). Neither seems meant. 5 *prakṣepa* is capital or investment ; cf. 4.2.36 etc. In this case money is lent to the farmer, the interest being half the produce. — *samnidhānasannā* 'accumulated in a store' (Breloer, who compares *samnidhātte svaveśmani* in 2.9.25). Meyer's 'if capital is sunk in the vicinity' is less likely, as the expression describes *vrddhī*, not *prakṣepa*. Cb, reading *samnidhānasannā*