



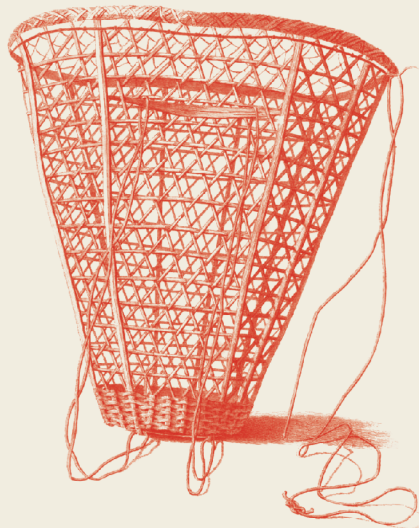
**HEIDELBERGER AKADEMIE
DER WISSENSCHAFTEN**

Akademie der Wissenschaften
des Landes Baden-Württemberg

Manik Bajracharya (Ed.)

Slavery and Unfree Labour in Nepal

Documents from the 18th
to Early 20th Century



HEIDELBERG
UNIVERSITY PUBLISHING

Slavery and Unfree Labour in Nepal

DOCUMENTA NEPALICA

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Chief Editor: Axel Michaels

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Heidelberg Academy of
Sciences and Humanities
Research Unit “Documents
on the History of Religion and
Law of Pre-modern Nepal”

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Edited by
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Sigla, Abbreviations and Editorial Conventions

Sigla and Abbreviations

Ain-54 (also <i>Ain</i>)	<i>Śrī 5 Surendra Bikram Śāhadevakā Śāsanakālamā Baneko Mulukī Ain</i> . Kathmandu: Kānuna tathā Nyāya Mantrālaya, VS 2022 (1965).
Ain-54-JF	<i>Le Code Népalais (Ain) de 1853</i> , edited by Jean Fezas. Corpus Juris Sanscriticum 2. Torino: Comitato per la Publ. del Corpus Juris Sanscriticum, 2000.
Ain-70	<i>Śrīmadrājakumārakumārātmaja Śrīkamyāṇḍara iṃ Cīpha Jenarala Raṇoddīpa Siṃha Rāṇā Bahādurakā Marji Motāvika Chāpyāko Kitāba</i> . Kathmandu: Nepāla Manorañjanākhyā Yantrālaya, VS 1927 (1870).
Art.	Article
NGMPP	Nepal-German Manuscript Preservation Project
RRC	Regmi Research Collection; the documents in the RRC are quoted as RRC_volume-number_document-number
RRS	<i>Regmi Research Series</i> , 1969–1989, 1–21 volumes, edited by Mahesh C. Regmi, Kathmandu: Regmi Research Pvt Ltd.
Skt.	Sanskrit
ŚS	Śaka Saṃvat
TND	Turner, Ralph Lilley. 1931. <i>A Comparative and Etymological Dictionary of the Nepali Language</i> . London: K. Paul, Trench, Trubner.
VS	Vikrama Saṃvat
§	Section (§§ = plural of §)

Editorial Signs

[]	editorial addition or correction
[...]	lacuna, breakage
[?]	illegible text
« »	scribal addition
{...}	editorial deletion
[<i>r/v-part</i>]	parts of a document based on facsimiles, <i>r</i> being recto and <i>v</i> being verso. When the square brackets contain a number preceded by “ <i>page-</i> ”, it refers to the page number in the original document.

Editorial Conventions

The text as it appears in the original documents is reproduced as faithfully as possible. The orthography for the original text has not been changed into modern Nepālī.

Nepālī case endings are treated as true suffixes, and Nepālī compound verbs have been joined.

The *nukta*-sign (as in ऋ, ॠ) and middle dot (•) have been ignored in the editions.

The *daṇḍa* (।) has been supplied to the *Devanāgarī* text as a sentence break where necessary.

Various types of macrons and lines in the text are uniformly represented by “---”.

Line numbers have been added to the main body of the original text.

The texts from the *Ain* of 1854 have been transcribed following the book *Śrī 5 Surendra Bikram Śāhadevakā Śāsanakālamā Baneko Mulukī Ain* published by Kānuna tathā Nyāya Mantrālaya in VS 2022.

Foreword

by Saubhagya Pradhananga

The National Archives of Nepal, established in 1967, is the government body authorised to manage and preserve the country's archival documents. It operates according to the Archives Preservation Act of 1989, and its functions as a repository of government records are to collect and preserve manuscripts and other significant documents and to facilitate public access to them. It collaborates with both national and international organizations in pursuit of its goals, and has thereby created a network of partnerships.

The National Archives of Nepal has enjoyed a number of long-term collaborations with Germany. It successfully partnered with the Nepal-German Manuscript Preservation Project, founded in 1970, and its successor Nepalese-German Manuscript Cataloguing Project. In 2018 the research unit Documents on the History of Religion and Law of Premodern Nepal of the Heidelberg Academy of Sciences and Humanities commenced a publication series entitled "Documenta Nepalica". The first and second volumes of the series, *Studies in Historical Documents from Nepal and India*, and *The Mulukī Ain of 1854: Nepal's First Legal Code* demonstrated the significance of Nepal's documentary heritage for historical and legal studies on South Asia and beyond and sparked further scholarly interest in our country's rich archival sources.

The present volume "Slavery and Unfree Labour in Nepal: Documents from the 18th to Early 20th Century", consisting of editions, translations and study of documents and related articles of the *Ain* is an important contribution to the study of the practices of slavery and unfree labour in pre-modern Nepal and its systemisation through legal codification. The National Archives of Nepal has preserved a wide range of administrative and legal documents which deal with various aspect of slavery in Nepal. I am sure that this volume will become an important publication for anyone interested in the complex and at times unique system of slavery practised in a caste-based

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society and under the umbrella of the kingship predominantly influenced by the Brahmanical legal scriptures.

Saubhagya Pradhananga

Director General

National Archives of Nepal

Preface

The historiography of slavery in South Asia is much under-represented compared to that of Africa and North America. In the historiography in Nepal, in particular, the topic of slavery has found only a marginal place despite its considerable presence in the past. The present volume is intended to remedy this shortcoming. It focusses on documents and legal texts written in Nepal from the period of the eighteenth to the early twentieth century. Thus, rather than dealing with complex theories relating to slavery, it aims to be a reader of resources to assist prospective studies on historical slavery in Nepal.

This work is partly an outcome of the conference “Masters and Servants: Slavery, Bondage and Unfree Labour in Nepalese History” held on 3–4 March 2019 in Patan, Nepal, and jointly organized by the Research Unit “Documents on the History of Religion and Law of Pre-modern Nepal” of the Heidelberg Academy of Sciences and Humanities and the National Archives of Nepal. The participants included (alphabetically listed, paper presenters being indicated by “P”) Manik Bajracharya (P), Christiane Brosius, Simon Cubelic (P), Thomas Holstein, Michael J. Hutt, Mrigendra Bahadur Karki, Sharad Kasaa, Rajan Khatiwoda (P), Axel Michaels (P), Shamik Mishra, Arik Moran (P), Pratyoush Onta, Dinesh Raj Pant (P), Philip Pierce, Nadine Plachta (P), Saubhagya Pradhananga (P), Sanjog Rupakheti (P), Bernd Schneidmüller, Nutandhar Sharma, Omkareshwor Shrestha, Tek Bahadur Shrestha, Kashinath Tamot, Ramhari Timalisina (P), Kesang Tseten (P), and Catherine Warner (P). The papers explored manifold forms, practices, representations, and economic aspects of slavery and unfree labour in pre-modern Nepal.

This volume consists of three parts. In part I, a general introduction into slavery in Nepal is given with a special focus on the nineteenth and twentieth centuries. Part II is a collection of editions and translations of documents and is divided into seven sections. It is comprised of fifty-one documents concerned with donations, transactions and the emancipation of slaves prior to 1924, on the one hand, and others relating to bondservitude, forced or unfree labour, labour within the

postal system and the slavery abolition of 1925, on the other. These documents, most of which were microfilmed as part of Nepal-German Manuscript Preservation Project, have been edited and translated by Manik Bajracharya or Axel Michaels over the years within the Research Unit “Documents on the History of Religion and Law of Pre-modern Nepal” of the Heidelberg Academy of Sciences and Humanities. They are also hosted in the database “Documenta Nepalica” (<https://nepalica.hadw-bw.de/nepal/editions>) of the research unit.

Part III of this volume contains selected articles concerning slavery and unfree labour from the *Ain* of 1854 preceded by an introduction. The *Ain*, being the first legal code of Nepal, is the most crucial and the only comprehensive source that helps us understand the legal aspects of slavery in the nineteenth-century Nepal and the early Śāha and Rāṇā rulers’ legislative attempt to regularise slavery. Moreover, it is contemporary to other documents presented in this volume and its inclusion provides the reader with a broader view of historical slavery in Nepal. The articles of the *Ain* included in this volume have been translated by Rajan Khatiwoda, Simon Cubelic and Axel Michaels under whose authorship a complete translation of the *Ain* of 1854 into English has recently been published (Khatiwoda, Cubelic and Michaels 2021).

I would like to express my sincere gratitude to the National Archives of Nepal and Director General Saubhagya Pradhananga for supporting our research. I am grateful to the Heidelberg Academy of Sciences and Humanities for funding the present book. I would like to thank the participants of the 2019 conference for initiating various conversations about the historical practice of slavery in Nepal that led to this volume. Special thanks go to Astrid Zotter and Christof Zotter for their scholarly suggestions. I further appreciate the help of Rabi Acharya, Pabitra Bajracharya, Yogesh Budhathoki and Raju Rimal in preparing the transliterations of several documents in this volume, and Bastian Jantke and Julia Meckl for their help in correcting the references. I am grateful to Douglas Fear, Malcolm Green and Philip Pierce for correcting the English and for valuable suggestions.

Heidelberg, 2022
Manik Bajracharya

I. Introduction¹

Manik Bajracharya and Axel Michaels

In hierarchical class and caste societies, the criteria for individual freedom and autonomy are structured differently than in modern societies. In South Asia, for instance, the bondage of women, workers, low caste members or impoverished people is often no less than that of slaves. However, “South Asian forms of bondage remain under-represented in this new historiography” (Major 2012: 19), i.e., in the history of slavery in the world, which is dominated by African and North American or transatlantic slavery studies. South Asian slavery differed from this model and was therefore deemed a soft version (Major 2012: 4–5), and the term even regarded on occasion as “an abuse of language” (A. Amos, Law Commissioner, quoted in Chatterjee 1999: 225). British colonialists saw slavery in South Asia as a not so cruel form of work employment and thus did not really enforce the abolition of slavery. It seems that most historians agreed with the assumption that “real” slavery chiefly happened on the American plantations with black African slaves.² To overcome this one-sided view of the history of slavery, it is necessary to consider the specific social and cultural circumstances of slavery in South Asia.³

Generally speaking, slavery is regarded as one of the strongest forms of bondage (and one of the prominent causes leading to human rights movements). However, (debt) bondage, work migration, child labour,

1 The sections “Life and Work of Slaves and Unfree Labourers”, “Economics of Slavery” and “Abolition of Slavery” closely follow Michaels 2018: 200–8.

2 Cf. Mann (2011), Major (2012) and Molfenter (2013).

3 On the history of slavery and unfree labour in India, see Chatterjee (1999), Chatterjee and Eaton (2006), Molfenter (2013), Mann (2015), and K.M. Shrimali’s overview with further references in *Brill’s Encyclopedia of Hinduism* (2018). For the writings that shed light on the history of slavery in Nepal see Vajracārya and Nepāla (VS 2014), Nepālī (VS 2021 and VS 2022), Regmi (1971), Sen (1973), Śreṣṭha (1974), Grhasthī (1984), R. Shaha (1990), Maskey (1996), M.R. Pant (1996 and 1997), Ā.R. Pant (1997), Kölver (1986), Whyte (1998), Höfer (2004), Pradhan (2009), Stiller (2018), Michaels (2018 and 2019) and Pradhānāṅga (VS 2075).

and enforced prostitution are also forms of bondage, most of which still exist. But slave-like situations are not slavery. What differentiates slavery from these forms of bondage is that slaves are de-socialised, de-personalised, de-civilised, and de-sexualised⁴: they often lose family, caste, home, protection, property, religion, self-confidence and much more. Chattel slavery, in which a slave becomes a property of the owner that can be sold, inherited, pledged or borrowed, and where the owner has almost unrestricted and often violent access to the labour of the slave (see Mann 2015), is not only the oldest, but also the most typical form of slavery. However, Orlando Patterson rightly avoids defining slaves only as a form of “property”. Discussing proprietary rights exercised over persons who are not considered to be slaves, he suggests that slaves belong to a subcategory of “human proprietary objects” (Patterson 1982: 21).

In general, a person can be called a slave if he or she is owned and can be sold to someone else. In Art. 1 of the 1926 Slavery Convention, slavery was defined as: “the status or condition of a person over whom any or all of the powers attaching to the right of ownership are exercised” (United Nations, n.d.), and the slave trade was defined as including: “all acts involved in the capture, acquisition or disposal of a person with intent to reduce him to slavery; all acts involved in the acquisition of a slave with a view to selling or exchanging him; all acts of disposal by sale or exchange of a slave acquired with a view to being sold or exchanged, and, in general, every act of trade or transport in slaves.” (ibid.)

Nepal is in no way different in these characteristics, but happens to be special in certain regards. To put it briefly, slavery there was more familial, connected with questions of purity and hierarchy, and more related to landownership. That said, we must emphasise that slavery in Nepal was no less cruel and humiliating than anywhere else. The abolition of slavery by Candra Śamśera was the right and necessary step. But before we ask how slavery developed in Nepal, we must elaborate on the forms and definitions of slavery in this Himalayan state.

4 See Meillassoux (1991: 99–115) for a more detailed discussion of the social characteristics of slaves.

Slavery in Nepal: An Overview

Some *dharmaśāstras* and Sanskrit treatises provide information on the forms of slavery and slave labour in ancient Indic culture. *Manusmṛiti* provides a classification of slaves as being sevenfold:

ध्वजाहृतो भक्तदासो गृहजः क्रीतदत्त्रिमौ । पैत्रिको दण्डदासश्च सप्तैते दासयोनयः
॥८.४१५॥

There are seven kinds of slaves: a man captured in war, a man who makes himself a slave to receive food, a slave born in the house, a purchased slave, a slave given as a gift, a hereditary slave, and a man enslaved for punishment.⁵

Nāradaśmṛiti, a *dharmaśāstra* text widespread in Nepal, expands the typology further:

गृहजातस्तथा क्रीतो लब्धो दायादुपागतः । अनाकालभृतस्तद्वदाधत्तः स्वामिना च
यः ॥५.२४॥
मोक्षितो महतश्चर्णात्प्राप्तो युद्धात्पणे जितः । तवाहमित्युपगतः प्रत्रज्यावसितः
कृतः ॥५.२५॥
भक्तदासश्च विज्ञेयस्तथैव वडवाभृतः । विक्रेता चात्मनः शास्त्रे दासाः पञ्चदशा
स्मृतः ॥५.२६॥

One born into a household, one who was purchased, one who was acquired, one who was inherited, one who was supported in time of famine, one who was pledged by his master, one freed from a large debt, one who was obtained by battle, one who was won in a wager, one who came forward and said, “I am yours,” one who gave up world renunciation, a bonded labourer, one who becomes a slave for maintenance, one who takes up with a female slave, and one who sells himself—these are the fifteen slaves mentioned in the texts.⁶

5 Quoted from Olivelle (2005: 189, 743). In contrast to this, Kautīlya’s *Arthaśāstra* mentions of these types of slaves and slave labour: one who has become a slave to secure livelihood (*udaradāsa*), one who is pledged (*āhitaka*), one who has sold oneself (*ātmaṅkrayin*), one who has to work to pay a fine (*daṇḍapraṇīta*), one who is captured in battle (*dhvajāhṛta*), born in the house (*grhajāta*), inherited (*dāyāgata*), obtained as gift (*labdha*), or purchased (*krīta*) (cf. Shrimali 2018 and Olivelle 2013).

6 Quoted from Lariviere (2003: 174, 348).

These verses show the different forms of slavery, service and forced labour. A comparable semantics of slavery is also attested to Nepal: *Nyāyavikāsinī*, a fourteenth-century Newari commentary on the *Nāradasmṛti* establishes largely identical forms with regard to the types of slaves.⁷ Terminology used in Nepali documents distinguishes between “full” slaves (*kamāro/kamārā, kamārī*), domestic servants (*kariyā, cākara, nokara, dāsa, dāsī*), maidservants and attendants (*keṭī, keṭo*), bondservants (*bādhā/bādhā, badhetyānī*), persons subjected to forced or unfree labour (*kāmakara, jhārā, beṭha, begāra*), servants working only for food (*bhatuvā*), forced recruits (*gulāma/gulām*)⁸, and servants in temples (*devabhṛtya, devadāsa, devadāsī*). The exact distinctions between such terms cannot, however, always be described. In the mid-nineteenth century, the Ain-54 systemised the slavery-related terminology which is discussed under the introduction of part III in this volume.

As for the history of slavery in Nepal, epigraphic evidence can be traced back to the seventh-century Licchavi king Narendradeva, an inscription of whom in Bhaktapur mentions assigning slaves to a Vaiṣṇava temple. That said, at present only a few documents concerning slaves and slavery have been found from the Licchavi and Early Malla periods, but many more from the Late Malla and Śāha/Rāṇā periods. Table 1 presents a brief timeline of important events relating to slavery in Nepal.

7 See D. Panta VS 2065 and Ś. Vajracārya VS 2044 for editions of the *Nyāyavikāsinī*.

8 The term *gulām* was also used for persons enslaved during war, as Document 4.1 indicates. On *gulāms* as military slaves in Islamic India, see Jackson (2006: 63–82).

Table 1: A Timeline of Slavery and Unfree Labour in Nepal.

ca. 643–680	Licchavi king Narendra Deva's inscription at Anantaliṅgeśvara in Bhaktapur assigned 10 male and 20 female slaves to the temple. ⁹
1051 and 1061	Documents archived at Oku Bāhāḥ, Patan formalised debt bondage (Kölver 1986: 434–49).
1313	During the reign of Ānandadeva II, <i>pātra</i> nobles of Gā Bāhāḥ, Patan freed two persons. The document uses the term <i>muktapatra</i> (D.R. Pant 1997: 136).
1637	King Siddhinarasimha Malla made a gift of slaves during the installation of the Kṛṣṇa Temple (D.R. Pant 1997: 136).
1759	Ṭhākura Gīra Gosāi offered a piece of land and a female slave to the Ādiviśveśvara temple of Bisankhu (see Document 1.1).
1766	Pr̥thvīnārāyaṇa Śāha gifted slaves, or gave away seized slaves in exchange for buffalo (D.R. Pant 1997: 137).
1773	Bālakṛṣṇa Deva Śarmā, a Brahmin from Bhirkot, offered two Newar girls to Paśupati as <i>devadāsīs</i> (see Document 1.2).
1776	Joga Nārāyaṇa Malla offered two female slaves to the goddess Bhagavatī of Kabhrepalanchok (see Document 1.3).
1777	Eight female slaves performed self-immolation (<i>satī</i>) when King Pratāpa Śimha Śāha died in November 1777 (see Document 1.4).
1783 (VS 1840)	King Raṇa Bahādura, through a <i>rukkā</i> , exempted a total of 75 households of goldsmiths from Kathmandu from <i>jhārā</i> , <i>beṭha</i> , and <i>begāra</i> for as long as they minted silver coins (DNA_0014_0026).
1790 (VS 1847 Bhādra)	<i>Jhārā</i> , <i>beṭha</i> and <i>begāra</i> systems abolished in Morang district (Regmi 1971: 112 fn. 79, 80).
1793 (VS 1850 Jyeṣṭha)	A royal order was issued to free people of Jumla who had been enslaved after rebelling against Ranjit Kāvāra a year earlier (M. Pant 2002: 84–86).
1803	<i>Jhārā</i> obligations were remitted to all Brahmin inhabitants of Parbat District (Regmi 1971: 104).
1803 (VS 1860 Kārtika)	A ban was imposed on enslaving Brahmins and Rajputs throughout the country (Regmi 1971: 121, RRC 19.145: 137–38).
1804	<i>Hulāka</i> services were first introduced between Kathmandu and the western frontier (see Document 7.2). <i>Hulāka</i> functioned by depending largely on compulsory labourers.

9 The inscription uses the terms *devabhṛtya* and *dāsī* to denote male and female servants (cf. D. Vajrācārya VS 2030: 486 and D.R. Pant 1997: 135).

Table 1 (continued): A Timeline of Slavery and Unfree Labour in Nepal.

1808 (VS 1865)	A <i>rukkā</i> issued by King Gīrvāṇayuddha to Kājī Balavamṭa Rāṇā prevented people from selling their children to Muslims, Madhesis and Bhotyās (Yogī VS 2022: 69).
1809 (VS 1866 Āṣāḍha)	A <i>rukkā</i> was issued to establish <i>hulāka</i> posts along the western route from Kathmandu up to the Yamuna River in Kumaun (see Document 7.2). It ordered to assign twenty families for each post who were required to transport loads for the government.
1813	All Brahmins were exempted from <i>jhārā</i> obligations (Regmi 1971: 104).
1814 (VS 1871 Vaisākha)	A <i>rukkā</i> was issued to establish <i>hulāka</i> posts along the eastern route from Kathmandu up to Vijayapur (see Document 7.3). Sixteen families were assigned to each post to transport loads ordered by the government.
1822 (VS 1879 Āśvina)	A <i>lālamohara</i> issued by King Rājendra declared that the Magars in the areas between Bheri and Mechi should not be punished with enslavement (DNA_0014_0028).
1830 (VS 1887 Kārtika)	Endorsing an earlier order issued in 1773 by King Pṛthvīnārāyaṇa, King Rājendra ordered the Danuvāra creditors of the seven villages ¹⁰ not to enslave persons pledged by debtors (N. Panta et al. VS 2025: 1041).
1834 (VS 1891)	Two <i>lālamoharas</i> issued by the king obligated the people of Bajhang, Bajura and Achham districts to obtain approval from the king before making any slave transactions (Pradhānāṅga VS 2075: 110).
1836 (VS 1893)	A <i>rukkā</i> issued by King Rājendra to the people west of Marsyangdi up to Pyuthana banned the enslavement and bondage of the Magars (see Nepālī VS 2022: 191 and Regmi 1971: 121). The practice was, however, revived in 1846.
1839 (VS 1896 Bhādra)	A royal order by King Rājendra attempted to ban the people of the whole country from selling their offspring into slavery (D.R. Panta VS 2026: 253).
1854 Jan. 6 (VS 1910 Pauṣa śukla 7)	Promulgation of the <i>Ain</i> .
1863 (VS 1920 Kārtika)	A <i>rukkā</i> by King Surendra exempted the Enslavable Newar castes and Limbu (Kirāṭi) from enslavement (Yogī VS 2022: 611 and Höfer 2004: 98).
1885 Nov. 23	Prime Minister Bīra Śamśera imposed a ban on enslavement the day after he took power. No actions were prescribed, however, regarding the persons who were already slaves (see Regmi 2002: 131).

10 The seven villages (*sāta gāū*) include Banepā, Dhulikhela, Khaḍpu, Caukoṭa, Panauti, Sāgā, and Nālā.

Table 1 (continued): A Timeline of Slavery and Unfree Labour in Nepal.

1901 (VS 1957 Phālguna)	Prime Minister Deva Śamśera and Queen Kṛṣṇakumārī Devī emancipated a total of 767 slaves during the former's enthronement ceremony (Daṅgola, Rājavaṃśī, and Vajrācārya VS 2041: 115–20).
1901 (VS 1958)	Prime Minister Deva Śamśera attempted, with a special order, to emancipate female slaves from Kaski and Lamjung (see Nepālī VS 2021: 16–17 and P.S. Rana 1995: 118). A speech made by him with a similar intention was published in the newspaper <i>Gorakhāpatra</i> (D.R. Panta VS 2026: 255–56). He failed, however, in realising his intentions. He eventually issued an amendment to the <i>Ain</i> that prevented the reselling and pledging of slaves (ibid. 257).
1924 Nov. 28	Prime Minister Candra Śamśera delivered the slave emancipation speech at Tundikhel.
1925 Apr. 13 (VS 1982 Vaiśākha 1)	Candra Śamśera enacted a complete ban on enslavement and enforced the manumission of existing slaves through an amendment to the <i>Ain</i> .
1925	Prime Minister Candra Śamśera formed the Dāsavmocana Aḍḍā to enforce manumission.
1963 January	Nepal signed to commit to the 1926 Slavery Convention Treaty. This treaty, also known as Convention to Suppress the Slave Trade and Slavery, was first signed in 1926 under the auspices of the League of Nations.
2000 Jul. 17	The Government of Nepal decided to outlaw the <i>kamaiyā</i> system, a form of bonded labour, and drafted the Bonded Labour Prohibition Act. The Bonded Labour Prohibition Act came into effect in 2002.
2006 Sept. 10	The <i>kamlari</i> system of indentured labour was banned by the Supreme Court of Nepal.
2008 September	The <i>haliyā</i> system of bonded labour in agriculture was abolished by the Nepalese government.

Causes of Enslavement

Several factors could lead a person into slavery in pre-modern Nepal. Original enslavement mainly arose from five causes: the caste system or belonging to an Enslavable caste, being born of slave parents, punishment, impoverishment, and capture in war or rebellion. A growing enforcement of caste hierarchy caused a certain class of people to fall into the lowest strata of society and underprivileged legal positions. The *Ain* of 1854 (hereafter called *Ain* or *Ain-54*) placed a vast number of communities into the legal status of Enslavable castes (*māsinyā jāta*). These people of low caste status were subjected to enslavement as a punishment for criminal offences, such as rape, infanticide, and theft,

for contaminating persons of upper-caste status, or for having sexual intercourse with upper-caste women. This punishment was severe, corresponding approximately to capital punishment, and indeed sometimes explicitly imposed as a substitute when capital punishment was ruled out. The offering of alcohol or cooked rice to a person of upper-caste status could lead to enslavement (whereas the consumption of alcohol would lead a person of upper-caste status to caste degradation). Thus, it is stated in the *Ain*:

If someone makes a Sacred Thread-wearing caste member consume an alcoholic drink, knowing that he is from such a caste, his share of property shall be confiscated and he shall be enslaved. If he does so unwittingly, having been deceived into letting [the other] consume [the drink], [that is,] if the Sacred Thread-wearing caste member has lied about his caste status [in order to] consume it, the one who let him consume shall not be held accountable. The one who consumed shall be degraded into an Alcohol-drinking Śūdra caste. (Ain-54 § 31.9)

Persons could also be born as slaves by being the offspring of slave parents. Legislative attempts were made, however, to limit the age at which a person could be enslaved, or when a slave child could be transferred to another master. Art. 83 of the *Ain* deals with such a question of how to deal with minors or children born of slaves. It prohibits separating the children of a slave from their mother if they are under eleven years of age. However, we find several pieces of documentary evidence that show that children were still sold (Documents 2.3, 2.4, 2.6), distributed in property partitions (Document 2.4), and pledged (Documents 3.2, 3.3, 3.5). The *Ain* also established a minimum age for bondservitude: “The persons who offer or accept [children] below the age of 16 years as bondservants shall be fined 10 rupees each.” (Ain-54 § 82.12) It is interesting to note that all of the documents mentioned above except Document 3.3 are dated after the promulgation of the *Ain*. It may thus be assumed that the rule declared in the *Ain* was not easily enacted outside of the central administrative region because these documents, with the exception of Documents 3.2 and 3.3, were issued outside of the Kathmandu Valley. The *Ain* nevertheless sets down the values of child slaves in case of legal disputes (see Table 2).

Impoverishment and dire circumstances are universal causes of indebtedness and eventually slavery. Defaulting on debt payments

Table 2: Prices of Slaves According to the *Ain* of 1854 (Ain-54 § 82.4).

Category	Amount
Slave-boys below three years of age	Rs. 20
Slave-girls ditto	Rs. 25
Slave-boys aged between three years and six years	Rs. 30
Slave-girls ditto	Rs. 35
Slave-boys aged between six years and twelve years	Rs. 50
Slave-girls ditto	Rs. 55
Slave-boys aged between twelve years and forty years	Rs. 100
Slave-girls ditto	Rs. 120
Slaves of either sex aged between forty years and fifty years	Rs. 60
Slaves of either sex aged between fifty years and sixty years	Rs. 50

led a person into debt bondage, as defined in the 1956 Supplementary Convention on Slavery:

... the status or condition arising from a pledge by a debtor of his personal services or those of a person under his control as security for debt, if the value of those services as reasonably assessed is not applied towards the liquidation of the debt or the length and nature of those services are not respectively limited and defined. (quoted in Bales 2005: 59)

In most cases, the peasants of pre-modern Nepal did not own any property they could pledge, and could only pay off their debts through bonded labour or slavery. The *Ain* of 1854 tried to prevent turning a bondservant into a slave, but it still allowed such transition for the persons who entered into bondservitude before 1857 (Ain-54 § 82.1). The majority of the Nepali population, especially in rural Nepal, depended for their livelihood on rented lands for farming. Traditionally, the crop yield was shared equally between the tenant and the state or landlord under a system called *adhīyā*. At the beginning of the nineteenth century, a new system called *kuta* was introduced, in which lands were assigned on a contract basis.¹¹ This caused the tenants to sink into debt, either because they had to in order to obtain a contract for better lands,

11 See Regmi (1971: 86–89) and Stiller (2018: 60–65) on the *kuta* system and its implication for increasing bondage.

or in the case that their crops failed. Thus, although the *kuta* system was supposed to bring advancement and dynamism into the agricultural economy, it failed to consider the economic security of the tenants, which led to growing debt and bondage.

There were also cases of voluntary enslavement, usually resulting from extreme poverty. Document 4.9 is a typical example of a person selling herself out of desperation. In the document, Kārto, the slave-to-be, admits:

With the famine that occurred this year in the village, all [those] people died through a lack of food. Since there are no supplies in our house, we too are about to die of hunger. I will be the donor of my own body and will stay in your house as a slave for the rest of my life. (Document 4.9)

We already find people offering themselves up to slavery in earlier documents,¹² and it also conforms to one of the slave categories, *ātmano vikretā*¹³, mentioned by Nārada, and on a palm-leaf roll from 1051 (NS 172):

After Varmmaṇa [...] as debtor [?] of the interest that [consists] of his own body has been declared to be in a state of bondage (*bandhakatva*) for a period of five years, (he shall receive) the gold. [...] The interest per year for [his] enjoyment (i.e., his pay) [a certain quantity of] [...] oil. (Translated from Kölver 1986: 436)

Even though bondservitude and slavery were theoretically different, both were forms of extreme unfreedom and dependence. Bondservitude must be considered temporary slavery, yet in reality it often amounted to life-long enslavement, because the circumstances were such that a bondservant could hardly repay his debts. Ludwig F. Stiller has rightly remarked that:

12 See for example, the deeds edited by Mahesh Raj Pant (1996, 1997).

13 See Lariviere (2003: 174).

The very acceptability of bondage as a temporary solution to [economic] inequities suggested even further unfortunate consequences. The step from bondage to real slavery is very short, and this step, too, was taken with increasing frequency in early nineteenth-century Nepal. (Stiller 2018: 66)

Thus, the pledging of human lives in cases of debt was common in pre-modern Nepal. A debtor could pledge himself (Document 3.5) or his son (Documents 3.2 and 3.4) or a slave (Documents 3.1 and 3.6) or a house servant (Document 3.3). Documents 3.4 and 3.5 present a typical example of the miserable circumstances of a bondservant. Kamāne Bhoṭe, pledged as a bondservant by his own father in the year 1900, ran away from the house of the creditor. He was eventually captured after two and a half years and a heavy compensation was added to the original debt amount, and thus he had to agree to (re)assign himself as a bondservant:

[For this money,] I agree to remain, according to the rule, a bondservant in the house of the creditor. From now on I will remain throughout [all] eight *praharas* (i.e., around the clock) in the house of the creditor and work [for him]. (Document 3.5)

Kamāne Bhoṭe was seemingly in a position with no way out, and it may be assumed that he remained a bondservant for the rest of his life. As Regmi (1971: 118) states, a bondservant could hardly exercise his right to free himself on payment of the loan, because he was seldom in a position to work for his own economic ends.

In other cases, people were enslaved as prisoners of war or rebels. Document 4.1 (DNA_0012_0065) presents an example of a family from Patan enslaved by King Pṛthvīnārāyaṇa during his conquest of the Kathmandu Valley.¹⁴ We also know from a royal order of 1793 that some people in Jumla were enslaved when they rebelled against Ranjit Kāvāra (M. Pant 2002: 84–86). Further study is required to discover more instances of enslavement in war and to understand what uses the enslaved were put to.

14 For other documents regarding enslavement in wars, see Vajrācārya and Nepāla (VS 2014: 27), N. Panta et al. (VS 2025: 1038–40) and D.R. Pant (1997: 13).

People could also be donated as slaves to temples (Documents 1.1–1.3).¹⁵ In these cases, the girls or women had to work for the temples. Sexual obligations, such as work as temple prostitutes, as reported from India, cannot be proven for Nepal. However, in Document 1.2, the donor of two slave girls to Paśupati temple declares that the priest should have no authority over the girls, which might be taken to indicate that exploitation did exist.

With the regulation of legitimate and illegitimate enslavement (see for example, Ain-54 Art. 81 and 84), the state guaranteed the legal security of slave owners and of slaves. It laid down punishments for the officials of various magistracies and district offices if and when they illegally permitted enslavement. It was prohibited for anyone to manipulate caste status in order to facilitate enslavement. Nevertheless, the distinction alone between Enslavable and Non-enslavable castes in the caste hierarchy given in the *Ain* served as an instrument of repression and exploitation of the peasantry and lower castes.

Formalities and Procedures of Enslavement

Enslavement entailed certain formalities and rituals. According to the *Ain* and documentary evidence, a person entered into slavery after having his/her head anointed with oil (*tela ṭhokī gāl̄nu*, Ain-54 § 82.1, *kapālamā tela ṭhokī*, Document 4.8) by the master, and it was required that the enslaved had to sign a deed of agreement or relinquishment (*rājīnāmā*, Document 4.8). In the case of a bondservant, a man could only be bonded when he was above the age of sixteen and had signed a deed of agreement (Ain-54 §§ 81.4, 82.13). However, such a *rājīnāmā* deed by a slave or a bondservant has not been found yet, and it can only be assumed that they were rarely drawn up in practice. Usually in the loan agreements, the debtor, not the bonded, gave his agreement to the local authorities in written form, as for instance, “For this money, I have handed over Kamāne Bhoṭe, the eldest son of my youngest wife, as a bondservant” (Documents 3.4). Apparently, an objection by the one who was to be enslaved was possible: “In case this slave says: ‘I am not to be sold. I am a free person (*ajāputra*),’ I shall prove [him wrong]” (Document 2.4).

15 It cannot clearly be determined from these documents whether the persons were slaves already before they were donated or their enslavement was the result of donations.

In cases where ownership of a slave was transferred, a *paramabhata* deed formalising the transference had to be issued by the former owner (Documents 2.3–2.10). These *paramabhata*s followed a certain formality. The diplomatics involved in such transaction deeds, based on the documents prepared in the early twentieth century, were as follows:

- Invocation in the upper margin, usually the syllable “*śrī*”
- In the body text:
 - Name and address of the seller
 - Name and age of the slave; the slave’s caste is not mentioned
 - Reason for selling (occurs occasionally)
 - Name and address of the purchaser
 - Price of the slave
 - Declaration of physical intactness of the slave; epilepsy and leprosy are usually mentioned
 - Declaration that the slave is not pledged elsewhere
 - Declaration to return the money in case of fraud; the *Ain* is usually referred to here
 - Declaration that the deed has been written willingly, without any force
 - Declaration that the witnesses are valid
- In the eschatocol:
 - Name of the scribe and the place where the deed has been signed
 - The date with chronological details: year, month, fortnight, solar/lunar day and weekday
- Witnesses (usually in the left margin); includes at least one official
- Seals, signatures or fingerprints; the deeds contain at least one signature or fingerprint from the seller. Some contain a seal of the witnessing official.

Similarly, the diplomatics of the deeds of debt bondage written in the nineteenth and twentieth centuries can be presented as (based on Documents 3.1 to 3.6):

- Invocation in the upper margin, usually the letter “*śrī*”
- In the body text:
 - The date with chronological details: year, month, fortnight, solar/lunar day and weekday¹⁶

16 Documents 3.4 and 3.5 have dates written in the eschatocol.

- Name and address of the creditor
 - Name and address of the debtor
 - Loan amount; the type of currency usually named is silver currency
 - Reason for taking out loan
 - Mention of interest rate (in the case of a non-usufructuary pledge)
 - Mention of the date of repayment
 - Declaration of the name (and occasionally age) of the pledged person
 - In the case of an usufructuary pledge, a mutual agreement is stated: the creditor shall not demand interest for the amount of the loan, and the debtor shall not ask for the value of daily labour (*nimeka*) of the bondservant
 - Declaration that in case of default, either the pledged person can be transferred to the creditor (in the case of non-usufructuary pledges), or the ownership of the pledged slave is transferred automatically
 - Declaration that the deed has been written willingly without any force
 - Declaration that the witnesses are valid
- Witnesses (usually in the left margin)
- Seals, signatures or fingerprints; except for Document 3.2, all others contain signatures or fingerprints of the debtor as well as witnesses.

Life and Work of Slaves and Unfree Labourers

One can distinguish between three forms of unfree labour in pre-modern Nepal: agricultural and household work in slavery; bondservitude in private households; and state-enforced work, expressed in forced labour, such as *jhārā*, *beṭha* and *begāra*, and *hulāka* (postal service) systems. Corresponding to this, there were several types of slave owner: members of the royal family, aristocrats or rich masters who bought or inherited slaves, agriculturists who kept slaves for working the fields, traders who reared slaves for trade and profit, and government officials (*amālīs*) who, according to the *Ain*, could own certain kinds of slaves.

In all cases, slaves had to work around the clock, “should be present at all eight *praharas*” (= 24 hours, Documents 3.5 and 4.5), cultivate the land, till fields, cut wood and grass, feed and herd animals, collect

water or firewood, wash clothes, and carry loads. They were subject to commercial transactions at any time, and were placed on a par with four-footed animals (Ain-54 § 81.1 and 81.2)

The fate of the slaves was full of humiliations. Sexual abuse and violence against them were common. The accommodation and care provided to them by the masters were of the minimum. The extremes of humiliation experienced by slaves can be seen from a section in the *Ain*:

If a master has put human excrement into the mouth of his male or female slave, the master shall not be entitled to get such a slave back. An *adālata*, *ṭhānā* or *amāla* office shall emancipate such a slave and set him or her free after taking 10 rupees from him or her. (...) If [the master] has put human excrement on other body parts except the mouth, he shall not be accused and held accountable. (Ain-54 § 60.4)

In contrast to this, a few of the slaves and servants owned by the palace and the families of the ruling class could attain a relatively favourable status, sometimes even honour and power. One such example is the Khavāsa.¹⁷ Some Khavāsas rose to positions of remarkable power during the early Śāha and Rāṇā epochs.¹⁸ Similarly, some freed slaves were even allowed to wear the sacred thread (*janai*) and be integrated into the twice-born caste (Document 4.3).

A major portion of the slave population in Nepal was engaged in domestic services or in farming for households. They were counted as family property that could be sold, inherited or given away. However, regardless of being commodified, the slaves were closely tied to the household and considered a part of it. An exceptional familial situation for a slave is expressed in Candra Śamśera's abolition speech: "there are households where but for certain limitations, the distinction between master and slave is practically abolished" (Candra Śamśera 1925: 9). One such example of a slave's relation to the household kinship and ritual can be found in Ain-54 § 97.30 which prescribes that upon the death of his master, a slave should observe the full impurity period, just like the close kin. The *Ain* mandates that slaves were fed

17 See the detailed discussion on Khavāsas under the introduction of part III in this volume.

18 See Regmi 1987: 166–72 for a list of successful people from the Khavāsa community.

and cared for by their masters, also when they fell sick or became old and were no longer able to work. It tried to ensure that the master guaranteed the health and security of the slaves:

If a master removes a male or female slave or a male or female bondservant who has fallen sick from his house, takes them to a [burning] *ghāṭa*, wayside public shelter or crossroads, and abandons them there without leaving them in anyone's care, and they survive and recover, the master shall not be allowed to recapture them. They shall become free. (Ain-54 § 85.1)

It also guaranteed a higher social status for female slaves who bore children from the masters, and assured that such children became free persons:

If [a master] has kept an unmarried slave girl of his own household [as a wife], and if he has had offspring born [of her], he shall not be permitted to sell the slave. If he sells, the seller shall be made to return the original amount to the buyer. The slave becomes a freed person. (Ain-54 § 129.2)

If a slave woman—after she has started living with her master as his wife—does not run off with another person, the offspring born [to her] from his semen—irrespective of who they are—shall not be considered slaves. They shall not be sold. (...) The offspring shall, in accordance with the *Ain*, be provided with their share of property. (Ain-54 § 129.8)

Due to the closeness of the servants to their master and his family, most of whom were of upper castes,¹⁹ and in order to protect the purity of the household, in some cases domestic slaves could only come from certain castes, which ruled out untouchable castes (see Caplan 1980: 178). Francis Hamilton (1819: 234) reports that slaves of high Rajput families could come from the Brahmin caste and were not degraded by being called *keṭā*, a term generally used to denote male

19 Document 5.3 supports the high-caste origin of slave owners: out of 99 slave owners, 44 were Brahmins and 33 Kṣatriyas or Chetrīs.

slaves.²⁰ The household slaves were sometimes superior to the people of a free but untouchable caste in terms of socio-economic status.

In most of the case, however, slavery meant social death and is not just some form of work system. The slaves lost their caste names, they were alienated from their families and often their hometowns, they lost their ritual status, and became the “children” of their master. They were not allowed to freely integrate the ritual worship of their ancestors into their lives. But the dramatic aspect was not so much the loss of freedom, but rather the loss of kinship. Even when a slave’s father died, his children did not inherit his entire property, but only a part of it to cover the costs of the funeral:

If a [slave] father lives at his owner’s house, but his sons and daughters have gone somewhere else, having been either sold or given away as a gift or dowry, and if the father dies at the house of his owner, the sons and daughters who have been sold or given away as a gift or dowry shall not receive their father’s property, for which there is no [legally recognized] son as heir. The sons and daughters who were sold or given away as a dowry shall carry out the funeral rites from their father’s and mother’s wealth. From whatever remains, 10 rupees per 100 shall be given to the sons and daughters who perform the funeral rites, and the owner shall enjoy the rest; the owner shall receive it. (Ain-54 § 28.11)

A *lālamohara* from King Raṇa Bahādura Śāha informing Dalamardana Śāha and others of his father’s death and the *satī* of eight slave girls (Document 1.4) proves that slaves were regarded as property even beyond death.

Although slavery in Nepal might be considered unique and “soft” in nature, it was no different to slavery anywhere else, for slaves were freely bought and sold as human chattels, alienated from their natal kin or place, and were absolutely dependent on their masters. Moreover, a person’s enslavement not only affected the individual, but also consequent generations, even after they had been freed.

20 According to the regulations of 1803, the enslavement of Brahmins was prohibited (Régmi 1971: 121). The slave Brahmins reported by Hamilton may have been enslaved before the enforcement of that regulation.

Unfree Labour: *Jhārā* and *Hulāka*

Every adult male, except those exempted by royal order, was subjected to forced or unpaid labour by the state (Regmi 1971: 103). Apart from the government, such compulsory and unpaid labour was also exacted in different forms by land holders (*birtāvāla*) and government employees (*jāgiradāra*). The most common forms of such labour were *jhārā*, *beṭha* (or *beṭhi*) and *begāra*. The distinguishing features of these forms of labour are, however, vague. *Jhārā* is the term most widely used to denote unpaid or forced labour in general. *Beṭha* appears to derive from the Sanskrit term *viṣṭi*, meaning compulsory work. *Begāra*, for its part, comes from a Persian term meaning a forced labourer subjected to either individual or public service (Wilson 1855, s.v. *begar*). Rishikesh Shah identifies *beṭha* and *begāra* as two forms of *jhārā*, *beṭha* being unpaid labour for farms, and *begāra* being labour for such purposes as portage, construction and digging (R. Shaha 1990/I: 207). M.C. Regmi, however, defines the terms differently: *jhārā* as the requisition of labour from each family for public purposes, *beṭha* as the exaction of unpaid labour on a customary basis, and *begāra* as the requisition of labour for emergencies (Regmi 1965: 53).²¹

There is another term, *baikara*, that often occurs together with *jhārā*, *beṭha* and *begāra* in the documents. It is not, however, a form of labour *per se*, but an obligation under which the residents had to supply provisions to the state officials for free. Moreover, it seems that in some places *jhārā* could also be exacted in cash as an annual levy (see Document 7.4).

The Documents 7.4 and 7.5 demonstrate that the *jhārā* labourers were unpaid and their labour could be exacted either by request (*guhāra*) or by force (*dapko*). The labourers not only had to work under unfavourable conditions, they sometimes had to remain away from home for several months, and even bring their own supplies and tools. Beatings and punishment were common if people did not work according to expectations. A document from 1805 records porters having their noses cut as punishment of failing to carry military supplies (RRS 5.4: 77).

Documentary evidence shows that early Śāha rulers used the *jhārā* system for forced recruitment during wars. Rishikesh Shah emphasizes that the Śāha king's campaign of expansion by war was largely

21 For the system of *beṭha* and *begāra* in Himachal Pradesh of India, see Negi (1995).

conducted by forced recruitment (R. Shaha 1990/I: 207). One piece of documentary evidence of forced recruitment tells us of King Pṛthvīnārāyaṇa, who ordered *jhārā* recruits to attack Makwanpur against the forces of Mir Qasim (N. Panta et al. VS 2025: 986). Similarly, a document from 1814 mentions the state's recruitment of the people in the area between Bheri and Marsyangdi as *jhārā* for a military operation led by Amara Siṃ Thāpā (see RRC 41.568: 555–56).

Despite its strong presence throughout the Śāha and Rāṇā periods, the topic of forced labour is only sparsely dealt with in the *Ain*. In a mere four paragraphs, Art. 11 of the *Ain* stipulates that a landlord is not allowed to exact forced labour from his tenants without a legal contract and without making a payment, and that a government official should not employ such labourers for private purposes and outside of his jurisdiction, and only for state-managed activities.

Compulsory labour was also the basis for the growth and efficient functioning of the *hulāka* system (see Documents 7.1–7.3, 7.6) throughout the early Śāha and Rāṇā periods. This system consisted of relays of porters along designated routes who carried mail and supplies for the palace, the government and the military. The porters were of two kinds, namely *kāgatya hulākīs* and *thāpalyā hulākīs*. *Kāgatya hulākīs* were assigned to transport mail, and *thāpalyā hulākīs* to transport goods. Unlike other *jhārā* labourers, the *hulākī* porters stood in a relatively privileged position. They were provided with some *jāgira* lands and exempted from certain levies. However, exploitation of these porters' labour by government officials and wayfarers was so common that the rulers had to issue directives at various times forbidding such abuse. At places, the exploitation was so harsh that some villages along routes were desolated. Documents 7.1–7.3, 7.6 show the state's efforts to prevent such exploitation of the *hulākī* porters.

The system of unpaid and forced *jhārā* provided the government with much-needed manpower for portage, construction and other services. With this system, the government ensured that it never ran out of free or cheap labour. M.C. Regmi opines that, due to the availability of *jhārā* labour, slaves were not utilized at the governmental level:

The system of compulsory and unpaid labor made it possible for the government to meet its need for portage and other services without spending money... This explains why slavery, although a recognized institution during this period, was not utilized at the governmental level. (Regmi 1971: 117)

Be that as it may, given the harsh circumstances, lack of freedom and use of force, the *jhārā* and *hulāka* services can be seen as akin to slavery.

Economics of Slavery

The main advantage of enslavement for slave-holders was cheap labour, required mostly in an agricultural society based on a landowning system that brought debt and impoverishment to peasants. Brahmins and other upper caste members became not only landowners, but also money-lenders. For most of the poor tenants belonging to the Enslavable castes, there was hardly any way out from being enslaved or becoming bondservants. The alternative was to run away, resulting in mass migrations to northern India, Darjeeling, Sikkim and Bhutan. The statistics for 1870 from Darjeeling alone speak volumes: there were 32,350 Nepalis, 32,080 of whom belonged to the *matuvālīs* (“alcohol-drinking castes”) and untouchables (Pradhan 2009: 211–12). This situation had a considerable impact on the state economy.

Regardless of the cause of original enslavement, the slaves in Nepal were transferred from owner to owner mainly through inheritance, pledging, gifting, and purchasing, as can be seen from Documents 1.1–1.3, 2.1–2.10, 3.1, 3.3 and 3.6. A faulty transaction over a slave sometimes became the cause of family conflict. Document 2.1, for instance, concerns conflicts that arise from selling a slave without consulting one’s brothers. The *Ain* has a section to regulate such a conflict:

If one of the brothers who are living together in the same household sells a male or female slave or a quadruped or the like without consulting the other brothers, and the other brothers make a complaint that he is not allowed to sell their share, [the sale] shall be valid if he has sold [the property] in order to support the family, or if he has sold only that much of the inheritance which would have fallen under his share. If he has sold more than his share without consulting his brothers, and if it was not sold for the support of the family members of the household, [...] the seller shall be made to return the purchase sum to the buyer, and the commodity shall be returned to the brothers. (*Ain*-54 § 81.1)

Apart from being sold, inherited and gifted, slaves also changed hands as pledges (see Documents 3.1, 3.3, and 3.6). A slave’s ownership could

be transferred permanently to the creditor in the case of default. A loan agreement of 1919 states:

[I,] the debtor, Lāl Bāhādura Khatrī Chetrī by name, resident of Rasputra Village, have received 142 current silver *mohararupaiyās* from the creditor Vīra Bāhādura Khatrī Chetrī, resident of the same village. I have borrowed this money to repay Hirā Siṃ Thāpā. [...] I solemnly promise to return the same amount [of money] as borrowed on the 12th of the month of Jyeṣṭha in the coming year [VS 19]77. If this promise is broken, [Vīra Bāhādura] shall take in his ownership, on that same date, the pledged male slave Rave, [...] considering this deed as valid [in] itself, without [any need] for a separate *paramabhṛṭṭā* to be written. (Document 3.6)

Nepal presumably did not have an open slave market where one could sell or buy slaves. The market was partly controlled by the state. The state, through the *Ain*, fixed the price of slaves in cases of dispute. It also tried to keep track of slave transactions by making it mandatory for the seller of a slave to sign a sales deed and that an official should stand witness to the deed (see *Ain-54 Art. 81*).

The inter-state slave trade was especially strong in the Tarai and the west of Nepal, extending into Garhwal, where estimates arrived at some 200,000 slaves sold on to India during the Gorkhali occupation that lasted a decade.²² A contemporary observer writing in 1808 described this market as follows:

Many hundreds of these poor wretches, of both sexes, from three to thirty years of age, are annually disposed of in the way of traffic. These slaves are brought down from all parts of the interior of the hills and sold at ... from ten to one hundred and fifty rupees each. (Atkinson 1974: 620)

According to Lionel Caplan, “there was, until the beginning of the nineteenth century, a flourishing trade in the export of slaves to both India and Tibet” (Caplan 1980: 172). Slaves were bought in Bihar and the North-Western Provinces for 4–5 rupees and sold in Nepal for 30–40 each (Sen 1973: 161). During the 1866–67 famine in Champaran and

²² On slavery in Garhwal, see Atkinson (1974: 620), Pradhan (2009: 195), and Regmi (1971: 120).

other districts, parents sold their children to Nepal. Jaṅga Bahādura Rāṇā did not prevent this, but later ordered the slaves' release (Sen 1973: 161f.). They were taken to the British Residency and then returned to India. The first batch consisted of 450 slaves, but many other slaves went undetected and were kept hidden.

The sale of slaves and the modalities of payment were precisely listed in the *Ain*. Thus, in cases of dispute, the price for a male slave aged between twelve and forty years was set at 100 rupees, and that for a female slave at 120 rupees (see Table 2).

Foreign travellers' accounts provide some light on the trends in slave prices in the nineteenth-century Nepal. Francis Hamilton (1819: 235) mentions the price of a male slave in the early nineteenth century as 15 rupees and of a female as 20 rupees. A. Campbell reports the following prices from the Kathmandu Bazaar in 1836: "Full grown male slaves Rs. 80 each. Full grown female slaves Rs. 100 each. Boy slaves Rs. 40 each. Girl slaves Rs. 50 each" (Campbell 1837: 90, quoted from Sen 1973: 160 fn. 8). Daniel Wright (1877: 45) mentions prices similar to the *Ain*, but adds that later in the century the price of a female slave was raised to Rs. 150–200, one and a half times to twice that of a male.

The price of slaves as mentioned in the documents (Table 3) shows how it changed during the nineteenth and early twentieth century. Slaves were sold at considerably higher prices just before the abolition in 1924. The prices on the market and the standardized prices of the *Ain* diverged significantly. The higher market prices suggest that the state did not control private transactions and that standardized prices were applicable in cases of litigation and the government's handling of financial affairs relating to slaves. Thus, in the documents of 1898 issued by Deva Śamśera (Documents 4.10 and 4.11) the following prices are given: female slave, aged 21, price: 120 rupees; male slave, aged 45, price: 45 rupees; female slave, aged 42, price: 60 rupees; male slave, aged 8, price: 41 rupees and 1 *sukā*; male slave, aged 12, price: 41 rupees and 1 *sukā*; and female slave, aged 2, price: 25 rupees. Document 4.10 specifically mentions that these prices are in accordance with the *Ain*: "[we issue here an order that] the total price of the listed 7 slaves—452 *mohararupaiyās* 2 *sukās* according to [Section] 16 of the [Article on] Enslaved castes (*gyū māsiyākā jātakā*) in the *Ain*." The prices remained unchanged in the amended *Ain* of 1870 (see *Ain*-70: 224).

Apart from fixing the price of a slave in litigation, the state, through the *Ain*, regulated the value of the daily labour (*nimeka*) of a slave or bondservant, and the cost per day of food for him or her in cases when

Table 3: Prices of Slaves in Documents between 1806–1923.

Document no./ ID	Year (CE)	Locality	Number/sex/age of the slave(s)	Price
4.2 (PN_0002_0030)	1806	unknown	1 F	15 <i>rupaiyā</i>
2.1 (E_2824_0044)	1833	Unknown	1 M, 1 F	101 <i>rupaiyā</i>
2.2 (E_1448_0037)	1841	Bhaṅgāratāra, Kathmandu	3 F	101 <i>moru</i>
4.8 (E_3446_0032)	1892	Sāmā Gāū, Aṭhārasayakholā	1 F (14 y)	25 <i>moru</i>
4.9 (L_1200_0016)	1892	Sāmā Gāū, Aṭhārasayakholā	1 F (18 y)	35 <i>moru</i>
4.10 (K_0614_0021)	1898	Kāgatī Gāū, Nuwakot	1 M (45 y), 1 F (42 y), 1 F (21 y), 1 F (17 y), 1 F (2 y), 1 M (12 y), 1 M (8 y)	45, 60, 120, 120, 25, 41 ¼, 41 ¼ <i>moru</i>
2.3 (K_0348_0037)	1908	Vaḍahare, Sīnchupālcok	1 F (29 y), 1 son (9 y), 1 son (7 y), 1 daughter (4 y)	201, 101, 99, 99 <i>moru</i>
2.4 (K_0282_0008)	1909	Khairā Gāū, Pyuthana	1 M	172 ½ <i>moru</i>
2.5 (K_0281_0049)	1910	Madanapura, Pyuthana	1 M, 2 F	483 ½ <i>moru</i>
K_0281_0051	1914	Dhum Gāū, Pyuthana	1 F (16 y)	120 <i>moru</i>
K_0282_0007	1915	Khairā Gāū, Pyuthana	1 F (21 y)	301 <i>moru</i>
K_0282_0001	1917	Gajula Gāū, Pyuthana	1 F and 2 sons	360 <i>moru</i>
2.6 (K_0282_0002)	1917	Leghā, Pyuthana	1 F (9 y)	330 <i>moru</i>
2.7 (K_0282_0020)	1919	Bāḍikoṭ, Pyuthana	1 F (19 y)	418 <i>moru</i>
2.8 (K_0282_0047)	1919	Kārki Dāḍā, Pyuthana	1 M, 2 F	541 <i>moru</i>
K_0281_0058	1920	Purkoṭ	1 F (12 y)	326 <i>moru</i>
K_0281_0044	1923	Dhāirekarka, Pyuthana	1 M (13 y)	200 <i>moru</i>
2.9 (K_0282_0003)	1923	Arghā Arjuṃ, Pyuthana	1 M, 1 F	665 <i>moru</i>
2.10 (K_0282_0004)	1923	Bāḍikoṭ, Pyuthana	1 F (15 y)	301 <i>moru</i>
K_0282_0005	1923	Bāḍikoṭ, Pyuthana	1 M (19 y)	240 <i>moru</i>

the master had to be compensated (Ain-54 § 80.9–10): one *ānā* (1/16 rupee) as the value of labour, and one *ānā* for the food.

When the value of labour of a male or female slave or bondservant has to be compensated, from 2 *ānās* for one [slave or bondservant] for 1 day, 1 *ānā* is counted for food. (...) If [the slave or bondservant] dies after he was aided to escape and taken away, and before he is returned to his master's responsibility, [the culprit] shall be made to pay [the master] compensation for the value of labour until the day of [the slave's or bondservant's] death, together with an amount equal to the sales price or credit sum, respectively. (Ain-54 § 80.10)

Document 3.5 issued in 1906 gives a typical example of how this rule was enacted in a case of a runaway bondservant, Kamāne Bhoṭe, who had to state in the bond:

I agree that [an amount of] 34 *mohararupaiyās* and 80 *paisās* be added to the principal, as calculated according to the *Ain*, at the rate of 4 *paisās* per day as compensation for loss caused to the creditor's work for [a period of] 2 years and 5 months. (Document 3.5)

The typical value of labour of a slave or bondservant in the nineteenth century can thus be calculated as approx. 2 rupees (*mohararupaiyā*) per month and 23 rupees per year, a rupee being equivalent to 64 *paisās*.

From an economic point of view, the use of slavery was doubtful at best. The state had in any case easy access to labour by means of *jhārā*, and this avoided the need to care for the serfs all their lives. However, these profits could not compensate for the great damage done. An economically damaging result of employing peasants on forced labour was reduced crop yields.²³ Overall, slavery in the nineteenth century was more likely to contribute to a stagnant economy. In private households belonging to rich landlords and nobles, slaves or servants were not necessarily kept for profit, but to build or maintain social prestige. The number of servants in a household symbolised its reputation.

Unfree labour and impoverishment in parts of Nepal led farmers to leave their country to start a new life elsewhere in Nepal or abroad. These people were the first migrant workers. Nepalis already formed

23 See Regmi (1971: 109–12) for a discussion on adverse impact of forced and unpaid labour on the social and economic life of the peasantry.

a major population in Darjeeling in 1872 (see Pradhan 2009: 211–12), and in Sikkim by the end of the nineteenth century, and also in southern Bhutan, not to mention the countless Nepalese workers in India or the Gorkha soldiers recruited in the First and Second World Wars. These migrants worked as guards, as mercenaries or watchmen, as farm labourers, as tea pickers, in coal mines, as domestic helps, or even as prostitutes.

It is well known that the problem of such migrant workers has widened and become a modern form of “slavery”, even though not in a strict sense. It is estimated that 4 to 5 million Nepalis now work abroad, about half of them in India, the rest in Gulf states, Malaysia, and some other East Asian countries. About two million or 7.4 percent of the population worked as migrant workers abroad, according to the population census of 2011 (see M. Shrestha 2017: 28). By now, every third household has one member working abroad. The foreign exchange earned through labour migration has become Nepal’s biggest source of income alongside tourism. In 2018/19, migrant workers contributed almost 26 percent of the gross domestic product with their remittances. It may no longer be slavery in any official sense, but the tense situation on the labour market, the impoverishment of the peasantry, and the fact that many people in Nepal cannot live from what they earn through their work have remained.

Emancipation of Slaves

Nepali Documents use various terms to denote the emancipation or the freed state of a slave, such as *amalekha* (Documents 4.10, 4.11 5.2–5.4, and various articles of the *Ain*), *akariyā* (Ain-54 §§ 86.7, 129.8), *pāra* (Documents 4.2, 4.3, 4.4, 4.7 and 4.9), *pāraparchinā* (Document 4.8), *jiupāra* (Document 4.8) or *jiyapāra* (Document 4.6), *hāḍapāra* (Document 4.6 and Ain-54 § 82.16), and *kāma(kara)pāra* (Document 4.6 and Ain-54 § 82.16). These terms indicate different forms and stages of emancipation. However, exact distinctions between these terms are hard to determine.

Amalekha is the generic term used in pre-modern Nepal to refer to the manumission of both slaves and bondservants. Another widely used term is *pāra* (free, release), and *pārapatra* for an emancipation deed. A slave, however, could be freed to different degrees. The *Ain* states that a slave could be freed from enslavement, but may still not be freed from servitude (Ain-54 § 82.16). The *Ain* and various documents

use the term *hāḍapāra* for such a conditional emancipation. The term *hāḍa* (“bone”) has the connotation of blood kinship (*hāḍanātā*). Thus, *hāḍapāra* may be understood as an act of disassociating a slave from his enslavable status. Furthermore, Document 4.9 mentions “purifying the bones” (*hāḍa cokho garāī*), while Document 4.8 writes of “purifying the caste” (*jātabhāta śuddha garnu*) of a slave, both intending to remove a slave from the status of enslavable. When a slave is additionally freed of his obligations to serve the master, he is designated as being *kāmapāra* (“released from labour”). Another term, *jiu-/jyūpāra* is also used in the documents. The *Ain* and the contemporary legal documents used the term *jyū* (“body”) to designate slaves and bondservants in depersonalized and commodified terms. Hence, *jyūpāra* may be understood as the de-commodification of a slave and recognition (again) of him as a person.

According to the *Ain*, a slave could be emancipated in multiple ways: by being freed by the master’s own will, by being taken by the master as a concubine (in the case of a slave woman), by being freed by court order because of the master’s atrocities, when a master fails to provide care for a sick slave, and by fleeing to certain parts of the country. There are plenty of examples of rulers, as well as lay people, freeing their slaves (Documents 4.1–4.11). These examples of emancipation include liberation by the lay slave owners either during their lifetimes or posthumously, sporadic acts of pardon by kings and prime ministers, and manumission by the state. Some liberated their slaves at religious sites as a pious act. Documents 4.2 and 4.4 record such liberations carried out at Paśupati. As a ritual of freeing, the slave placed a traditional porter’s basket (*ḍoko*) on his or her back, securing it with a strap (*nāmlo*) across his or her forehead. As soon as the master had cut the strap through, the slave was free (see Document 4.4 and Maskey 1996: 34). It might also be interesting to mention a manner of freeing a slave in medieval times: the master took a jar filled with water from the shoulders of his slave and smashed it (see Malla 2000, s.v. *dharhapvaṃ*). A similar emancipation ritual can be found in the *Nāradaśmṛti* (see Lariviere 2003: 175, 351).

Document 4.7 is an example of how slaves were sometimes freed for being loyal to the rulers, in this case when they informed the ruling Rāṇās of their owner’s traitorous contact with rebel Rāṇās.

Some documents, dating to 1822–1836, show how, area by area, starting from Myagdī, Magars obtained royal permission to be non-enslavable (Lecomte-Tilouine 2009: 297, DNA_0014_0028). Such

legal attempts to prohibit slavery, however, were limited only to certain occasions, regions or groups. There were, for instance, mass liberations on the occasion of the coronations of Deva Śamśera and Candra Śamśera. King Rājendra Śāha even issued one such order banning the people of the entire country from selling their offspring (D. Panta VS 2026: 253), but his weak position meant that the order could not be imposed. Jaṅga Bahādura Rāṅā likewise decided to liberate all the slaves who had fled to India for more than a year and who then had returned to the Tarai provinces of Morang and Surkhet (Ain-54 § 2.64).

D.R. Pant (1997: 137–39) considers a number of documents relating to the subject of slavery. One of the documents, issued in 1768 by Pṛthvīnārāyaṇa Śāha, mentions that the king freed a certain Dhanadatta Nevāra of Lubhu, who had earlier been seized by him.²⁴ A report from 1852 found at the National Archives of Nepal lists a total of 947 slaves from the far west of Nepal freed in that year.²⁵ Of these, 88 were the children of free persons. The rest, some 859 persons, most probably all female, were freed because of their marital relations with free persons.

Many such manumission documents can be found from the period of the later Śāha rulers and throughout the Rāṅā period. Perhaps the most notable such ruler is Deva Śamśera, who, during his very short rule, ventured some measures to weaken slavery. He ruled as the prime minister of Nepal for only 114 days, from 5 March to 27 June 1901, and during this time, he made some attempts to abolish slavery, emancipating a total of 767 slaves alone during his enthronement ceremony.²⁶ Afterwards he attempted to emancipate all female slaves in Kaski and Lamjung, districts over which he had direct authority. As Perceval Landon mentions, he also planned to emancipate slaves in Kathmandu (Landon 1928/II: 81). Given opposition of the slave owners, however, he did not succeed in either of these undertakings. He nevertheless did manage to issue an order on the 10th day of the dark fortnight of Āṣāḍha in VS 1958, banning the buying, selling, pledging as security and donating of slaves (Nepālī VS 2021: 16–17).

24 For the edition and analysis of this particular document, see Vajrācārya and Nepāla (VS 2014: 27) and N. Panta et al. (VS 2025: 1038–40).

25 Pradhānāṅga (VS 2075: 112–13) provides a list containing the number of freed slaves in different districts of the far west.

26 The slaves emancipated during the ceremony are listed in Ḍaṅgola, Rājavaṃśī, and Vajrācārya (VS 2041: 115–20).

Mass liberations were first enacted on 13 April 1925, when Prime Minister Candra Śamśera issued the legal prohibition on slavery through an amendment to the *Ain*. From then on, trading in slaves was punishable by seven years in prison. For these liberated slaves (*amalekha*, *gharī*), Candra Śamśera assigned a village named Bhikṣākhorī, and renamed it as Amlekhgunj (“the place of liberated slaves”) on 15 June 1929.²⁷ This place, lying in the jungle in the Tarai, had been the end station of the Indian railway since 1927, and the liberated slaves received land there to cultivate for themselves. Although this sounded good and Candra Śamśera was praised for his act, the reality was apparently different for the resettled slaves. They were probably needed there to cut timber for Indian railway sleepers. However, the resettlement programme was a failure because no more than an estimated sixty households were founded, probably because the place was in the middle of a malaria district, but above all because the *gharīs* were not recognised socially there. In general, liberated slaves had to face great difficulty in forming a community or a caste, find marriage partners, or integrate into the world of work. Many had greater problems after liberation than before, because they found work and housing only on the margins of society.²⁸

In an attempt to tackle the problems freed slaves faced in the transition period after liberation, Candra Śamśera had earlier proposed to keep the freed slaves for seven years in the service of their masters (C.S.S. Rana 1925: 47, cf. Document 6.10). However, it is not clear whether this was actually enacted.

Reintegration of freed slaves in a caste society was certainly not easy. However, in some cases, slave status was not necessarily an impure status, so that some slaves could re-join their castes. In Document 4.3 it is clearly said to the emancipated slave Gajakesara: “Wear the sacred thread, mindful of proper conduct. Become associated with fellow members of your own caste”. In Document 4.1, King Girvāṇayuddha Vikrama Śāha (r. 1799–1816) also allows an emancipated Newar slave, together with his offspring, to re-join his community.

27 Whyte (1998), cf. Daṅgola, Rājavaṃśī, and Vajrācārya (VS 2041).

28 See Whyte (1998) for an understanding of the economic and social realities of the freed *gharīs*.

Abolition of Slavery



Fig. 1: The Assembly at Tundikhel in which Prime Minister Candra Śamśera Called for the Abolition of Slavery. Source: C.S.S. Rana (1925: 38).

On 28 November 1924, Prime Minister Candra Śamśera assembled the senior officials and military in Tundikhel Square in the centre of Kathmandu (Fig. 1). With him was eighteen-year-old King Tribhuvana. Candra mounted the platform under a large tree and had the palace guru, Hemraj Pande, read a long “call for the liberation of slaves and the abolition of slavery in the country.” This began with the following words:

Gentlemen, to-day we meet to consider a delicate and difficult question. The world progresses and with it there is change, not only in our mode of living in our relations with our neighbours, in our methods of administration and our people have now come much more to the fore than ever before. That alone should be an incentive to retain untarnished our reputation as a brave people, as a just people, as a humane people; in short as the fit progeny of our forefathers, the heroes of a hundred battles, ever the champions of the weak and oppressed. Yet there rests on us, according to the present standard of the civilized world, a stigma, a slur on our name which diminishes its lustre. They say we yet nurture the hated institution of slavery; we, who are so fiercely jealous of our independence, retain in vile bondage some of our own people and abandon them

from generation to generation to continue in that state without lifting a little finger to sweep away a custom unworthy of our glorious tradition. (C.S.S. Rana 1925: 1)

These sentences are followed by a long explanation as to why Candra Śamśera proposed to his people to give up slavery. He claimed that Hindu tradition condemned slavery (which is not true, as there has always been slavery in Hindu kingdoms). He described the hopeless and desperate perspective of the slaves and the unworthy situation faced by some seventy-year-old slaves under much younger “masters” in multi-generational households, and he detailed how little slave ownership ultimately yielded. Thus, it cost 410 rupees to raise a slave child until he or she could be used as a worker at the age of sixteen or sold for the price of 120 rupees. If, however, one had lent that sum at ten percent, the lender would have received 1100 rupees during the same period. As evidence, the Appeal is accompanied by extensive tables based on the 1923 census, showing that, at that time, there were 51,519 slaves, corresponding to just over one percent of the population, and 15,719 slave owners. Finally, he announced that his government would pay compensation for each freed slave.

This speech by Candra Śamśera was only an appeal (“*spīca*” in the Nepālī version), carefully addressed to slaveholders and to the international public, who applauded the Prime Minister for his step. At the same time, Candra is said to have been praised by slaves, for it was rumoured among them that he himself had married a slave, but the question of whether Candra Śamśera abandoned slavery for moral or humanitarian reasons may have a different answer when, in 1923, Candra signed a peace and friendship treaty with the British, which recognized Nepal as an independent nation. In 1924, the League of Nations established a commission to abolish slavery. The fluent English-speaking Prime Minister knew about this and probably wanted to impress the League of Nations, and he later wrote an English version of his appeal of November 28th. Candra was praised for his act of abolishing of slavery by the international press and influential personages (see Document 6.10).

Interestingly, Candra Śamśera asked the help of Hugh J. Wilkinson-Guillemard, the first British envoy to Nepal, to invest 1,111,200 Rs. in Government Promissory Notes. The money was intended for establishing the Slave Emancipation Fund (Documents 6.1–10). The income of 5 percent tax-free interest generated from holding the Government Promissory Notes was probably used for the emancipation.

In January 1963, Nepal signed to commit to the 1926 Slavery Convention Treaty. However, the system of bonded labour and forced labour survived up to the recent past. Different forms of unpaid or meagrely paid labour systems—such as *kamaiyā* for the agricultural and domestic activities, *kamlari* in which female children work as domestic servants to the landlords, and *haliyā* agricultural bonded labour practice—were only recently legally abolished. The *kamaiyā* system, primarily existing in western Nepal, was abolished by law on 17 July 2000, and the debts were cancelled. The *kamlari* system was declared illegal on 10 September 2006. Similarly, in September 2008, the government of Nepal banned the practice of *haliyā*.

Conclusion

To conclude, we can say that slavery and unfree labour had a damaging impact on the economic activity of the eighteenth- to early-twentieth-century Nepal (Regmi 1971: 123), even though the number of officially recorded slaves there might have been less than in other slaveholding societies.²⁹ It is also noteworthy that Nepal did not regularly import great numbers of foreign slaves and that the slaves there were generally from within its own society. Slavery was predominantly confined to the agricultural sector and to the households. Enslavement largely took place on the basis of poverty, punishment, and by birth. Slaves often were kept in the households and (extended) families, and the measures to enforce their stay were not as necessary as in industrial forms of slavery. As Indrani Chatterjee (1999) aptly argued, the history of slavery in India (and Nepal) was interwoven with the history of family and power, rather than solely with exploitation of labour for economic purposes.

Moreover, the extent of slavery and labour exploitation in Nepal was not primarily the result of a high land-to-labour ratio. This is contrary to the Nieboer-Domar hypothesis³⁰ which argues that the use of slavery or bonded labour becomes a necessary alternative when there is an abundance of land and shortage of labour. Instead, the state, its

29 The emancipation speech by Candra Śamśera mentions the slave population of Nepal as amounting to less than 1%, 51,419 slaves for a Nepalese population of 5,573,788 (C.S.S. Rana 1925: 35). For a list of slave systems and the proportion of slaves and their population, see Patterson (1982: 353-64).

30 See Nieboer (1900), Domar (1970) and Patterson (1977).

politics, the caste system and an unjust land distribution were the major factors here.

All in all, enslavement in pre-modern Nepal must be seen as the deprivation of rights of the rural population and the enslavable ethnic minorities, as well as the so-called impure castes. The regulations exploited the Brahmanical ideas of purity and impurity to economically ruin and socially isolate—by means of moral offences and debt bondage—a population already made poor and marginalised. This above all affected the ethnic minorities, who traditionally did not follow the Brahmanical purity regulations. Thus, the regulations relating to slavery in the *Ain* were designed to increase control of the people of certain castes and to create a monopoly on slave labour for the state and the feudal classes.

Agricultural debt, and the pressure of high taxes, are the reasons for the impoverishment and enslavement of the small farmers in Nepal. This situation, intolerable for so many, already led in the nineteenth century to a great exodus of labourers. The agricultural proletariat preferred to work in the coal mines and on the tea plantations of India, just as the modern rural population seeks its fortune by preference in the Gulf States.

II. Documents on Slavery and Unfree Labour in Nepal: Editions and Translations

1. Documents on Donation and *Satī* of Slaves

1.1 A document recording the donation of a slave and land to Ādiviśveśvara by Ṭhākura Gira Gosāi (K_0113_0023)

Edited and translated by Manik Bajracharya; Dated ŚS 1680 (1759 CE); Guṭhī Saṃsthāna, Viśveśvara Mahādeva Guṭhī, po. 11; micro-filmed as NGMPP K 113/23; for the digital edition, see DOI: <https://doi.org/10.11588/diglit.36930>.

Edition:

1 श्री: \

1 स्ही ईस्व गिरी वीसंपु

2 पातले छाप्

1 सकल् वमोजीम् नकल् दुरू-

2 स्त छ भनी सही छाप गर्ने ईस्व

3 गिरी

1 स्वस्ति श्री शाके [१]६८० मा रोयदिनगतातिव भौमवासरे फालगुन पु-

2 णिमायां तीथौ दोगाम व्यासीमाहा आड³¹ रोपनी पेत पियारि कमारीसमे-

3 त श्रीश्रीश्री आदिवीसेस्वर³² प्रीति गन्या श्री ठाकुर गिर गोशाईले ईन् सि-

4 वापन³³ गन्या³⁴ । ऋतिक साछी श्री धनराज गीर महन्त श्री प्रमार्थ गीर महंत श्री

5 अमर गीर श्री भोज गीर श्री वलीराज गीर श्री गोशाई मुरलि पुरी श्री नेहा-

31 Read: *ātha*.

32 Read: *ādiviśveśvara*.

33 Read: *śivārpana*.

34 Read: *garyā*.

- 6 जन पुरी श्री हरजी गीरी श्री भभु गीर श्री दल सीं गार भारथी श्री रन शिह म-
 7 हत । मुषीया वीसुंषुका सवै पंच साछी वस्य्या । पत्र सही शुभम् । श्री वी-
 8 रवृजीता पंत राजा धनमंत सब्य काजी पालामाह देवभीतरसल । श्री

Translation:

Śrī

Signed, Īsva Giri [of] Bisankhu. *pātale chāp*³⁵

Īsva Giri, who [by] signing [attests] that the copy is true to the original.³⁶

Hail! On Tuesday, the full moon day of Phālguna in the Śaka year [1]680 (1759 CE)—on a very auspicious occasion—Śrī Ṭhākura Gīra Gosāi, who adores the threefold glorious Ādiviśveśvara, donated eight *ropanīs* of land in Dogāma Byāsī together with a female slave [named] Piyāri to this Śiva. The truthful witnesses are: Śrī Dhanarāja Gīra Mahanta, Śrī Pramārtha Gīra Mahanta, Śrī Amara Gīra, Śrī Bhoja Gīra, Śrī Balirāja Gīra, Śrī Gosāi Murali Purī, Śrī Nehājana Purī, Śrī Harajī Giri, Śrī Bhabhu Gīra, Śrī Dala Siṃ Gāra Bhāarthī and Śrī Raṇa Siṃha Mahanta. The *mukhiyā* and every one of the *pañcas*³⁷ of Bisankhu witnessed [the offering]. Signed. Auspiciousness.

During the time of the venerable Vīravṛjītā Panta, King Dhanamanta, and Savya Kājī. *deṃvabhūtarasala*³⁸. Glory!

Commentary:

This document, located in the Guthī Saṃsthāna office in Bhadrakālī, gives the date as Śaka year 680. One may assume that the writer left out the figure 1 from the year (see also D.R. Pant 1997: 138 fn). The year 1680 ŚS, if correct, would correspond to 1759.

This document mentions that Ṭhākura Gīra Gosāi offered a piece of land and a female slave to the Ādiviśveśvara temple of Bisankhu. The location of the donated land, Dogāma Byāsī, is in the Bisankhu area in

35 Perhaps a stamp with *pāta*, a piece of jute, hemp or silk yarn attached underneath stamps.

36 This text and the signature above are in the left margin.

37 *Pañca*: a local council consisting of five or more members.

38 The meaning is unclear.

Lalitpur (Regmi 1984: 70 mentions the place, there with the spelling Dugam).

The document has eleven witnesses whose names attest to their membership in ascetic orders, among them three *mahantas* (i.e., the heads of the ascetic orders or monasteries). The recurring terms Gīra and Gāra probably refer to Giri.

1.2 A copperplate inscription recording the offering of two Newar girls by Bālakṛṣṇa Upādhyā to serve at Paśupati-nātha (PN_0002_0002)

Edited and translated by Manik Bajracharya; Dated ŚS 1695 (1773 CE); Paśupati Gośvārā; microfilmed as NGMPP PN 2/2; for the digital edition, see DOI: <https://doi.org/10.11588/diglit.35143>.

Edition:

1 श्री ५ पशुपतिर्जयति ।

[A figure of the Sun]

[A figure of the Moon]

1 श्री ५ पशुपतिनाथका

[A figure of a *triśūla*]

1 साक्षी श्री वीरभद्र राणा ॥ शुभं

1 साक्षी पुत्र श्री षडानन उपाध्या ॥

- 1 ॐ अद्य श्वेतवाराहकल्पेत्यादि आषाढमासे शुक्लपक्षे च-
- 2 तुर्थ्या तिथौ अक्षयानक्षत्रे वज्रयोगे यथाकरणमुहूर्त्तके
- 3 मिथुनराशिगते सवितरि कर्कटराशिगते चंद्रमसि आत्रेय-
- 4 गोत्रेः श्रीवालकृष्णदेवशर्मा सपुत्रः श्री ३ पशुपतिभट्टार-
- 5 कप्रितये इमे नकु गुणवतीनाम्न्यौ दास्यौ देवदासीत्वेन
- 6 संप्रदत्तौ । अथ भाषा । स्वस्ति श्री शाके १६९५ आषाढ शु-
- 7 द्वि चतुर्थीका दिनमाहा भीरकोट्या श्री वालकृष्ण उपाध्याले
- 8 --- चरणतल दुइगोटी कमारी नकु गुण भन्याकी ने-
- 9 वार्नीकन --- देवदासी गरि चढायौ । इनमाथी पुजारा

- 10 भट्टहेरुको लाग नास्ति । साक्षी श्री हरिहर उपाध्याका पाचे
11 भाईका । साक्षी भगवती वन गोसाइ । लेखक श्री दुर्गनाथ महाचार्य्या ।
12 इन दुऐकन जो हरण गरला तस्कन पंचमहापातक होला ।

Translation:

May the fivefold glorious Paśupati be victorious!

[A figure of the Sun]

[A figure of the Moon]

The fivefold glorious Paśupati's

[A figure of *triśūla*]

Witness: Śrī Vīrabhadra Rāṇā; auspiciousness³⁹

Witness: Śrī Ṣaḍānana Upādhyā, the son [of Bālakṛṣṇa Upādhyā]⁴⁰

Om. Today, [in] the aeon called Śvetavārāha, and so on; on the 4th of the bright fortnight of the month of Āṣāḍha, in the Aśleṣa lunar mansion, in the Vajra *yoga*,⁴¹ in an appropriate *karaṇa*⁴² and *muhūrta*⁴³, when the Sun and the Moon were in the zodiacal signs Mithuna and Karkaṭa respectively, within the Ātreya lineage, Śrī Bālakṛṣṇa Deva Śarmā together with his son has offered two slaves, named Naku and Guṇavatī, as *devadāsīs* for the pleasure of the threefold glorious Paśupati Bhaṭṭāraka.

Now, [in the] vernacular language. Hail! On the 4th of the bright fortnight of Āṣāḍha in the Śaka year 1695 (1773 CE), [I], Bālakṛṣṇa Upādhyā of Bhirkot, have offered the two Newar slaves named Naku and Guṇa to the feet of --- [i.e., the fivefold glorious Paśupatinātha]⁴⁴ as *devadāsīs* of --- [i.e., the fivefold glorious Paśupatinātha]. The Bhaṭṭa caretakers [of the temple] shall have no authority over them. Witnessed

39 The text is in the left margin.

40 The text is in the right margin.

41 A division of time based on the sum of longitude of the sun and moon. There are twenty-seven *yogas*.

42 A division of time, with two *karaṇas* being equal to a lunar day. There are eleven *karaṇas*.

43 A division of time equivalent to 48 minutes; the 30th part of a day.

44 This space holder in the original contains symbols which has been reproduced in the edition as dashes (---).

by the five brothers of Śrī Harihara Upādhyā. Witnessed by Bhagavatī Bana Gosāi. Writer [of the inscription]: Śrī Durgānātha Mahācārya. Whoever takes these two [slaves] away will be guilty of the five great sins (*pañcamahāpātaka*).

Commentary:

This copperplate from Paśupatinātha temple, dating to 1773, concerns a donation of two Newar female slaves to the temple by Bālakṛṣṇa Deva Śarmā (also named as Bālakṛṣṇa Upādhyā in the document), a Brahmin from Bhirkot. The document does not mention the name of the king, Pṛthvīnārāyaṇa Śāha, reigning over the Kathmandu Valley at the time. Bhirkot, the donor's place of residence, was a part of the Caubīsī kingdoms to the west of Gorkha. Previous editions of this document appeared in Śreṣṭha (1974: 104–5) and Vajrācārya and Śreṣṭha (VS 2037: 114–15). Also, for a short analysis of the document, see D.R. Pant (1997: 138).

1.3 A copy of a document from Joga Nārāyaṇa Malla to Bhagavanta Bāḍā re the offering of female slaves to Palāñcoka Bhagavatī (K_0579_0063)

Edited and translated by Manik Bajracharya; Dated VS 1832 (1776 CE); Guṭhī Saṃsthāna, Bhadrakālī, Ta. no. 1339 (11), Gu. Ba. no. 12; micro-filmed as NGMPP K 579/63; for the digital edition, see DOI: <https://doi.org/10.11588/diglit.37001>.

Edition:

1 श्री

1 श्री भगवतिमाई

1 ११

1 स्त्री सकल वमोजिं नकल दुरूस्त छ भनि स-

2 हि छाप गन्या करुणानंद मो[?]जुपषं⁴⁵-

45 Uncertain reading.

3 वाहाल - - -

[Unknown seal]

- 1 स्वस्ति श्री जोगनारायणमल्लकस्य पत्रं ।
- 2 आगे भगवंत वाडाके । ---को आसनि सिलाका थिति-
- 3 कन टहल् र झारू वढारूकै कमारि २ दिजुं चर्हाजुं । तस-
- 4 महा दावा धक्का झईझगरा कसैको रोकतोक नास्ति । इति
- 5 सम्बत् १८३२ साल माघ वदि १३ रोज ६ मुकाम् काभ्र्या
- 6 व्यासि । शुभम् ।

Translation:

Śrī

Glorious Bhagavatī

11⁴⁶

Signed by Karuṇānanda ...⁴⁷ in attestation that the copy is true to the original⁴⁸

[Unknown seal]

Hail! A letter from Joganārāyaṇa Malla.

Āge: to Bhagavanta Bāḍā. I [herewith] give—offer—2 female slaves to attend to the customary services relating to the stone seat (*āsani silā*) of the glorious [goddess] Bhagavatī and to do the sweeping. There should be absolutely no [false] claims (*dāvā*), intimidation (*dhakkā*), lawsuits (*jhajhagarā*) or [other forms of] obstruction in [reaction to] this.

Friday, the 13th of the dark fortnight of Māgha in the [Vikrama] era year 1832 (1776 CE). Residence: Kābhryā Byāsi. Auspiciousness.

46 This number, assigned by the Guṭhī Saṃsthāna, represents the serial number of the document within the bundle.

47 Part of the name is illegible in the original.

48 The text is written in the left margin.

Commentary:

This is a copy of a document concerning two female slaves offered to the goddess Bhagavatī of Kabhrepalanchok district. The goddess is also commonly known as Palanchok Bhagavatī. The addressee of the document, Bhagavanta Bāḍā, is mentioned as the priest of the Bhagavatī shrine in various documents, including NGMPP K 579/58, 62, 64, 66, 71, and 72. In document K 579/58, issued in VS 1805, he is reconfirmed as the rightful priest of the Bhagavatī shrine by the royal priest. The identity of the issuer/donor, Joganārāyaṇa Malla, is unknown. The two slaves, though offered for service in the temple, are not called *devadāsīs* in this document, unlike a similar case in the Document 1.2 recording the offering of slaves to Paśupati.

1.4 A *lālamohara* from King Raṇa Bahādura Śāha informing Dalamardana Śāha and others of his father's death and the *satī* of eight slave girls (DNA_0014_0041)

Edited and translated by Axel Michaels; Dated VS 1834 (1777 CE); National Archives Nepal, Ms no. 462; microfilmed as NGMPP DNA 14/41; for digital edition, see DOI: <https://doi.org/10.11588/diglit.36929>.

Edition:

- 1 श्रीदुर्गासहायः\
- 2 श्री वावा

[Royal seal]

- 1 स्वस्ति । श्रीगिरिराजचक्रचूडामणिनरनारायेणेत्यादिवि-
- 2 विधविरूदावलिविराजमानमानोन्नतश्रीमन्महाराजाधि-
- 3 राजश्रीश्रीश्रीमहाराजेरणवहादूसाहवहादूसमसेर्ज-
- 4 इदेवानाम् सदा समरविजयिनाम् लि० । स्वस्ति । श्रीगि-
- 5 रिराजचक्रचूडामणिनरनारायेणेत्यादिविधविरू-
- 6 दावलिविराजमानमानोन्नतश्रीमन्महाराजाधिराजकु-
- 7 मारश्रीश्रीश्रीमद्वलमर्दनसाहदेवेषु तथा श्रीश्रीश्री-
- 8 मद्रहादूसहदेवेषु सदा समरविजयिषु ---पूर्वक-
- 9 पत्रमिदं । इहाँ कुसल तौहाँ कुसल चाहिये । आगे इहाको
- 10 समाचार भलो छ । उप्रांत अधिदेपि ---ज्युलाइ र-

- 11 गत् पन्या वेथा थियो । पछि वातको वेथा थपियो । वेथा-
 12 को दवाउ भयो र मंसिरका दिन ६ जाँदो सोमवार विहा-
 13 न पलौंग हुनुभयो जना ८ केटिहरू सति गया । क्रिया-
 14 कर्म गर्न लाग्यु । क्रिया वस्याका नरु साह सिव साह भो-
 15 टु पाँडे नीलधोज भवानिदत्त थर्थोकमा इंद्रमुनि वस्-
 16 न्यात जना ६ वस्याका छन् । ताँहाँ पनि जुठो वार्नुहवस् । सु-
 17 द्दसांति भयापछि आफुहरूलाइ चलावन थरघर भला
 18 मानिस् आउँछन् । आयापछि ताहा वसूठ गरि तव पा-
 19 व लायुहोला । थरघर आउंज्यासम्म ताहि राज गर्नुहो-
 20 ला । इति संवत् १८३४ साल अगहन वदि ६ रोज ५ । शुभं ।

Translation:

May glorious Durgā help [us]!

Venerable father

[Royal seal]

Hail! [a *lālamohara*] written by him who is shining with manifold rows of eulogy [such as] “The venerable crest-jewel of the multitude of mountain kings” and Naranārāyaṇa (an epithet of Kṛṣṇa) etc., high in honour, the venerable supreme king of great kings, the thrice glorious great king, Raṇabahādura Sāha; the brave swordsman, the divine king always triumphant in war.

Hail! This letter with [auspicious wishes] is to thrice glorious princes Dalamardana Sāha and Bahādura Sāha who are shining with manifold rows of eulogy [such as] “The venerable crest-jewel of the multitude of mountain kings” and Naranārāyaṇa etc., high in honour and always triumphant in war.

The tidings here are fine, and it is hoped that you are also fine there. Furthermore, [other] news from here is well.

Uprānta: From earlier times [my] father suffered from bloody dysentery. Later the arthritis disease was added to it. [Medical treatment for the diseases was done, but] he was oppressed with pain [and] he went to the other world on Monday morning of the 6th of Maṅsira. 8 female slaves (*keṭi*) became *satī* (i.e., performed self-immolation).⁴⁹ We have started the funerary rituals, [which are] being performed by Naru Sāha, Śiva Sāha, Bhoṭu Pāḍe, Niladhoja, Bhavānidatta and

49 On *satī*, see Michaels (1993 and 1994) and Mainālī (VS 2078).

Indramuni Basnyāt [representing] *tharthoka*⁵⁰ [required assembling], all together 6 persons. There (i.e., at your place) you also should observe [mourning for] impurity (*juṭho*). When the purity and pacification [periods] are finished, *tharaghara* and noble people will come [there] to set you interacting [again] together (i.e., to eat cooked food with outsiders). After their arrival you should stay there together [for some time and then] make a move (i.e., return). Until the arrival of the *tharaghara* you should stay there.

Monday, the 6th of the dark fortnight of Agahana (i.e., Mārgaśīrṣa) in the [Vikrama] era year 1834 (1777 CE). Auspiciousness.

Commentary:

King Raṇabahādura Śāha writes this letter to Princes Dalamardana Śāha and Bahādura Śāha to inform them about the demise of the king's father Pratāpa Siṃha Śāha on Monday morning, the sixth day of Maṅsira. The letter mentions the immolation (*satī*) of eight female slaves (*keṭī*). For a recent study on the *satī* system of Nepal, see Mainālī (VS 2078), especially pp. 169–179 of the book for various incidents relating to immolation female slaves.

2. Documents on Slave Transactions

2.1 A sales deed recording Bālasundara Thāpā's obtaining of two former slaves of his from Bhairava Siṃ (E_2824_0044)

Edited and translated by Manik Bajracharya; Dated VS 1889 (1833 CE); private collection of Cakra Rāja Timilā, Bhaktapur, no. 29; micro-filmed as NGMPP E 2824/44; for the digital edition, see DOI: <https://doi.org/10.11588/diglit.37360>.

Edition:

1 श्री \

1 सहि

1 स्वस्ति श्री लिपितं बालसुन्दर थापा । आगे डम्बर्या कमारो १ रंगी

50 *Tharthoka*: representatives of six clans: the Pāḍes, Pantas, Arjyālas, Khanālas, Rāṇās and Boharās.

- 2 कमारि १ अघि इ कमारि हाम्रै घरवाट गंगाप्रसाद गिरिका घरमा जादा हा-
 3 म्ना जेठा दाज्युले दि व्यच्याका रह्याछन् । हामि भाइ वस्याका पनि थियौ-
 4 न । गौराइ पनि षायाको थियेनं । झगरा पनि गर्याको थियेन ।
 5 आज कमारो हाम्रा घर वस्न आउदा भैरव सिले येक सय येक
 6 रूपया लियो । मोल्ल पटक गरि मैले किन्या । यो कमारो कमा-
 7 रि जाग्यस्वर गिरिकन र सुव्यानिकन मैले नदिनु । दिया
 8 भन्या भैरव सिले वाधि लैजानु । मठमा मैले दिन भन्या ।
 9 आज कीन्या वेच्याको सहि । जसले कुरा फेर्ला स्व झुठा ।
 10 साछि इन्द्रविर षत्रि प्रताप थापा उतर कुमार थापा ।
 11 सम्बत १८८९ मिति फागुन वदि ७ रोज १ । शुभम् ।

Translation:

Śrī

Signature⁵¹

Hail! Written by Bālasundara Thāpā.

Āge: My eldest brother unexpectedly gave-sold the male slave Dambaryā and the female slave Raṅgī when they [once] went from our own house to the house of Gaṅgāprasāda Giri. We brothers had not gathered [to discuss the matter]. We had neither have any earnest (*gaurāi*), nor did we institute legal proceedings (*jhagarā*). Today the slaves have come [back] to stay in our house, [and] Bhairava Siṃ took one hundred one rupees [for them]. I bought [the slaves] after bargaining. This slave boy and slave girl should not be given to Jāgyasvara Giri or Subyānī. If they are given [to them], Bhairava Siṃ should take [the slaves] away bound. I have declared that I will not give [the slaves] to the *matha*. The transaction today has been endorsed (*sahi*). Whoever alters [the terms of] the matter, will be [considered in the] wrong. Witnesses: Indravira Khatrī, Pratāpa Thāpā [and] Utara Kumāra Thāpā.

Sunday, the 7th of the dark fortnight of Phālguna in the [Vikrama] era year 1889 (1833 CE). Auspiciousness.

Commentary:

The content of this document is confusing. This much seems clear: the eldest brother of Bālasundara Thāpā had sold the two slaves to

51 In the left margin. The signature is probably of Bālasundara Thāpā.

Gaṅgāprasāda Giri without consent from his brothers, and Bālasundara obtained the slaves back by paying 101 rupees. Bhairava Siṃ is perhaps an authority who apparently had brought the slaves back to Bālasundara, and he has been declared responsible to take the slaves away in case they are ever given back to Jāgyasvara Giri and Subyānī. The identities of Jāgyasvara Giri and Subyānī are not clear. One can assume that they are relatives of Gaṅgāprasāda and that all three have ties to the same *maṭha*.

This document, even though of pre-*Mulukī Ain* period, depicts a situation that is covered under Ain-54 § 81.1 dealing with a brother's selling of slaves or domestic animals without consulting other brothers.

2.2 A document recording a loan taken by Darajīta Paṇḍita from Bhājupati to buy female slaves (E_1448_0037)

Edited and translated by Manik Bajracharya; Dated VS 1898 (1841 CE); private collection of Cittadhara Hṛdaya, Kathmandu; microfilmed as NGMPP E 1448/37; for the digital edition, see DOI: <https://doi.org/10.11588/diglit.36825>.

Edition:

1 श्री \

1 तमसुक सहि

- 1 स्वस्ति । श्री सम्वत् १८९८ साल मिति मार्ग वदि ८ रोज तद्दिने लिषितं धनीक नाम का-
 2 ठमाडौ नेट पिथ्या न्हुछेको साहु भाजुपति उद्धारिनिक नाम भङ्गरतार वरुया दर-
 3 जीत पण्डित गत चादिका मोहर रूपैया ---१०१ येक
 4 सये यक् कर्जा लिजुँ । इन रूपैयाको व्याज सैकडा धान मुरि ७।०। का हिसावले व-
 5 र्षवन्धमा चुक्ति गरि टारूला । वावत देउरूपिसमेत् जना ३ कमारी किंन्नकन लि-
 6 जा भनि तमसुक लेषिदिजाँ । यस वाटका साछि मेरा दाज्यू सर्वजीत् पण्डित अंत-
 7 र साछि चिकं अट्टको तुलसि नारान् सुशुभ्म् ।

Translation:

Śrī

Tamasuka signed [by the debtor]

Hail! Written on the 8th of the dark fortnight of Mārga in the [Vikrama] era year 1898 (1841 CE). I, the debtor (*uddhāriṇīka*) named Darajīta Paṇḍita of Bhaṅgaratāra, have received a loan of 101 silver *mohararupaiyās* from the creditor (*dhanīka, sāhu*) named Bhājupati of Neṭa, Pithyā Nhuche, Kathmandu. I will pay off the interest of this money at an annual rate of 7.1.1 *murīs*⁵² of rice grains per hundred [rupees]. I have written this *tamasuka* to attest that I have taken this [loan] in order to purchase 3 female slaves including Deurūpi. The witness of this [from my side] is my elder brother Sarvajīt Paṇḍita, [and] the witness from the other side (*antarasākṣī*) is Tulasi Nārān of Cikaṃ Aṭṭa. [Let there be] auspiciousness.

Commentary:

This document is a bond signed by the debtor Darajīta Paṇḍita for receiving a loan of 101 *mohararupaiyās* from a creditor in Kathmandu. The debtor's place of residence, Bhaṅgaratāra, is probably Bhangaltar, a locality north of central Kathmandu and south of Budhanilakantha. The document specifies that the purpose of the loan was to purchase three female slaves.

This document is from the collection of Chittadhara Hṛdaya in Kathmandu.

2.3 A sales deed of four slaves in Vaḍahare (K_0348_0037)

Edited by Manik Bajracharya; Dated VS 1965 (1908 CE); Guṭhī Saṃsthāna, Bhadrakālī, 6, Bā. Da. Po. no. 12 Pan. no. 2; microfilmed as NGMPP K 348/37; for the digital edition, see DOI: <https://doi.org/10.11588/diglit.37366>.

Edition:

1 श्री \

1 ४७⁵³

[Fingerprint, most probably of Cūḍāmaṇi Bhaṭṭarāi Jaisī]

52 I.e., 7 *murīs*, 1 *pāthī* and 1 *mānā* per hundred rupees.

53 Added by a second hand in the upper margin.

1 साछी

[Signature of Jimmāvāla Muktinātha Bhaṭṭarāi Jaisī]

1 सीपा वडहरे वश्या जीम्वावाल् मुक्तीनाथ भट्टराई जैसी ---१

[Signature of Loka Bāhādura Bhaṭṭarāi Khatrī]

1 ऐं ऐं वश्या जवरजं[?] पटि सी. लोक बाहादुर भट्टराई षत्री १

[Signature of Sīvadatta Upādhyā Ācārja]

1 ऐं ऐं वश्या सीवदत्त उपाध्या अचारज ---१

[Fingerprint of Dasaratha Duvāl]

1 भादगाऊ मकै छालीं वश्या नाईके दसरथ दुवाल् ---१

[Signature of Jīvarāja Pādhyā]

1 लेषक जीवराज पाध्या वानेश्वर ---१

- 1 लिषितम सिपा वडहरे वश्या रामेश्वर भट्टराई
- 2 जैसीका यका घरका सहोदर छोरा सोही ठाउ वश्रे
- 3 चूडामणी भट्टराई जैसी आगे मेरा घरैया वर्ष २-
- 4 ९ की काली कमारी ज्यू १ को मोलपटक मोह रू
- 5 २०१ दुई सये येक् नीजको जेठो छोरो वर्ष ९ को
- 6 धने कमारो ज्यू १ को मोलपटक मो रू १०१ येक
- 7 सये येक नीजको कांछो [छो]रो वर्ष ७ को मने कमारो
- 8 ज्यू १ को मोलपटक मो रू ९९ नीजको काष-
- 9 की छोरी वर्ष ४ की पुतली कमारी ज्यू १ को मो-
- 10 लपटक रू ९९ स्मेत ज्मा कमारा कमारी ज्यू ४ को
- 11 ज्मा मोलपटक रू ५०० गौराजी पाती मो रू १
- 12 ज्मा मो रू ५०१ अक्षरेपी पान सय यक वानेश्वर-
- 13 र वश्या पीर महंत कुल्मान् गीरीसग वुझी नी-
- 14 ज कमारा कमारी ज्यू ४ पार्ष्णीन्न सुक्रीवी-
- 15 क्री गरी नीज महंतलाई वेच्यां । कीच्याको
- 16 कमारा कमारी ज्यू ४ पाको वेचन्याको दाम्
- 17 पाको । आज अधीको कलरोग दाताको अ-
- 18 व उप्रान्तको कलरोग भुक्ताको । नीज कमा-
- 19 रा कमारी ज्यू ४ अरू कसैलाई हदीभुन्हे ठी-
- 20 क् लेषीदीयाको र दाईजो पेवास्मेत् केही
- 21 ठहर्यो भन्या ऐन वमोजीम् मेरा घर घरानावा-
- 22 ट वुझाउला भनी मेरा मनोमान् षुसीराजी[स]-
- 23 ग कीनाराका साछी सदर गरी परंभट्ट ले[षी]

- 24 नीज पीर महंत कुल्मान् गीरीलाई दीजा । वे[उ]-
 25 जुर । इती संबत् १९६५ साल् श्रावण १७ ग-
 26 ते ६ वार शुभ्म् । ---

Synopsis:

In this sales deed, Cūḍāmaṇī Bhaṭṭarāī Jaisī, son of Rāmeśvara Bhaṭṭarāī Jaisī, from Sipā (Sindhupālcok) Vaḍahare sells four slaves—a female slave, Kālī, aged 29; her two sons Dhane and Mane, aged 9 and 7 respectively; and a daughter, Putalī, aged 4—for 501 rupees to Pīra Mahanta Kulmān Giri, a resident of Bāneśvara. The seller agrees to repay the money in accordance with the *Ain* if his ownership of the slaves is disapproved. Cūḍāmaṇī Bhaṭṭarāī Jaisī drew up this *paramabhaṭṭā* which was witnessed by Muktinātha Bhaṭṭarāī Jaisī, Loka Bāhādura Bhaṭṭarāī Khatrī, Sīvadatta Upādhyā Ācārya and Dasaratha Duvāl. The document is dated Friday, the 17th solar day (*gate*) of the month of Śrāvaṇa in the [Vikrama] era year 1965 (1908 CE).

Commentary:

The same slave, Kālī, appears in the document K_0348_0035 (Document 3.1), in which the owner Rāmeśvara Bhaṭṭarāī puts her up as collateral for taking out a loan from Narāṃ Kaśna Pradhāna. In document K_0348_0036, Rāmeśvara gives power of attorney to Cūḍāmaṇī Bhaṭṭarāī to transact the sale recorded in the current document.

2.4 A sales deed recording the purchase of a son of a slave in Khairā Gāū, Pyuthana (K_0282_0008)

Edited and translated by Manik Bajracharya; Dated VS 1966 (1909 CE); Guṭhī Saṃsthāna, Bhadrakālī, 29, Bā. Da. Po. 3 and 4; micro-filmed as NGMPP K 282/8; for the digital edition, see DOI: <https://doi.org/10.11588/diglit.44598>.

Edition:

1 श्री \

1 नं ३३

1 २१

1 १८४ नं

[Fingerprint of Hīma Lāla Ūpādhyā]

1 साछी

[Seal of Gaṇeśa Bāhādura]

1 मुषीया गणेश बाहादुर घर्ति छेत्री पैरा ---१

[Seal of Bhīmārjuna Ūpādhyā]

1 लेषक डीठा भीमार्जुन ऊपाध्या पैरा ---१

[Fingerprint of Guru Prasāda Upādhyā]

1 [गु]रू प्रसाद उपाध्या पैरा ---१

[Seal of Cumāna Sīm Vaśnyāt Chetrī]

1 मु. चुमान सीं वरूयात् छेत्री पैरा ---१

1 सुवेदार दीनानाथ उपाध्या पैरा ---१

1 लिषीतम् प्युठाना मध्ये पैरागाऊ व-
 2 स्त्रे हीम लाल ऊपाध्या । आगे हामी
 3 भाई भीन्न हुदा मेरा अंसवंडामा
 4 लागेको जसे करीया कमाराको छेरो
 5 करीया लोके भन्त्या कमारो ज्यू १ मेरा
 6 वीक्री गर्नाको मनसुवा भयाको हुना-
 7 ले सोही पैरागाऊ वरूया दाजी लो-
 8 कनाथ पाध्यासंग मोलपटकस्मे-
 9 त् जमा मोहरू १७२॥ अछेरीपी रूपै-
 10 जा येक सौ साढे वहतरमा नीज जेठा
 11 दाजी लोकनाथ पाध्यालाई मा-
 12 थी लेषीयाका रूपैजामा मोलपट-
 13 क् गरी रूपैजा बुझी ली सो लोके कमा
 14 रो ज्यू १ सोपीदीजा । येस कमाराले म
 15 वीक्री हुने होईन म अजापत्र हु भ
 16 न्यो भने मैले सावीत गरुला । सावीत
 17 गर्न सकीन र अजापुत्र वीक्री गरेको
 18 ठहर्या सो रूपैजा तीम्ना फिर्ता बुझाई-
 19 दिऊला । मैले वीक्री गरेको करीया कमा-

- 20 रो लोके तीमी जेठा दाजी लोकनाथ
21 पाध्याको पङ्का मोल्पटक् वमो-
22 जीम्का रूपैजा मेरा पङ्का भनी नीज
23 लोके कमारो ज्यू १ वीक्री गरी लेषीया-
24 का मोरु १७२॥ बुझी ली मेरा राजीषुसी-
25 ले परमभट्टको कागज लेषी नीज लो-
26 कनाथ उपाध्यालाई दिजा । येस वेहो-
27 राका साछि फट्के पट्टी लेषीयाका ष-
28 डा छन् । ईती सम्बत् १९६६ साल् मीती
29 श्रावण सुदि ३ रोज ३ श्रावण ५ गते ।
30 शुभम् । ---

Translation:

Śrī

No. 33

21

No. 184

[Fingerprint of Hīma Lāla Upādhyā]

Witnesses:

[Seal of Gaṇeśa Bāhādura]: Mukhiyā Gaṇeśa Bāhādura Ghartī Chetrī
[of] Khairā

[Seal of Bhīmārjuna Upādhyā]: Scribe Ḍiṭṭhā Bhīmārjuna Upādhyā
[of] Khairā

[Fingerprint of Guru Prasāda Upādhyā]: Guru Prasāda Upādhyā [of]
Khairā

[Seal of Cumāna Siṃ Basnyāt Chetrī]: Mu. Cumāna Siṃ Basnyāt
Chetrī [of] Khairā

Subedāra Dīnānātha Upādhyā [of] Khairā

Written by Hīma Lāla Upādhyā, resident of Khairā Gāū within Pyuthana.

Āge: Since I wish to sell 1 household slave boy (*kariyā kamāro*) named Loke, son of the male household slave Jase—[whom I received] among my share of the property when we brothers split up, I have received a total of 172 *mohararupaiyās 2 sukās*, in words one hundred seventy-two and a half rupees, from [my] elder brother Lokanātha Pādhyā, resident of the same Khairā Gāū, and have handed over the slave Loke—1 person (*ḥyū*, lit. “body”) —to him. In case this slave says: “I am not to be sold. I am a free person (*ajāputra*),” I shall prove [him wrong]. If I cannot do so and if it is determined that a free person has been sold [by me], I will return your money. [From now on] the household slave Loke I have sold belongs to you, [my] elder brother Lokanātha Pādhyā, and the agreed amount of money belongs to me. After selling the aforementioned slave Loke—1 person—and receiving 172 *mohararupaiyās 2 sukās* as written [above], I wrote [this] *paramabhaṭṭa* deed willingly, and handed it over to the aforementioned Lokanātha Upādhyā. The [persons whose names are] written in the margin are standing witness to these particulars.

Tuesday, the 3rd of the bright fortnight of Śrāvaṇa, the 5th solar day (*gate*) of Śrāvaṇa in the [Vikrama] era year 1966 (1909 CE). Auspiciousness.

2.5 A document recording the sale of three slaves at Madanapura, Pyuthana (K_0281_0049)

Edited and translated by Manik Bajracharya; Dated VS 1967 (1910 CE); Guṭhī Saṃsthāna, Bhadrakālī, 10, Bā. Da. Po. 3 and 4; micro-filmed as NGMPP K 281/49; for the digital edition, see: <https://nepalica.hadw-bw.de/nepal/editions/show/27495>.

Edition:

1 [श्री]

1 नं ८

1 १६१ नं

1 [Fingerprint of Gokula Jaisī Regmī]

- 1 लिखितम् पीयूठाना मध्ये भीमूरी मदनपूरगाउ व-
- 2 सने म गोकुल जइसी रेगमी । आगे मैले परमभट्ट
- 3 गरी पीयूठाना गेजवाङ् वसने गोदार थापासग
- 4 मोरूँपैजा ६२५ मा जीउ ४ लियाकोमा पार्वती भन्ये
- 5 कमारी टाकुरा वसने पंडीत् वामदेव उपाध्यालाइ
- 6 मोरूँ १४५ मा परमभट्ट गरी दियेको । हाल सो म-
- 7 ध्ये मेरा करीया कमारा कमारी तने कमारो ज्यू १
- 8 धनी कमारी जीउ १ गौरी कमारी ज्यू १ निजहरूको
- 9 मोल मोरूँ ४८३॥ मा निज टाकुरा वसने पंडी-
- 10 त् वामदेव उपाध्यालाइ सोपीदिजा ।
- 11 आजदेखि निज कमारा कमारीको कालफाल
- 12 तिंभ्रो जालझेल् मेरा भनि कसैले कर नलगा -
- 13 इ मेरा मनोमान खुशी राजीले परमभट्टपत्र
- 14 लेपी आजदेखि इनि जीउ ३ करिया कमारा क-
- 15 मारीमा मेरो लाग नास्ति भनि सोपीदिजा । यो प-
- 16 रमभट्टका साछी तपसीलमा खडा छन् । ---
- 17 तपसील्
- 18 मदनपूर वसने गंडुगाधर रेगमी जैसी ---१
- 19 ऐं वसने पाराशर रेगमी जैसी ---१
- 20 ऐं वसने भांनुप्रसाद जैसी रेगमी ---१
- 21 ऐं वसने मुषिया चन्द्रमणि रेगमी जैसी ---१
- 22 ऐं वसने सालग्राम रेगमी जैसी ---१
- 23 ऐं वसने रवि लाल रेगमी जैसी ---१
- 24 ऐं वसने चूडामणि खत्री छेत्री ---१
- 25 ऐं वसने चन्द्रे खत्री छेत्री ---१
- 26 लेखक स्वर्गद्वारा अखंड यज्ञमा वसने
- 27 दीक्षीत वलराम उपाध्याय अचार्य ---१
- 28 इति संवत् १९६७ साल आश्विन २७ गते वार ४
- 29 शुभम् ---१

[Fingerprint of Gaṅgādhara Regmī Jaisī]

[Fingerprint of Bhāṃnuprasāda Jaisī Regmī]

[Fingerprint of Candramaṇi Regmī Jaisī]

[Fingerprint of Sālagraṃa Regmī Jaisī]

[Fingerprint of Ravi Lāla Regmī Jaisī]

[Fingerprint of Cūḍāmaṇi Khatrī Kṣetrī]

[Fingerprint of Chandre Khatrī Kṣetrī]

[Signature of Balarāma Upādhyāya Achārja]

Translation:

Śrī

Number 8

Number 161

[Fingerprint of Gokula Jaisī Regmī]

Written by Gokula Jaisī Regmī, resident of Madanapura village, Bhīmī in Pyuthana.

Āge: Of the 4 persons (*jiu*, lit. “bodies”) that, a *paramabhṭṭā* deed having been drawn up, I bought for 625 *mohararupaiyās* from Godāra Thāpā, a resident of Gejabān, Pyuthana, I [earlier] gave (i.e., sold) the female slave named Pārvatī to Paṇḍita Bāmadeva Upādhyā of Ṭākūrā. Now, of this (group of slaves), I have handed over to the aforementioned Paṇḍita Bāmadeva Upādhyā of Ṭākūrā my household (*kariyā*) slaves—the male slave Tane – 1, the female slave Dhanī – 1, and the female slave Gaurī – 1—for 483 *mohararupaiyās* and 2 *sukās* as the price for them. I have written this *paramabhṭṭā* deed willingly, without anyone obliging [me] to, and have handed it over [to Bāmadeva], stating: “From today on, any prior commitments (*kālaphāla*⁵⁴) of the aforementioned slaves are yours, and any (former) deceit (on their part toward me) is mine. From today onward I have no claim to these 3 *kariyā* slaves.” In the list (below) are the witnesses to this *paramabhṭṭā*.

Particulars (*tapasila*):

Gaṅgādhara Regmī Jaisī, resident of Madanapura – 1

Pārāśara Regmī Jaisī, resident of the same – 1

Bhāmnuprasāda Jaisī Regmī, resident of the same – 1

Mukhiyā Candramaṇi Regmī Jaisī, resident of the same – 1

Sālagrāma Regmī Jaisī, resident of the same – 1

Ravi Lāla Regmī Jaisī, resident of the same – 1

Cūḍāmaṇi Khatrī Chetrī, resident of the same – 1

Candre Khatrī Chetrī, resident of the same – 1

The scribe Dīkṣita Balarāma Upādhyāya Acārja, resident of Svargadvārā [and a performer of] *akhaṇḍa yajña* (a perpetual fire sacrifice) – 1

54 *Nepālī Br̥hat Śabdakośa* gives the meaning of *kālaphāla* as a commitment made between two persons to prosper or die together (cf. Upreti et al., s.v. *kālaphāla*).

Wednesday, the 27th solar day (*gate*) of Āśvina in the [Vikrama] era year 1967 (1910 CE). Auspiciousness.

[Fingerprint of Gaṅgādhara Regmī Jaisī]
[Fingerprint of Bhāṃnuprasāda Jaisī Regmī]
[Fingerprint of Candramaṇi Regmī Jaisī]
[Fingerprint of Sālagrāma Regmī Jaisī]
[Fingerprint of Ravi Lāla Regmī Jaisī]
[Fingerprint of Cūḍāmaṇi Khatrī Kṣetrī]
[Fingerprint of Chandre Khatrī Kṣetrī]
[Signature of Balarāma Upādhyāya Achārja]

Commentary:

The place Bhīmī mentioned in the document is probably present-day Bhiṅgri, a village development committee in Pyuthana. Madanapura is one of the villages within the VDC. Gejabān lies within Dharmavati VDC of Pyuthana. Svargadvārā, also known as Svargadvārī, is within Bhiṅgri VDC.

2.6 A sales deed of a slave child in Pyuthana issued by Bhiu Siṃ Ghartī Magar (K_0282_0002)

Edited and translated by Manik Bajracharya; Dated VS 1974 (1917 CE); Guṭhī Saṃsthāna, Bhadrakālī, 23, Bā. Da. Po. 3 and 4; micro-filmed as NGMPP K 282/2; for the digital edition, see: <https://nepalica.hadw-bw.de/nepal/editions/show/27501>.

Edition:

1 श्री \

1 नं २५

1 १७७ नं

[Unknown fingerprint]

1 साच्चि

[Fingerprint of Saṃtavira Puṃ]

- 2 दाम्रिगा-
- 3 उं वस्त्रे घाट्-
- 4 बुढा संतविर
- 5 पुं ---१

- 1 सहि दाम्रि व-
- 2 स्त्रे षिमानं-
- 3 द पाध्ये १

- 1 सहि कलम-
- 2 का साच्छि दा-
- 3 म्रि वस्त्रे परिच्छेत् पा-
- 4 ध्ये १

- 1 लेषितम् पियुठाना मध्ये लेघागाउ
- 2 वस्त्रे मुषिया भिउ सिं घर्ति मगर ।
- 3 म आगे वर्ष ९ भयाकि मनक-
- 4 लि भंने मेरि कमारि मेरा साव-
- 5 गास्ले र दुष दर्दले धानं नसक्-
- 6 नाले दाम्रिगाउ वस्त्रे साहु सोभा-
- 7 राम् पुंले सो कमारिको मोल् मो-
- 8 होर रु ३३० अंके अछे-
- 9 रि तिं सय तिस् रूपैजा दिदा मे
- 10 रो चित बुझ्यो । मोहोर रू तिं सय
- 11 तिस् बुझि परम्भट लेषि दिजा ।
- 12 यस्मा मेरि कमारि मनकलि भं-
- 13 नेका अंग रोग छारे कुष्टि चंरि-
- 14 फाड केहि षोट ठहरेछ रहेछ भ-
- 15 ने तिमि साहु सोभाराम् पुंका रू-
- 16 पैजा फिर्ता गरिदिम्ला भनि मे-
- 17 रि कमारि मनकलि सोभाराम् पुं-
- 18 लाई दिजा । यस्मा कसैले कर नलाइ मे-
- 19 रो चित बुझि मेरो मनोमान पुसि रा-
- 20 जिले परम्भटको कागत लेषि दाम्-
- 21 रिगाउ वस्त्रे सोभाराम् पुंलाइ दि-
- 22 जा । साच्छि किनारमा लेषि सहि छाप
- 23 दियका सदर छं । इति सम्वत् १९-
- 24 ७४ साल जेष्ठ दिन गते १५ वार
- 25 २ सुभम् । ---

Translation:

Śrī

No. 25

No. 177

[Unknown fingerprint]

Witnesses:

[Fingerprint of Saṃtavira Puṃ]: Ghāṭbuḍhā Saṃtavira Puṃ, resident of Dāmri Gāū – 1

Signature: Khimānanda Pādhye, resident of Dāmri – 1

Signature: witness of the pen (i.e., the scribe) Parichet Pādhye, resident of Dāmri – 1

Written by Mukhiyā Bhiu Siṃ Ghartī Magara, resident of Leghā Gāū within Pyuthana.

Āge: I have not been able to support the nine-year-old slave girl of mine named Manakali because of my [current] economic status and [other] troubles. Therefore, I was persuaded when the merchant Śobhārām Puṃ, resident of Dāmri Gāū, [offered to] give me 330 *mohararupaiyās*, in words three hundred thirty rupees, as the price of the slave. I have written this *paramabhaṭṭā* and handed it over [to him] after receiving the *mohararupaiyās* three hundred thirty. In it I have given my slave Manakali to you, [with the pledge] to return to you, Śobhārām Puṃ, the money if she is proven to have any defect of limb or [such] blemishes [as] epilepsy, leprosy or skin disorders (*caṃriphāḍa*). I have written this deed of *paramabhaṭṭā* willingly, without anyone putting [me] to it, and have handed it over to Śobhārām Puṃ, resident of Dāmri Gāū. The witnesses and the signatures written in the margin are valid.

Monday, the 15th solar day (*gate*) of Jyeṣṭha in the [Vikrama] era year 1974 (1917 CE). Auspiciousness.

2.7 A sales deed of a slave in Bādikoṭ, Pyuthana area
(K_0282_0020)

Edited and translated by Axel Michaels; Dated VS 1975 (1919 CE);
Guṭhī Saṃsthāna, Bhadrakālī, 41, Bā. Da. Po. 3 and 4; microfilmed
as NGMPP K 282/20; for the digital edition, see DOI: <https://doi.org/10.11588/diglit.36936>.

Edition:

- 1 श्री \
- 1 न ४७
- 1 १९९ नं

[Signature of Budhirām]
[Signature of Bumāṃ Pādhye]
[Signature of Dhanu Khatrī Chetrī]
[Signature of Himārām Pādhye]

- 1 साछि
- 2 तुसार वश्रे वुमां पाध्ये १
- 3 ऐं वश्रे हिमाराम् पाध्ये १
- 4 वाडिको[ट्] वेवरे वश्रे धनु षत्री छेत्री १

- 1 ल्येषितम् प्युठाना वाडिकोट् वेवरे वश्रे बुधिराम् वा-
- 2 हुंम । आगे मेरा घरकि करिय हिमी कमारी वर्ष १-
- 3 ९ किको मोल पट्टक् गौराईसमेत् मोहो रू ४१८
- 4 चार सय अठारमा प्युठाना तुसारा वश्रे विदु गिरिलाई
- 5 दिया । आजदेषी लीनेको जिउ पाको वेच्नेको थै-
- 6 लि पाको । आज अहिलेको पुं षता वेच्नेको । आजदेषि
- 7 पछि पुं षता लि भनि कसैले कर नला । मेरा मो⁵⁵मा-
- 8 न षुसी राजिले मोहो रू ४१८ चार सय अठार-
- 9 को परम्भट्टिको कागज लेषि प्युठाना तुसारा वश्रे
- 10 विदु गिरिलाई दीज्या । यो परम्भट्टि कागज लेषेको
- 11 प्युठाना तुसारा वश्रे विदु गिरीका घरमा लेषेको हो ।
- 12 लेष्ने मानिस् प्युठाना वाडिकोट् वेवरे वश्रे बुद्धि-

55 Read: *mano*.

- 13 राम् वाहुं । यो परम्भट्टिका साछि किनाराले सहि छा-
14 प् गरेका सदर छं । ईति सम्वत् १९७५ साल माघ २२
15 गते वार ३ । सुभम् ।

Translation:

Śrī

No. 47

No. 199

[Signature of Budhirām Bāhuṃ]

[Signature of Bumām Pādhye]

[Signature of Dhanu Khatrī Chetrī]

[Signature of Himārām Pādhye]

Witnesses:

Bumām Pādhye, resident of Tusārā – 1; Himārām Pādhye, resident of idem [Tusārā] – 1; Dhanu Khatrī Chetrī, resident of Bevare of Bāḍikoṭ – 1

Written by Budhirām Bāhuṃ, resident of Bevare of Bāḍikoṭ [in] Pyuthana [district].

Āge: I have given to Vidu Giri, resident of Tusārā, the female household slave Himī, aged 19 from my house, at a price of *mohararūpaiyās* 418, [in words] four hundred eighteen, including the earnest money (*gaurāī*). From today onwards, the taker owns the body [of the slave and] the seller owns the money (*thailī*). Today the current deficiencies [of the slave] belong to the seller. After today nobody should force [the seller] to take the responsibilities of her deficiencies. I have happily and of my own will written [this] document, a deed of sale for a slave (*parambhaṭṭī*) [priced] at *mohararūpaiyā* 418, [in words] four hundred eighteen, and handed it over to Vidu Giri, resident of Tusārā, Pyuthana. This document [containing] the *parambhaṭṭī* was written in the house of Vidu Giri, resident of Tusārā, Pyuthana. The scribe is Budhirām Bāhuṃ, resident of Bevare of Bāḍikoṭ, Pyuthana. The signatures and stamps of the witnesses of this *parambhaṭṭī* in the margin are valid.

Tuesday, the 22nd solar day (*gate*) of Māgha in the [Vikrama] era year 1975 (1919 CE). Auspiciousness.

2.8 A sales deed of three slaves in Kārḱī Ḍāḱḱā (K_0282_0047)

Edited and translated by Manik Bajracharya; Dated VS 1975 (1919 CE); Guṭhī Saṃsthāna, Bhadrakālī, 68, Bā. Da. Po. 3 and 4; micro-filmed as NGMPP K 282/47; for the digital edition, see DOI: <https://doi.org/10.11588/diglit.36937>.

Edition:

- 1 श्री \
- 1 स्वस्ति
- 1 नं ८२
- 1 68
- 1 २३४ नं
- 1 साछी श्री सुर्जनाराये[ण] साछी ---१
- 2 श्री कालीकामाजी साछी ---१
- 3 श्री गोरषनाथजी ---१
- 4 साछी

[Unknown seal]

- 1 स्वस्ति । श्री विर्ता कार्की डाडा वस्त्रे मु वाहादुर कार्की छे-
- 2 त्रीवाट । प्रभु हुम्नाथले लयका⁵⁶ कमारो जसे कमारो ज्यू १ कामारि⁵⁷ काली
- 3 ज्यू १ कामारि छौडडी लछी ज्यू १ जम्मा ज्यू ३ मोहो-
- 4 रू ५{...}४१ । बुजीलीजा । नीजहरूको परंम्भट्टा
- 5 गरिदीजा । ईती सम्बत् १९७५ साल फाल्गुण
- 6 २४ गते वार ७ । सुभम् । ---[Unknown seal]

Translation:

Śrī

56 Read: *lagekā*.

57 Read: *kamāri*.

Hail!

Number 82

68

Number 234

Witnesses:

Witness Śrī Surjanārāyaṇa – 1

Witness Śrī Kālīkā Māī – 1

Witness Śrī Gorakhanātha – 1

[Unknown seal]

Hail! [Issued] by Mu.⁵⁸ Bāhādura Kārki Chetrī, resident of Kārki Ḍāḍā. [I] have received *mohararupaiyā* 541 [for] a total of 3 slave-persons (*juū*)—slave-boy Jase – 1, slave-girl Kālī – 1 [and] slave-girl Chauṇḍī Lachī – 1—taken (i.e., bought) by Prabhu Humnātha. I have issued [this] *paramabhaṭṭā* of the aforementioned slaves.

Saturday, the 24th solar day (*gate*) of Phālguna in the [Vikrama] era year 1975 (1919 CE). Auspiciousness.

[Unknown seal]

Commentary:

The three names listed as the witnesses in the left margin are apparently the names of deities. It is unusual to name the deities as witnesses in a sales deed. One of the slave-girl mentioned in the document has the term *chauṇḍī* in her name. This word (var. *chauḍī*) refers to a young female slave or a female child born of a slave.

2.9 A sales deed of two slaves in Pyuthana (K_0282_0003)

Edited and translated by Manik Bajracharya; Dated VS 1980 (1923 CE); Guṭhī Saṃsthāna, Bhadrakālī, 24, Bā. Da. Po. 3 and 4; micro-filmed as NGMPP K 282/3; for the digital edition, see DOI: <https://doi.org/10.11588/diglit.44595>.

58 Probably an abbreviation for *mukhiyā*.

Edition:

1 श्री \

1 न २६

1 २५

1 १७८ नं

1 सही चंद्र

2 वाहादुर थापा

3 क्षत्री

1 साछि [Fingerprint of Setu Mahat Chetrī] सेतु महत् क्षत्री ---१

1 स्ही हिक्मत् सीं वाहा-

2 दुर क्षत्री ---१

3 सिंहविर थापा क्षत्री ---१

- 1 लेषितम् अर्घा अर्जु वस्त्रे चंद्र वाहा-
- 2 दुर थापा क्षत्री । म आग्य मेरा घरका
- 3 किनुजा⁵⁹ करि[या] रामे कमारो गंगि क-
- 4 मारि सम्त⁶⁰ जाना २ को मोल् मो-
- 5 होरू ६६५ अंके मोहोरू छ सय पै-
- 6 षठीमा प्युठां वाडिकोट वस्त्रे छं
- 7 तु चुजालि उपाध्येलाई लेषिजा-
- 8 का रूपैजा लि निज रामे कमारो गं-
- 9 गि कमारिको परम्भट्टको
- 10 कागज लेषि निज छंतु पाध्येला-
- 11 ई दिजा । यस परम्भट्टका साछि
- 12 फके⁶¹ किनारमा लेषि स⁶² छाप ग-
- 13 रेका सदर छं । यो परम्भट्ट ले-
- 14 षेको हिक्मत् वाहादुर साहु-
- 15 का घर दलांमाहा । ईति सम्वत्
- 16 १९८० साल वैसाक गते १० वा-
- 17 र १ सुभम् । ---

59 Read: *kinvā*.

60 Read: *samet*.

61 Read: *phaṭke*.

62 Read: *sahī*.

Translation:

Śrī

No. 26

24

No. 178

Signature: Candra Bāhādura Thāpā Chetrī

Witnesses:

[Fingerprint]: Setu Mahat Chetrī – 1

Signature: Hikmat Siṃ Bāhādura Chetrī – 1

Signature: Siṃhavira Thāpā Chetrī – 1

Written by Candra Bāhādura Thāpā Chetrī, resident of Arghā Arjuṃ.

Āge: After 665 *mohararupaiyās*, in words six hundred sixty-five, was written to Chamttu Cujāli Upādhye, a resident of Bādikoṭ [in] Pyuthana, as the price for two purchased household slaves (*kariyā*) of my house—the male slave Rāme and the female slave Gaṃgi—I have [now] received the sum and written a *paramabhaṭṭā* document regarding the said male slave Rāme and female slave Gaṃgi, and handed it over to aforementioned Chamttu Pādhye.

[The names of] the witnesses to this *paramabhaṭṭā* written in the margin with their signatures are valid. This *paramabhaṭṭā* was written on the veranda of the house of the *sāhu* Hikmat Bāhādura.

Sunday, the 10th solar day (*gate*) of Vaiśākha in the [Vikrama] era year 1980 (1923 CE). Auspiciousness.

2.10 A deed recording the sale of a slave in Bādikoṭ, Pyuthana (K_0282_0004)

Edited and translated by Manik Bajracharya; Dated VS 1980 (1923 CE); Guṭhī Saṃsthāna, Bhadrakālī, 25, Bā. Da. Po. 3 and 4; micro-filmed as NGMPP K 282/4; for the digital edition, see DOI: <https://doi.org/10.11588/diglit.44596>.

Edition:

- 1 [श्री \]
- 1 १२
- 1 २७
- 1 १७९ नं

[Seal reading Śrī Cetamāna Siṃ]

- 1 सही चेत्-
- 2 मां वादिकोद्
- 1 साछि

[Fingerprint]

- 1 प्युठाना वादि-
- 2 कोद् वश्रे सा हि-
- 3 क्मत् सिं वाहादुर महत् छेत्रि ---१

[Fingerprint]

- 1 ऐं वस्त्रे सेर वाहा-
- 2 दुर षत् छेत्री ---१

[Signature of Lalit Bāhādura Ghartī Chetrī]

- 1 लेषत् ऐं वस्त्रे
- 2 ललित् वाहादुर घ-
- 3 र्ति छेत्रि ---१

- 1 लेषितम् प्युठाना मध्ये वादिकोटगाउ वश्रे चेत्मां सिं घर्ति
- 2 छेत्रि । म आग्ये मेरा घरकि कित्नुवा वर्ष १५ कि षिमि भंने क-
- 3 रिया कमारि १ के मोल् मोहरू ३०१ अछेरुपि तिन सये येक-
- 4 मा स्व वादिकोद् वस्त्रे सुंदर वाहादुर घर्ति छेत्रिलाई निज क-
- 5 मारिको मोल्पटक् सो लेषियाका रूपैजा ३०१ को परम्भट्ट
- 6 गरि निज कमारि षिमीको परम्भट्ट गरिदिजा । यो कमारि
- 7 कसैका दिक् वंदकमा लेषिदियाको छैन । कसैका दिक् वंदक-
- 8 मा लेषिदियाको ठहर्यो भने ऐन वमोजिम् म बुझाम्ला
- 9 भनि मेरा राजिले निज सुंदर वाहादुर घर्ति छेत्रीलाई निज

- 10 षिमिको मोल्पटक् दुवो वैनु⁶³ समेत् परम्भट्ट गरिदिजा ।
 11 येस कमारिको पुनषत् छारेरोग झैझगडा केहि आज अ-
 12 धिको दनेको⁶⁴ र आजपछिको लिनेको भनि मेरा मनोमा-
 13 न पुसिराजिले निज सुंदर वाहादुर घर्ति छेत्रिलाई परम्भ-
 14 ट्ट गरिदिजा । यो परम्भट्ट लेषेको मुकाम स्व वादिको⁶⁵ षिम्
 15 विक्रम् वाहादुर घर्ति छेत्रिका घरमा स्वहि गाउ वसने ललि-
 16 त् वाहादुर घर्ति छेत्रिले लेषेको हो । येस परम्भट्टका सा-
 17 छि पड्के⁶⁶ किनारामा लेषियाका सद्र छं । इति सम्बत् १९८०
 18 साल् भाद्र १२ गते वार ३ शुभम् । ---

Translation:

Śrī

12

27

Number 179

[Seal reading Śrī Cetamāna Siṃ]

Signature: Cetmān [of] Bādikoṭ

Witnesses:

[Fingerprint]: Sā Hikmat Siṃ Bāhādura Mahat Chetrī, resident of Bādikoṭ, Pyuṭhānā

[Fingerprint]: Ser Bāhādura Khatrī Chetrī, resident of the same

[Signature]: Lalit Bāhādura Ghartī Chetrī, resident of the same

Written by Cetmān Siṃ Ghartī Chetrī, resident of Bādikoṭ Village within [the territory of] Pyuthana.

Āge: For 301 *mohararupaiyās*, in words three hundred one, as the price of 1 previously bought 15-year-old female *kariyā* slave of my

63 Read: *bainā*.

64 Read: *dineko*.

65 Read: *vādikoṭ*.

66 Read: *phaṭke*.

house named Khimi, I have written [this] *paramabhaṭṭa* deed, [recording] the stated price of 301 *rupaiyās* [for] my own slave, and handed it over to Sundara Bāhādura Ghartī Chetrī, resident of the aforesaid Bādikoṭ. This slave has not been assigned as a pledge (*dika bandaka*) to anyone else. If it is proven that [she] has been assigned as a pledge to anyone else, I will make compensation according to the law (*ain*). I have willingly agreed to the price (*mol paṭak*), [accepted] *dubo bainā*⁶⁷ for the aforementioned slave, written this *paramabhaṭṭa*, and handed it over to the aforementioned Sundara Bāhādura Ghartī Chetrī. Regarding this slave, any [bodily] faults (*khunakhat*), [such as] epilepsy, [or] conflicts [with anyone else] are until today [the responsibility] of the giver. After today, [the responsibility] will be of the taker. I have freely and of my own volition prepared [this] *paramabhaṭṭa* and handed it over to the aforementioned Sundara Bāhādura Ghartī Chetrī. This *paramabhaṭṭa* was scribed at the house of Khim Vikrama Bāhādura Ghartī Chetrī, [of] the aforesaid Bādikoṭ, by Lalit Bāhādura Ghartī Chetrī of the same aforesaid village. The witnesses written in the margin of this *paramabhaṭṭa* are valid.

Tuesday, the 12th solar day (*gate*) of Bhādra in the [Vikrama] era year 1980 (1923 CE). Auspiciousness.

3. Documents on Bondservitude

3.1 A bond formalizing a money loan in which a slave has been put up as collateral (K_0348_0035)

Edited by Manik Bajracharya; Dated VS 1962 (1906 CE); Guṭhī Saṁsthāna, Bhadrakālī, 4, Bā. Da. Po. no. 12 Pan. no. 2; micro-filmed as NGMPP K 348/35; for the digital edition, see DOI: <https://doi.org/10.11588/diglit.36998>.

Edition:

1 श्री \

1 4

67 *Bainā* is the earnest money paid to seal a transaction. *Dubo bainā* here perhaps refers to a form of payment in which *dubo* (Skt. *dūrvā*) panic grass is given to the seller in lieu of actual earnest money.

1 ४९

[Fingerprint of Narāṃ Kaśna Pradhāna] साछी

[Fingerprint of Muktinātha Jaisi]

1 वडहरे वश्रे मुक्तिनाथ जैसि ---१

[Fingerprint of Vindā Ṭhakurni]

1 ऐं वश्रे विन्दा ठकुर्नि ---१

[Seal of Dalamardan Khatrī Kṣet]

1 [?] सुवेदार दलमर्दन् षत्री क्षेत ---१

- 1 स्वस्ति श्री सम्बत् १९६२ साल मिति माघ २४ गते रोज ३ तस दि-
- 2 ने लेषितम् धनिका नाम चौतारा वश्रे नरां कश्च प्रधान
- 3 वेहोरिनिका नाम सिपा वडहरेगाउ वश्रे रामेश्वर जैसि
- 4 गतलिह चादिका मोह रू १०० अंकेपि येक सये कर्जा लीया
- 5 वापत् साहु देवनारां दुलाल्लाई तिर्न भनि लियाको साचो हो ।
- 6 सो रुपैयाको नाफा मैनहा १ को मोह २ र सावास्मेत येही
- 7 ६२ सालका फागुनभरमा बुझाउला । सो धनको धितो मे-
- 8 रा घरकि कालि कमारी वर्ष २५ कि वंधक लेषि दियाको छु ।
- 9 लेषियाका भाकामा रूपैया बुझाउन सकिन भने सो लेषि-
- 10 याकी कालि कमारी पंचकिर्ति मोलमा सुक्रिविक्रि ग-
- 11 री लिनु मेरो वेउजुर भनी मेरा मनोमान षुसिराजीसंग
- 12 तमसुक लेषि निज साहुलाई दिजा । यो धन ली तमसुक
- 13 लेषनाका साछि फड्के पट्टि लेषियाका सदर सुभम् । ---

Synopsis:

This is a loan document through which Rāmeśvara Jaisi, a resident of Sipā (Sindhupālcok) Vaḍahare Gāū, borrows 100 *mohararupaīyās* at the interest of 2 *moharas*⁶⁸ per month from the creditor Narāṃ Kaśna Pradhāna, a resident of Cautārā. He borrows this amount to pay back a sum owed to the *sāhu* Devanārāṃ Dulāl. The debtor has drawn up *tamasuka* and puts a female slave named Kāli up as collateral. According to the document, if the debtor is unable to clear the debt with interest by the end of the next month, Phālguṇa, the creditor can sell the slave to recoup his money. The document is dated Tuesday, the

68 An eight-*ānā* coin.

24th solar day (*gate*) of the month of Māgha of the [Vikrama] era year 1962 (1906 CE).

The witnesses to this document are: Muktinātha Jaisi, Vindā Ṭhakurni and Subedāra Dalamardan Khatrī Kṣet.

Commentary:

The slave Kāli mentioned here also appears in a document written three years later, K_0348_0037 (Document 2.3), through which she was sold along with her three children.

3.2 A loan agreement involving the debtor's own son put up as collateral (E_1544_0020)

Edited and translated by Manik Bajracharya; Dated VS 1942 (1885 CE); Private collection of B.R. Bajracharya, Patan; microfilmed as NGMPP E 1544/20; for the digital edition, see DOI: <https://doi.org/10.11588/diglit.37359>.

Edition:

1 श्री \

- 1 स्वस्ति श्री सम्बत् १९४२ साल मिति श्रावण शुदि ७ रोज २ तद्दीन्ये लिषितम् धनिक नाम् सहर पाटन् गुइत
- 2 ल् तेभ्⁶⁹ वरूया मुनिधं वाडा रिनिक् नाम् निज पाटन् वाछु ननि वरूया भानिदास् लिहलगत चादीका मो-
- 3 हर रूपैजा २४ अक्षेरूपि चौविस् कर्जा लि[या] वावत् मेरो छोराको वर्तमन् निमित्त लियाको ईन रूपैजाको
- 4 व्यास्⁷⁰ दसौदका हिसापले तिरूलां । रूपै[जा] तिर्नको भाषा यसै सालका मंगसिर मैन्हाभरमा चुक्ति गरि
- 5 बुझाउला । ईन रूपैजामध्ये धितो मेरो छोरा लेषिदिज्यू । सो भाषामा रूपैजा चुक्ति गरि बुझाउन सके-
- 6 न भन्ये सो धितो साहुका घरमा ल्याई राषनु भनि मेरा मनोमान पुसिराजिसंग तम-
- 7 सुक लेषि निज साहुलाई दिज्यू । येस वाटका साछी काका धिवसिं वाडा न्हुसिधं वाडा लेषक सा-
- 8 छी सितिदास् । मिति सदर शुभ् ।

69 Read: *tola*?

70 Read: *byāja*.

Translation:

Śrī

Hail! Written on Monday, the 7th of the bright fortnight of Śrāvaṇa in the [Vikrama] era year 1942 (1885 CE).

[I], the debtor named Bhānidās, resident of Vāchu Nani in Patan, have taken a loan of *mohararupaiyās* 24 in silver legal currency (*lihalagata*), in words twenty-four, from the creditor named Munidhaṃ Bāḍā, resident of Guital in the city of Patan. The interest on this money, which I have taken for my son's *bartaman*⁷¹, I will pay at a rate of ten percent. As for the solemn promise to return the money, I will pay it in full by the month of Maṃsira of this current year. For the [borrowed] money, I have put up my [own] son as collateral. If I cannot pay the money in full by the promised [date], the collateral shall be taken to the house of the aforementioned creditor. I have written this agreement (*tamasuka*) willingly, and have handed it over to the creditor.

The witnesses to this deed are: [my] father's younger brother(s) Dhivasim Bāḍā [and] Nhusidhaṃ Bāḍā; and the scribe [and] witness Sitidās. The date is valid. Auspiciousness.

Commentary:

This document is an example of how debt bondage functioned in Nepal. Bhānidās had to borrow money for his son's *vratabandha* ritual, but had nothing other than his own son (probably the same one) to put up as surety for it. Failure to return this money would result in his son becoming a bondservant (*bādhā*) in the creditor's house.

71 *Bartaman* (Skt. *vratabandhana*, “binding to an observance”) is the life-cyclic initiation ritual by which a boy becomes a full-fledged member of his caste and lineage (cf. Zotter 2010: 17).

3.3 A loan deed wherein Padma Jaṅg Sāha pledges a servant child as security to Ḍaṃbara Kumārī Devī (K_0210_0064)

Edited and translated by Manik Bajracharya; Dated VS 1956 (1900 CE); Guṭhī Saṃsthāna, Bhadrakālī, Bālakumārī Guṭhī, Po. 2 Ka. Ko. Gu.; microfilmed as NGMPP K 210/64; for digital edition, see <https://nepalica.hadw-bw.de/nepal/editions/show/31338>.

Edition:

- 1 साछी
- 2 हरीसीधी वस्त्रे इन्द्रवीर कार्कि ---१
- 3 पाटन वैलछे वरूया साहु लाल ---१
- 4 लेषत प्रति सोहस्त ---१
- 1 स्वस्ति श्री सम्वत १९५६ साल मीति फागुण वदि ९ रोज ६ तद्धिने लिषीतम धनी-
- 2 क नाम डम्बर कुमारी देवी सुब्बेनी ब्राह्मणी असामी धनवेहोरिणीक नाम
- 3 पाल्पा तान्सें घर हुने वाग्मति पुलनेरा वरूया चौतरीया पद्म जं साह लिहल
- 4 चादीका मोहरू ४६॥ अक्षेरूपी साडे छयालीस कर्जा लीजा । वावत् ५५ सा-
- 5 लका सवारि षर्च गर्ना नीमीत्त लीयाको हुं । सो सालमा तमसुक नलेषी रूपैआ
- 6 लीयाको हुनाले सो रूपैआ लीयाका सालदेषी नफा कवोल् स-
- 7 येकडा दसौदीका दर्ले ज्येष्ठ मैन्हाभरमा बुझाउला । सो भाषामा बुझाउन
- 8 सकीन भने मसीत नभयाको हुनाले मेरा घर्का रामवदन भंने सुसारे
- 9 वर्ष ९ को पंचकिर्ति गरीलीनु भनि मेरा मनोमान षुसीराजीसंग तमसुक
- 10 लेषी मजकुर साहुलाइ दीजा । येस बेहोराको साछि फट्केमा लेषीया-
- 11 को छ । सम्वत मीति सदर शुभम् । —

Translation:

Witnesses:

Indravīra Kārki, resident of Harīsīdhī⁷² – 1

Sāhu Lāla, resident of Vailache⁷³, Patan – 1

*lekhata prati sohasta*⁷⁴ – 1

72 Harisiddhi is a town in Lalitpur, to the south-east of Patan.

73 Probably Bhelāchē, a locality to the north-east of Patan Darbar Square.

74 The meaning is unclear. The scribe seems to be listed as one of the witnesses. Perhaps the meaning can be derived as: [The witness] to [the authenticity of] the document is [the writer's] own hand.

Hail! Written on Friday, the 9th of the dark fortnight of Phāguna in the [Vikrama] era year 1956 (1900 CE). I, the debtor named Cautarīyā Padma Jaṅg Sāha, whose house [originally] is in Tānsen, Pālpā and [who currently] resides near the Vāgmatī bridge, have received a loan of 46½ current silver *mohararupaiyās*, in words forty-six and a half, from the creditor named Ḍambara Kumārī Devī, the Brahmin *subbenī*⁷⁵. I took [the loan] for covering the cost of a trip (*savārī*) in the year [19]55.⁷⁶ I took the loan in that year without drawing up a loan agreement (*tamasuka*). I will pay [the amount, together with] the agreed interest of ten percent starting from the year I took the loan, by the month of Jyeṣṭha. If I cannot repay [the amount] by the promised [date] on account of not having [the money], my 9-year-old housemaid (*susāre*) named Rāmavadana shall be taken after [her price] is determined by the five village notables (*paṃcakīrti garī*). I have written this agreement willingly, and have handed it over to the aforementioned (*majakura*) creditor.

The witnesses to this deed are written in the margin. The date is valid. Auspiciousness.

Commentary:

This loan agreement between the debtor Padma Jaṅg Sāha and the creditor Ḍambara Kumārī Devī takes a standard form. The debtor is originally from Palpa, but currently a resident near Vāgmatī bridge. The creditor's place of residence is not mentioned. One can, however, assume that she is from Patan as both the witnesses to the deed are from Patan and that the deed was likely drawn up in the city. It is stipulated that the debtor's household servant Rāmavadan is to be surrendered to the creditor upon failure to repay the loan amount. The deed doesn't expressly call her a pledge, and this would mean that she was assigned as a non-usufructuary pledge.

75 I.e., the wife of a *subbā*.

76 It is not clear whether the loan was taken for his own trip or somebody else's.

3.4 A document recording a loan taken by Vīkmāṃ Bhoṭe
from Kulmāna Giri, with a son pledged as security
(K_0348_0040)

Edited and translated by Manik Bajracharya; Dated VS 1956 (1900 CE); Guṭhī Saṃsthāna, Bhadrakālī, 9, Bā. Da. Po. no. 12 Pan. no. 2; microfilmed as NGMPP K 348/40; for digital edition, see DOI: <https://doi.org/10.11588/diglit.44600>.

Edition:

- 1 श्री \
- 1 १
- 1 ४४

[Fingerprint of Vīkmāṃ Bhoṭe]
[Fingerprint of Kālu Āle Magara]
[Fingerprint of Haṃpu Āle Magara]
[Signature of Jīvarāja Pādhyā]

- 1 साछी
- 2 रानाथोक् वरुया कालु आले मगर ---१
- 3 ऐं ---वरुया हंपु आले मगर ---१
- 4 लेषक साछी नेपाल वानेश्वर वरुया जीवराज
- 5 पाध्या ---१
- 1 लीषीतम् धनीक नाम सागाचोक् मध्ये छोटे डाडा वरुया पी-
- 2 र महंत कुल्मान् गीरी धन वेहोरीनीक नाम सागाचोक् मध्ये
- 3 पाल्सा डहुवा डाडा छापटार वरुया वीकमां भोटे गतलीह-
- 4 ल् चादीका मोरूपैजा ३७॥ अक्षरेपि साढे सैतीस् क-
- 5 र्जा लीजा । वापत् घरषर्च गनकि कर्जा लीयाको हुं । य-
- 6 स रूपैजामा मेरा कांछी स्वाश्रीपट्टीको जेठो छोरो
- 7 कमाने भोटे भोग वाधा लेषीदिजा । माथी लेषीयाको
- 8 सावा मोहरू ३७॥ चुक्ती नहुंज्याल् साहुले नीज छोरो
- 9 कमाने भोटेलाई घरमा राषी भोगचलन् गर्नु । मै-
- 10 ले नीज छोरोको नीमेक् नषोजनु । साहुवाट रूपै-
- 11 जाको व्याज नषोजनु । नीज कमाने भागी नसी सा-
- 12 हुको काम हर्जा गरायो वा अरू कौनै वेहोराले साहुको भो[ग]

- 13 हुन पायेन भने हर्जा भयाका दीनको ऐन वमोजीम्
 14 नीमेकस्मेत् वुझाई नीजका वदला मेरै ज्यू भोग वाधा
 15 भै वसुला वेउजुर भनी मेरा मनोमान् षुसीराजीसग
 16 कीनाराका साङ्गी सदर गरी भोग वाधाको कागज ले-
 17 षी नीज साहुलाई दीजा । इती संवत् १९५६ साल मिति
 18 फागुन सुदी ६ रोज ५ । शुभम् । ---

Translation:

Śrī

1

44

[Fingerprint of Vīkmām Bhoṭe]

[Fingerprint of Kālu Āle Magara]

[Fingerprint of Haṃpu Āle Magara]

[Signature of Jīvarāja Pādhyā]

Witnesses:

Kālu Āle Magara, resident of Rānāthok – 1

Haṃpu Āle Magara, resident of the same – 1

Scriber [and] witness Jīvarāja Pādhyā, resident of Bāneśvara, Nepāla
 (i.e., Kathmandu) – 1

*Likhitam*⁷⁷: [I], the debtor (*dhana behorinika*) named Vīkmām Bhoṭe, a resident of Khālsā, Ḍaḍhuvā Ḍāḍā, Chāpaṭāra within [the confines of] Sāgācoka, have taken a loan of 37 *mohararupaiyās* 2 *sukās* of current legal currency (*gatalīhal*) [from] the creditor (*dhanika*) named Pīra Mahanta Kulmān Giri, a resident of Choṭe Ḍāḍā within [the confines of] Sāgācoka. I have taken this loan in order to cover household expenses. For this money, I have handed over Kamāne Bhoṭe, the eldest son of my youngest wife, as an usufructuary bondservant (*bhoga bādḥā*). The creditor should make use (*bhogacalana*) of [my] son Kamāne Bhoṭe, keeping him at his house until the aforementioned principal of 37 *mohararupaiyās* 2 *sukās* has been paid in full. I will not ask back the value of [Kamāne Bhoṭe's] daily work (*nimeka*). The creditor shall not

77 *Likhitam*: a written document (as evidence).

ask for interest on the [principal] sum. If the aforementioned Kamāne causes loss to the work of the creditor by running away, or if for any reason the creditor becomes unable to enjoy [Kamāne's labour], I will pay the *nimeka* for the days that have been lost (*harjā*), in accordance with the law (*ain*), and I myself will remain as bondservant in place of the aforementioned [Kamāne]. I will not file any complaint. I have willingly written this deed of usufructuary debt bondage (*bhoga bādhāko kāgaja*), declaring the witnesses [mentioned] in the margin as valid, and handed it over to the aforementioned creditor.

Thursday, the 6th of the bright fortnight of Phālguna in the [Vikrama] era year 1956 (1900 CE). Auspiciousness.

Commentary:

This document, written in 1900, is a classic example of debt bondage. What makes this document more interesting is the follow-up document to it, K_0348_0039. This latter document, written six years later, mentions that the bondservant, Kamāne Bhoṭe, was recaptured after he ran away for two and a half years. He is obliged to enter into renewed bondage, with a fine added to the principal. Kamāne is mentioned in K_0348_0039 as being 18 years old. Therefore, he must have been of 12 years of age when the current document was written.

Sāgācoka, the place of residence of the issuer of this document is a village in Cautārā Sāgācokagaḍhī Municipality of Sindhupalchok District, east of the Kathmandu Valley.

3.5 A bond entered into by Kamāne Bhoṭe with Kulamāna Girī to pay compensation for a period of unauthorized absence (K_0348_0039)

Edited and translated by Manik Bajracharya; Dated VS 1963 (1906 CE); Guṭhī Saṃsthāna, Bhadrakālī, 8, Bā. Da. Po. no. 12 Pan. no. 2; microfilmed as NGMPP K 348/39; for digital edition, see DOI: <https://doi.org/10.11588/diglit.44599>.

Edition:

[1r-part1]

1 श्री \

1 श्री मैन्द्र दल

2 १

1 ४५

1 लीषीतम् सागाचोक मध्ये षाल्सा डहुवा डाडा छापटार वरुया
 2 वर्ष १८ को कमाने भोटे । आगे मेरा वावु विक्रमान् सिं भोटेले
 3 पीर महंत कुल्मान् गीरीसग सावा मोहरू ३७।५० कर्जा पाई मेरो
 4 भोग वाधा लेषीदीया वमोजीम् मेरा पुसिराजीसग [...]
 5 साल फागुन मैनादेशी नीज साहुका घर्मा भोग वाधा भै का[म]-
 6 काज गरी वसेकामा मेरा सौतीन्ना दाज्यू बुधिमान् भोटे-
 7 ले मलाई फकाई ६० साल कात्तीक् मैनादेशी साहुका घर-
 8 वाट भगाई काठे सिंवु डेरा गरी वरुया -१-पल्टन् १० पट्टी
 9 सुवेदारा रामनाथ भाट रानाका घर्मा दर्माहदार गराई
 10 राषेमा म स्मेत्ले सो कुरो दवाई साहुको काम् हानी [...]
 11 र आजका मीतीमा पक्राउ भै आयाको हुनाले साहु-
 12 को काम् हर्जा भयाको वर्ष २।५ को ऐन वमोजीम् दीन
 13 १ को पै रू १४ का हीसावले मोरू ३४।८० र सावास्मेतमा
 14 सिकीस्त गर्दा मेरो चीत्त बुझ्यो । सो रूपैजा हाल तीर्नाको सा-
 15 वगास् छैन । नीमेक् मोरू ३४।८० मध्ये नीज दाज्यू बुधि[मान्]
 16 भोटेवाट भर्ना आयाको नगत मोरू ५ र साहुलाई तमसु-
 17 क लेषीदीयाको मोरू ७ स्मेत् ज्मा मोरू १२ कट्टा गरी वाकी
 18 मोरू २२।८० र सावा मोरू ३७।५० ज्मा मोहरू ६०।३० साठी
 19 रूपैजा तीस् पैसामा सावीक् वमोजीम् मेरा ज्यू साहुका
 20 घर भोग वाधा भै वरुयामा राजी भजा । अव उप्रान्त [आ]-
 21 ठै प्रहर साहुका घर वसी काम्काज गरूला । सो वमो[जीम्]
 22 नगरी भागी नसी काम् हर्जा गराजा भने पक्री ऐन [वमो]-
 23 जीम् गरी नीमेक्स्मेत् लीनु । माथी लेषीया वमोजीम्
 24 ज्मा मोरू ६०।३० तीरेका दीन मलाई छाडीदीनु वेउ-
 25 जुर भनी मेरा मनोमान पुसीराजीसग कीनाराका सा-
 26 छी सदर गरी नीज बुधीमानेलाई ज्यू ज्मानि दी आ-
 27 ज अघी काम् हर्जा गरायाको नीमे[क]स्मेत् थप गरी मं-
 28 जुरीको कागज लेषी नीज साहुलाई दीजा । इती संव-
 29 त् १९६३ साल वैसाष ६ गते ४ वार शुभम् । ---

[1r-part2]

1 8

[Unknown fingerprint]

[Fingerprint of Budhīmāna Bhoṭe]

[Signature of Vṛṣa Bāhādura Thāpā]

[Fingerprint of Māna Bahādura]

[Signature of Māhāvīra Khatrī]

[Signature of Jayanārāna Pādhyā Dhumgānā]

[Signature of Jīvarāja Pādhyā]

- 1 साछी
- 2 भोग वाधा मेरो सौतीने भाई कमाने भोटे भागी नसी गयो भने नीजलाई पक्री
- 3 ल्याई ज्यू हाजीर गराउला सो गर्न सकीन भने नीजका वदला मेरो ज्यू भो-
- 4 ग वाधा भै वसुला भनी षुसीराजीसग ज्यू ज्मानी भै सहीछाप गर्ने सोही छा-
- 5 पटार बरुया बुधीमान भोटे ---१
- 6 पु. गो ८ पट्टी क. वृष वाहादुर थापा दोल्पा फेदा---१
- 7 ऐ. ९ पट्टी मी मान वहादुर थापा तीलुं ---१
- 8 [?] महीन्द्रदल् १० पट्टी माहावीर षत्री सीपा वडहरे ---१
- 9 भोटु भंन्या जयनारान पाध्या ढुंगाना छालीं --- १
- 10 लेषक जीवराज पाध्या वानेश्वर ---१

Translation:

[1r-part1]

Śrī

Śrī Mahīndradala⁷⁸ – 1

45

Written by Kamāne Bhoṭe, aged 18, a resident of Khālsā, Daḍhuvā Dāḍā, Chāpaṭāra within [the confines of] Sāgācoka.

78 The Mahīndradala company of Nepal Army was established in 1845 January (1st of Māgha, VS 1901) during the reign of King Rājendra. During the early Rāñā period, it was given the responsibility of managing ammunitions of the Topakhānā. Before restructuring of Nepalese Military in 1952, it functioned as Mahīndradala Paltana. After 1952, it became Mahīndradala Battalion (Vaidya, Mānandhara and Basnyāta 2009: 293–96).

Āge: In accordance with myself (*mero jyū*, lit. “my body”) having been approved as an usufructuary bondservant (*bhoga bādhā*) by my father Vikmān Siṃ Bhoṭe after he took a loan of 37 *mohararupaiyās* 50 *paisās* as the principal (*sāvā*) from Pīra Mahanta Kulmān Giri, I willingly lived and worked in the house of the aforementioned creditor (*sāhu*) as a bondservant from the month of Phāguna of the year [...] ⁷⁹. [While I was doing so], my elder half-brother, Budhimān Bhoṭe, beguiled me into running away in the month of Kārtika of the year [VS 19]60, and had me made a salaried employee (*darmāhadāra*) at the house of Rāmanātha Bhāṭa Rānā—the *subedāra* of the 10th Squad (*paṭṭī*) of –1– (i.e., Mahīndradala) *palṭana*—residing temporarily at Kāṭhe Siṃbu ⁸⁰. Since I kept this matter a secret and caused harm to the creditor’s work, and now that I have been caught, I agree that [an amount of] 34 *mohararupaiyās* and 80 *paisās* should be added to the principal, as calculated according to the law (*Ain*), at the rate of 4 *paisās* per day as compensation for loss caused to the creditor’s work for [a period of] 2 years and 5 months. Currently, I have no prospect [of being able] to pay this sum. Of the amount 34 *mohararupaiyās* and 80 *paisās* for the value of the daily work (*nimeka*), after subtracting a total of 12 *mohararupaiyās* compensated by my elder brother—5 *mohararupaiyās* in cash and 7 *mohararupaiyās* as written in a written agreement (*tamasuka*) handed over to the creditor—there remains 22 *mohararupaiyās* 80 *paisās* along with the principal 37 *mohararupaiyās* 50 *paisās*, amounting to a total of 60 *mohararupaiyās* 30 *paisās*, [in words,] sixty *rupaiyās* thirty *paisās*. [For this money,] I have agreed to remain, according to the rule (*sāvikbamojima*), a bondservant in the house of the creditor. From now on I will remain throughout [all] eight *praharas* (i.e., around the clock) in the house of the creditor and work [for him]. In case I fail to do so, or cause loss to the [creditor’s] work by running away, catch me and take the daily fine according to the law. Set me free on the day I pay off the aforementioned amount of 60 *mohararupaiyās* 30 *paisās*. I will not file any [future] complaint. I have willingly written this deed—[wherein I] declare the witnesses [mentioned] in the margin as valid, assign the aforementioned Budhimān as bondsman (*jiu jamānī*), and [accept] the addition of the daily [amount] for the loss in work I caused earlier—and have handed it over to the creditor.

79 The year is unreadable in the available facsimile. However, it can be confirmed as VS 1956 from the Document 3.4 (K_0348_0040) which is the original bond deed where Kamāne was approved as a bondservant.

80 Kāṭhe Siṃbu is the locality around the Śāntighata Caitya at Naghal Ṭola in central Kathmandu.

Wednesday, the 6th solar day (*gate*) of Vaisākha in the [Vikrama] era year 1963 (1906 CE).

[*Ir-part2*]

[Unknown fingerprint]

[Fingerprint of Budhimān Bhoṭe]

[Signature of Vṛṣa Bāhādura Thāpā]

[Fingerprint of Māna Bahādura]

[Signature of Māhāvīra Khatrī]

[Signature of Jayanārāna Pādhyā Ḍhumgānā]

[Signature of Jīvarāja Pādhyā]

Witnesses:

Budhimān Bhoṭe, resident of the same Chāpaṭāra, I who willingly stand as bondsman and have signed, stating: “If my half-brother Kamāne Bhoṭe, the usufructuary bondservant, runs away, I will capture him and present him back to you. If I fail to do so, I will stay as bondservant in his place.” – 1

Pu. Go Squad 8 Ka. Vṛṣa Bāhādura Thāpā [of] Dolkhā, Phedā5 – 1

Ditto Squad 9 Mī. Māna Bahādura Thāpā [of] Tīlpuṃ – 1

Mahīndradala, Squad 10 Māhāvīra Khatrī [of] Sīpā Baḍahare – 1

Jayanārāna Pādhyā Ḍhumgānā aka Bhoṭu [of] Chālīm – 1

Scriber Jīvarāja Pādhyā [of] Bāneśvara – 1

Commentary:

Kamāne Bhoṭe was assigned as a bondservant by his father, Vikmān Siṃ Bhoṭe, in VS 1956 (see Document K_0348_0040 for the original bond). However, the original debtor Vikmān Siṃ is not mentioned in this document and one can assume that he must have passed away during the gap of six years the two documents were written. If it is the case, this may also be considered as a case of debt inheritance.

The document stipulates that the bondservant Kamāne Bhoṭe is to pay a fine of four *paisās* per day for the period during which he had run away. This amount is in accordance with the *Ain* of 1854 (*Ain*-54 § 80.9) which states that daily *nimeka* of a bondservant is one *ānā* (= 4 *paisās*) as long as the accumulated total of *nimeka* is less than the original amount of money (*thaili*), in the case when a runaway bondservant is captured.

3.6 A loan agreement involving a slave put up as collateral (K_0281_0045)

Edited and translated by Manik Bajracharya; Dated VS 1976 (1919 CE); Guṭhī Saṃsthāna, Bhadrakālī, 6, Bā. Da. Po. no. 3 and 4; micro-filmed as NGMPP K 281/45; for digital edition, see DOI: <https://doi.org/10.11588/diglit.36997>.

Edition:

1 श्रीः\

1 १५७ नं

1 स्ही लाल्वा-

2 हादुर षत्री

3 छेत्री

1 साछी

1 स्ही: दांन् वाहादुर ष-

2 त्री छेत्री ---१

1 स्ही हीरा सीं थापा छेत्री ---१

1 [Fingerprint] वीर षत्री छेत्री ---१

1 अभय सीं षत्री छेत्री ---१

1 स्ही: लेषत्को म असा-

2 मी लाल् वाहादुर षत्री

3 छेत्री सदर छु ---

1 स्वस्ति श्री सम्बत् १९७६ साल् मीती पौष ८ गते वार ३ मा सु-

2 व दीने धनीका नाम वीर्ता रस्पुरगाऊ वश्रे वीर वाहादुर ष-

3 त्री छेत्री धन वेहोरीनीका णम⁸¹ ऐं गाऊ वश्रे लाल्

4 वाहादुर षत्री छेत्री गत ली चादीका चलं [अनु]सारका

5 मो रू १४२ अक्षरूपी येक सये वयालीस् रुपैया

6 लीयाको ठीक् साचो हो । वाफत् दंन्ड⁸² वीसयेमा हीरा
 7 सीं थापाले तीरीदीयाको हुनाले नीज हीरा सीं थापाला-
 8 ई तीर्न लीयाको हस्वा⁸³ रुपैजाको भाका करवर येही
 9 आउन्या ७७ साल्का जेसूठ मैनाका दीण १२ जाहा
 10 लेषीयाका रुपैजा सापटको सापट बुझाउला । स्वा⁸⁴
 11 भाका नाध्ये भने येसै मीतीमा धीतो रहेको रवे कमारो
 12 चार रत्नको चोखो भयाको कमारो आर्को परम्-
 13 भट्टा नलेषी येसै कागजको सदर गरी लीनु । पछी म-
 14 रे भाग्ये मीती वार मोरे भाग्ये नीमेक् कमारो लेउ भनी
 15 म आसामीले नभंनु । मीती पार मोरे भाग्ये मेरो कमारो
 16 लेउ रूपैजा बुझाउ भनी नभंनु । मेरा मंमा षुसी रा-
 17 जीले दाम् दोहोरी बुझीलीजा । यो तमसुक लेषीदी-
 18 याको साउका पुर्वतर्फको दलानमा लेषीदीयाको
 19 हो । येस वेहोराका साछी फट्केपट्टी लेषीदीयाको
 20 छु । मीती सदर । शु । ---

Translation:

Śrī

Number 157

[Signature]: Lāl Bāhādura Khatrī Chetrī

Witnesses:

[Signature]: Dān Bāhādura Khatrī Chetrī

[Signature]: Hīrā Siṃ Thāpā Chetrī

[Fingerprint]: Vīra Khatrī Chetrī

Abhaya Siṃ Khatrī Chetrī

[Signature]: I, Lāl Bāhādura Khatrī Chetrī, the debtor of [this] deed,
 have been approved [as such].

82 Read: *danḍa*.

83 Read: *so*.

84 Read: *so*.

Hail! On the auspicious Monday of the 8th solar day (*gate*) of Pauṣa in the [Vikrama] era year 1976 (1919 CE), [I,] the debtor (*dhana behorīnī*), Lāl Bāhādura Khatrī Chetrī by name, resident of Raspura Village, have truly received 142 current silver *mohararupaīyās* from the creditor (*dhanī*), Vīra Bāhādura Khatrī Chetrī by name, resident of the same village. I have borrowed this money to repay Hirā Siṃ Thāpā, inasmuch as the latter paid [a similar amount earlier as] the fine for an offence (*bāpḥat*) [of mine]. I solemnly promise to return the same amount [of money] as borrowed⁸⁵ on the 12th of the month of Jyeṣṭha in the coming year [VS 19]77. If this promise is broken, [Vīra Bāhādura] shall take in his ownership, on that same date, the pledged male slave Rave, who possesses the four gems⁸⁶, considering this deed as valid [in] itself, without [any need] for a separate *paramabhāṭṭā* to be written. If [the slave] dies or escapes—[that is,] if he dies or escapes before the [fixed] date—I, the debtor, shall not say: “Give me the value of the labour (*nimek*) [of the slave] or [the price of] the slave.” If he dies or escapes beyond the [promised] date, [the creditor] shall not tell: “Give me my slave [or] pay me the [debt] money.” I have gladly and of my own free will received this money. This agreement (*tamasuka*) was written on the creditor’s eastern veranda. I have written down the witnesses to this document in the margin (*phaṭke*). The [aforementioned] date is valid. Auspiciousness.

Commentary:

This document records a loan of money taken out by Lāl Bāhādura from Vīra Bāhādura in a village called Raspura. The identity of this village is unknown. However, since this document was among a bundle of documents from Pyuthana, Raspura is presumably a village in the same general area. The document mentions that the debtor took the loan in order to repay an earlier loan from Hirā Siṃ Thāpā, who had paid at fine on his behalf for an offence committed earlier.

The document mentions that the debtor has put up his slave Rave as collateral for the loan. The slave would automatically pass to the creditor if the loan was defaulted.

85 The formulation used *sāpaṭako sāpaṭa* refers that the amount to be returned would be the same as the borrowed amount, without applying any interest. This leads us to the understanding that the slave was a usufructuary pledge, and that his service to the creditor compensated the interest.

86 The four standard qualities of a trusted slave, probably being free of certain disease or sins.

4. Documents on Emancipation of Slaves before 1924

4.1 A lālamohara of King Girvāṇayuddha emancipating a family of Patan from slavery (DNA_0012_0065)

Edited and translated by Manik Bajracharya; Dated VS 1858 (1802 CE); National Archives Nepal, Ms no. 297; microfilmed as NGMPP DNA 12/65; for digital edition, see DOI: <https://doi.org/10.11588/diglit.32500>.

Edition:

[/r]

1 [श्रीदुर्गास]हाये \

[Royal seal]

- 1 स्वस्ति । श्रीगिरिराजचक्रचूडामणिनरनारायेणेत्यादिविविधविरूदावलि-
- 2 विराजमानमानोन्नत्श्रीमन्महाराजाधिराजश्रीश्रीमहाराजेगिर्वा-
- 3 णजुद्धविक्रमसाहवहादुरसमसेरजंङ्देवानाम् सदा समरविज-
- 4 यिनाम् । ---
- 5 आगे सहर पाटन धलाछे टोलका मछिन्द्रके । अघि नेपाल मादा
- 6 तिभिहरूलाई ह्यासि गुलामी तुल्यायाको हो । आज हामीले तला-
- 7 ई र तेरा छोराछोरीसमेतकन गुलामीका पदवीको नाउ छोडाई पा-
- 8 र गरिवक्यौ । आफ्ना खातिरजामासँग कुलाचारदेखी भैआया-
- 9 को धर्मकर्म जातभाईसित मिलीजुलि छोराछोरीको विवाहवरी
- 10 गर । ईति सम्वत १८५८ साल मिति चैत्र सुदि १२ रोज ४ शुभम् ।

[/v]

1 २९७

1 रूजु वम्साह

1 मार्फत्त वखंतवारसिंह

1 रूजु सेरवहादुर]

1 रूजु नरसिंह

Translation:

[Ir]

May the glorious Durgā succour [us]!

[Royal seal]

Hail! [A decree] of him who is shining with manifold rows of eulogy [such as] “The venerable crest-jewel of the multitude of mountain kings” and Nāranārāyaṇa⁸⁷ etc., high in honour, the venerable supreme king of great kings, the thrice venerable great king, Girvāṇayuddha Vikrama Sāha, the brave swordsman, the divine king always triumphant in war.

To Machindra of Dhalāche Ṭola in the city of Patan.

Earlier, when Nepāla (i.e., the Kathmandu Valley) was conquered⁸⁸, your family was degraded in cast and made slaves. Today, I have freed you and your sons and daughters by removing the title of your status as slaves. Mindful of proper conduct (*khātirajāmā*), perform together with your fellow caste brothers the acts of *dharma* that have been passed down within the tradition of your clan and arrange marriages for your sons and daughters.

Wednesday, the 12th of the dark fortnight of Caitra in the [Vikrama] era year 1858 (1802 CE). [May there be] auspiciousness.

[Iv]

297

Attested by Bam Sāha.

Through [the hands of] Bakhatavāra Siṃha.

Attested by Sera Bahādura.

Attested by Narasiṃha.

87 An epithet of Kṛṣṇa.

88 *mārdā*, lit. “when (it) was killed”.

Commentary:

This document was issued in the year 1802 by King Girvāṇayuddha Vikrama Sāha (r. 1799–1816). The king was only five years old at the time, and was ruling under the regency of Queen Suvarṇaprabhā. The document states that (the ancestors of) Machindra of Dhalāche⁸⁹ were enslaved (probably by Prthvīnārāyaṇa Śāha) during the conquest of the Valley, and that he, together with his offspring, were now being freed. It further states that the subject should, with all good intent, follow the traditions of his clan, establish good relations with his fellow clan members, and arrange marriages for his offspring. The document was attested by Bam Sāha⁹⁰, Sera Bahādura⁹¹ and Narasiṃha. The document is also signed by Bakhaṃtavāra Siṃha⁹² as a witness.

The subject in the current document, Machindra, was presumably a Newar of Patan. It is not clear from the document which caste of Newars this Machindra belonged to, or whether he or his ancestors belonged to an Enslavable caste.

4.2 A copperplate inscription by Buddhirekhā Godārni recording the emancipation of a slave and a variety of implements offered to Paśupati (PN_0002_0030)

Edited and translated by Manik Bajracharya; Dated VS 1863 (1806 CE); Paśupati Gośvārā; microfilmed as NGMPP PN 2/30; for digital edition, see DOI: <https://doi.org/10.11588/diglit.36939>.

Edition:

1 श्री दुर्गाज्यु \

89 The locality of Dhalāche lies in the eastern quarter of the city of Patan, near Sundhārā.

90 Bam Sāha was the *cautarīyā* of Kumaun during the Anglo-Nepalese war of 1814–16, and witnessed the defeat of Almora in April 1815. For a report sent by him from the battleground of Nālāpānī, see DNA_0002_0019.

91 Probably this is the same Sera Bahādura who was a son of King Siṃhapratāpa and a step-brother of Raṇabahādura. He is thought of having killed Raṇabahādura in 1806 and was himself immediately killed.

92 Probably Kājī Bakhatavāra Siṃha Basnyāta who was a *kājī* during the rule of Mukhtiyāra Dāmodara Pāḍe (cf. M.R. Panta VS 2021: 68–73).

1 श्री पशुपति ५

- 1 स्वस्ति श्री शाके १७२८ श्री सम्वत १८६३ साल मिति आश्विन सुक्ल पंचमी ५ गुरुवा-
- 2 सरे तद्दिने लिषित श्री बुद्धिरेषा गोदारनि । आगे मेरा पेवा धनमध्ये मेरा ग-
- 3 लाको विजवन्दसमेत सुनाको विज लोहटा थाल वटुको पनिउ डादु को-
- 4 परा दियो थाक्रो कांग्यो चुल्याँसि स्याँगी गागु षर्कदो यति वस्तु ---५ ---
- 5 प्रीति गर्यो । धनावति कमारि मेरा पेवा १५ रूपैयाले किन्याकि पार ग-
- 6 रिदिजाँ । एस पत्रका साछि मेरा छोरा राजवल थापा र छोरी ३ बुहारि
- 7 नाति २ समेत उद्योतदेवनारायण पाध्या हुंगाना कविराज भडारि ।
- 8 एति धनमा लोभानि पापानि जो गर्ला ---५ ---कुद्रिष्टि पंचमा-
- 9 हापातक लागला । पत्र लेषक साछि शक्तिवल्लव देवकोटा ईति शु-
- 10 भमस्तु ।

Translation:

Glorious Durgā

Glorious Paśupati – 5

Hail! Written by Buddhirekhā Godārni on Thursday, the 5th of the bright fortnight of Āśvina in the Śaka year 1728, [Vikrama] era year 1863 (1806 CE).

Āge: of my *pevā* property, I have joyfully offered these things to –5– (i.e. glorious Paśupati): a gold *bīja* (ornament) together with the band (*bījabanda*) [that I had worn] on my neck, a water-pot (*lohoṭā*), a plate (*thāla*), a bowl (*baṭuko*), a flat ladle (*paniu*), a ladle (*ḍāḍu*), a chamber-pot (*koparā*), an oil lamp (*diyo*), a hair-brush (*thākro*), a comb (*kāṅgyo*), a curved kitchen knife (*culyāsi*), a straight kitchen knife (*syāḅgī*), a large water-vessel (*gāgrī*), and a *kharkado*⁹³ vessel. I have freed the female slave Dhanāvati, a *pevā* property of mine bought for 15 rupees.

The witnesses to this [copper]plate are: my son Rājabala Thāpā, 3 daughters, a daughter-in-law, 2 grandsons, Udyotadevanārāyaṇa Pādhyā Ḍhuṅgānā and Kavirāja Bhaḍārī. Whoever acts out of greed and sin towards this property will be struck by the evil eye of –5– (i.e. glorious Paśupati), and will incur the five great sins (*pañcamahāpātaka*). Śaktiballava Devakoṭā is the writer of and a witness to this [copper]plate. Auspiciousness.

93 Also known as *khakūlo*, a wide-mouthed vessel generally made of copper and used for cooking.

Commentary:

This is a copperplate dating to 1806 found at the Paśupati temple. The text on it records the offering by a certain Buddhirekhā Godārni of various kinds of implements and ornament to the temple. The patroness also freed a female slave named Dhanāvati. The witnesses to this document include the patroness's son, daughters, a daughter-in-law, grandsons and three other persons. For another document regarding the freeing of slaves at the Paśupati temple, see Document 4.4 (PN_0004_0065). An edition of this document has been published in Śreṣṭha 1974: 104–5.

4.3 A copy of an emancipation deed issued to Gajakesara (RRC_0019_0444)

Edited and translated by Manik Bajracharya; Dated VS 1864 (1808 CE); Regmi Research Collection, vol. 19, document no. 444, p. 371; Archived at the Tribhuvan University Library, Kirtipur; microfilmed as NGMPP E 2426/2; for the digital edition, see <https://nepalica.hadw-bw.de/nepal/editions/show/47508>.

Edition:

- 1 ५३९ नं
- 1 आगे गज सीं खत्रीको छोरा गजकेसरके ।
- 2 तलाई गुलामी पदवीदेखी पार गरीवक्स्यौ ।
- 3 अवदेखी खतृ भैइस । खातिरज्मासीत जनै हाल ।
- 4 आफ्ना जात संगतमा सामील होउ । इती मीती सदर ।
- 5 चैत्र वदी ३० रोज १ ।

Translation:

No. 539⁹⁴

To Gajakesara, the son of Gajasiṃ Khatrī. We have freed you from your slave (*gulāmī*) status. You are henceforth a Khatrī. Wear the

94 This probably is the number given in the original register.

sacred thread (*janai*), mindful of proper conduct. Become associated with fellow members of your own caste. The date is valid.

Sunday⁹⁵, the 30th [solar day] of the dark fortnight of Caitra [in the year VS 1864 (1808 CE)]⁹⁶.

Commentary:

This document, found in the Regmī Research Collection, volume 19, p. 371, is a copy of a *lālamohara* issued in 1808. The *praśasti* was left out of the copy, but from the date it is clear that the document was issued by King Gīrvāṇayuddha Vikrama Śāha. This royal order emancipates Gajakesara from slavery. It also grants him membership in the Khatrī caste, that of his father Gajasim̐ Khatrī. Etymologically, the caste name Khatrī is derived from Sanskrit *kṣatri/kṣatriya*. Another caste name, Chetrī, derived from the same Sanskrit term, belongs to the group of Sacred Thread-wearers and forms the largest caste group in Nepal. Khatrīs and Chetrīs are similar, but not the same. According to Ain-54 § 23.30, Khatrī is the caste assigned to an abandoned child of unknown caste if kept by a Brahmin. A child born of a slave woman with a Brahmin master also becomes a Khatrī (see TND, s.v. *kamāro*). Similarly, offspring of the union of an Upādhyāya Brahmin male and a Chetrī female or of a Chetrī male and a female of a lower but pure caste becomes a Khatrī (see Höfer 2004: 54–55).

This Gajakesara Khatrī was appointed as a captain with the Candana Nātha Paṭṭana in VS 1889 (RRC 27.160: 165). Gajakesara's father, Gajasim̐ Khatrī, was a *subba-ijārādāra* of Bara, Parsa and Rautahat in 1797 (RRS 19.11–12: 172) of Morang until 1803 (RRS 19.6: 84), and a *sardāra* in 1805 (RRS 19.7–8: 98). An English translation of this document is available in Regmi (1987: 172).

95 Reading of the number 1, denoting Sunday, is unclear in the original.

96 The year can be confidently assigned, given that the document is one of a series of jointly filed documents from the same year.

4.4 A copperplate inscription recording the emancipation of three women from slavery by Sundara Giri and his wife (PN_0004_0065)

Edited and translated by Manik Bajracharya; Dated VS 1869 (1813 CE); Paśupati Gośvārā; microfilmed as NGMPP PN 4/65; for the digital edition, see DOI: <https://doi.org/10.11588/diglit.36940>.

Edition:

- 1 श्री \
- 2 श्री पसुपति
- 1 स्वस्ति श्री साके १७३४ संवत् १८६९ साल मिति फागुनमा-
- 2 से दिनगत २६ तदिने सुंदर गिरि र सुन्दर गिरिकि स्वा-
- 3 स्त्रिले लक्ष्मि १ कोइलि १ ज्वाला १ यो तिन जना कमारिला-
- 4 ई ---का दषिन् दर्वाजामा भादा टाम्वाका दि {...}दो-
- 5 को नाम्लो काटि पार गरिदिज्युं । कालकला कसैले झैझग-
- 6 रा गर्या ---को कुट्टुष्टि होला । तेस वाटका साछि वि-
- 7 ष्णु नारान भवानि गिरि रामा पूरि गोसाजि रूप
- 8 नारान गिरि वषतवर गिरि । शुभम् । ---

Translation:

Śrī

Glorious Paśupati

Hail! On the 26th solar day of the month of Phālguna in the Śaka year 1734 and the [Vikrama] era year 1869 (1813 CE), we, Sundara Giri and Sundara Giri's wife, have freed these three female slaves—Lakṣmi, Koili and Jvālā—by giving copper utensils at the southern door of --- [i.e., glorious Paśupati],⁹⁷ and by cutting off the *ḍoko*

97 The original text has *daṣin darvājāmā bhādā tāmvākā di naḥ*. Here, I have considered the letter *naḥ* as superfluous. Also, it is not clear whether the copper utensils were given to the slaves or to Paśupati. In Document 4.2 (PN_0002_0030), household utensils were offered to Paśupati while freeing a female slave. If it is the case, Paśupati would be the recipient, and the offering was made to the outer door of the temple for the slaves would not be allowed inside.

[from] the *nāmlo*.⁹⁸ If anyone creates a dispute at a [future] point in time (*kālakalā*),⁹⁹ he will be struck with the evil eye of --- [i.e., glorious Paśupati]. The witnesses to this act are: Viṣṇu Nārāna, Bhavāni Giri, Rāmā Purī Gosāñi, Rūpa Nārāna Giri [and] Bakhatavara Giri. Auspiciousness.

Commentary:

This is a copperplate dating to 1813 found at the Paśupati temple. The text on it records formal measures a certain Sundara Giri took to free three female slaves. Interestingly, the document mentions that during this ceremonial act, Sundara Giri offered some copper utensils and cut off a carrying strap (*nāmlo*) from its basket (*ḍoko*), perhaps as a symbol of the labourious work the slaves no longer had to carry out. Maskey (1996: 34) mentions of this ceremonial procedure, referring to a document of 1877 from Foreign Political A of the National Archives of India: “The slave takes a Dhoka (*doko*) or basket on his or her back with a goat in it, and the master cuts and (sic!) band by which the Dhoka (*doko*) is held, and which passes round the forehead of the carrier. The slave is then free.”

The document lists five persons as witnesses to the act. The donors and the witnesses mentioned in the document belong to the *daśanāmī* order.

For another document regarding the freeing of slaves at the Paśupati temple, see Document 4.2 (PN_0002_0030).

98 A *ḍoko* is a basket, commonly made of woven bamboo, carried on the back. A *nāmlo* is a strap to secure the *ḍoko* round the forehead or neck.

99 N. Panta et al. (VS 2025: 1039 n.) state that *kālakalā* is equivalent to *kālakālāntaramā*.

4.5 A copy of a deed of emancipation written by Rājakumāri Pāḍenī for her slaves Indravadan and Ujīra Khavāsa (K_0118_0032)

Edited and translated by Manik Bajracharya; Dated VS 1943 (1887 CE); Guthī Saṃsthāna, Bhadrakālī, Garuḍanārāyaṇa Guthi, Po. no. 49, Ms. no. 11; microfilmed as NGMPP K 118/32; for digital edition, see DOI: <https://doi.org/10.11588/diglit.37017>.

Edition:

[1r-part1]

1 श्री \

1 श्री गुजेकाली

2 १

1 श्री पसुपतीनाथ

2 २

1 रूजु सहि Shamir Shumshere

1 १८०

1 ११ नं.

1 सकल वमोजीं नकल दुरुस्त भनी सही छाप गर्ने उजीरे घर्ती ---

1 श्रीकृष्ण चरण राजकुमारी सरण भन्थे छाप तेस्का तल लापच्ये सही मसी नमीलेको सही छाप रूजु नहुदा प्रेम वाहादुर भन्थे लेपेको

1 लिपितं नरदेवी टोल वरूया कजेनी राजकुमारी पडेनि छेत्र्यानीकस्ये दाइजो केटी इन्द्रवंदन् निजको छो-

2 रो उजीरे केटोहरूस्मेत्के । हजुरको हामीहरूले अघीदेषी आजस्म रूजु रही चाकरी गरीआयाका

3 छौ । अव हामीहरूलाई पारपत्र गरिवक्स्या हजुरको सरिर् षडा छन्ज्यालस्म आठौ प्रहर रूजु रही

4 टहल चाकरी गरि हजुरके सोझो चिताई हजुरका टहल चाकरी गरौला । टहल चाकरी गर्दा

- 5 साहेवको सरिको सरदा भक्ती धर्म थामी टहल गरौला । रूपैया पैसा नगद जीन्सी कौनैको
- 6 कुरामा हामीहरूले साहेवमाथी कुभलो चीताजौ भने हाम्रो कैले भलो नहवस् ।
लोभानी पापा-
- 7 नी गरि हजुरमाथी कुभलो ची[ताई] अपराध गरेउ र हजुको अधर्म चीताई अनेत्र छाडी जाने
- 8 छैनौ । हजुरका सेषपछी हामीलाई हजुरवाट गरीवकस्याका पारपत्र वमोजीं आफ्नु आफ्नु
- 9 पुस गरौला । यो पत्रमा लेषीयाका वेहोराका बंदेजमा नरही हजुरका सरीर् षडा छदै अने-
- 10 त्र गञ्यू भने र पाप नास गै लोग्न्या अरू कसैका कुरा सुनि लेषीयाका बन्देजमा नरही अने-
- 11 त्र गञ्यू भने -१- र -२- देवता र पंच भलाआद्धी साछी राषी रीत पुर्याइ अंलेष गराई हामी-
- 12 लाई पारपत्र गरीवकस्याको छ तापनि हामीलाई चाकर तुल्याई हजुरको पुस गर्नु ।
पारपत्र ग-
- 13 रीदीयाकोमा हाम्रो उजुर लाग्ने हो तापनी हाम्रो वेउजुर । उजुर गर्ने छैनौ । उजुर नास्ती । उजुर ग-
- 14 यीं भने सो लीषत् झुट्टा गरीदीनु । हजुरका सेषपछी मात्र सो कवुलपत्र छ । तापनी हजुरका दर
- 15 संतान हकवाला दैयादार अरू कसैको टहल चाकरी गर्ने छैनौ । यही पत्र वमोजीं आफ्नु आफ्-
- 16 नु पुस गरी {...}वसौला । यस पत्रमा लेषीया वमोजीं गर्नु भनी मेरा मनोमान पुसी राजीसंग पार-
- 17 पत्रको नामापत्र लेषी नीजहरू दाइजो इन्द्रवदं नीजको छोरो उजीर षवासलाई दीञ्यू । साछी छो-
- 18 डोल वरूया लेफुटे भिम्बल कवर १ असन् वरूया हर्षनन्द गुभाजु १ नैकंतला वरूया कप्तान् इन्द्रधोज

[1r-part2]

- 19 पाडे कप्तान् विश्वकुमार पाडे मेजर अजिटन् टेक वाहादुर पाडे ठमेल वस्ने सुवेदार वलध्वज{...}
- 20 भडारी छेतृ लेषक साछी प्रयागदत्त पाध्या । इति सम्बत १९४३ साल मीती फाल्गुण वदी
- 21 ७/२ । शुभम् । ---

Translation:

[*1r-part1*]

Śrī

Glorious Guhyakālī – 1

Glorious Paśupatiⁿātha – 2

Attested, signature; Shamir Shumshere

180

No. 11

Signed by Ujīre Ghartī in attestation that the copy is identical with the original

A fingerprint signature under a seal reading “The feet of glorious Kṛṣṇa [are] the refuge [of] Rājakumārī”; [and] since the (foregoing) signature, in a different ink (from the rest of the document), is unattested, [the name] Prema Bāhādura has been written.¹⁰⁰

Written by Kajenī¹⁰¹ Rājakumārī Pādenī Chetryānī, resident of Naradevī Ṭola, to the female slave (*keṭī*) Indravadan and her son, the slave-boy (*keṭo*) Ujīre, [both acquired as] dowry.

“We have been attending and serving you from the past up until today. If now you provide us with a deed of emancipation (*pārapatra*), we will attend you throughout [all] eight *praharas* (i.e., around the clock) to take care of you with honest intent for the remainder of your life. While serving you, [our] mistress (*sāhebako sarir*, lit. mistress’s body), we will do so by keeping alive [our] faithfulness, devotion and duty [to you]. Regarding money, valuables and property, if ever we intend you [our] mistress ill, may it never go well with us. We will not leave you

100 Written in the left margin. The fingerprint in the original must have been that of Rājakumārī. She would have had to sign the document in addition to her seal to make it official. Prema Bāhādura probably was an authority who was called upon to confirm the validity of the signature.

101 *Kajenī* refers to the wife of a *kājī*.

and go elsewhere out of greed and sinfulness, having intended you ill, committed a crime, or intended something unlawful towards you. In accordance with the deed of emancipation granted by you, we will each act according to our wishes after your death. If, instead of remaining within [the terms of] agreement written in this deed, we go elsewhere while you are still alive, or if we, going [down] to sin and destruction from listening to [my] husband or anybody else, fail to remain within [the terms of] the agreement and go elsewhere, then—even if you have granted us the deed of emancipation, with the deities –1– (i.e., glorious Guhyakālī) and –2– (i.e., glorious Paśupatinātha) and five notables as witnesses—make us [your] slaves [again] and do [with us] as you wish. Since you have provided us with a deed of emancipation, we might mount a legal appeal (against re-enslavement). However, our [case] would admit of no appeal. We would not appeal; there is no appeal (we could mount). If we did file an appeal, please declare such a document as invalid. The agreement (*kabulapatra*) is [valid] only after your death. Nevertheless, we will not [afterwards] serve your descendants, rightful inheritors or anybody else. In accordance with this document, we will each live as we please.”

I have written [this] deed of emancipation (*pārapatrako nāmāpatra*) willingly, having given instructions to act according to what is written in this document, and have handed it over to the aforementioned [persons acquired as] dowry, Indravadan and her son Ujīra Khavāsa.

Witnesses: Leutenant Bhīmcala Kavara, resident of Choḍola – 1, Harṣananda Gubhāju, resident of Asan – 1, Captain Indradhvaja Pāḍe, resident of Naikamtālā,

[1r-part2]

Captain Viṣṇukumāra Pāḍe, Major Adjutant Ṭeka Bāhādura Pāḍe, Sub-edāraBaladhvaja Bhaḍārī Chetṛī, resident of Ṭhameḷa [and] the scribe [and] witness Prayāgadatta Pādhyā.

The 2nd (i.e., Monday?) of the 7th of the dark fortnight of Phālguna in the [Vikrama] era year 1943 (1887 CE).

Commentary:

This is one of two documents copied together in a collection belonging to the Garuḍanārāyaṇa Guṭhī. Both this and the other document, K_0118_0033, officialise the emancipation of slaves Indravadan and

Ujīre by Rājakumārī Pāḍenī. In the left margin of the document, Ujīre Ghartī attests that the copy is identical with the original. It is not clear if this Ujīre Ghartī is the same Ujīre slave mentioned in the document. Both the documents, K_0118_0032 and K_0118_0033, are good examples of how the slaves were made to work for their masters even after their emancipation.

For documents regarding a legal case involving Rājakumārī Pāḍenī, see K_0175_0018, K_0118_0039 etc., K_0175_0032 and K_0175_0033, which are the receipts of an expiation fee paid by her, and K_0175_0034, which is a *patiyā-pūrjī* issued to her.

4.6 A copy of a deed of emancipation written by Rājakumārī Pāḍenī for her slave Gopāle (K_0118_0033)

Edited and translated by Manik Bajracharya; Dated VS 1943 (1887 CE); Guṭhī Saṃsthāna, Bhadrakālī, Garuḍanārāyaṇa Guṭhī, Po. no. 49, Ms. no. 12; microfilmed as NGMPP K 118/33; for digital edition, see DOI: <https://doi.org/10.11588/diglit.36996>.

Edition:

1 श्री

1 श्री पसुपती गुजेस्वरी

1 १२ नं.

1 स्त्री गोपाल

1 सकल वमोजि नकल दुरुस्त भनि स-

2 ही छापू गर्ने गोपाले घर्ति ---

1 स्वस्ति श्री नरदेवी टोल वरुया कजेनी राजकुमारि पडेनि छेत्र्यानीकस्यै हरिवदंनको छोरो गोपाले केटाके । तेरी आमाले मेरो स्यहार संभार गरि-

2 आयाको हुनाले १९४३ सालका माघ मैन्हामा तेरि आमा वेरामि भै रूदा र असाध्ये हुदा माधि पुर्ने वाका चत्तुरदसिका दीन् घाट् ऊठाउ[ने]

3 वेलामा मेरा मर्ने वषत् भो मेरो छोरो गोपाले वालष छ हजुर्को मैले सोझो चीताई चाकरि गरेकै हुं हामी आमा छोरालाई [का]-

- 4 म्करवाट फुर्सत गरीवकस्या हाम्रो पनी परत्र सप्रदो हो हजुरलाई पनि पुन्ये हुदो हो भंदा तेहि वषत्मा तेरी आमालाई काम-
- 5 कर हाड्वाट पार गरी र त बालष हुनाले तलाइस्मेत् हाड्पार गरी दीयाथ्याँ । तेरी आमा मर्दा र त बालष हुनाले मेरा [जि]-
- 6 बताभरलाइ तेरो जिये हाड्पार गरीदीयाँ । मेरो स्याहार संभार गर्नु । मेरो सेषपछी तेरो जिये हाड् काम्करवाट [पार]
- 7 गरीदीजा । आफु पुसी भै वस्तु । मेरा सेषपछी तलाइ मेरा दैयादार हकवालास्मेत् अरू गैर्हले लोभानी पापानि गरी [क]-
- 8 [री]या हो भनि जसुले पक्राऊ गर्ला भन्ला तस्लाइ माहापंचपातक् लागि ---को कुदृष्टी भै नरक्को भोग गर्नु-
- 9 परोस भनि मेरा मनोमान पुसि राजिसंग पारपत्र लेषि निज त गोपालेलाइ दियौं । येस् पत्रका साछी छौडोल वरुया
- 10 लेफटेँ भिम्बल कुवर १ रुपिं वरुया देवनीधी पाध्या १ वैद १ ठमेल वस्त्रे षड्गधोज भडारी छेत्री १ लेषकका सा-
- 11 छी प्रयागदत्त पाध्या । इति सम्बत् १९४३ साल मिति माघ सुदी १४ रोज १ सुभम् ।
- 12 श्रीकृष्ण चरण राजकुमारी सरण भन्थे द्वाप लापच्ये सही मसी नमीलेको सही प्रेम वाहादुर भन्थे लेषेको

Translation:

Śrī

Glorious Paśupati [and] Guhyeśvarī

No. 12

Signed [by] Gopāla

Signed by Gopāle Gharṭī in attestation that the copy is identical to the original

Hail! From Śrī Kajenī Rājakumārī Pādenī Chetryānī, resident of Naradevī Ṭola, to the slave-boy Gopāle, the son of Harivadamaṇa.

Your mother was [for a long time] taking care of me. In the month of Māgha in the year [VS] 1943, your mother became sick, kept crying out and could not be cured, and on the full moon day of Māgha, on *vākā*¹⁰² *caturdaśī*, as she was being brought to the burning *ghats*, she said: “The time of my death has come. My son, Gopāle, is still

102 Meaning unclear.

a child. I have served you with loyalty. If you could spare us, mother and son, from the subjection of [slave] labour (*kāmakara*), our future would flourish, and it would also be meritorious for you.” I therefore freed your mother from the bondage of labour then and there and since you were a child, I had freed you as well. Since your mother has died, and since you are still a child, I have freed you from bondage [on condition] that you [serve me] for the remainder of my life. Serve me. I free you from the bondage of labour, to take effect after my death. Live according to your wish [from that time on]. After my death, may whoever among the rightful claimants of my inheritance, out of greed or evil intention, holds you [back], considering you as a household slave (*kariyā*), incur the five great sins, be struck by the evil eyes of [glorious Paśupati and Guhyeśvarī]¹⁰³, and endure hell. Having written [this] deed of emancipation willingly, I handed it over to you, Gopāle. The witnesses to this letter are: Lieutenant Bhimbala Kūvara of Chauḍola – 1, Devanīdhī Pādhyā of Rupim – 1, Vaida – 1, Khaṅgadhvoja Bha[ṅ]ḍārī Chetrī of Ṭhamela – 1, [and] the witness of the writer Prayāgadatta Pādhyā.

Sunday, the 14th of the bright fortnight of Māgha in the [Vikrama] era year 1943 (1887 CE). Auspiciousness.

A fingerprint signature under a seal reading “The feet of glorious Kṛṣṇa [are] the refuge [of] Rājakumārī”; [and] since the (foregoing) signature, in a different ink (from the rest of the document), is unattested, [the name] Prema Bāhādura has been written.

Commentary:

This is one of two documents copied together in a collection belonging to the Garuḍanārāyaṇa Guṭhī. Both this and the other document, K_0118_0032, officialise the emancipation of slaves by Rājakumārī Pāḍenī. In this document, Harivadaṃṇa and Gopāle, mother and son, are emancipated on the former’s deathbed. The son, Gopāle, is freed on condition that he serve Rājakumārī throughout her life. The document explicitly states that the descendants of Rājakumārī shall have no authority over the freed slave Gopāle.

103 Copied from the upper margin.

4.7 A copy of an order emancipating the slaves owned
by Samara Bahādura Rājabhaṇḍārī (RRC_0053_0029)

Edited and translated by Manik Bajracharya; Dated VS 1943 (1886 CE); Regmi Research Collection, vol. 53, document no. 29, pp. 168-70; Archived at the Tribhuvan University Library, Kirtipur; microfilmed as NGMPP E 2460/2; for the digital edition, see <https://nepalica.hadw-bw.de/nepal/editions/show/37660>.

Edition:

[168]

1 १२९

- 1 प्रशस्तिसौ । आगे लेफटेन कर्णे-
- 2 ल समर वहादुर राजभंडारीका करीया
- 3 तपसील वमोजिमका कमारा कमारीके ।
- 4 यथोचीत उप्रान्त । लेफटेन कर्णेल सम-
- 5 र वहादुर राजभण्डारीले मोगलानाका
- 6 वागी राणाजीहरूसंग लेषपढी गर्या-
- 7 को जाहीर गर्न्या कमाराका जहानैलाई
- 8 पारपत्रको सनद गरीदीनु भन्या यस
- 9 अडाका हाकीम कारीन्दाका नाउमा ४३
- 10 साल आषाड सुदि १ रोज ३ मा भैआ-

[169]

- 11 याका हुकुम मर्जीका २ छापे पुर्जी मोतावीक
- 12 मोगलानाका वागी राणाजीसंग लेखपढी
- 13 गर्याको इन्हेरूले हाम्रा हजुरमा जाहेर
- 14 गर्याका रीझ वापत नीज कर्णेलको र नी-
- 15 जका संतान दरसंतानको र नीज कर्णेल-
- 16 का हकवाला दाजुभाईको संतान दरसं-
- 17 तानको लाग नास्ति गरी तपसील वमोजी-
- 18 मका नीज ईन्द्र र नीजका जहानस्मेत जना
- 19 ७ लाई हामीवाट पार गरीवक्स्यौं आफु
- 20 खुसी भै आफ्ना पुसीसंग वसन्त्या काम
- 21 गर भन्या वेहोराको नीज ईन्द्रस्मेत तपसी-
- 22 लको कमारा कमारीका नाउमा पारपत्रको

- 23 रूक्का दण्डित गरीवक्सनु पन्या ठहरा-
 24 ज्यू जो मर्जी हुकुम भनि सदर जंगी कोत
 25 वाली ईन्द्रचोक ठानावाट हाम्रा हजुर-
 26 मा वीन्ती पार्दा जाहेर भयो । तसर्थ नीज क-
 27 णेल्ले मोगलानामा गयाका वागी राणा-

[170]

- 28 जीसंग लेषापढी गर्याकाले ईन्द्रले हा-
 29 म्रा हजुरमा जाहेर गर्याका रीझ वापत नी-
 30 ज कणेलको र नीजका संतान दरसंता-
 31 नको र नीजका हकवाला दा-
 32 ज्युभाईका संतान दरसंतानको लाग
 33 नास्ति गरी ईन्द्रेका तपसील वमोजीम-
 34 का जहान ७ जनालाई हामीवाट पार
 35 गरीवक्स्यौं । आफु पुसी भै आफ्ना पुसी-
 36 संग वसन्त्या काम गर । ---
 37 तपसील
 नीज ईन्द्रे ---१ ऐंको आमा वडी १
 ऐंको दाजु जसवीरे १ ऐंको भाई माहावीरे १
 ऐंको वैन्ही गुलाफी १ ऐंको स्वास्त्रि चीनीजा
 वदत ---१
 ऐंको भाई कुहारीमीरा १
 42 ईति सम्बत १९४३ साल मीति श्रावण
 43 वदी ६ रोज ५ सुभम् ।

Translation:

[168]

[No.] 129¹⁰⁴

*Praśastisau*¹⁰⁵

Āge: to the male and female slaves listed [below] belonging to Lieutenant Colonel Samara Bahādura Rājabhāṇḍārī.

Concerning the following (*yathocita uprānta*): [The following] became known to us when the Central Police Station (Sadara Jaṅgī

104 This probably is the number given in the original register.

105 *Praśastisau* is a term used in copies of documents to indicate that there is a eulogy (*praśasti*) in the original.

Koṭavālī Īndracoka Ṭhānā) put a request to us stating: “In accordance with a double stamped order¹⁰⁶ of Tuesday, the 1st of the bright fortnight of Āṣāḍha in [VS 19]43 addressed to the administrative head and the staff of this office, stating that a *sanada* [in the form] of a deed of emancipation should be issued to the entire family of a slave who reported that Samara Bahādura Rājabhaṇḍārī has engaged in correspondence with rebel Rāṇās living in Mogalānā (i.e., India). We recommend that Your Excellency issue an executive order (*rukka daskhata*) [in the form] of a deed of emancipation (*pārapatra*) in the name of the listed slaves including Īndra, with the following details:

[169]

‘For the good services of these [slaves] who have reported to us (i.e., to the king and the prime minister) about the correspondence engaged in [by Samara Bahādura] with rebel Rāṇās living in Mogalānā, we have emancipated the 7 [slaves]—including the aforementioned Īndra and his family members included in the list [below]—so that the aforementioned Colonel [Samara Bahādura], his descendants, his siblings and their descendants with a claim to them shall lose [all such] claim. Live happily and according to your own wishes.’”

[170]

For this reason, as a reward for the good services of Īndra in reporting to us that the aforementioned colonel has been in correspondence with the Rāṇās who have gone to Mogalānā, we have emancipated the 7 family members of Īndre listed [below] so that the aforementioned Colonel [Samara Bahādura], his descendants, his siblings and their descendants with a claim to them shall lose [all such] claim. Live happily and according to your own wishes.

Particulars (*tapasila*):

The aforementioned Īndre – 1	His mother Baḍī – 1
His elder brother Jasavīre – 1	His younger brother Māhāvīre – 1
His younger sister Gulāphī – 1	His wife Cīnīñā Vadata – 1
His younger brother Kuhārīmīrā – 1	

106 *Hukuma marjī*, i.e., order of both the king and the prime minister (cf. Michaels 2005: 92 fn. 6). The double stamp in this document therefore refers to that of King Pṛthvī Vīra Vikrama and Prime Minister Bīra Śamśera Rāṇā.

Thursday, the 6th of the dark fortnight of Śrāvaṇa in the [Vikrama] era year 1943 (1886 CE). Auspiciousness.

Commentary:

This document, copied into Vol. 53, pp. 168–70 of the Regmi Research Collection, is an order from the king/prime minister regarding emancipation of seven slaves belonging to Lieutenant Colonel Samara Bahādura Rājabhaṇḍārī. As it states, Samara Bahādura's traitorous activities of engaging in correspondence with rebel Rāṇās living in India was reported to the authority by Indre, one of the slaves. The rebel Rāṇās refer to the Jaṅga Rāṇās who took refuge in India after Bīra Śamśera's coup d'état of 1885. Samara Bahādura was the son of Colonel Siddhi Māna Rājabhaṇḍārī. R. Shaha (1990/II: 8) mentions of the incident when Bīra Śamśera was personally present in Khaḍga Śamśera's house to punish Samara Bahādura. This document has also been discussed in Regmi (1981: 63–64).

4.8 An emancipation deed drawn up by Kaisām Khunu to free his female slave Palsām Buṭī after his death (E_3446_0032)

Edited and translated by Manik Bajracharya; Dated VS 1949 (1892 CE); Private collection of Tsering Wangdu, Nubri, no. 10; microfilmed as NGMPP E 3446/32; for the digital edition, see DOI: <https://doi.org/10.11588/diglit.36827>.

Edition:

[1r]

[A seal probably of Kaisām Khunu]

- 1 स्वस्ति । स्म[वत्] १९४९ साल मीति कार्तिक शुदी ९ रोज ६ का दीन्मा
- 2 लेषीतम् । म अठार सये षोला मधे सामागांऊ वश्रे कैसां पुनु [आ]-
- 3 मे ४९ सालका वर्षामा गाँऊघर अनीकाल पर्दा नीजै गाँऊ [वश्रे]
- 4 पल्सां छीरीं २ जानी र छोरी पल्सां वुटी ईन्हरूले मेरा घरमा [आ]-
- 5 ई हाम्रा जहान् भोक् अनीकाल्ले सारे दुष पायो हाम्-
- 6 रा जीया वचाईदीन पर्यो भनी नीज पल्सां छीरीं २ जानीले र
- 7 नीजका छोरीले भन आऊदा नीज पल्सां छीरीं २ जानीले मेरा

8 छोरी पल्सां वुटीको मोल्मोलाई गरीली धर्म टेकाई दीन प-
 9 र्यो भनी भंदा १९४९ सालका जेश्ठ शुदी ५ रोज २ का [दी]-
 10 न्मा नीजहरूको मासीने जात् हुनाले पल्सां छीरींका [छो]-
 11 रि पल्सां वुटी वर्ष १४ भयाका परम्पट्टा र नीज केटीका [रा]-
 12 जीनामास्मेत्को कागज गरी मोल मोरू २५ नीज केटीका वावु
 13 र आमासंग बुझाई कपालमा तेल् ठोकी ५।६ मैना कमारी
 14 सरह काम् लगाई भोक् चलन् भयाको हो । हाल् के गरु ।
 15 येस पल्सां वुटी कमारी मैले ली केही प्रयोजन् छैन । पापु[...]
 16 कोठीमा बस्या जस्तो लाक्दा र येस केटिलाई आजसम्म क[मा]-
 17 री छ तापनी अवप्रान्त मेरा जीयाभर जीऊपार गरीदीञ्चूं । [का]-
 18 म्काज र मेरा चाकडी मेरा जीयाभर गर्नु । मेरो जीया-
 19 ले छोडनापछी जात पनी काम् पनी पारपछीना भयो । मेरा
 20 सन्तान्वाट ७ पुस्तातक् कसैले हाम्रा वावु वाजेको
 21 कमारी हो भनी पक्रीइ दीन पाऊदैन । जसले दुष दीन्छ
 22 कमारी भनी काम् चलायो भन्या मेरा सराप्ले ज[ल]-
 23 न हवस् । मेरा जीयाभर काम् चाकडीमा कटछ । जा[तु]-
 24 मा कर छैन । नीज केटीको जात्भात् सुद्ध गरी मेरा जी[या]-
 25 भरको काम्मात्र गर्नु भन्थे वेहोरको धर्मपत्रको
 26 कागज लेषी ईस्वर¹⁰⁷ जीऊमा अर्पनम् गरी नीज पल्सां
 27 वुटीको वावु पल्सां छीरीं २ जानीलाई सहीछाप गरी
 28 दीञ्चूं । येस वेहोराको साछी तहवील्दार मर्गा गुरुं १ वंप-
 29 रा थकाली १ सामागाऊका मनचीत् मुषीया १ ऐं गाऊका [...]
 30 भोटे १ लेषत्¹⁰⁸का साछी थाक्दुक्चेगाऊका काम् [...]
 31 थकाली १ । मीती सदर शु । ---

[Iv]

1 श्रीसरस्वति भग[व]ति गुरु पिता चीत्रगुप्त नमस्तु ते ।

Translation:

[Ir]

[A seal probably of Kaisām Khunu]

Hail! Written on Friday, the 9th of the bright fortnight of Kārtika in the [Vikrama] era year 1949 (1892 CE) [by] me, Kaisām Khunu, resident of Sāmā Gāū, [which lies] in the Aṭhāra Saya Kholā [region].

107 Uncertain reading.

108 Read: *lekhaka*.

Āge: During the rainy season of the year [VS 19]49, when a famine occurred in the immediate surroundings, Palsām Chīrīm 2 jānī¹⁰⁹ and [their] daughter Palsām Buṭī came to my house and said: “Our family has suffered excessively due to hunger and famine. Please save our lives.” Palsām Chīrīm 2 jānī then said: “Please determine a price for my daughter Palsām Buṭī and uphold the *dharma* by accepting (i.e., buying) her.” After he said this, since they were of an enslavable caste (*māsīne jāt*), on Monday, the 5th of the bright fortnight of Jyeṣṭha in the year [VS] 1949, after arranging a *paramabhaṭṭā* together with a deed of relinquishment (*rājīnāmā*) from the girl, [I] handed over 25 *mohararu-paiyās* [as the price] for the 14-year-old Palsām Buṭī to her father and mother. [The girl officially became my slave] through oil being applied to her head (*kapālmā tel ṭhokī*).

[I] have been assigning her work and using her as a slave for a period of 5 or 6 months. What shall I do now? I have no use for this Palsām Buṭī as a slave. It has felt like living in a house of sin, and [therefore] even though this girl has been a slave up until today, I shall free her while I am [still] alive. Throughout my life she should work for and serve me. After my death she is free from both caste and work [obligations]. None of my descendants down to the 7th generation may take possession of her, stating: “[She was] the slave of our ancestors.” May whoever trouble her or uses her for work as a slave be burnt [to death] under my curse. [Her time] will be spent in work and service [for me] throughout my life. She has no obligations [afterwards] regarding her caste. The said girl shall only work for the remainder of my life, [thereby?] purifying her caste and rice commensality [status].¹¹⁰ I have written this religiously solemnized document (*dharmapatra*), offered it to the body of the Lord, signed it and shall [now] hand it over to Palsām Chīrīm 2 jānī, the father of the said [slave] Palsām Buṭī.

The witnesses to this document are: Tahabildāra Margā Guruṃ – 1, Vaṃparā Thakālī – 1, Manacīt, the mukhiyā of Sāmā Gāū – 1, ...¹¹¹ Bhoṭe of the same village – 1 and the witness of the writer Kām ...¹¹² Thakālī of Thākṭukce Gāū – 1. The date is valid. Auspiciousness.

109 The meaning is unclear. It may mean “2 persons”, i.e., Palsām Chīrīm and his wife. However, in line 27 of the document, the father of Palsām Buṭī seems to be called Palsām Chīrīm 2 jānī, as if 2 Jānī were part of his name.

110 It is not clear whether she is purified first and proceeds to work for the rest of the master’s life or the purification is something she herself does by serving for the rest of his life.

111 A lacuna in the original.

112 A lacuna in the original.

[Iv]

I bow down to the glorious goddess Sarasvatī, [my] guru, [my] father and Citragupta.

Commentary:

This is a document from the collection of Tsering Wangdu of Nubri. It mentions the owner's applying oil to the forehead of the slave. One may assume that this was a ritual performed to formalize the act of enslavement. The Ain-54 repeatedly mentions the phrase *tela thoknu*, "to anoint with oil", in the context of enslavement without explaining it further. This document places the practice within one concrete situation. Later in the document, the master declares that the slave girl's caste is purified (of its slave status), so that she would not remain enslaved after his death. This may prove that it was possible for a slave owner to raise the caste status of his slaves to a non-enslavable one, especially in a northern society. The identity of the master, Kaisām Khunu, is not clear. Another document (Tsum_0001_0014) concerning tax collection in Pāro Gāū of the Aṭhāra Saya Kholā region mentions the name Kaisām Khunu as the *jimmāvāla*¹¹³.

4.9 A deed executed by Chiriṃ Buṭi of Sāmā Gāū providing for the future emancipation of her female slave Kārto (L_1200_0016)

Edited and translated by Manik Bajracharya; Dated VS 1949 (1892/93 CE); Private collection of Tsering Wangdu, Nubri; microfilmed as NGMPP L 1200/16; for the digital edition, see <https://nepalica.hadw-bw.de/nepal/editions/show/25031>.

Edition:

1 श्री \

[Unknown seal]

1 लेषक साङ्गी राइटर बाका विर श्रेष्ठ स्त्री _____ १

113 *Jimmāvāla*: a revenue collection functionary in the hill districts.

1 लिषितम् १८ स[य] षोला मध्ये स्यारपट्टी भोट् सामागाउं वरूया
 2 सुब्बेनि छिरिं वुटि । आगे यहि साल गाउमा साहो अनिका-
 3 ल पर्दा षाना वेगर सवै मरूया । हाम्रा पनि घरमा सावगास नहुं-
 4 नाले अंन षाना वेगर मर्न लागीयो । मेरो ज्यू दाता भै तपाजीका
 5 घरमा जुनिभर कारिया [करिया] भै वस्छु भनि सोही गाउ वरूया छि-
 6 रिं वुटी तोडाकी¹¹⁴ छोरि कार्तोले मेरा घरमा आइ रुंदा करा-
 7 उंदा लौ भनि निज कार्तो वर्ष १८ उमेर भयाकी षाना वेगर मर्न ला-
 8 ग्दा र निजकी आमा सानु छीरिं वुटिले पनि मजुर गरि साछी
 9 ग्वाहा¹¹⁵स्मेत् राषि कागजपत्र गरि दींदा निज केटीको मोल् वदे
 10 मोर् ३५ निजकी आमा सानु छीरिं वुटीका हातमा गनि दी नि-
 11 ज कार्तोलाइ मानु ष्वाइ काज लाइराष्याको हो । आज निज के-
 12 टीको माजा लाग्यो र यस्लाइ पार दीन्यै हो भंन्या मेरा चीत्तमा
 13 लागूनाले र अरू २ जनालाइ पनि मेरा षसम र छोराले
 14 स्मेत् धर्म गरि छाडेको देषुदा मलाइ पनि छाडीदीउं भंन्या
 15 लाग्यो र निज कार्तो करिया हो ता पनि मेरा षसमका ज्यूता-
 16 भर हाम्रा चाकडी गरि वस्तु षानु सेषपछि आफु सुषि भै जा-
 17 हा मन् लाग्छ वाहा गै षानु वस्तु भनि धर्म जानि पार गरि
 18 दीजा । कालकला हाम्रा सन्तान् दरसन्तान् कसैले करिया
 19 होस् भनि कार्तोलाइ नपक्रनु । पत्रयो भन्या हाम्रा सन्तान्को
 20 हार कार्तोको जित् भनि मेरा षुसि राजिसंग धर्म जानि
 21 हाइ चोषो गराइ पारपत्र लेषि निज कार्तोलाइ दीजा । इती
 22 सम्बत् १९४९ साल मीती पौष सुदी []¹¹⁶ रोज []¹¹⁷ शुभम् ।

Translation:

Śrī

[Unknown seal]

Scribe, witness and writer (*rāṭīṭara*) Vākā Vīra Śreṣṭha, signed – 1

Written by Subbenī Chiriṃ Buṭi, a resident of Sāmā Gāū¹¹⁸ towards the Syāra¹¹⁹ side of the Bhoṭ region [and] within [the confines of] Athāra Sāya Kholā.

114 Reading is unclear in the original.

115 Read: *gavāha*.

116 Space for the day of the fortnight left blank in the original.

117 Space for the day of the week left blank in the original.

118 Text: *sāmāgāmū*.

119 Syāra/Sāra is the name of the 13 districts of Lower and Upper Tsum once given to the region by the Nepalese government, but it is not used in the

Āge: When Kārto, the daughter of Chiriṃ Buṭi Toṅā¹²⁰ who is a resident of the aforementioned village, came to my house and lamented, saying: “With the famine that occurred this year in the village, all [those] people died through a lack of food. Since there are no supplies in our house, we too are about to die of hunger. I will be the donor of my own body and will stay in your house as a slave (*kariyā*) for the rest of my life,” I agreed to it. Since the 18-year-old Kārto was about to die without food, and since her mother Sānu Chiriṃ Buṭi agreed to it and signed the deed in the presence of witnesses, I counted out 35 *mohararupaiyās* and handed them over to the mother, Sānu Chiriṃ Buṭi, as the price of the said slave (*keṭī*). I have fed and employed her for work [since then]. Today I feel pity for this slave and that I should definitely free her. Having seen my husband and son, too, freeing 2 other persons in the practice of pious act (*dharma*), I also felt that I should free [her].

Even though the aforementioned Kārto is [still] a slave, I have freed her with the intention of *dharma*, stating: “She shall serve us and be fed throughout the life of my husband. After [his] death, she may happily go wherever she wants and live according to her own wishes.” None of our descendants shall take possession of her in the future, stating: “You are a slave.” If anyone takes possession of her, our descendants shall be defeated and Kārto shall be victorious.

I have, with pious intention, willingly freed¹²¹ the said Kārto, written this deed of emancipation (*pārapatra*), and handed it over to her.

...¹²² day of the bright fortnight of Pauṣa in the [Vikrama] era year 1949 (1892/1893 CE). Auspiciousness.

Commentary:

This document in the private collection of Tsering Wangdu in Nubri is a deed providing for the emancipation of a slave posthumously. Issued by Chiriṃ Buṭi of Sāmā Gāū, it frees her slave Kārto on condition that she remains in service throughout the life of her owner’s husband. Eighteen-year-old Kārto, with the permission of her parents, sold

local vernacular. It may be related to the Tibetan word *shar*, which means “east”.

120 This word is unclear in the original. Her name is mentioned as Sānu Chiriṃ Buṭi later in the document.

121 *Hāda cokho garāi*, lit. “having [her] bones purified”; This expression, similar to “*hādapāra*” in the *Ain*, is used when a slave has been freed from enslavement, but not yet from servitude (*Ain-54* § 82.16).

122 The weekday and the day of the month are omitted in the original.

herself into slavery because the family was unable to support itself due to a famine that occurred in 1892. Another slavery-related document from the same area, Document 4.8 (E_3446_0032), specifies that the famine occurred in that area during the rainy season of the year.

The document emancipated Kārto from enslavement, but not from servitude. The expression used in this document to free her from slavery, “*hāda cokho garāi*”, is in causative case which might suggest that the emancipation involved a separate act, possibly a ritual one. The Document 4.8 also uses somewhat similar phraseology suggestive of a ritual uplifting of the slave’s caste and rice commensality status.

4.10 A *purjī* from Deva Śamśera Jaṅga Bahādura Rāṅā to the Guṭhī Bakyautā Tahasila Aḍḍā re the emancipation of seven slaves (K_0614_0021)

Edited and translated by Manik Bajracharya; Dated VS 1955 (1898 CE); Guṭhī Saṃsthāna, Bhadrakālī, card no. 320 (81), 3 Sa. Gu. Ban. Pan. 1 Po. no. 10; microfilmed as NGMPP K 614/21; for digital edition, see <https://nepalica.hadw-bw.de/nepal/editions/show/41019>.

Edition:

1 श्री \

1 श्री ३ सर्कार

2 १

1 श्री आर्या

2 २

1 81

- 1 स्वस्ति । श्रीमद्राजकुमारकुमारात्मजश्रीकम्यांदरईणचीफ्जनरलदेवसमसेरजङ्गरा-
- 2 णावहादुरकस्य थापाथली -१-तर्फ गुठी वक्यौता तहसील अदाका हाकीम् का-
- 3 रीन्दाके पुर्जी । ऊप्रान्त -२-घाटपारी सती मुदा¹²³ दाहा गर्न्या दाऊरा गुठीमा दरीयाको
- 4 कागतिगाऊस्मेत् ३ गाऊको ५२।५३ सालमा ठेक ईजारा लीन्या सोही ठाऊको वलभ-
- 5 द्र षत्री छेत्रीको म धन ज्मानी भयाको हुनाले नीजले बुझाऊनु नसक्दा मोहरू ८१२

- 6 रूपैजा वाकी राषीदीदा सो रूपैजा दाषील गर्न सक्याको नहुनाले गुठी वक्यौता तहसी-
 7 ल् अदावाट हवाला लाग्याको छ । सो वाकी ऊपर गर्न मेरा घरैया तपसील वमोजी-
 8 म्का कमारा कमारी लीलाम वीक्री गरि नगद पारी पठाईदीनु भन्या पश्वीम् १ लम्ब-
 9 र वक्यौता तहसील अदाका नाऊमा सनद गरी वक्से म अनाथ ब्राह्मण पनी दु-
 10 ष छुट्ने छ । प्रभु जो मर्जी हुकुम् भनी लेफ्टेन् ज्येदु कुमार पण्डितले हाम्रा ह[जु]र-
 11 मा वीन्ती पार्दा जाहेर भै ऐन वमोजीम् ठेक्दारको जायजात्वाट नपुगी धन जमानी
 नीज
 12 लेफ्टेन्को जायजात्वाट पुत्रे भयातापनी धन जमानीको कमारा कमारीहरूलाई ते-
 13 स अदामार्फट झीकाई हामीवाट नजर गरीवक्सी नीज तपसील वमोजीम्का कमारा
 कमारी
 14 ज्यु ७ को अघी ज्यु मासीयाका जातका १६ लम्बरका ऐन वमोजीम्को मोल मोहरू ४
 15 ५२॥ धन जमानी लेफ्टेन् ज्येदु कुमारलाई ठेक् वाकी मध्ये मीन्हा दी वाकी रूपैया
 तरता-
 16 कीती गरीलीनु । नीज कमारा कमारीहरूलाई हामीवाट अमलेषको दसषत गरी
 वक्स्याको हु-
 17 नाले नीज ठेक्दार वलभद्र षत्री छेत्रीसगका वाकी ठेक् रूपैजा मध्ये सो कमारा कमारी
 18 ज्यु ७ को मोल मोहरू ४५२॥ ढपोट्मा मीन्हा लेषनु । वही बुझदा मोजरा होला ।
- 19 तपसील
 20 वर्ष ४५ को हर्षे कमोरा¹²⁴ १ के मोहरू ४५
 21 वर्ष ४२ को जमुनी कमारी १ के ऐ रू ६०
 22 वर्ष २१ को स्यती कमारी १ के ऐ १२०
 23 वर्ष १७ को कासी कमारी १ के ऐ १२०
 24 वर्ष २ को स्येतीको छोरी बुध लक्ष्मी कमारी १ के ऐ २५
 25 वर्ष १२ को काले कमारो १ के ऐ ४१।
 26 वर्ष ८ को स्येत्ये कमारो १ के ऐ ४१।
- 27 ईती सम्वत् १९५५ साल मीती प्र आश्वीण शुदी रोज । शुभम् ।

Translation:

Śrī

Śrī 3 Sarkāra – 1

Śrī Āryā[ghāṭa]¹²⁵ – 2

124 Read: *kamāro*.

125 Āryaghāṭa, a cremation site at Pashupati in Kathmandu.

81¹²⁶

Hail! A *purjī* of the venerable Commander-in-Chief General Deva Śamśera Jaṅga Rāṇā Bahādura, a venerable prince born of a prince, to the chief and clerk(s) of the Guṭhī Bakyautā Tahasila Aḍḍā of Thāpāthalī, [which operates] under Śrī 3 Sarkāra.

Uprānta: [The following] became known [to us] when Lieutenant Jyedu Kumāra Paṇḍita made petition to us, stating: “I am standing surety (*dhana jamānī*) for Balabhadra Khatrī Chetrī [of Kāgati Gāū] who obtained a contract to collect revenue (*theka ijārā*) for the years [VS 19]52/53 from the 3 villages including Kāgati Gāū that are registered under the Dāurā Guṭhī¹²⁷ which cremates of the bodies of *satīs* [at the place] located opposite of Āryaghāṭa, but he could not pay [the revenue] in full, leaving 812 *mohararupaiyās* outstanding, and since he has been unable to pay the money, I am obliged by the Guṭhī Bakyautā Tahasila Aḍḍā¹²⁸ to do so. In order to come up with the amount due—if [Your Majesty] could issue a *sanada* in the name of the Bakyautā Tahasila Aḍḍā of West number 1 to auction the slave men and women of my house listed below, turning them into cash and sending on (the amount due), then the suffering of this helpless Brahmin would go away. My Lord, your wish is my command.”

Even though [the money that could be raised] from the property of the aforementioned bondsman lieutenant would suffice, [the amount obtained] from the property of the contractor in accordance with the *Ain* being insufficient, nevertheless after examining the bondsman’s slaves when the aforementioned office produced them [in front of us], [we issue here an order that] the total price of the listed 7 slaves—452 *mohararupaiyās* 2 *sukās* according to [Section] 16 of the [article on] Enslaved Castes (*gyū māsiyākā jātakā*) in the *Ain*—should be cancelled for the bondsman Lieutenant Jyedu Kumāra from the amount due on the contractual payment (*theka*). Take the remaining balance, having urged him (to accept this solution). Since we have signed the emancipation of the aforementioned slaves,¹²⁹ the price of the 7 slaves, 452 *mohararupaiyās* 2 *sukās*, should be noted in the ledger (*dhapota*)

126 This number represents a running count of documents recorded in the ledger.

127 Lit. Firewood Guṭhī, the *guṭhī* responsible for [supplying] firewood [for funeral pyres] and cremating.

128 The office responsible for collecting revenue on taxable lands belonging to *guṭhīs*.

129 See Document 4.11 (K_0614_0023) for the document in which Deva Śamśera declares the emancipation of the seven slaves.

as an exemption from the contractual payment to be received from the aforementioned contractor Balabhadra Khatrī Chetrī. [The exempted amount] will be deducted at the time of the [annual] submission of accounts (*bāhi bujhdā*).

Particulars

For 1 male slave, Harṣe, aged 45	45 <i>mohararupaiyās</i>
For 1 female slave, Jamunī, aged 42	60 <i>mohararupaiyās</i>
For 1 female slave, Syatī, aged 21	120 <i>mohararupaiyās</i>
For 1 female slave, Kāsī, aged 17	120 <i>mohararupaiyās</i>
For 1 female slave, Budha Lakṣmī, the daughter of Syetī, aged 2	25 <i>mohararupaiyās</i>
For 1 male slave, Kāle, aged 12	41 <i>mohararupaiyās</i> 1 <i>sukā</i>
For 1 male slave, Syetye, aged 8	41 <i>mohararupaiyās</i> 1 <i>sukā</i>

1st of the bright fortnight of Āśvina in the [Vikrama] era year 1955 (1898 CE). Auspiciousness.

Commentary:

This *purjī* document is an order issued by Deva Śamśera to the *guṭhī* revenue department to endorse the emancipation of seven slaves belonging to Jyedu Kumāra Paṇḍita. As the document states, Jyedu Kumāra intended to hand those slaves over to fulfil part of the compensation he was obliged to pay to the department. Instead, Deva Śamśera freed the slaves and deducted their value from the amount owed by Jyedu Kumāra.

Deva Śamśera issued this document as the commander-in-chief. He ruled as the prime minister of Nepal for 114 days from 5 March to 27 June 1901. Prior to that, he had served under Prime Minister Bīra Śamśera for thirteen years as commanding general, senior commanding general and commander-in-chief (R. Shaha 1990/II: 29–30). He is regarded as a progressive ruler and made some attempt to abolish slavery in Nepal in the short period of his prime ministership, emancipating a total of 767 slaves alone during his enthronement ceremony. The slaves emancipated during the ceremony are listed in Ḍaṅgola, Rājavaṃśī, and Vajrācārya (VS 2041: 115–20). Afterwards the prime minister attempted to emancipate all female slaves in Kaski and Lamjung, districts over which he had direct authority. Perceval Landon (Landon 1928/II: 81) mentions that he planned to emancipate slaves in Kathmandu as well. Given the opposition of slave owners, however, he did not succeed in either of these undertakings. He did

manage, though, to issue an order on the 10th day of the dark fortnight of Āṣāḍha in VS 19589 banning the buying, selling, pledging as security and donating slaves (Nepālī VS 2021: 16–17).

The document mentions a certain Section 16 of the *Ain* for determining the price of slaves. It is not clear which edition of the *Ain* this refers to. In the *Ain* of 1854, the prices of slaves are found in Section 4 of Article 82, which is entitled Jyū Māsnyā Becanyā (see Fezas 2000/I: 409–10 and Ain-54 § 82.4). The prices remained unchanged in the amended *Ain* of 1870 (Ain-70: 224).

For the actual emancipatory declaration issued to the slaves mentioned in this document, see Document 4.11 (K_0614_0023).

4.11 A letter from Deva Śamśera Jaṅga Bahādura Rāṅā emancipating seven slaves belonging to Jyedu Kumāra Paṇḍita (K_0614_0023)

Edited and translated by Manik Bajracharya; Dated VS 1955 (1898 CE); Guṭhī Saṃsthāna, Bhadrakālī, card no. 320 (83), 3 Sa. Gu. Ban. Pan. 1 Po. no. 10; microfilmed as NGMPP K 614/23; for digital edition, see <https://nepalica.hadw-bw.de/nepal/editions/show/41020>.

Edition:

1 [श्री \]

1 श्री आज्या

2 १

1 श्री ३ सर्कार

2 २

1 83

1 स्वस्ति । श्रीमद्राजकुमारकुमारात्मजश्रीकम्यांडरईनचीफ्जनरलदेवसम्सेर-
जङ्गराणावहादुरकस्य पत्रम् । ---

2 आगे कासी कमारिके । यथोचीत् ऊप्रान्त -१-घाटपारी सती मुर्दा दाहा गन्या दाऊरा
१। गुठीमा दरियाका का-

3 गतीगाऊस्मेत् ३ गाऊको ५२/५३ सालमा ठेक् ईजारा लीन्या सोही थाऊको वल्भद्र
पत्रि क्षेत्रीको धन् जमा-

- 4 नी लेफटेन् ज्यदु कुमार पंडीतले वाकी मध्ये मेरा घरैया कमारा कमारी लीलाम् वीक्री गरी नगद पारी
- 5 भर्ना गरीवक्से म अनाथ ब्राह्मणको दुष छुट्दो हो । जो मर्जी हुकुम् भनी तीम्रा षस्म् नीज लेफटे-
- 6 न् ज्यदु कुमार पंडीतले हाम्रा हजुरमा वीन्ती पार्दा जाहेर भै तीमीलाई थापाथली -२-तर्फ गुठी वक्यौ-
- 7 ता तहसील् अडामार्फत् झीकाई हामीवाट नजर गरीवक्सी तीम्रा वर्ष १७ का ज्यू १ को अधि ज्यू मा-
- 8 सीयाका जात्का १६ लंम्बरका ऐन् वमोजीम्को मोल् मोहरू १२० तीम्रा षस्म धन् जमानी लेफटे-
- 9 न् ज्यदु कुमार पंडीतलाई ठेक् वाकीमध्ये मीन्हा दी तीमीलाई अम्लेषको दस्पत् गरीवक्स्यौ । हाम्रो
- 10 जय मनार्ई आफुपुसी अम्लेष भै वख्ने काम् गर । १९५५ साल् मीती ६ आश्वीण वदी ३ रोज १ । शुभ्म् ।

अरू वेहोरा सदर	स्यती कमारि वर्ष २१ को मोल् रू १२० अरू वेहोरा सदरको	१
अरू वेहोरा सदर	हर्षे कमारो वर्ष ४५ को मोल रू ४५ अरू वेहोरा सदरको	१
ऐं	जमुनी कमारी वर्ष ४२ को मोल रू ६० अरू ऐं	१
ऐं	स्यते कमारो वर्ष ८ को मोल रू ४१। अरू ऐं	१
ऐं	काले कमारो वर्ष १२ को मोल् रू ४१। अरू ऐं	१
ऐं	बुद्धलक्ष्मी कमारी वर्ष २ को मोल् रू २५ अरू ऐं	१

Translation:

Śrī

Śrī Āryā[ghāṭa] – 1

Śrī 3 Sarkāra – 2

83¹³⁰

Hail! A letter of the venerable Commander-in-Chief General Deva Śamśera Jaṅga Rāṅā Bahādura, a venerable prince born of a prince.

Āge: To the female slave Kāsī.

Yathocita uprānta: It became known to us when your master, Lieutenant Jyadu Kumāra Paṇḍita,¹³¹ who is standing surety (*dhana jamānī*) for Balabhadra Khatrī Chetrī [of Kāgati Gāū]—who had obtained a contract to collect revenue (*theka ijārā*) for the years [VS 19]52/53 from 3 villages including Kāgati Gāū that are registered under the Dāurā Guṭhī which cremates the bodies of *satīs* [at the place] located opposite Āryaghāṭa—made petition to us, saying: “[If Your Majesty] could turn my household slaves into cash by auctioning them off and thereby [helping to] offset an amount due, the suffering of this helpless Brahmin would go away. Your wish is my command.” After the Guṭhī Bakyaūtā Tahasila Aḍḍā of Thāpāthalī, [which operates] under Śrī 3 Sarkāra, produced you [in front of us] and we examined you, the price—according to [Section] 16 of the [article on] Enslaved Castes (*gyū māsiyākā jātakā*) in the Ain—of 17-years-old body of yours, 120 *mohararupaiyās*, has been cancelled for your master, the bondsman Lieutenant Jyedu Kumāra, from the amount due on the contractual payment (*theka*). For you we have signed [a deed] of emancipation. Celebrate our victories and, having been emancipated, live as you wish.

Sunday, the 3rd of the dark fortnight of Āśvina in the year [VS] 1955 (1898 CE). Auspiciousness.

Other details are valid	Female slave Syatī, aged 21, price: 120 rupees; other details are valid	1
Other details are valid	Male slave Harṣe, aged 45, price: 45 rupees; other details are valid	1
ditto	Female slave Jamunī, aged 42, price: 60 rupees; ditto	1
ditto	Male slave Syate, aged 8, price: 41 rupees and 1 <i>sukā</i> ; ditto	1
ditto	Male slave Kāle, aged 12, price: 41 rupees and 1 <i>sukā</i> ; ditto	1
ditto	Female slave Buddha Lakṣmī, aged 2, price: 25 rupees; ditto	1

131 In Document 4.10 (K_0614_0021), his name is spelled as Jyedu Kumāra Paṇḍita.

Commentary:

This is a written order from Deva Śamśera Jaṅga Bahādura Rāṇā emancipating seven slaves belonging to Jyedu Kumāra Paṇḍita, who had intended to have them auctioned off in order to pay a sum owed to the *guṭhī* revenue department.

5. Documents Relating to Slavery Abolition of 1925

5.1 An executive order of the commander-in-chief providing instructions to Rūpa Bāhādura Kūvara regarding restitution payments to be made to owners during the emancipation (K_0188_0060)

Edited and translated by Manik Bajracharya; Dated VS 1982 (1926 CE); *Guṭhī Saṁsthāna, Bhadrakālī, Dāsavamocana Aḍḍā, Po. 5 Ga. Gu. Bam.*; microfilmed as NGMPP K 188/60; for digital edition, see DOI: <https://doi.org/10.11588/diglit.44592>.

Edition:

1 श्री कम्पाडर इन चीफ

[Unknown seal]

1 नकल वमोजीम सकल दुरुस्त छ [Seal reading Śrī Bhaktalāla]

- 1 ले. क. रूप वाहादुर कवरके । यथोचीत उप्रांत । पौख १ गतेका वडापत्रमा स्ही छाप गर्नु पर्नेसंमका
- 2 उमेर पुगीसकेका करीयाको नाम स्ही छापस्मेत नभयाको यती जवान भन्थेसम्म लेखीएका
- 3 करीयाको मोल दीनु पर्देन भन्थे लेखीयेको र कोही कोही करीयाको नाम मात्र भयाको
- 4 स्ही छाप नपरेको कसैको वावुआमाको नाऊ लेखी छोराछोरीको नाऊ नलेखी नावालख
- 5 भन्थेसम्म लेखीयाको यस्तो कलंमा मोल दीने नदीने प्रष्ट नखुलेकोले नीकासा पाऊ
- 6 भनी तीमीले ८२ साल पौख १ गते दासत्वमोचन अडामा लेखोट् गरेको वेहोरा सो
- 7 अडा मार्फत् हाम्रा हजुरमा जाहेर भयाको र यसै वारे सल्ल्याना गौडावाट जाहेर गरेको वेहोरा
- 8 श्री ३ महाराज दाज्यैज्यूका हजुरमा जाहेर हुंदा ८० सालको लगतमा जवांको अंकसम्म
- 9 लेखीयाकोमा स्ही छाप नपरेका करीया १६ वर्ष मनीको रहेछ र सकल लगत भीत्रको

- 10 ठहर्यो भन्ये नावालख सरह कारवाई गरी सवाल सनदको रीत पुर्याई मोल दीनु ते-
 11 स्तो जवांको अंकसम्म लेखीयका नाम स्ही छाप नपरेका करीया १६ वर्ष माथी भयाकोमा
 12 दीनु पर्देन भन्ये र लगत हुदा देसपर्देस गैरहेका वा बेरामी भै का[र]ण जनी स्ही छाप
 पर्नसके-
 13 का करीयाको पनी लगतमा नाम लेखीयाको रहेछ र लगत भीत्रकै करीया ठहर्यो
 14 भन्ये मोल दीनु पर्देन भन्ये स्मेत् हुकुं वक्स्येका हुनाले सोही वमोजीम गर्नु । सं १९८२
 15 साल माघ १९ गते रोज २ । शु । --- [Unknown seal]

Translation:

Venerable Commander-in-Chief¹³²

[Unknown seal]

The copy is true to the original [seal of the attester, Bhaktalāla]

To *le. ka.*¹³³ Rūpa Bāhādura Kavara.

Yathocīta uprānta: In your letter of the 1st of Pauṣa of the [current] year [VS 19]82 to the Dāsātvamocana Aḍḍā (Manumission Office), you wrote: “It is stated in the royal order (*baḍāpatra*) of the 1st of Pauṣa: ‘Of the *kariyā* slaves who have reached the age where they are required to provide signatures [but] whose names and signatures are missing, and where only the number of persons is written, no [reimbursement] amount for such slaves need be paid.’ For some slaves, only their names are mentioned without signatures, while some have [only] parents’ names written but not the names of the [actual] sons or daughters, [the latter] being mentioned [only] as minors. It is not clearly stated whether or not the [reimbursement] amount should be paid for them in such cases. May I have [your] decision [on the matter]?” The details of your letter have been presented to us through the aforementioned office.

When this very matter was brought by the Sallyānā District Office to the attention of our brother, Śrī 3 Mahārāja (i.e., Prime Minister Candra Śamśera), he ordered thus: “If in the records (*lagata*) of the year [VS 19]80 only the number of persons (i.e., slaves) has been written down, and if there are slaves below the age of 16 whose signatures are missing, and if they [can] be proven to be recorded in the original

132 The commander-in-chief at the time this document was written was Bhīma Śamśera who held the post at least since 1911.

133 Perhaps abbreviation for lieutenant colonel.

lagata, they should be regarded as minors, and the [reimbursement] amount for them shall be paid according to the *sanada* and *savāla*. If the number of such persons has been written down but there are no names and signatures, and if they are above the age of 16, no [reimbursement] amount for them need be paid. If, at the time the record was being prepared, their signatures are missing because they were abroad or sick, even if the names of such *kariyās* have been proven to be recorded in the *lagata*, the [reimbursement] amount for them need not be paid either.” Therefore, do according to what have been mentioned.

Monday, the 19th solar day (*gate*) of Māgha in the [Vikrama] era year 1982 (1926 CE). Auspiciousness.

Commentary:

This document from the commander-in-chief provides instructions to Rūpa Bāhādura Kavara regarding restitution payments to be made to owners during the manumission of slaves after 1925, in cases where the slaves’ names or signatures are missing in the record books. Referring to orders from the prime minister, it states that, of the *kariyā* slaves whose signatures are missing, only those below the age of sixteen must be compensated for. This duplicate document is attested by one Bhaktalāla.

5.2 A letter from the king instructing Guṭhī Bandobasta Aḍḍā in Pyuthana to check documents relating to money spent for the emancipation of slaves so that the officiating government agent can be provided with clearance (K_0188_0061)

Edited and translated by Manik Bajracharya; Dated VS 1982 (1926 CE); Guṭhī Saṁsthāna, Bhadrakālī, Dāsavamocana Aḍḍā, Po. 5 Ga. Gu. Bam.; microfilmed as NGMPP K 188/61; for digital edition, see <https://nepalica.hadw-bw.de/nepal/editions/show/39589>.

Edition:

1 [?] वाट

2 नकल ---

[Seal with the legend: *śrī 5 guṭhī bandovasta aḍḍā 1977*]

[Unknown seal]

[Seal with the legend: *śrī 5 guṭhi bandovasta adā 1977*]

- 1 गुठी वंदोवस्त अडाका हाकीम कारीन्दाले पुर्जी हेरी नेपाल गोर्षा राजभर मुलुकका लगत् भये-
- 2 का करीयाको मोल धनीलाई तीरी करीया अमलेष गर्ने गरीवक्स्येको हुनाले मध्येस पाहाड् गोस्वारा
- 3 जील्ला गौडा ईलाकाको करीयाको मोल तीरी अमलेष गर्ने काम्मा षठीयका अफीसरहरूले गरेका
- 4 काम्को वासलात वुझी फरफारष गरीदीने कामलाई तपसील्का जील्ला गौडा गोस्वारा ईलाका-
- 5 को तपसीलका अडा अडावाट गर्ने गरीवक्स्येको छ । सो वमोजीम् वासलात जाची फरफारष दी-
- 6 नालाई अडा अडाका नाउमा जो चाहीने वेहोराको सनद गरीदीने कां गर भन्ने यस अडाका नाउ भयको
- 7 ८२ साल मार्ग ११ गते ५ का षड्गनीसाना सनदमा प्यूठाना जील्ला ईलाकाको गुठी वंदोवस्त अडा-
- 8 वाट जचाउनु भन्ये लेषीयाको हुनाले सो प्यूठाना ईलाकाको लगत भयेका करीयाको मोल धनीलाई
- 9 तीरी करिया अमलेष गर्ने काम्मा पाल्पा गौडाका मे. क. वीरजङ्ग साहालाई पठाईवक्सी नी-
- 10 जले सो जील्लामा गै लेषीया वमोजीम् करीयाको मोल धनीलाई दी करीया अमलेष गर्ने काम
- 11 [गर्दै रहेको] हुनाले सो काम खतम् भैसकेपछी नीजका नाउमा भयका सवाल सनद वमोजीम् नी-
- 12 जले गरेका कामको वासील वाकी कागजपत्र जाची वुझी फरफारष गरीदीनालाई गुठी वंदोवस्त
- 13 अडाका नाउमा सनद गरीवक्सनु पर्ने थहराज्यूं भनी दासत्वमोचन अडाका हाकीम कारीन्दा-
- 14 ले हाम्रा हजुरमा वींती पार्दा जाहेर भयो । तसर्थ सो प्यूठाना जील्ला ईलाकाको लगत भयका करी-
- 15 याको मोल धनीलाई दी करीया अमलेष गर्ने कामको वासील वाकी र अरू जो भयको मीसी-
- 16 ल कागजपत्र सवाल सनद धनी र करीयाको सकल लगत (क) फाराम रुपैया वाडदाको (ख) (ग)
- 17 फारामस्मेत वुझी ली जाचवुझ गर्नालाई नीजका नाउमा भयेका सवाल सनद वमोजीम् दासत्वमो-
- 18 चन अडामा दाखील हुनेगरी दासत्वमोचन अडावाट र अरू सवाल सनद कागजपत्रहरू

- 19 सो काम खतम् भैसके पछी नीज मे. क. वीरजङ्ग साहासंग तेस अडाले वुझी ली ऐं
सवाल व-
- 20 मोजीम् काम भया नभयाको जाची वुझी फारष दीनालाई दासत्वमोचन अडा मार्फत्
जाहेर ग-
- 21 री सदर भयापछी [?] षतवाट फरफारष गरीदीनु । सो फरफारषको काम षतम्
भैसके-
- 22 पछी यस वीसयेको[?] वुझी कागजपत्र दासत्व अडामा वुझाईदीने कां गर । ईती
सम्बत १९८२ साल पौष २६ गते रोज ७ सुभम् ।

Translation:

[Copied] by ...¹³⁴

[Seal with the legend: *śrī 5 guṭhi bandovasta aḍā 1977*]

[Unknown seal]

[Seal with the legend: *śrī 5 guṭhi bandovasta aḍā 1977*]

[To] the administrative head (*hākima*) and officials (*kāriṅdā*) of the Guṭhī Bandobasta Aḍḍā, [who are requested to] read [the following] letter (*pūrijī*), a petition made by the administrative head and officials of the Dāsātvamocana Aḍḍā, [which] has come to our notice: “In the royal order (*khaḍganiśānā sanada*) of Thursday, the 11th solar day of Mārga in the [Vikrama] year [19]82 sent to this office, it is written: ‘[His Majesty] has arranged to manumit [slaves] by paying sums [as reimbursement] for the registered *kariyā* slaves of Nepāla (i.e., the Kathmandu Valley) and (indeed) the entire Gorkhā kingdom. Therefore, for the task of auditing balance sheets (*vāsalāta*) and providing clearance (*pharaphārakha*) to officials who have been despatched to the Madhesa [and] hills—[whethere] districts, *gosvārās*, *gauḍā*)s [or] *īlākās*—to manumit *kariyās*, [His Majesty] has arranged to have the task performed on the basis of the listed (*tapasila*)¹³⁵ offices of the listed districts, *gauḍās*, *gosvārās* [and] *īlākās*. Accordingly, give orders (*sanada*) regarding the required matters to the concerned offices in order to (for them) examine the balance sheets and to provide clearance.’ It is written in the (quoted) *sanada* that (in the case) of Pyuthana district, the examination should be carried out by the *īlāka*’s Guṭhī Bandobasta Aḍḍā.

134 Illegible text in the original

135 The *tapasila* lists are generally contained within the document. However, the mentioned list is not included in this document.

[His Majesty] dispatched Me. Ka.¹³⁶ Vīrajaṅga Sāha of Pālpā Gauḍā for the task of paying the owners the [reimbursement] amount for [their] registered *kariyā* slaves within Pyuthana *īlākā* and manumitting the slaves. He went to this district and is (now), in accordance with the written [instructions], engaged in paying owners the [reimbursement] amount for their *kariyā* slaves and manumitting the latter. Therefore, in order to provide him with clearance once he finishes his task and after the ledger (*vāsila bākī*) and [other] documents concerning the work he has done in accordance with the [prior] *savāla*(s) and *sanada*(s) issued (to him) in his name are received, we think it advisable that [His Majesty] should issue a *sanada* to the Guṭhī Bandobasta Aḍḍā in its name.”

For this reason, once the payments of the [reimbursement] amounts to the owners of the registered slaves within Pyuthana district are made, you (i.e., the Guṭhī Bandobasta Aḍḍā) should obtain the ledger relating to the task of paying owners the [reimbursement] amount for their *kariyā* slaves and manumitting the latter, along with other available [records] including legal files (*misila kāgajapatra*), *savāla*(s), *sanada*(s), the *ka* forms containing the original list of owners and slaves, and the *kha* and *ga* forms [recording] payments made, and in order for the examination to be carried out, should, in accordance with the *savāla*(s) [and] *sanada*(s), obtain from the aforementioned Me. Ka. Vīrajaṅga Sāha the *savālas*, *sanadas* and other documents so that they can be submitted to the Dāsatvamocana Aḍḍā. In order to determine whether the task has been carried out in accordance with the *Ain* and *savāla*(s) and to provide clearance [to him], [I] should be informed through the Dāsatvamocana Aḍḍā. Upon approval provide [Vīrajaṅga Sāha] with clearance. After the matter of clearance is taken care of, submit the concerned documents to the Dāsatvamocana Aḍḍā.

Saturday, the 26th [solar] day of Pauṣa in the [Vikrama] era year 1982 (1926 CE). Auspiciousness.

Commentary:

This document is a copy of a royal directive issued to a local Guṭhī Bandobasta office in Pyuthana area regarding manumission. It was written in response to an earlier petition made by the Dāsatvamocana Aḍḍā recommending the palace to issue separate orders to the Guṭhī Bandobasta Aḍḍā regarding the manumission process. As the document

136 Perhaps an abbreviation of *mejara kaptāna* (i.e., major captain).

reveals, the Dāsatvamocana Aḍḍā had been granted royal permission to issue orders of its own to offices under it, but apparently in this case it felt for some reason that it needed the extra force provided by a royal order. This document provides the following further information:

- A royal order was issued on the 11th solar day of Mārga in VS 1982 which included a list of offices responsible for carrying out the task of manumission throughout Nepal. This list is, however, not included as part of the present document.
- Vīrajaṅga Sāha of the Pālpā Gauḍā frontier was appointed as the in-charge for manumission work in the Pyuthana area.
- The local Guṭhī Bandobasta Aḍḍā, having been made responsible for checking the ledger submitted by Vīrajaṅga, is told by the king to send the documents to the Dāsatvamocana Aḍḍā for a backup check.
- The document further directs that the checked ledger and other documents should in the end be forwarded to the Dāsatvamocana Aḍḍā.
- There were apparently three kinds of forms, namely *ka*, *kha* and *ga* forms, used to administer the manumission. The first form contained information regarding the owners and their slaves, while the latter two recorded payments made to the owners.

This document thus provides some insight into administrative steps taken to carry out manumission after Candra Śamśera's speech of 28 November 1924.

5.3 A report from Vīrajaṅga Sāha containing a list of 99 slave owners in Pyuthana (K_0281_0041)

Edited and translated by Manik Bajracharya; Dated VS 1983 (1926 CE); Guṭhī Saṁsthāna, Bhadrakālī, Bā. Da. po. 3 and 4; microfilmed as NGMPP K 281/41; for digital edition, see <https://nepalica.hadw-bw.de/nepal/editions/show/37662>.

Edition:

[*Ir-part I*]

1 श्री \

1 १५२ नं

[Seal of Vīrajaṅga Sāha]

- 1 प्यूठाना जील्लाको करीया अमलेष गर्ने कामको अफीसर चौ. मे. क. वीरजङ्ग साहले पा-
- 2 ल्पा ता[न]सेनवाट चढायाको रीपोट ---
- 3 प्यूठाना जील्लाको करीया अमलेषको कागज जाचनालाई षड्ग नीसाना सनद सकल
- 4 र कुन कुन मीतीमा कती कती षर्च भयो भीडाउनालाई वारेससमेत् सो कामको अ-
- 5 वीसर चौ. मे. क. वीरजङ्ग साहलाई पक्री पठाउन लाउनु भन्ने श्री ५ सर्कार गुठी वन्दो-
- 6 वस्तका पुर्जी वमोजी भनि यस पाल्पा गौंडा कौशल अडाले पठाई पक्राउ गरेका-
- 7 लाई अघी दासत्वमोचन अडामार्फत् वक्स भयाको श्री कम्प्यांडर ईन चीफ साहेवको
- 8 वडापत्रमा षड्ग निसाना सनदको नकल र सकलै पठाउन केहि नषुलेकोले नकल
- 9 पठायेको हो । कुन कुन मीतीमा कती कती षर्च भयेको छ भीडाउनालाई भन्नेमा कां
- 10 तामेल भै षड्ग नीसाना सनदका २२ दफा वमोजी तयार भयाको ठाडो वासील वाकी
- 11 र (ख.) (ग.) फारामसमेतवाट मीती मीतीको षर्च भीडान हुने समेत जील्ला प्यूठानै-
- 12 वाट दासत्वमोचन अडामा चलां गरीपठायेको माथी लेषीया वमोजीका कागज-
- 13 वाट देषीने सो कागजहरूसमेत् दासत्वमोचन अडाले तेस अडामा दाषील गरीसके-
- 14 को मैले आहावाट षड्ग नीसानाका ३४ दफा वमोजी तयार गरीपठायेको तेस अडामा
- 15 दाषेल भयेको वासलात षर्च भयेको जती छ दासत्वमोचन सस्थालाई निकास
- 16 भयेका रुपैजावाट भर्ना मीलाउनालाई षर्च भयेको फाट् देखिने मात्र हो । सो ३४
- 17 दफा हेरेमा यथार्थ हुनेछ । वारेसको हक्मा कागजपत्रहरू बुझाउन वारेस पठाउनु
- 18 भन्ने षड्ग निसाना सनदमा लेषीयेको नदेषीयेको हुनाले र सो कामलाई छुट्टै कारीं-
- 19 दारसमेतको निक्सारी नभयेकोले मेरो घरघरानावाट घरानावाट वारेसको कर लायूप-
- 20 नै होईन । सो कामलाई यस पाल्पाको पल्टंवाट ममात्र षटी गै कारींदा मद्दत् सो-
- 21 ही प्यूठाना अडा अडावाट फोकुवा गरी कां चलायेको हुनाले सो काममा षटी-
- 22 ने प्यू अदालतको वहीदार सनद कुमार र ऐ मालको वहिदार नरनारायन्-
- 23 हरू हुन । निजहरूलाई सोदी निजैहरूवाट जाचनी फर्स्याई फारक पाउने हुं । पठाउ-
- 24 नु पर्ने षड्ग नीसाना सनद सकलै थान १ र चलां गर्नुपर्ने भुलले वाकी रहे-
- 25 को करीयाको धनिले दाषेल गरेको देहाये वमोजीको परंभत्ता थान ९९ स्मे-
- 26 त् थान १०० यसै साथ पठायेको छ । दाषेल भयेपछी पत्र पठाउने कां भये वेस् हो-
- 27 ला । ---

[1r-part2]

- 28 तप्सील
- १ नं प्यूठाना वीजुलीको मु. कृष्ण वाहादुर थापा छेत्री को ७९ साल मार्ग
- ७ गते १ को परंभत्त थान् ---१
- २ नं ऐ वीर्ता उदैपुर वस्ने दामोदर पाध्याको ७८ साल फागुं १२ गते २ को ऐ ---१
- नं ३ ऐ उपल्लो रसपुर वस्ने लालवाहादुर षतृको ८१ साल पौष २ गते ३ को ऐ ---१
- नं ४ ऐ वरौला धादरेषर्क वस्ने हीरासीं छेतृको ७८।१२।३।६ को ऐ ---१
- नं ५ ऐ वीर्ता रसपुर वस्ने बोल वाहादुर षतृ छेतृको ७६।९।८।३ को ऐ ---१
- नं ६ ऐ पैरा वस्ने तारानीधी पाध्यास्मेतको ७६।१०।१।१।१ को ऐ ---१
- नं ७ ऐ हंसपुर वस्ने चक्रपाणी पाध्याको ७१।१।२।४।२ को ऐ ---१

- नं ८ ऐ मदनपुर वस्त्रे गोकुल जैसीको ७६।१।२८।२ को ऐ ---१
 नं ९ ऐ भीमरी ऐ वस्त्रे गोकुल जैसी को ६७ सालको ऐ ---१
 नं १० ऐ पुं वस्त्रे मीन वाहादुर पाध्याको को ७८।१।०।३।२ को ऐ ---१
 नं ११ ऐ ऐ वस्त्रे धर्म वाहादुर पाध्याको ७१।४।१९।२ को ऐ ---१
 नं १२ ऐ लुङ वस्त्रे मु तेज वाहादुर षतुको ७५।९।२३।२ को ऐ ---१
 नं १३ ऐ वीर्ता वस्त्रे करवीर घर्ती मगरको ७८।९।२७।२ को ऐ ---१
 नं १४ ऐ मरङथाना वस्त्रे डी कर्न सीं वोहराको ५४ साल मार्ग वदी ७ को ऐ ---१
 नं १५ ऐ तोरवां वस्त्रे ज्मादार धनराज गीरीको ५३ साल माघ वदी ६ रोज २ को ऐ ---१
 नं १६ ऐ तुसारा वस्त्रे मु• चीत्र वाहादुर घर्तीको ७५।२।२५।५ को ऐ ---१
 नं १७ ऐ सीकोट वस्त्रे रुद्र वहादुर षडकाको ८०।१।३।१।१ को ऐ ---१
 नं १८ ऐ पैरा वस्त्रे तारानीधी उपाध्याको ७९।९।१।६ को ऐ ---१
 नं १९ ऐ लीघा वस्त्रे मर्जे घर्ति मगरको ७२।१।२४।५ को ऐ ---१
 नं २० ई[?] कोट वस्त्रे बुद्धीधर भुसालको ७६।१।०।२७।६ को ऐ ---१
 नं २१ प्यू वीर्ता छुर्माफाडा वस्त्रे नरजं पुंको ७६।३।३।०।१ को ऐ ---१
 नं २२ प्यू भीत्रीकोट वस्त्रे श्री पहल्लमान षडकाको ६१।९।१।१।१ को ऐ ---१
 नं २३ ऐ [?] धरंपानी वस्त्रे गंजसां घर्ति छेत्रीको ७६।८।१।२।५ को ऐ ---१
 नं २४ [?] गजल वस्त्रे मोतीराम पाध्याको ७४।८।२७।४ को ऐ ---१
 नं २५ [?] लीघागाउ वस्त्रे मु भीमसेन घर्ति मगरको ७४।२।१५।२ को ऐ ---१
 नं २६ [?] अर्जुन वस्त्रे चन्द्र वाहादुर थापा छेत्रीको ७०।१।१।०।१ को ऐ ---१
 नं २७ [?] नवीकोट वस्त्रे चेतमान सीं घर्ति छेत्रीको ८०।५।१।२।३ को ऐ ---१
 नं २८ [?] ऐ वस्त्रे जंग वाहादुर घर्ति छेत्रीको ऐ ---१
 नं २९ [?] र्या माकावां वस्त्रे मु तेजमानको ७४।८।१।२। को ऐ ---१

[1r-part3]

- नं ३० [?] वादीकोट वस्त्रे ददीराम जैसीको ७८।४।१।६।१ को ऐ ---१
 नं ३१ प्यू पैरा [व]स्त्रे गुरुप्रसाद पाध्याको ७१।१।१।९।७ को ऐ ---१
 नं ३२ ऐ ऐ वस्त्रे भीमलाल पाध्याको ६६।४।३।३ को ऐ ---१
 नं ३३ ऐ ऐ वस्त्रे धर्मराज गीरीको ७७।१।१।२४।२ को ऐ ---१
 नं ३४ ऐ ऐ वस्त्रे निलकंठ जैसीको ७७।१।१।२।१ को ऐ ---१
 नं ३५ ऐ ऐ वस्त्रे वं वाहादुर वस्त्रेत्को तोक् नं ६९२ को १९[...].७७।१।१।१।१।१ को [?] पत्र नकल ---१
 नं ३६ प्यू पैरा वस्त्रे ठाकुरप्रसाद पाध्याको ८०।१।१।३।०।१ को परंभाता ---१
 नं ३७ ऐ तुसारा वस्त्रे ईन्द्रा छेत्र्यानिको ७८।६।१।५।५ को ऐ ---१
 नं ३८ ऐ लूं वस्त्रे लछुमन थापा छेत्रीको ६५।१।१।२४।१ को ऐ ---१
 नं ३९ ऐ ऐ वस्त्रे दल वाहादुर षतु छेत्रीको ७७।१।२।३।४ को ऐ ---१
 नं ४० ऐ दाषा वस्त्रे हरिप्रसाद पाध्याको ७९।४।२।६।६ को ऐ ---१
 नं ४१ ऐ भित्रीकोट वस्त्रे नन्दराज पाध्याको ७९।४।१।७।३ को ऐ ---१
 नं ४२ ऐ दाषा वस्त्रे घनस्याम पाध्याको ७०।१।२।९।१ को ऐ ---१
 नं ४३ ऐ वेलघारी वस्त्रे दीर्घ वाहादुर षतुको ७६।६।२।८।२ को ऐ ---१

- नं ४४ ऐ लूं वस्त्रे जीं भीम् वाहादुर षतुको ७९।७। ऐ ---१
 नं ४५ ऐ लुङ् वस्त्रे भीमराज भडारीको ६५।३।२७।६ को ऐ ---१
 नं ४६ ऐ नारीकोट् वस्त्रे लछुमन् गीरीको ७६।१२।१।१।३ को ऐ ---१
 नं ४७ ऐ वाडीकोट् वस्त्रे बुद्धीरामको ७५।१०।२२।३ को ऐ ---१
 नं ४८ ऐ तुसारा वस्त्रे गुमान सीं मदगराको ६९।१०।७।१ को ऐ ---१
 नं ४९ धुर्कोट् वाङ्लाको मीलाप गीरीको ६८।८।२।८।४ को ऐ ---१
 नं ५० प्यू तुसारा वस्त्रे धनु पाध्येको ६४।३।३।२ को ऐ ---१
 नं ५१ ऐ वाडीकोट वस्त्रे उमानन्द पाध्याको ७७।१२।१।६।२ को ऐ ---१
 नं ५२ ऐ तुसारा वस्त्रे गनेस वाहादुर घर्ति छेत्रीको ७२।१।१।४।५ को ऐ ---१
 नं ५३ ऐ वाडीकोट वस्त्रे धनीराम जैसिको ७७।८।१।८।१ को ऐ ---१
 नं ५४ ऐ ऐ वस्त्रे उमानन्द पाध्याको ७८।४।१।०।२ को ऐ ---१
 नं ५५ ऐ लूं दोमाई को चीत्र वाहादुर षतुको ७३।४।२।६।१ को ऐ ---१
 नं ५६ पर्वत पुजा वस्त्रे मित्रु पाध्याको ७८।१।१।२।५।४ को ऐ ---१
 नं ५७ प्यू वीर्ता उदैपुर वस्त्रे {...}यज्ञ लाल उपाध्याको ७८।८।२।०।२ को ऐ ---१
 नं ५८ ऐ रेकर घुमरि वस्त्रे हीमानन्द पाध्याको ७८।९।२।०।३ को ऐ ---१
 नं ५९ ऐ घुमरी चौरको मु हीतानन्द पाध्याको ७१।९।१।१।१ को ऐ ---१
 नं ६० धुर्कोट् डाडाचोक वस्त्रे दीपनारान् पाध्याको ७३।६।१।३।२ को ऐ ---१
 नं ६१ प्यू वाडीकोट् वस्त्रे नारान दान पाध्या को ७७।३।३।०।३ को ऐ ---१
 नं ६२ ऐ ऐ वषवोट् वस्त्रे उजीर सीं घर्ती छेत्रीको ७९।६।२।३।२ को ऐ ---१
 नं ६३ ऐ पैरा धरंपानि वस्त्रे जमादार वीर् वाहादुर घर्ति छेत्री ६६।२।३।१ को ऐ ---१
 नं ६४ ऐ पैरा वस्त्रे वाहादुर घर्ति छेत्रीको ७७।४।२।३।६ को ऐ ---१

[1r-part4]

- नं ६५ ऐ दाषा कुवाडी वस्त्रे टकेस्वर पाध्याको ७८।१०।२९।४ को ऐ ---१
 नं ६६ ऐ पैरा वस्त्रे धनेस्वर वैदको ६६।१०।२४।१ को ऐ ---१
 नं ६७ ऐ वीजुली वस्त्रे दल वाहादुर नेवारको ७७।१२।२९।१ को ऐ ---१
 नं ६८ ऐ पैरा वस्त्रे होमलाल पाध्याको परंभाता ---१
 नं ६९ अर्घा हंसपुर वस्त्रे टीकाराम पाध्याको ७७।१२।८।७ को ऐ ---१
 नं ७० प्यू वीर्ता ववोट् वस्त्रे धर्मे पाध्याको ७८।१।१।१।४ को ऐ ---१
 नं ७१ ऐ ऐ वस्त्रे मनीराम पाध्याको ७८।७।२।८।२ को ऐ ---१
 नं ७२ अर्घा षीलजी वस्त्रे जीं भीम् वाहादुर षतुको ७९।८।१।२।७ को ऐ ---१
 नं ७३ प्यू नारीकोट वस्त्रे मनवीर जोगीकवरके ७२।१।२ को ऐ ---१
 नं ७४ पर्वत पुजा वस्त्रे डी मनवीर घर्ति छेत्रीको ७४।६।१।५।१ को ऐ ---१
 नं ७५ प्यू पुंत्री वस्त्रे भीमलाल घर्तिको ७१।१।१।३।४ को ऐ ---१
 नं ७६ ऐ दुनीरुर्भा वस्त्रे कृपाराम पाडेको ७६।६।३।६ को ऐ ---१
 नं ७७ धुर्कोट् वाङ्ला वस्त्रे मनिलाल गीरीको ७४।२।१।९।६ को ऐ ---१
 नं ७८ ऐ ऐ वस्त्रे राधु पाधेको ७४।२।१।९।६ को ऐ ---१
 नं ७९ प्यू नारीकोट् वस्त्रे लछिमन पुरीको ७०।१२।९।१ को ऐ ---१
 नं ८० ऐ लुहुङ् वस्त्रे सीधी मान षतुको ८०।३।२।६।३ को ऐ ---१

- नं ८१ ऐ भीत्रीकोट वस्त्रे उमाकान्ता उपाध्यानिको ७९।१०।३।३ को ऐ ---१
 नं ८२ ऐ वीर्ता कारकीडाडा वस्त्रे मु• वाहादुर कार्कीको ७५।११।२४।७ को ऐ ---१
 नं ८३ ऐ भीत्रीकोट वस्त्रे ईन्द्र वाहादुर षडका छेत्रीको ७९।३।२२। को ऐ ---१
 नं ८४ ऐ ऐ वस्त्रे उमाकान्त पाध्यानीको ७८।६।७।५ को ऐ ---१
 नं ८५ ऐ वागडुला वस्त्रे प जीवराज पाध्याको ७८।९।१४।४ को ऐ ---१
 नं ८६ ऐ वीजुली वस्त्रे हेमलाल पाडे जैसीको ७८।१२।१४।२ को ऐ ---१
 नं ८७ ऐ वीर्ता उदैपुर वस्त्रे धनेसोर पाध्याको ८१।२।२५ को ऐ ---१
 नं ८८ ऐ वाडीकोटको उजीर सीं घर्ती छेत्रीको ७६।१०।४।७ को ऐ ---१
 नं ८९ धुर्कोट टीमुरषर्क वस्त्रे षदपु षतृको ७६।४।१५।७ को ऐ ---१
 नं ९० ऐ वाङ्ला वस्त्रे उदै गीरीको ७९।५।१५।५ को ऐ ---१
 नं ९१ प्यू माइकोट वस्त्रे षगेस्वर पाध्याको ७६।८।२७।२ को ऐ ---१
 नं ९२ ऐ ऐ वस्त्रे षगेस्वर पाध्याको ७६।१०।२।१ को ऐ ---१
 नं ९३ ऐ वीजुली वस्त्रे कृष्णप्रसाद अचार्ज जैसीको ७७।११।२८।६ को ऐ ---१
 नं ९४ ऐ धुवागाउ वस्त्रे मु हेडसीं रोकाहाको ७८।१०।१०।६ को ऐ ---१
 नं ९५ अर्घा षीलजी वस्त्रे जगवीर वस्त्रे छेत्रीको ८१।६।३।५ को ऐ ---१
 नं ९६ प्यू वरौलाको वीर् वाहादुर घर्तीको ८१।५।२।१ को ऐ ---१
 नं ९७ ऐ वीर्ता उदैपुर वस्त्रे वीष्णु उपाध्याको ८१।६।१३।१ को ऐ ---१
 नं ९८ ऐ सभ्रीवाङ् वस्त्रे मु टेक वाहादुरको ७४।१२।६।६ को ऐ ---१
 नं ९९ ऐ वीजुली वस्त्रे भक्त वाहादुर थापा छेत्रीको ८१।१।२७।६ को ऐ ---१
 130 ईती सम्वत् १९८३ साल जेष्ठ १७ गते रोज १ शु ।

Translation:

[*Ir-part I*]

Śrī

No. 152¹³⁷

[Seal of Vīrajaṅga Sāha]

A report submitted by Cau. Me. Ka.¹³⁸ Vīrajaṅga Sāha, the officer responsible for the task of manumitting slaves in Pyuthana district, from Tansen, Pālpā.

Following the letter (*purjī*) from the Śrī 5 Sarkāra Guṭhī Bandobasta [Aḍḍā], which stated: “Get hold of Cau. Me. Ka. Vīrajaṅga Sāha, the officer responsible for the task [of manumission], and have him dispatch the original of the *khḍga nisānā sanada* in order [that

137 This is the archival number within the bundle of the Guṭhī Bandobasta Aḍḍā records.

138 An abbreviation of Cautariyā Mejara Kaptāna.

we can] examine the document relating to the manumission of slaves in Pyuthana district, and also have him dispatch a representative (*vāresa*) in order [that we can] tally the expenditures made and their dates”, this office, the Pālpā Gauḍā Council, dispatched [both the document and representative], [and both] were received. [However,] in the *baḍāpatra* of the venerable Commander-in-Chief sent through the Dāsativamocana Aḍḍā earlier, it was not mentioned whether one should dispatch the original itself or a copy of the *khaḍga nisānā sanada*. For this reason, [I] dispatched a copy [instead of the original]. Regarding [the documents required for] matching expenditures and dates, the balances (*thāḍo vāsila bāki*) prepared in accordance with Section 22 of the *khaḍga nisānā sanada*, and the *kha* and *ga* forms with which to collate the dates and expenditures, have [already] been dispatched to the Dāsativamocana Aḍḍā by the Pyuthana district [office]. [These and other] documents derived from the aforementioned documents have been submitted (*dākhila*) by the Dāsativamocana Aḍḍā to that office (i.e., Śrī 5 Sarkāra Guṭhī Bandobasta Aḍḍā). The level of expenditures [in] the balance sheet prepared by me here in accordance with Section 34 of the *khaḍga nisānā [sanada]* and submitted to that office can only be seen [in] the section dealing with expenses involved in arranging compensation [to the slave owners] with the money issued to the Dāsativamocana Aḍḍā. The actual state of affairs will be learned upon looking into said Section 34. Regarding the representative: since it is not found written in the *khaḍga nisānā sanada* that a representative should be sent to submit the documents, and since no separate clerk was granted for the task, there will certainly not be any compulsion [for me] to [appoint] a representative from my own household [at my own expense]. I set off alone from the Pālpā Regiment to engage in the task, and received clerical help from the offices in Pyuthana itself; engaged in the task [from their side] were Bahīdāra Sanada Kumāra of the Pyuthana court and Bahīdāra Naranārāyan of the district revenue office (*māla*). I will get acquittances after making enquiries with the aforementioned persons and conducting [other] investigations. Sent herewith are a total of 100 [documents] including the 1 original *khaḍga nisānā sanada* and 99 *paramabhaṭṭās*—submitted by the slave owners listed below—that by mistake remained unsent. It would be well if a letter could be sent [here] once the documents arrive [there].

[1r-part2]

Particulars:

No. 1	Belonging to mu. ¹³⁹ Kṛṣṇa Bāhādura Thāpā Chetrī, [resident] of Bijulī [in] Pyuthana; dated Sunday, the 7 th of Mārga in [VS 19]79	<i>parama- bhaṭṭā</i> ---1
No. 2	Belonging to Dāmodara Pādhyā, resident of Udaipura [in] Pyuthana; dated Monday, the 12 th of Phālguna in [VS 19]78	" --- 1
No. 3	Belonging to Lāla Bāhādura Khatrī, resident of Upallo Rasapura [in] Pyuthana; dated Tuesday, the 2 nd of Pauṣa in [VS 19]81	" --- 1
No. 4	Belonging to Hirāṣim Chetrī, resident of Baraulā, Dhāīrekharka [in] Pyuthana; dated Friday, the 3 rd of Phāguna in [VS 19]78	" --- 1
No. 5	Belonging to Bola Bāhādura Khatrī Chetrī, resident of Bīrtā Rasapura [in] Pyuthana; dated Tuesday, the 8 th of Pauṣa in [VS 19]76	" --- 1
No. 6	Belonging to Tārānidhi Pādhyā, resident of Khairā [in] Pyuthana; dated Sunday, the 11 th of Māgha in [VS 19]76	" --- 1
No. 7	Belonging to Cakrapāṇi Pādhyā, resident of Haṃsapura [in] Pyuthana; dated Monday, the 24 th of Vaiśākha in [VS 19]71	" --- 1
No. 8	Belonging to Gokula Jaisī, resident of Madanapura [in] Pyuthana; dated Monday, the 28 th of Vaiśākha in [VS 19]76	" --- 1
No. 9	Belonging to Gokula Jaisī, resident of Bhīmarī, Madanapura [in] Pyuthana; dated [VS 19]67	" --- 1
No. 10	Belonging to Mīna Bāhādura Pādhyā, resident of Khuṃ [in] Pyuthana; dated Monday, the 3 rd of Māgha in [VS 19]78	" --- 1
No. 11	Belonging to Dharma Bāhādura Pādhyā, resident of Khuṃ [in] Pyuthana; dated Monday, the 19 th of Śrāvaṇa in [VS 19]71	" --- 1
No. 12	Belonging to mu. Teja Bāhādura Khatrī, resident of Luṅa [in] Pyuthana; dated Monday, the 23 rd of Pauṣa in [VS 19]75	" --- 1

139 Perhaps an abbreviation of *mukhiyā*.

- No. 13 Belonging to Karavīra Ghartī Magara, " --- 1
resident of Bīrtā [in] Pyuthana;
dated Monday, the 27th of Pauṣa in [VS 19]78
- No. 14 Belonging to dī¹⁴⁰ Karṇa Siṃ Boharā, " --- 1
resident of Marānthānā [in] Pyuthana;
dated the 7th of the dark fortnight of Mārga in [VS 19]54
- No. 15 Belonging to the jmadāraDhanarāja Giri, " --- 1
resident of Toravāṃ [in] Pyuthana;
dated Monday, the 6th of the dark fortnight of Māgha
in [VS 19]53
- No. 16 Belonging to mu.Citra Bāhādura Ghartī, " --- 1
resident of Tusārā [in] Pyuthana;
dated Thursday, the 25th of Jyeṣṭha in [VS 19]75
- No. 17 Belonging to Rudra Bāhādura Khaḍkā, " --- 1
resident of Sīrkoṭ [in] Pyuthana;
dated Sunday, the 31st of Vaiśākha in [VS 19]80
- No. 18 Belonging to Tārānidhi Upādhyā, " --- 1
resident of Khairā [in] Pyuthana;
dated Friday, the 1st of Pauṣa in [VS 19]79
- No. 19 Belonging to Marje Ghartī Magara, " --- 1
resident of Līghā [in] Pyuthana;
dated Thursday, the 24th of Vaiśākha in [VS 19]72
- No. 20 Belonging to Buddhidhara Bhusāla, " --- 1
resident of Ī...rkoṭ¹⁴¹ ;
dated Friday, the 27th of Māgha in [VS 19]76
- No. 21 Belonging to Narajaṃ Puṃ, " --- 1
resident of Churmāphāḍā [in] Pyuthana;
dated to Sunday, the 30th of Āṣāḍha in [VS 19]76
- No. 22 Belonging to Pahalmāna Khaḍkā, " --- 1
resident of Bhitrikoṭ [in] Pyuthana;
dated Sunday, the 11th of Pauṣa in [VS 19]61
- No. 23 Belonging to Gaṃjasāṃ Ghartī Chetrī, " --- 1
resident of ...¹⁴² Dharaṃpānī [in] Pyuthana;
dated Thursday, the 12th of Maṃsira in [VS 19]76
- No. 24 Belonging to Motirāma Pādhyā, " --- 1
resident of Gajala [in] Pyuthana];
dated Wednesday, the 27th of Maṃsira in [VS 19]74

140 Perhaps an abbreviation of *ditṭhā*.

141 There are illegible letters in the original.

142 There are illegible letters in the original.

- No. 25 Belonging to mu.Bhīmasena Ghartī Magara, " --- 1
resident of Līghā Gāū [in Pyuthana];
dated Monday, the 15th of Jyeṣṭha in [VS 19]74
- No. 26 Belonging to Candra Bāhādura Thāpā Chetrī, " --- 1
resident of ...arjuna¹⁴³;
dated Sunday, the 10th of Vaiśākha in [VS 19]70
- No. 27 Belonging to Cetamāna Siṃ Ghartī Chetrī, " --- 1
resident of ...na[ivī]koṭ¹⁴⁴;
dated Tuesday, the 12th of Bhādra in [VS 19]80
- No. 28 Belonging to Jaṅga Bāhādura Ghartī Chetrī, " --- 1
resident of the same
- No. 29 Belonging to mu. Tejamāna, " --- 1
resident of ...ryā¹⁴⁵ Mākāvām¹⁴⁶;
dated the 12th of Maṅsira in [VS 19]74
- [*Ir-part3*]
- No. 30 Belonging to Dadīrāma Jaisī, " --- 1
resident of Vādikoṭ; dated Sunday,
the 16th of Śrāvaṇa in [VS 19]78
- No. 31 Belonging to Guruprasāda Pādhyā, " --- 1
resident of Khairā [in] Pyuthana;
dated Saturday, the 9th of Phālguna in [VS 19]71
- No. 32 Belonging to Bhīma Lāla Pādhyā, " --- 1
resident of the same;
dated Tuesday, the 3rd of Śrāvaṇa in [VS 19]66
- No. 33 Belonging to Dharmarāja Giri, " --- 1
resident of the same;
dated Monday, the 24th of Phālguna in [VS 19]77
- No. 34 Belonging to Nīlakaṅṭha Jaisī, " --- 1
resident of the same;
dated Sunday, the 2nd of Phālguna in [VS 19]77
- No. 35 Belonging to Baṃ Bāhādura Basneta, Copy of
resident of the same; of toka number 692; ...*patra*¹⁴⁷ --- 1
dated Sunday, the 11th of Phālguna in [VS] 1977
- No. 36 Belonging to Ṭhākraprasāda Pādhyā, *parama-*
resident of Khairā [in] Pyuthana; *bhaṭṭā* --- 1
dated Sunday, the 30th of Phālguna in [VS 19]80

143 There are illegible letters in the original.

144 There are illegible letters in the original.

145 There are illegible letters in the original.

146 The reading is unclear in the original.

147 There are illegible letters in the original.

- No. 37 Belonging to Īndrā Chetryānī, " --- 1
resident of Tusārā [in] Pyuthana;
dated Thursday, the 15th of Āśvina in [VS 19]78
- No. 38 Belonging to Lachumana Thāpā Chetrī, " --- 1
resident of Lūṃ [in] Pyuthana;
dated Sunday, the 24th of Phālguna in [VS 19]65
- No. 39 Belonging to Dala Bāhādura Khatrī Chetrī, " --- 1
resident of the same;
dated Wednesday, the 23rd of Vaiśākha in [VS 19]77
- No. 40 Belonging to Hariprasāda Pādhyā, " --- 1
resident of Dākhā [in] Pyuthana;
dated Friday, the 26th of Śrāvaṇa in [VS 19]79
- No. 41 Belonging to Nandarāja Pādhyā, " --- 1
resident of Bhitrikoṭ [in] Pyuthana;
dated to Tuesday, the 17th of Śrāvaṇa in [VS 19]79
- No. 42 Belonging to Ghanaśyāma Pādhyā, " --- 1
resident of Dākhā [in] Pyuthana;
dated Sunday, the 29th of Vaiśākha in [VS 19]70
- No. 43 Belonging to Dīrtha Bāhādura Khatrī, " --- 1
resident of Belaghārī [in] Pyuthana;
dated Monday, the 28th of Āśvina in [VS 19]76
- No. 44 Belonging to Bhīm Bāhādura Khatrī, " --- 1
resident of Lūṃ [in] Pyuthana;
dated Kārtika in [VS 19]79
- No. 45 Belonging to Bhīmarāja Bhaṇḍārī, " --- 1
resident of Luṅ [in] Pyuthana;
dated Friday, the 27th of Āśāḍha in [VS 19]65
- No. 46 Belonging to Lachuman Giri, " --- 1
resident of Nārīkoṭ [in] Pyuthana;
dated Tuesday, the 11th of Caitra in [VS 19]76
- No. 47 Belonging to Buddhirāma, " --- 1
resident of Bādīkoṭ [in] Pyuthana;
dated Tuesday, the 22nd of Māgha in [VS 19]75
- No. 48 Belonging to Gumāna Siṃ Madagarā, " --- 1
resident of Tusārā [in] Pyuthana;
dated Sunday, the 7th of Māgha in [VS 19]69
- No. 49 Belonging to Milāpa Giri, " --- 1
resident of Bānlā [in] Dhurkoṭ;
dated Wednesday, the 28th of Maṅsira in [VS 19]68
- No. 50 Belonging to Dhanu Pādhye, " --- 1
resident of Tusārā [in] Pyuthana;
dated in Monday, the 3rd of Āśāḍha in [VS 19]64

- No. 51 Belonging to Umānanda Pādhyā,
resident of Bādikoṭ [in] Pyuthana;
dated Monday, the 16th of Caitra in [VS 19]77 " --- 1
- No. 52 Belonging to Ganesa Bāhādura Ghartī Chetrī,
resident of Tusārā [in] Pyuthana;
dated Thursday, the 4th of Phāguna in [VS 19]72 " --- 1
- No. 53 Belonging to Dhanirāma Jaisī,
resident of Bādikoṭ [in] Pyuthana;
dated Sunday, the 18th of Maṅsira in [VS 19]77 " --- 1
- No. 54 Belonging to Umānanda Pādhyā,
resident of the same;
dated Monday, the 10th of Śrāvaṇa in [VS 19]78 " --- 1
- No. 55 Belonging to Citra Bāhādura Khatrī,
resident of Luṃ Domāi [in] Pyuthana;
dated Sunday, the 26th of Śrāvaṇa in [VS 19]73 " --- 1
- No. 56 Belonging to Mitru Pādhyā,
resident of Pujā [in] Parvata;
dated Wednesday, the 25th of Phāguna in [VS 19]78 " --- 1
- No. 57 Belonging to Yajña Lāla Upādhyā,
resident of Birtā Udaipura [in] Pyuthana;
dated Monday, the 20th of Maṅsira in [VS 19]78 " --- 1
- No. 58 Belonging to Himānanda Pādhyā,
resident of Rekara Khumari [in] Pyuthana;
dated Tuesday, the 20th of Pauṣa in [VS 19]78 " --- 1
- No. 59 Belonging to mu.Hitānanda Pādhyā,
resident of Khumari Caura [in] Pyuthana;
dated Sunday, the 11th of Pauṣa in [VS 19]71 " --- 1
- No. 60 Belonging to Dīpanārān Pādhyā,
resident of Dāḍācoka [in] Dhurkoṭ;
dated Monday, the 13th of Āśvina in [VS 19]73 " --- 1
- No. 61 Belonging to Nārāna Dāna Pādhyā,
resident of Bādikoṭ [in] Pyuthana;
dated Tuesday, the 30th of Āṣāḍha in [VS 19]77 " --- 1
- No. 62 Belonging to Ujīra Siṃ Ghartī Chetrī,
resident of Okharboṭ, Bādikoṭ [in] Pyuthana;
dated Monday, the 23rd of Āśvina in [VS 19]79 " --- 1
- No. 63 Belonging to jamādāraVīr Bāhādura Ghartī Chetrī,
resident of Dharampāni, Khairā [in] Pyuthana;
dated Sunday, the 3rd of Jyeṣṭha in [VS 19]66 " --- 1

[*Ir-part4*]

- No. 64 Belonging to Bāhādura Ghartī Chetrī, " --- 1
resident of Khairā [in] Pyuthana;
dated Friday, the 23rd of Śrāvaṇa in [VS 19]77
- No. 65 Belonging to Ṭaṃkeśvara Pādhyā, " --- 1
resident of Dākḥā Kuvāḍī [in] Pyuthana;
dated Wednesday, the 29th of Māgha in [VS 19]78
- No. 66 Belonging to Dhaneśvara Vaida, " --- 1
resident of Khairā [in] Pyuthana;
dated Sunday, the 24th of Māgha in [VS 19]66
- No. 67 Belonging to Dala Bāhādura Nevāra, " --- 1
resident of Bijulī [in] Pyuthana;
dated Sunday, the 29th of Caitra in [VS 19]77
- No. 68 Belonging to Homa Lāla Pādhyā, *parama-*
resident of Khairā [in] Pyuthana *bhaṭṭā* --- 1
- No. 69 Belonging to Ṭikārāma Pādhyā, " --- 1
resident of Haṃsapura [in] Arghā;
dated Saturday, the 8th of Caitra in [VS 19]77
- No. 70 Belonging to Dharme Pādhyā, " --- 1
resident of Bīrtā Varboṭ [in] Pyuthana;
dated Wednesday, the 11th of Phāguna in [VS 19]78
- No. 71 Belonging to Manīrāma Pādhyā, " --- 1
resident of the same;
dated Monday, the 28th of Kārtika in [VS 19]78
- No. 72 Belonging to jīm.Bhīm Bāhādura Khatrī, " --- 1
resident of Khīlajī [in] Arghā;
dated Saturday, the 12th of Maṃsira in [VS 19]79
- No. 73 Belonging to Manavīra Jogīkavara, " --- 1
resident of Nārīkoṭa [in] Pyuthana;
dated 2nd of Vaiśākha in [VS 19]72
- No. 74 Belonging to ḍi.Manavīra Ghartī Chetrī, " --- 1
resident of Pujā [in] Parvata;
dated Sunday, the 15th of Āśvina in [VS 19]74
- No. 75 Belonging to Bhīma Lāla Ghartī, " --- 1
resident of Khuṃbrī [in] Pyuthana;
dated Wednesday, the 13th of Vaiśākha in [VS 19]71
- No. 76 Belonging to Kṛpārāma Pāḍe, " --- 1
resident of Dunīrurbhā [in] Pyuthana;
dated Friday, the 3rd of Āśvina in [VS 19]76
- No. 77 Belonging to Mani Lāla Giri, " --- 1
resident of Vāñlā [in] Dhurkoṭ;
dated Friday, the 19th of Jyeṣṭha in [VS 19]74

- No. 78 Belonging to Rādhu Pādhe, " --- 1
resident of the same;
dated Friday, the 19th of Jyeṣṭha in [VS 19]74
- No. 79 Belonging to Lachimana Purī, " --- 1
resident of Nārīkoṭ [in] Pyuthana;
dated Sunday, the 9th of Caitra in [VS 19]70
- No. 80 Belonging to Sidhi Māna Khatrī, " --- 1
resident of Luhuṅ [in] Pyuthana;
dated Tuesday, the 26th of Āṣāḍha in [VS 19]80
- No. 81 Belonging to Umākāntā Upādhyānī, " --- 1
resident of Bhitrīkoṭ [in] Pyuthana;
dated Tuesday, the 3rd of Māgha in [VS 19]79
- No. 82 Belonging to mu.Bāhādura Kārki, " --- 1
resident of Kārkiḍḍā [in] Pyuthana;
dated Saturday, the 24th of Phāguna in [VS 19]75
- No. 83 Belonging to Īndra Bāhādura Khaḍkā Chetrī, " --- 1
resident of Bhitrīkoṭ [in] Pyuthana;
dated 22nd of Āṣāḍha in [VS 19]79
- No. 84 Belonging to Umākāntā Pādhyānī, " --- 1
resident of the same;
dated Thursday, the 7th of Āśvina in [VS 19]78
- No. 85 Belonging to Jivarāja Pādhyā, " --- 1
resident of Vāgaḍulā [in] Pyuthana;
dated Wednesday, the 14th of Pauṣa in [VS 19]78
- No. 86 Belonging to Hema Lāla Pāde Jaisī, " --- 1
resident of Bijulī [in] Pyuthana;
dated Monday, the 14th of Caitra in [VS 19]78
- No. 87 Belonging to Dhanesora Pādhyā, " --- 1
resident of Bīrtā Udaipura [in] Pyuthana;
dated the 25th of Jyeṣṭha in [VS 19]81
- No. 88 Belonging to Ujīra Siṃ Ghartī Chetrī, " --- 1
resident of Bādīkoṭ [in] Pyuthana;
dated Saturday, the 4th of Māgha in [VS 19]76
- No. 89 Belonging to Khadapu Khatrī, " --- 1
resident of Tīmurakharka [in] Dhurkoṭ; dated Saturday,
the 15th of Śrāvaṇa in [VS 19]76
- No. 90 Belonging to Udai Giri, " --- 1
resident of Vāñlā [in] Dhurkoṭ;
dated Thursday, the 15th of Bhādra in [VS 19]79
- No. 91 Belonging to Khageśvara Pādhyā, " --- 1
resident of Māikoṭ [in] Pyuthana;
dated Monday, the 27th of Maṅsira in [VS 19]76

- No. 92 Belonging to Khageśvara Pādhyā, " --- 1
resident of the same;
dated Sunday, the 2nd of Māgha in [VS 19]76
- No. 93 Belonging to Kṛṣṇaprasāda Acārja Jaisī, " --- 1
resident of Bijulī [in] Pyuthana;
dated Friday, the 28th of Phāguna in [VS 19]77
- No. 94 Belonging to mu. Heḍa¹⁴⁸ Siṃ Rokāhā, " --- 1
resident of Dhuvā Gāū [in] Pyuthana;
dated Friday, the 10th of Māgha in [VS 19]78
- No. 95 Belonging to Jagavīra Basneta Chetrī, " --- 1
resident of Khīlajī [in] Arghā;
dated Thursday, the 3rd of Āśvina in [VS 19]81
- No. 96 Belonging to Vīr Bāhādura Ghartī, " --- 1
resident of Baraulā [in] Pyuthana;
dated Sunday, the 2nd of Bhādra in [VS 19]81
- No. 97 Belonging to Viṣṇu Upādhyā, " --- 1
resident of Bīrtā Udaipur [in] Pyuthana;
dated Sunday, the 13th of Āśvina in [VS 19]81
- No. 98 Belonging to Ṭeka Bāhādura, " --- 1
resident of Sabhivāh [in] Pyuthana;
dated Friday, the 6th of Caitra in [VS 19]74
- No. 99 Belonging to Bhakta Bāhādura Thāpā Chetrī, " --- 1
resident of Bijulī [in] Pyuthana;
dated Friday, the 27th of Vaiśākha in [VS 19]81

Sunday, the 17th of Jeṣṭha, in the [Vikrama] era year 1983 (1926 CE).
Auspiciousness.

Commentary:

This document is a report submitted by Vīrajaṅga Sāha, who held the post of major captain in the Pālpā frontier. Being a member of the ruling Sāha family, he also held the title of *cautariyā*. He was appointed to be in charge of manumission work in the Pyuthana area in VS 1982 (see Document 5.2).

The document is a response to an earlier letter sent to the Pālpā Gauḍā by the Guṭhī Bandobasta Aḍḍā asking Vīrajaṅga to return the documents containing executive order (*khaḍga nisānā sanada*) together with related documents and a representative. From the document, it is clear that the executive order consisted of at least 34 sections, and that

148 The reading is unclear in the original.

its 22nd section contained instructions on preparing the balances, while the 34th section set forth budgetary guidelines. The document also states that it attaches the original copy of the *khaḍga nisānā sanada* and ninety-nine *paramabhāṭṭās* collected from slave owners. These *paramabhāṭṭās* can be found in the archives within the document series K_0281_0042 to K_0281_0060 and K_0282_0001 to K_0282_0060.

The *paramabhāṭṭās* listed in the document were prepared between VS 1953 (1896 CE) and 1981 (1924 CE). The majority of them, 81 out of 99, were prepared between 1914 and 1924.

Regarding the social group of the slave owners in the 99 *paramabhāṭṭās* listed, the majority of them are of Brahmin or Kṣatriya castes. The following is a table of social status of the slave owners:

Caste Names	Number of <i>paramabhāṭṭās</i>
Brahmin	44
Kṣatriya	24
Gharī Chetrī	9
ascetics	8
Ghartī Magara	3
Ghartī	3
Newar	1
Pun	1
unspecified	6

5.4 A report from Vīrajaṅga Sāha correcting a statistic in manumission figures for Pyuthana (K_0188_0057)

Edited by Manik Bajracharya; Dated VS 1983 (1927 CE); Guṭhī Saṁsthāna, Bhadrakālī, Dāsavamocana Aḍḍā, Po. 5 Ga. Gu. Bam.; microfilmed as NGMPPK 188/57; for digital edition, see <https://nepalica.hadw-bw.de/nepal/editions/show/39592>.

Edition:

[*Ir-part I*]

[Seal of Pālpā Gauḍā]

[Seal of Vīrajaṅga Sāha]

[Unknown seal]

- 1 पाल्पा तान्सेनवाट प्युठाना जिल्लाको करिया अमलेष कांको अफीसर चौ मे क
वीरजङ्ग साहा-
- 2 ले जाहेर गर्‍याको रीपोट ---
- 3 श्री ५ सर्कार गुठी बंदोवस्तवाट ८३ साल मार्ग वे गतेका पुर्जि वमोजीम् प्युठाना
जिल्लाको
- 4 करिया अमलेष गर्ने कामको वासील वाकी जाचदा नीसकेको वेरुजुमा रकमी बुझीआ-
- 5 येको उजुरि रीपोट वमोजीं उजुर बुझी फछर्नोट गर्ने काम वाकी भनि सावीकले बुझायाको-
- 6 ले बुझदा भगुवा मरुवा वीना दामले छुटेकोस्मेत् ज्मा करिया जवान १२९ को मोल
नगया-
- 7 को भन्थे ष फारांवाट देषीयाको भयापछी लगत वमोजींको करिया जवान १५७४ म-
- 8 ध्ये मोल नगयेको करिया जवां १२९ कट्टी गरी वाकी जवां १४४५ को मात्र मोल ष-
- 9 र्च लेषनु पर्नेमा जवान १४४६ को मोल षर्च लेषेको देषीयाकाले लगत मध्य
- 10 वढी जवान १ को मोल षर्च लेषेको देषीयाकोले षर्च वढी देषीयाको जवान १ को
- 11 मोल सवैभंदा वढी दरले वीगो रू १२० र वढी बुझेका १२ नं ऐन वमोजीं रू १२० स्मे-
- 12 त ज्मा मोरू २४० रुपैया लीन र सनद वमोजीं नीज बुझनुपर्दा लेषने कां भये-
- 13 को छ । तसर्थ सो माथी लेषीया वमोजीं आफ्नु नीस्सा प्रमाणस्मेत राषी रीपो-
- 14 ट लेखी यस अडामा १ दीन भीत्र दाषील गर्न आउने कां गर । ढीलासुस्ती भयो
- 15 भने ऐन वमोजीम् हुनेछ भन्थे ८३ साल मार्ग २८ गतेमा पाल्पा गौडा कौसलवा-
- 16 ट मेरा नाउमा पुर्जि लेषीदीयाका सो पुर्जिको म्याद भीत्र उजुर दाषील ग-
- 17 र्ना लाई प्युठानाको काममा पनि कारींदा सोही प्युठानाकै भयको म मा-
- 18 त्र यस कामको अफीसर हुनाले कामको नकल कागजहरू नीजै कारींदाहरू जी-
- 19 म्मा प्युठानामा रहेको झीकाई सो कागज आयापछी भनेको वेहोराको रीपो-
- 20 ट गर्नेछु । सो वेहोराको ८२ साल पौष गतेमा मैले रपोट दी झीकाई सो प्यु-
- 21 ठानावाट आयेको नकल कागजहरूमा हेर्दा लगत वमोजींको करिया ज-
- 22 वान १५७४ मध्ये तपसीलमा फाट्मा लेषीया वमोजीम मोल नगयाको
- 23 कमारी जना ६५ कमारा ६३ ज्मा जवान १२८ श्रेस्तावाट देषीयाकोले जवा-
- 24 न १४४६ लाई षुद मोल दीलाउनु पर्नेलाई मोल दीलाईदीयाको मीलेकै न-
- 25 मीले नदेषीयाको र सो पुर्जिमा मोल नगयाको करिया ज्मा जवान १२९ ले-
- 26 षीयाको ष फारांमा ज्मा गर्दा कारींदाले भुल गरेको वा सावीकले बुझाउदा-
- 27 को भुल हो । सो भुलले मात्र १ जना वीरी ज्मा वढी लेषीन गै सो मोल नगयाको
- 28 जना १२९ लेषी आयाको १ जना भुलैले सो मोल नगयाको तर्फको ज्मा
- 29 वढी भयाको कट्टी गर्दा मोल नगयाको करिया जना १२८ मोल गयाको
- 30 जना १४४६ दुवै ज्मा १५७४ लगत वमोजीं मीलेको मोल नगयाको जना
- 31 १२८ मात्र ठहर्ने भै जना १२९ लेषेको १ जना सो रकंमा वढी ज्मामा १ ज-
- 32 ना भुल भयाकै मात्र देषीन आयाकोले षास ष फारांमा धनी करिया
- 33 तालुकदार सरजमीनका भलादमी साछीस्मेत्को इत्यादी प्रमाण पुगी
- 34 लगतै मधेका जना १४४६ लाई मोल गयाको र मोल नगयाको तपसील-
- 35 मा फाट् लेषीया वमोजीम करिया जना १२८ ठहर्नेमा माथी लेषीयाव-
- 36 मोजीम भुलैले वीराई १ जना वढी गरी ज्मा मात्र १२९ लेषीयाको १ जना
- 36 ज्मा वीरीयाको धुल्याई जना १२८ कायेम हुने सो पुर्जिका जना १२९ न

- 38 ठहरी श्रेस्ता कचावाट १२८ जना ठहर्ने भयापछी मोल गयातर्फ १४४६
39 त्यै मोल गयाको कायेम ठहर्ने हुदा भुलले १ जना मोल नगयातर्फ जमा

[Ir-part2]

- 40 वढी लेषीन गयाको मात्र मोल नगयाको जमा १२९ भयाकोमा लेषीया
41 वमोजीम भुलले १ जना मोल नगयाको वाहेक मोल नगयाको जना १२८
42 कायेम गरी सो पक्राउ गरेको वढी दरको वीगो मोरू १२० वीगा वमोजीम
43 दंड मोरू १२० लागत तीर्न नपर्ने हुदा मोल नगयाको कायेमी जना १२८ को
44 फाट तपसीलमा लेषी उजरातको रीपोट जाहेर गरेको छु । यस्मा पक्रा-
45 उ द्वाडी फारष गराईदीनु भन्त्या मजकर गुठी वंदोवस्तका नाउमा य-
46 सै रीपोट सदर गरी पाउ । ---
47 तपसील
- | असामी --- | कमारी | कमारा | जमा |
|---|-----------------|-----------------|----------|
| मोल नमीलने गरी राय लीने धनी करीया-
को लगत् क फारांमा मोल कट्टी नभये-
को हाल बुझी कट्टी गरेको --- | ५ --- | २ --- | ७ |
| हाल धनीतर्फवाट तेसै अमलेष गरी-
दीयेको --- | ६ --- | २ --- | ८ |
| मरुवा --- | ४२ --- | ३२ --- | ७४ |
| भगुवा --- | ८ --- | २२ --- | ३० |
| करीया आफै नीषनीयाको लगत वा-
ला धनीको हक नपुग्ने र हक पुग्ने धनी
मरी अपुताली परेको सर्कार लागने
भै तेसै अमलेष भगुवाको --- | ४ ---
६५ --- | ५ ---
६३ --- | ९
१२८ |
- 61 इति सम्बत् १९८३ साल पौष २० गते रोज २ शुभं ।

[Unknown seal]

[Seal of Vīrajaṅga Sāha]

Synopsis:

This document, dated Monday, the 20th solar day of Pauṣa in VS 1983 (1927 CE), is a report issued by Vīrajaṅga Sāha of Pālpā Gauḍā. It is written in reply to a letter sent earlier on the 28th of Mārga in VS 1883 by the Pālpā Gauḍā Council regarding a discrepancy in the figures relating to the manumission work carried out in Pyuthana district under the oversight of the local Śrī 5 Guṭhī Bandobasta Aḍḍā. The order stated that a total of 1,574 slaves were emancipated in that district. Of this, a reimbursement amount for 1,445 slaves were paid to

their owners. The document states that the reimbursement rate was a maximum of 120 rupees per slave.

The Guṭhī Bandobasta Aḍḍā had found a discrepancy in the accounting and that there was an overpayment for one slave. Consequently, the Guṭhī Bandobasta Aḍḍā, through an earlier document, had asked Vīrajaṅga Sāha to pay an amount of 240 rupees, consisting of 120 rupees as the maximum reimbursement amount for a slave and the same amount as a fine. Vīrajaṅga, after investigating the documentation relating to his manumission work, reports in this document that the number of slaves for whom no reimbursement amount was paid was actually 128, which was written mistakenly as 129. He thus argues that the total number of reimbursed slaves was correctly written in the ledger as 1,446, and asks that clearance be granted.

This document also provides a breakdown of the 128 slaves for whom no reimbursement amounts were paid. They consist of 7 slaves whose prices were determined incorrectly and therefore excluded from payment, 8 slaves freed by the owners themselves, 74 dead slaves, 30 runaway slaves, and 9 slaves who either had bought their own freedom and so were no longer the property of their former owners or who were automatically freed by the government when their owners died without heir.

Commentary:

It is apparent that a list of registered slaves in the district of Pyuthana was prepared in VS 1880 (see K_0188_0053, K_0188_0054 and K_0188_0060).

6. Correspondences between Nepalese Palace and British Government regarding Slavery Abolition

The documents (6.1 to 6.10) in this section are found in a bound book (PCRIND_0008) which contains copies of several documents, mostly correspondences by and to Candra Śamśera who ruled as the prime minister of Nepal from 1901 to 1929. The first 130 pages of the book contains documents relating to the slavery abolition by the prime minister.

6.1 A letter from Candra Śamśera to H. J. Wilkinson regarding the establishment of compensation funds for the abolition of slavery (PCRIND_0008_0001)

Edited by Axel Michaels; Dated 1924 CE; Private: Collection of Walter Rindfleisch, book no. 1, p. 1; Archived at the Heidelberg Academy of Sciences and Humanities, project “Documents on the History of Religion and Law of Pre-modern Nepal” as PCRIND_0008_0001; for digital edition, see <https://nepalica.hadw-bw.de/nepal/editions/show/42855>.

Edition:

1 [page-1]

1 On Slavery

2 Emancipation of slavery - Abolition of slavery

1 Nepal 20th July 1924

1 My dear Mr. Wilkinson,

2 In order to meet the annual recurrent expenditure

3 of the newly erected the Great War Memorial Tri Chandra Charitable

4 Hospital as also to provide a fund the income of which is to be

5 applied in compensating owners for emancipated slaves till such

6 time as the whole fund may have to be withdrawn to meet compensation

7 on the general liberation of slaves it is intended to denote seven

8 lakhs of rupees for the former and eleven lakhs for the latter fund.

9 The first fund will be named Great War Memorial Tri Chandra

10 Hospital fund and the second the Slave Emancipation Fund.

11 These amounts are proposed to be invested in the Government of
 12 India G.P. Notes or Loans and on completion of the investment
 13 to convert the securities into stock certificates to be held in the
 14 joint names of Trustees to be appointed in their official capa-
 15 cities. I request your kind help to put the matter through in
 16 the same way and on the same lines as in the two other trust
 17 funds viz. the Shivaratri pilgrims help fund and Aurvedic¹⁴⁹
 18 Education Fund as arranged in 1921–1922 through the then British
 19 envoys here. If you please refer to the correspondence on the
 20 subject you will find that: --
 21 1. The Trustees are to hold the fund ex officio so that any
 22 change in the personal will not necessitate re-endorsement{...}
 23 and thus not interfere with the rellivation¹⁵⁰ of the interest.
 24 and the proper administration of the funds.
 25 2. The interests due are to be payable six monthly at the
 26 Nepal British Legation Treasury, where the interest war-
 27 rant are to be received by the British Envoy for the time
 28 being to the Trustees in their official capacities.
 29 3. As these trust funds are created for a charitable purpose
 30 the interest income are to be made exempt from income tax
 31 as in the previous trust referred to.
 32 I shall be glad and thankful to have the promise
 33 of your help in the matter, so that I may send the securities
 34 when received for conversion and necessary action.
 35 With kind regards yours very sincerely
 36 श्री Chandra

Synopsis:

In this letter, Prime Minister Candra Śamsēra writes to the first British envoy to Nepal, Hugh J. Wilkinson-Guillemard, because he wants to establish two trusts: the Great War Memorial Tri Chandra Hospital Fund and the Slave Emancipation Fund for which he provides seven lakh rupees for the first and eleven lakhs for the latter,¹⁵¹ which are meant to compensate the loss of the slave owners. The letter is written on July 20th, 1924, i.e., before the official announcement of the

149 Read: Ayurvedic.

150 Uncertain reading.

151 In later documents the exact sum for the Slave Emancipation Fund becomes 11 lakhs 11,200 Rs.

abolition of slavery which followed on November 28th, 1924 Candra asks for Mr. Wilkinson's help to invest the money in the Government of India G.P. Notes or Loans.¹⁵² According to the letter, such guarantee loans were previously made for the Shivaratri Pilgrimage Help Fund and an Ayurvedic Education Fund. For the technicalities, Candra refers to the correspondence on these instances.

Commentary:

This document is part of the correspondence between Candra Śamṣera and Hugh J. Wilkinson-Guillemard, regarding the establishment of a Slave Emancipation Trust Fund. Hugh J. Wilkinson-Guillemard was the British envoy to Nepal, appointed during 1924–31. He wrote an article in the *Asiatic Review* 1934 on the relation between Nepal and the British government. For more documents related to this, see PCRIND_0008_0001 to PCRIND_0008_0010 and so on.

6.2 A letter from H. J. Wilkinson to Candra Śamṣera regarding the establishment of funds for the abolition of slavery (PCRIND_0008_0002)

Edited by Axel Michaels; Dated 1924 CE; Private: Collection of Walter Rindfleisch, book no. 1, p. 2; Archived at the Heidelberg Academy of Sciences and Humanities, project “Documents on the History of Religion and Law of Pre-modern Nepal” as PCRIND_0008_0002; for digital edition, see <https://nepalica.hadw-bw.de/nepal/editions/show/42856>.

Edition:

[page-2]

1 No 2895

1 16th August 1924

152 G.P. Notes or Loans are Government Promissory notes and legal debt instruments generally issued by the Imperial Bank of India, in which the bank promises to pay a certain sum of money to the payee under specific terms and interest rates.

1 My dear Maharaja
2 With reference to your letter of the 30th July 1924
3 I write to inform your Highness that it does not seem to be
4 necessary to invest the money first in Government Promissory notes
5 the¹⁵³ latter¹⁵⁴ convert them into stock certificates. As you intend that
6 stock certificates should eventually be held by the Trustees
7 I am asking the currency officer, Calcutta, to arrange for
8 the purpose of stick¹⁵⁵ certificates for the amounts mentioned.
9 The detailed arrangements regarding interest 4c¹⁵⁶ will presumably
10 be the same as for the other funds referred to by Your Highness{ ...}
11 viz., the Shivaratri Pilgrims Help Fund and the Ayurvedic
12 Educational Fund.
13 I am with kind regards Yours very sincerely
14 श्री H. Wilkinson

Synopsis:

In this copy of a letter, Hugh J. Wilkinson, the first British Envoy in Nepal, responds to a letter of Prime Minister Candra Śamśera through which the latter requested help regarding the investment of several lakhs of rupees for two trusts: the Great War Memorial Tri Chandra Hospital Fund and the Slave Emancipation Fund as compensation of the loss of the former slave owners. Candra wanted to invest the money in the Government of India G.P. Notes or Loans and then convert them into stock certificates. Wilkinson advises the Prime Minister to invest the money directly into stock certificates under conditions applied previously for the Shivaratri Pilgrimage Help Fund and the Ayurvedic Education Fund.

153 Read: to.

154 Read: later.

155 Read: stock.

156 Uncertain reading.

6.3 A letter from Candra Śamśera to H. J. Wilkinson regarding the establishment of funds for the abolition of slavery (PCRIND_0008_0003)

Edited by Axel Michaels; Dated 1924 CE; Private: Collection of Walter Rindfleisch, book no. 1, p. 2; Archived at the Heidelberg Academy of Sciences and Humanities, project “Documents on the History of Religion and Law of Pre-modern Nepal” as PCRIND_0008_0003; for digital edition, see <https://nepalica.hadw-bw.de/nepal/editions/show/42857>.

Edition:

[page-2]

1 16th August 1924

1 My dear Mr. Wilkinson

2 Thank you for your letter no 2895 dated the 16th

3 August 1924. As we were not aware that stock certificates

4 can be purchased direct from the Public Debt Office, I

5 issued instructions for the purchase of G.P. notes at about

6 the time when I wrote to you and I have information that

7 the purchases are nearly completed. Under the circumstances

8 I very much regret that I am unable to take advantage

9 of the kind arrangement which you have so thoughtfully

10 made in this instance and request you to kindly telegraph

11 to the Currency officer not to purchase the stocks but wait

12 for securities to be sent from here through you

13 With kind regards

14 Yours very sincerely

15 श्री Chandra

16 To

17 W. H. J. Wilkingson Esq C I. E.

18 British Envoy at the court of Nepal.

Synopsis:

In this copy of a letter, Prime Minister Candra Śamśera asks Mr. Hugh J. Wilkinson-Guillemard not to pursue the arrangements for the investment of several lakhs of rupees for the Great War Memorial Tri Chandra Hospital Fund and the Slave Emancipation Fund as compensation of the loss of the former slave owner, which he had offered in the mentioned previous letter to Candra Śamśera.

6.4 A letter from Candra Śamśera to H. J. Wilkinson regarding the establishment of funds for the abolition of slavery (PCRIND_0008_0004)

Edited by Axel Michaels; Dated 1924 CE; Private: Collection of Walter Rindfleisch, book no. 1, p. 3; Archived at the Heidelberg Academy of Sciences and Humanities, project “Documents on the History of Religion and Law of Pre-modern Nepal” as PCRIND_0008_0004; for digital edition, see <https://nepalica.hadw-bw.de/nepal/editions/show/42858>.

Edition:

[page-3]

1 3rd September 1924

1 My dear Mr. Wilkinson

2 In connection with the subject of the creation of Trust

3 Funds as per my letter of 30th July 1924 I have the pleasure to inform

4 you that the investment for the Slave Emancipation Fund is now

5 complete and I hold on that account 5% Income Tax Free Loan

6 repayable 1945–55 for the face value Rs 1111200/- (eleven lakhs

7 eleven thousand and two hundred Rupees). The procedure followed

8 on a previous occasion which was referred to in my said letter was

9 that the securities were sent to the British Envoy endorsed in

10 favour of the Trustees of the Funds in their official capacities

11 to have them enforced for payment of interest at Nepal (British

12 Legation) Treasury and that on the return of the securities so

13 enforced the Trustees endorsed them in favour of the Government

14 General in Council for conversion into stock certificates. Will

15 you please let me know whether the same procedure would be
16 in order in the present instance also, or there is any shorter
17 way to get the stock certificate. As the securities are free
18 of Income tax the quantities of obtaining remission of it in them
19 does not arise in this fund. The arrangement for the
20 realisation of half yearly interest in the stock certificate
21 is the same as the previous endorsement funds i.e.
22 the interest warrants are to be received by the British Envoy
23 for the time being to have the amounts thereon paid through
24 the then Prime Minister Nepal to the Trustees in the official
25 capacities.
26 The purchase of 3 ½ percent G.P. notes to constitute
27 the Great War Memorial Tri Chandra Hospital Fund is also
28 expected to be completed soon. The procedure for obtaining stock
29 certificates for the Fund and arrangement of drawing the
30 interests due will be the same as for the Slavery Emancipation
31 Fund. The only difference would be that the interest on the
32 securities of this Fund should be arranged to be free of
33 Income Tax.
34 I am with kind regards

35 Yours very sincerely
36 श्री Chandra.

Synopsis:

In this copy of a letter, Prime Minister Candra Śamśera informs Mr. Hugh J. Wilkinson-Guillemard that the investment of 1,111,200 Rs for the Slave Emancipation Fund is completed and that it has to be repaid between 1945 and 1955 at a tax-free interest rate of 5%.

6.5 A letter from H. J. Wilkinson to Candra Śamśera regarding the establishment of funds for the abolition of slavery (PCRIND_0008_0005)

Edited by Axel Michaels; Dated 1924 CE; Private: Collection of Walter Rindfleisch, book no. 1, p. 4; Archived at the Heidelberg Academy of Sciences and Humanities, project “Documents on the History of Religion and Law of Pre-modern Nepal” as PCRIND_0008_0005; for digital edition, see <https://nepalica.hadw-bw.de/nepal/editions/show/42859>.

Edition:

[page-4]

1 no 3234

1 8th September 1924

1 My dear Maharaja

2 With reference to your letter dated the 3rd September

3 1924 I would suggest that Your Highness should in the first

4 instance endorse the G.P. notes of Rs 111120[0]/ in favour of the

5 present Trustees of the Slave Emancipation and Hospital

6 Funds by name and then send them to me as endorsed to enable

7 me to have them enforced for payment of interest from here

8 as it is necessary before G.P. notes can be converted into stock

9 certificates of the same loan for all interest accrued on

10 the notes to be drawn.

11 Further I regret to inform Your Highness that there

12 seem to be no shorter way of obtaining the stock certificates[.]

13 These latter when obtained will be issued in favour of the

14 Trustees, as Trustees, and not by name as Your Highness desires[.]

15 I am with kind regards

16 Yours very sincerely

17 श्री H. Wilkinson

Synopsis:

In this copy of a letter, Hugh J. Wilkinson suggests Prime Minister Candra Śamśera to name the trustees of the Great War Memorial Tri Chandra Hospital Fund and the Slave Emancipation Fund in order to enable Wilkinson to take the necessary steps for the payment of the interest.

6.6 A letter from Candra Śamśera to H. J. Wilkinson
regarding establishment of the Slavery Emancipation Trust
(PCRIND_0008_0006)

Edited by Axel Michaels; Dated 1924 CE; Private: Collection of Walter Rindfleisch, book no. 1, p. 4–5; Archived at the Heidelberg Academy of Sciences and Humanities, project “Documents on the History of Religion and Law of Pre-modern Nepal” as PCRIND_0008_0006; for digital edition, see <https://nepalica.hadw-bw.de/nepal/editions/show/42860>.

Edition:

[page-4]

1 16th September 1924

1 My dear Mr Wilkinson

2 Thank you for your letter no 3234 dated the 8th

3 September 1924[.] As advised therein I am sending by the hands

4 of Mīr Suba Aastaman Singh the G.P. notes of the 5% income

5 tax free loan of 1924 of the face value of Rs 1111200/- (eleven

6 lakhs eleven thousand and two hundred Rupees) forming the

7 Slave Emancipation Trust Fund. These are endorsed in

8 favour of the Trustees viz. --

9 (1) Chandra Sham Shere Jung, Prime Minister Nepal

10 (2) Bhim Shum Sher Jung, Commander-in-Chief Nepal

11 (3) Joodha Shum Shere Jung, Senior Commanding Gen[.] Nepal

12 (4) Tark Raj Raj Guru Nepal and

13 (5) Bharatraj, Khajanchi Mulki Khana Nepal

14 Those Trustees or their successors in office will administer
 15 the fund in their official capacities as mentioned against
 16 their respective names above and I have noted with thanks

[page-5]

17 that you will kindly arrange for this.
 18 I am with kind regards

19 Yours very sincerely
 20 श्री Chandra

21 Particulars of G.P. notes being the 5 % Income Tax
 22 free Loan (of 1924 repayable in 1945/55)
 23 of the face value of Rs 1111200/-

7 pieces	no N	000954/60	at Rs 100000 each	Rs 1100000/-
4 “	“	N 000962/65		
1 “	“	J 00 6130	“ Rs	10000
1 “	“	G 049510	“ Rs	1000
1 “	“	Q 012589	“ Rs	200
			<u>Rs</u>	<u>1111200-0-0</u>

Synopsis:

In this copy of a letter to Hugh J. Wilkinson, Prime Minister Candra Śamśera names the trustees of the Slave Emancipation Fund and lists the different pieces of the loan. The Trustees ex officio are Prime Minister Candra Śamśera, Commander-in-Chief Bhīma Śamśera, Senior commanding general Juddha Śamśera, Royal Preceptor Tarka Rāja and Treasurer Bharata Rāja of the Mulukī Khānā (the state treasury).

6.7 A letter from Candra Śamśera to H. J. Wilkinson regarding progress of slavery emancipation (PCRIND_0008_0011)

Edited by Axel Michaels; Dated 1925 CE; Private: Collection of Walter Rindfleisch, book no. 1, p. 7; Archived at the Heidelberg Academy of Sciences and Humanities, project “Documents on the History of Religion and Law of Pre-modern Nepal” as PCRIND_0008_0011; for digital edition, see <https://nepalica.hadw-bw.de/nepal/editions/show/42861>.

Edition:

[page-7]

1 27th April 1925

1 My dear Mr Wilkinson

2 Here with I am sending you 14 pieces of 5% Income

3 Tax Free loan repayable on 1945–55 of the face value

4 of Rs 1111200/- (eleven lakh eleven thousand and two

5 hundred, proposed to form the slave Emancipation Trust

6 Fund for the interest due thereon being paid by the British

7 Legation Treasury here.

8 It gives me much pleasure to tell you that

9 the emancipation of slaves and abolition of slavery in

10 the country has been decided upon as a result of the

11 appeal which was made to that purpose and that in

12 consequence the work of compensating owners and liberation

13 of slaves has already begun. Up till now about a

14 thousand have been so liberated out and above the 325

15 whom the owners have nobly come forward to set free

16 without taking any compensation. Thus, the necessity

17 of maintaining the slave Emancipation Trust Fund

18 has been obviated and so these securities will now be

19 disposed of for the amount thereof being made available

20 to go to the Fund required to buy from the owners the

21 liberation of slaves. I am looking out for buyers here

22 and expect that some other trust funds may be willing

23 to buy them.

24 I am with kind regards

25 Yours very sincerely

26 श्री Chandra

Synopsis:

In this copy of a letter Prime Minister Candra Śamśera reports to Mr. Hugh J. Wilkinson-Guillemard on the progress of the liberation of slaves due to the Slave Emancipation Trust Fund established by him. He reports that about a thousand slaves have been liberated by paying their owners and that more than 325 slaves have been freed by their owners without receiving any compensation.

6.8 A letter from Charles Hough regarding the payment of interest on Government Promissory notes bought by Candra Śamśera for the establishment of the Slavery Emancipation Trust Fund (PCRIND_0008_0012)

Edited by Axel Michaels; Dated 1925 CE; Private: Collection of Walter Rindfleisch, book no. 1, p. 7; Archived at the Heidelberg Academy of Sciences and Humanities, project “Documents on the History of Religion and Law of Pre-modern Nepal” as PCRIND_0008_0012; for digital edition, see <https://nepalica.hadw-bw.de/nepal/editions/show/42862>.

Edition:

[page-7]

1 1638

1 2nd May 1925

1 The Nepalese officer attached to the British Legation Nepal
2 With reference to His Highness the Maharaja's letter dated the
3 27th April 1925 regarding payment of interest on certain
4 Government Promissory notes I enclose a form of receipt
5 for interest on the notes and would request that it may
6 kindly be filled in[,] signed by the holder and returned to me
7 as early as convenient to enable me to pay the interest due up to
8 half year ending 14th April 1925[.]

9 श्री C. Hough Hd. Clerk
10 for British Envoy at the court of Nepal

Synopsis:

In this copy of a letter or note, Charles Attwood Knyvett-Hough, Head Clerk of the British Legation Nepal, asks to sign receipts for interest on the Government Promissory notes purchased by Prime Minister Candra Śamśera for the establishment of the Slave Emancipation Trust Fund.

6.9 A letter from Prime Minister Candra Śamśera to H.J. Wilkinson acknowledging the receipt of the interest on the Government Promissory notes bought for the establishment of the Slavery Emancipation Trust Fund (PCRIND_0008_0013)

Edited by Axel Michaels; Dated 1925 CE; Private: Collection of Walter Rindfleisch, book no. 1, p. 8; Archived at the Heidelberg Academy of Sciences and Humanities, project “Documents on the History of Religion and Law of Pre-modern Nepal” as PCRIND_0008_0013; for digital edition, see <https://nepalica.hadw-bw.de/nepal/editions/show/42863>.

Edition:

[page-8]

1 19th May 1925

1 My dear Mr. Wilkinson

2 With reference to your Memorandum no 1638 / G¹⁵⁷IH/25 dated

3 the 2nd May 1925 I have the pleasure to return herewith the

4 form of receipt for interest on the G.P. notes for Rs 1111200/-

5 duly signed by the holders and request the favour of your kindly

6 having the amount duly paid through the Nepalese officer

7 attached to the British Legation.

8 I am with kind regards.

9 Yours very sincerely
 10 श्री Chandra Shum Shere

1 Form of Receipt

1 A.G.B. No 228

1 Govt Securities Manual Form no 13J.

2 Voucher 20 of list.

1 Receipt of interest on Govt Promissory notes:

2 Received from the Government Treasury at Nepal interest due

3 on Promissory notes as follows: –

No of Note NB If the number is in a fractional form the upper no only need be quoted	amount of each note	amt of hyasly ¹⁵⁸	Total	Date
No 00954	100000	2500	2500	14/4/25
No 00955	“	2500	2500	“
No 00956	“	2500	2500	“
“ 00957	“	2500	2500	“
“ 00958	“	2500	2500	“
“ 00959	“	2500	2500	“
“ 00960	“	2500	2500	“
“ 00962	“	2500	2500	“
“ 00963	“	2500	2500	“
“ 00964	“	2500	2500	“
“ 00965	“	2500	2500	“
“ 06190	10000	250	250	“
“ 49510	1000	25	25	“
“ 012509	200	5	5	“

Synopsis:

In this copy of a letter or note to Hugh J. Wilkinson-Guillemard, Prime Minister Candra Śamśera returns the form of receipt for interest on the Government Promissory notes worth 1,111,200 rupees that were bought for the establishment of the Slave Emancipation Trust Fund. The document also provides a list of the Government Promissory notes. The interest amount was received by the Government Treasury of Nepal.

6.10 A letter from Sūrya Vikrama Jñavālī to
Baḍā Kājī Marīca Māna Siṃha re abolition of slavery
(PCRIND_0008_0022)

Edited by Axel Michaels; Dated 1925 CE; Private: Collection of Walter Rindfleisch, book no. 1, pp. 14–16; Archived at the Heidelberg Academy of Sciences and Humanities, project “Documents on the History of Religion and Law of Pre-modern Nepal” as PCRIND_0008_0022; for digital edition, see <https://nepalica.hadw-bw.de/nepal/editions/show/40838>.

Edition:

[page-14]

1 23rd January 1925

1 My dear Bada Kaji Sahib

2 I am in receipt of your letter dated the 20th December 1924.

3 I had been away from Darjeeling and have just come back to Benares
4 hence the delay in replying it in time.

5 First of all I want to offer my heartiest congratulations

6 to His Highness the maharaja Sir Chandra Shumshere Jung Bahadur

7 Rana for his wise decision to abolish slavery in Nepal. During his

8 long reign His Highness has inaugurated many reforms in Nepal

9 and has done many good things, but this act of His Highness is un-
10 para[llle]led, unique and the greatest of them all for which he will be remem-

11 bered in ages to come by generations of Nepalese as a great ruler who

12 had the courage and boldness to do away with { ... } a barbarous system

13 under which thousands of God's own sons and daughters were bought
14 and
15 sold like chattels and kept in perpetual bondage. The desire of His
16 Highness to spend any amount of money to get rid the cruelty of the
17 sinful system of slavery is worthy of the cause and laudable and
18 I am sure His Highness will get full support and sympathy in this
19 from the thinking section of the community. Of course slave
20 owners and those who desire benefit from this obnoxious system
21 will dislike and oppose the measure and bring forward all sorts
22 of objections against it, but the opinion of vested interest cannot

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22 carry same weight as that of those who think independently
23 and without any prejudice.
24 I understand that even after payment by government to them,
25 slave owners will be allowed to retain their slaves for seven years.
26 If this is true, I am against it. I fully realise that for some time
27 after emancipation of slaves, slave owners of our Pahad Khand¹⁵⁹.
28 who utilise slave labour in their agriculture will suffer, as the
29 labouring class which is almost the same as our military class
30 has been considerably diminished or rendered useless on account
31 of the last European war. Still after a most careful consideration
32 I have come to the conclusion that once emancipated present slaves
33 should be free in all respects and their owners should not be legally
34 allowed to exercise any kind of authority over them. It is better to
35 suffer pain for a while, however secure it may be during operation
36 than to allow an ulcer to spread its virus in the blood.
37 The next thing to be considered in this connection is how
38 these emancipated slaves will carry on their livelihood. I hear
39 that Government has set apart a forest which will be cleared
40 and they will be settled there.¹⁶⁰ It seems to me that agriculture
41 alone is not sufficient. They must have some opportunity to work
42 and earn their bread in their own country. I suggest that Government
43 should take up construction of roads, bridges, public buildings, canals
44 etc. in the Raj. and employ them. A few battalions of ex slaves
45 can also be raised in the Nepal Army and they may be taken

159 I.e., Nepalese hilly region.

160 This refers to Amalekhanj.

46 in Police as well.
 47 During my recent visit to our Terai I found that people
 48 specially those of Pahad were dissatisfied with the proposal.
 49 This is due to ignorance and I believe that when they will know
 50 the evils of slavery they will hate it and gladly help in its
 51 abolition even if they would be put to pecuniary loss and great
 52 inconvenience. So I will suggest a publicity propaganda among
 53 the people by Government. Literature depicting the evils of
 54 slavery should be distributed among them and lectures organised
 55 to explain them why this has got to go root and branch.
 56 Let me once more thank His Highness before finishing

[page-16]

57 this letter for his wise and statesmanlike decision and I hope very soon
 58 all slaves of Nepal whom we had unjustly forcibly and cruelly kept
 59 in bondage will receive their freedom which is their birth-right.
 60 I have not received a copy of the speech of His Highness which
 61 you promised to send in your last letter. I will stay here up to the
 62 end of February and my address is noted above where you will kindly
 63 send that speech and oblige¹⁶¹.

64 yours faithfully,
 65 श्री Surya Bikram Gewali

Synopsis:

In this letter to the Baḍā Kājī Marīca Māna Siṃha, Sūrya Vikrama Jñāvālī praises Candra Śamśera for his wise decision to abolish slavery and provides some suggestions regarding the management of slaves after their emancipation. Jñāvālī opposes the idea that even after payment the owners would be allowed to retain their slaves for seven years, and opines that the owners should not be legally allowed to exercise any kind of legal authority over freed slaves.¹⁶² He shows his concerns

161 Uncertain reading.

162 Candra Śamśera had proposed this in his appeal of 28th November 1924. The appeal reads: “The slaves, freed from the fixed date, are to be apprenticed to their former owners for a period of seven years: that is, the slaves should be bound to labour for their masters, the latter in return providing them with food and clothing as at present” (C.S.S. Rana 1925: 47).

regarding how the emancipated slaves will carry on their livelihood and mentions that he heard of government's plan to clear a forest and settle the slaves there. He suggests that the freed slaves should not only do the agriculture, but also be allowed to work in their own country, and that they should be hired on the construction works and that a battalion of ex slaves can be raised in the Nepal army or in the Police. He speculates the dissatisfaction of the *pahādī* slave owners in the Terai because there would be shortage of labourers upon freeing the slaves. To tackle this, he suggests that literature regarding the evils of slavery should be distributed, and lectures be organized.

Commentary:

This copy of a letter from Sūrya Vikrama Jñavālī to Marīca Māna Siṃha is found in pages 14–16 of the bound book (PCRIND_0008) containing copies of documents relating to the slavery abolition by the prime minister.

Sūrya Vikrama Jñavālī (1898–1985), born in Benaras and educated and lived in Darjeeling, was a renown historian. He moved to Nepal in 1950s. He was the chancellor of the Royal Nepal Academy for five years. He also wrote biographies of Dravya Śāha, Rāma Śāha, Pṛthvīnārāyaṇa Śāha, Bhānubhakta Ācārya and so on (see T. Śarmā VS 2056: 125).

7. Documents on Unfree Labour and *Hulāka* System

7.1 A *rukkā* directing twelve families of Masau and Kimāḍī villages to operate a *hulāka* (DNA_0013_0062)

Edited and translated by Manik Bajracharya; Dated VS 1864 (1807 CE); National Archives Nepal, Ms no. 371; microfilmed as NGMPP DNA 13/62.

Edition:

1 श्री दुर्गाज्यू

[royal seal]

- 1 स्वस्ति । श्रीमन्महाराजाधिराजकस्य रुक्का । ---
 2 आगे गढको मासौमा चिठि पत्र जाहाँवाट गयाको पश्चिमवाट आयाका
 3 तपसील बमोजिमका घरले मासौमा जना ४ चारले आठौ प्रहर रुजु
 4 रहि चिठि पत्रको हुलाक चलाउनु । षटायी बमोजिमका हुलाकिलाई आ-
 5 फु बस्याको घर वारि जिमिको अम्बालिले षोसमोस नगर्नु । गर्षासरह-
 6 को रकम कलमको तिमिहरूले सालवसाल तिर्यामध्ये घर १ के दर
 7 रूपैया १ येक २ फागु आना दुई // दुवै कलमको जमा रूपैया १//
 8 अरु झारा वैकर वेठ वेगार माफ । औ हुलाकको काज कायेम रहंज्याल-
 9 सम वर्स्यार्ईनी चासको पालो वाहिक साल ६० देषी पुढोको बयेरान
 10 जिमिमध्ये घर १ के दर जागिर विसी २ गरिवकस्यौं । लालमोहर चिठि पत्र-
 11 को हुलाक चलाउनु । अरु आउन्या जान्या वाटमा हिडन्याको बोझा भा-
 12 रि चिठि पत्रका हुलाकीले नबोकनु । कसैले जवरदस्ती गरि बोझा भारि
 13 वोकाया अमालि कम्पनीछेउ भनी विराउ माफिकको सासना गराउ-
 14 नु । चिठि पत्र लैजादा ल्याउदा वाटमा येक छिन अटक्यो केहि तल विच
 15 पर्यो भन्या हुलाकमा षटायीका घरलाई भारि सासना होला । ---
- 16 हुलाक बरुया घर १ २ को तपसील
- | | | | | |
|----|--------------|---|--------------|---|
| 17 | मासौगाउ | | किमाडीगाउ | |
| 18 | धंसी भंडारि | १ | मदुवा नेगि | १ |
| 19 | कलुवा भंडारि | १ | मानुकु नेगि | १ |
| 20 | कमलु भंडारि | १ | टुनाप कड्याल | १ |
| 21 | कुन्द मासै | १ | मलुष कड्याल | १ |
| 22 | पुसालु मासै | १ | जसोदो सारै | १ |
| 23 | दुवु मासै | १ | | |
| 24 | जिवा सारै | १ | | |

25 ईति सम्बत १८६४ साल मिति आश्विन सुदि १५ रोज ६ शुभम् । ---

Translation:

Glorious Durgā

[royal seal]

Hail! [This is] the executive order (*rukkā*) of the glorious great king.

Āge: [In order to relay] the letters that are dispatched from here as well as the ones that come from the west, 4 persons from the households of Māsau as listed [below] should be present at all eight *praharas*, [and] operate the *hulāka* [post] at Māsau of Gaḍha. The *amālīs* shall not confiscate the house, garden and land in which the assigned *hulākīs* live. Of the taxes and levies (*rakama-kalama*) on par with the *garkhā*¹⁶³ that you pay annually, [you should only pay] 1 rupee per house. As for the *phāgu*¹⁶⁴ [levy], [pay] two *ānās*. Both levies amount to a total of 1 rupee and 2 *ānās*. Other [obligations such as] *jhārā*, *baikara*, *beṭha* and *begāra* are exempted. As long as one remains in the duty with the *hulāka* and apart from the annual turn of cultivating the land (*cāsa*), we have granted for each house a *jāgira* of twenty (*bisī*)¹⁶⁵ of uncultivated (*vayerāna*) land of Puḍho from the year [VS 18]60. Operate the *hulāka* for [relaying] the *lālamoharas* and mails. The mail-relaying *hulākīs* should not carry the loads of any other passers-by. If anyone forcibly causes them to carry loads, report it to the *amālīs* or to the [military] company, and have him punished according to the extent of his offence. In the course of relaying the mails, if the mails get stuck even for a moment or if a discrepancy occurs, the persons despatched will be subjected to heavy punishment.

Details of 12 households operating the *hulāka*:

<u>Māsau Village</u>		<u>Kimādī Village</u>	
Dhaṃsī Bhaṃḍāri	1	Maduvā Negi	1
Kaluvā Bhaṃḍāri	1	Mānuku Negi	1
Kamalu Bhaṃḍāri	1	Ṭhunākha Kaḍyāla	1
Kunda Māsai	1	Malukha Kaḍyāla	1
Khusālu Māsai	1	Jasodo Sārai	1
Duvnu Māsai	1		
Jivā Sārai	1		

163 A revenue sub-division comprising a number of villages.

164 A homestead levy collected in the hill districts during the month of Phāguna. See also *sāune-phāgu* in the glossary.

165 Probably referring to 20 *murīs* of land.

Friday, the 15th of the bright fortnight of Āśvina in the [Vikrama] era year 1864 (1807 CE). Auspiciousness.

Commentary:

This executive order of king Gīrvāṇayuddha Vikrama Śāha assigns seven families of Māsau and five families of Kimāḍī villages to operate a *hulāka* post at Māsau. The places mentioned are in the far western Nepal. Kimāḍī probably is Kimari which lies within Giregada VDC of Baitadi district in far western Nepal. However, their exact locations could not be confirmed.

The document orders that a team of four porters should take turn to attend round-the-clock to the post in order to relay the mails. The porters mentioned are to carry the *lālamoharas* and the mails only. Therefore, they are of the *kāgate hulākī* type.

It is apparent that the *hulākī* porters were privileged in comparison to other kinds of forced labourers. The document not only provides some land as *jāgira* for the *hulākīs*, it also protects the land currently used by them by prohibiting it from being confiscated by the *amālīs*. On top of this, they had some taxes and levies reduced and other forms of labour obligations exempted.

Two years after this document, Bhīmasena Thāpā issued an ordinance (*savāla*) in 1809 which mentions of the establishment of *hulāka* posts along the route from Kathmandu up to Yamuna River in the west. See Document 7.2 (RRC_0006_1015) for this ordinance.

7.2 A copy of a set of directives regarding *hulāka* stations for areas between Dharmasthalī in Kathmandu and the Yamuna River in Kumaun (RRC_0006_1015)

Edited and translated by Manik Bajracharya; Dated VS 1866 (1809); Regmi Research Collection, vol. 6, document no. 1015, pp. 1009–17; Archived at the Tribhuvan University Library, Kirtipur; microfilmed as NGMPP E 2393/1.

Edition:

[page-1009]

1 ३६७

- 1 मीती प्रथम आषाड सुदी ४ रोज [७] ।
- 2 प्रसोस्ती¹⁶⁶ ---
- 3 आगे सुवेदार बलभद्र षत्री सुवेदार धर्मानंद ष-
- 4 वासके । धर्मथली पस्चीं जमुना पुर्व जगा जगामा
- 5 जाई गन्या काजको सवाल गरीवकस्यौं । सवाल
- 6 वमोजीको काज गर्दा कसैको मुलाहीजा नप-
- 7 री हाम्रा नीमकको सो[झो] गरी लायाको कांमा तत्पर

[page-1010]

- 8 भै गर । ---
- 9 प्रथम सवाल : धर्मथली पस्चीं भेरी पुर्व ची-
- 10 ठीपत्रका हुलाक राष्याको मोहर वमोजीं वसे
- 11 नवसेको षसोषास जाची अधीको मोहर
- 12 वमोजीको हुलाकीलाई साउंने फागुको
- 13 आधा वेथ वेगार घरवारीको सेर्मा माफ गरी
- 14 हुलाकीले कमायाको षेत् अधीजा नषोस्-
- 15 नु भनी मोहर गरीवकसेको हो । ६६ सालदे-
- 16 षी साउंन्या फागु आधा तीन्या स्मेत् माफ ग-
- 17 री अधीजा षेत् घर १ के मुरी []¹⁶⁷ कमाउंनु
- 18 गरी वंधेज वाँधी वकस्यौं । येस वमोजीको
- 19 रुक्का लेषी अधीलो मोहरस्मेत् हाम्रा ह-
- 20 जु र चह्राईपठाउंनु । मोहर गरीवकसी पठा-
- 21 उंला । --- १

[page-1011]

- 22 दोश्रा सवाल : भेरी पस्चीं जमुना पुर्व चीठीपत्र
- 23 कागजको हुलाक चलाउंन्याहरूलाई अ-
- 24 धीका मोहरमा लेष्याको रकं र जगाअनुसार
- 25 येस सालका वंदेज वमोजीं चाहीन्या रकंको

166 Read: *praśasti*.

167 Space left blank.

- 26 वाजषाम मीलाई रुक्का लेषी अधीलो मोहर
 27 स्मेत् हाम्रा हजुर चढाईपठाउनु । मोहर
 28 गरीवक्सी पठाउंला । --- [२]
 29 तेस्रो सवाल : धर्मथली पस्चीं भेरी पुर्व जगा जगामा
 30 मुल रास्ताका चलदो मील्दो गरी भारीका हुलाक
 31 वोक्नालाई दीं १ को वाटमा ४ जगामा हुलाक
 32 राषणु । १ जगाका हुलाकमा घर २० वीस राषी
 33 जगा जगामा राषेको भारी वोक्ने हुलाकीको
 34 साउंने फागु उंघाउंनी पघाउंनी झारा वेठ वेगार
 35 माफ गरीवक्सेको छ । ताहा वाजषां मीलाई
 36 वंदोवस्त गरी रुक्का लेषी हाम्रा हजुर चढाईपठाउ-

[page-1012]

- 37 नु । मोहर गरीवक्सी पठाउंला । --- ३
 38 चौथा सवाल : हुलाकका भारी वोक्दा जाहा-
 39 वाट जान्या पस्चींवाट आउंन्या जंगी कांको
 40 र वीरामी वाहीक वीना लालमोहर र काजी
 41 भीसीं थापाको दसषत् हुलाक चलाई देउ
 42 भंन्या नदेषी गुरु प्रोहित चौतरीया काजी सर्दार
 43 सुव्वा सुवेदार जमादार सीपाही चार वर्ण छ-
 44 तीसै जात् कसैको भारी नवोकनु । यो भारी दर्वार-
 45 को हो भनी ढाटी कसैले हुलाक चलायो भने आ-
 46 लमाल मानीसस्मेत पक्री हाम्रा हजुर वींती गरी
 47 पठाउनु । हुकुम गर्या वमोजीं गर्नु भनी ऊर्दी सवैला-
 48 ई सुनाईदीनु । --- ४
 49 पाचौ सवाल : चीठीपत्रका कागत्या हुलाकी र भा-
 50 री वोक्न्या हुलाकीलाई वंघेज वाधीवक्सेको
 51 मोहर वमोजींमा कसैले वीथीती गरी जवरजस्ती

[page-1013]

- 52 अंन्याये गर्यो भने तेस मानीसलाई पक्री हा-
 53 म्रा हजुर्मा वींती गरीपठाउंनु भनी अडा अडा-
 54 का भारा सुवा सुवेदार गैरका नाउंमा मोहर
 55 गरीवक्सेको छ । तस अर्थ मस्युर्गदी पस्चीं
 56 काली पुर्व तालुक पोषरा काली पस्चीं सषी
 57 पुर्व तालुक प्युठाना सषी पस्चीं भेरी पुर्व ता-

- 58 लुक सल्यां भेरी पस्चीं कर्नाली पुर्व तालुक [दुल्लु दैलेख कर्नाली पस्चीं डोटीका
काढागाउं पुर्व तालुक]¹⁶⁸ आ-
- 59 छाम दोटीका काढागाउं पस्चीं माहाकाली पु-
60 र्व तालुक डोटी दीपायेल माहाकाली पस्चीं
61 गढका सीमना पुर्व तालुक अलमोडा कुमाउं-
62 को साँध पस्चीं भागीर्थी पुर्व तालुक श्रीनगर
63 भागीर्थी पस्चीं जमुना पुर्व तालुक दुन जगा
64 जगामा सोई वमोजीं सुनाईदीनु । --- ५
65 छठमा सवाल : जगा जगाका गढी कीला वंन्या
66 नवंन्या हेनु । कुरन्या मानीस वसे नवसेको

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- 67 जाचनु । नवन्याका वीगरेको भया वनाउना-
68 को ताकीती गर्नु । सो कैफीयेत हाम्रा हजुर वींती
69 गरीपठाउनु । --- ६
70 सातवा सवाल : जगा जगाको तारघाट हेनु । वीग-
71 र्याको र नवन्याको ठाउंमा उस जगाको भारादार
72 अमालीदारलाई पै गरि वनाउंन लाउंनु । वनाया-
73 को र नवनायाको वीस्तार वींती गरीपठाउनु । --- ७
74 आठमा सवाल : जगा जगामा वरुया भारादार सु-
75 वा सुवेदार गैरका साथमा छोटा वडा मानीस क-
76 ती रद्दा छ क्या तद्वीर रहेछ षसोषास ले-
77 षी चडाईपठाउंनु । --- ८
78 नौमा सवाल : जगा जगाको वारदषाना [वारुदषाना] मेगर्जीमा का-
79 रषाना पुरो चल्याको र नचल्याको हेनु । गर्याको
80 काज तयार भयाको वंदुक वारुद काज गर्न्या मानीस
81 कालीगढस्मेत जना जात फर्द हाम्रा हजुर चडाईप-
82 ठाउंनु । --- ९

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- 83 दसमा सवाल : प्युठाना कुमाउंवाट षजाना मु-
84 हुडामा कती गयेछ जाहावाट प्युठानावाट-
85 कुमाउंवाट मुहुडामा गयाको षजाना काहा
86 क्या अर्थले अटकदो रहेछ जस्ताको तस्तो वींती
87 गरीपठाउंनु । षजाना जाहा [जाहा] अटक्याको छ वा-

168 Supplied by comparing it with RRC_0040_0044.

- 88 हाका भारादार सुवा सुवेदार [सिगुता?] ¹⁶⁹ जगा जगा-
 89 का अमालीलाई पै गरी चाडो हीडाउनु । --- १०
 90 येघारौ सवाल : वाटका जगा जगाका गाउंमा आउं-
 91 न्या जान्याको वीहृतले उठ्याका गाउं कुरीयाला-
 92 ई तसलह गरी झीकाई वसाउनु । जगा जगामा रह्या-
 93 का भारादार कंपनी अमालीलाई रास्ताका गाउं-
 94 मा दर्वारको काजले हाम्रा हुकुं वाहीक आउने
 95 जान्या मानीसहरूले आफ्ना भारी वेगारी
 96 वैकरको टंटा लाउंन नदीनु भनी उर्दी सुनाईदीनु ।
 97 औ येस सवाल वमोजीं गर्याका काजको

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- 98 येक फर्द प्राप्त गरी तैले राषनु । येक फर्द प्राप्त ग-
 99 री हाम्रा हजुर चढाईपटाउनु । --- ११
 100 वारौ सवाल : जगा जगाको कंपनीको हाजीर लीनु । हा-
 101 जीर लीदा रैवंदी वमोजीं [नालजाजीमा?] ¹⁷⁰ जुं कंपनीमा
 102 जती भर्ना भयाको छैन पेत १ का रुपैया २५ को दर-
 103 ले भारा सुवेदार जस्का तैनाथी छ उसैसंग भरी लीनु । ---
 104 १२
 105 तेरौ सवाल : जाहा दर्वारवाट जान्या चीठीपत्र र
 106 मुहुडावाट आउने चीठीपत्र जंगी कांको षर्षजना ¹⁷¹ तो-
 107 प वंदुक गोली पथर वारुद जस्का अमलमा अट्-
 108 कंछ अट्काउनेलाइ दंड गर्नु । --- १३
 109 चौधौ सवाल : हुलाकीका घरलाई अधीजा पे-
 110 त दीदा [अमाली]समेत् राषी येक पेत्देषी उंधो र चाली-
 111 स मुरीदेषी उंभो जाहां हेरी [रेवन्दी] गरीदीनु । औ येक दीन -
 112 को वाटामा घर ¹⁷² जगामा भारी वोकने हुलाक रा-
 113 षनु भनी सवालमा चह्याको छ । तसर्थ तीमी

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- 114 हरूले जगा जाची लामो वास र छोटो वास
 115 जगाअनुसार येक दीका वाटामा भारीका चा-
 116 र हुलाकदेषी उंधो दुइ हुलाकदेषी उंभो [वा]-
 117 जपाम मीलाई हुलाक राषी रुक्का लेषी चढा-

169 Unclear reading.

170 Unclear reading.

171 Read: *ṣarṣajānā*.

172 Read: *cāra*.

- 118 ईपठाउंनु । मोहर गरी वक्सीपठाउंला । --- १४
 119 पंध्रौ सवाल : कागत्या हुलाकी र भारी हुलाकी-
 120 लाई माफ गरीवक्स्याका रकंकलं अघी वसाया-
 121 का हुलाकीको जगा जगाका अमालीलाई केही
 122 मीन्हा वक्स्याकै छ । अब वरूया हुलाकी-
 123 को जगा जगामा जती जती जस जसका षांगीमा
 124 कार्तीछ सो रुपैयाको फर्दस्मेत् हाम्रा हजुर च-
 125 हईपठाउंनु । ठगां¹⁷³ गरीवक्सौला । --- १[५]
 126 सोरौ सवाल : कागत्या हुलाकको वंदोवस्त गर्दा येक
 127 घरको सेर्मा रुपैया येकसम्म माफ गरी रुक्का ले-
 128 षी चढाईपठाउंनु । मोहेर गरी वक्सीपठाउंला ।
 129 मीती सदर । «आषाढ सुदी ४ १८६६ ।»

Translation:

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Date: Saturday, the 4th of the first *Āṣāḍha*.¹⁷⁵

Praśasti.¹⁷⁶

Āge: To the *subedāras* Balabhadra Khatrī and Dharmānanda Khavāsa.

We have issued [this set of] directives concerning the tasks to be carried out at different locations west of Dharmathalī and east of the Jamunā [River]. When carrying out the tasks mentioned in the directives, be true to our salt and perform the assigned duties promptly without showing favouritism to anyone.

173 Read: *thegām*.

174 This denotes the record number of the document within the bundle containing it.

175 The year is absent here. However, VS 1866 was added at the end of this document by a second scribe. Therefore, the date in the *amānta* system corresponds to 17 June 1809.

176 The original *praśasti* has not been copied here. However, from the date, it is clear that the original document contained a eulogy of King Gīrvāṇayuddha Vikrama Śāha, and probably of Bhīmasena Thāpā as well.

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First directive: We [previously] issued a royal order (*mohara*), stating: “In accordance with [earlier] *moharas* concerning the establishment of *hulāka*-posts for the transport of mail [within the area] west of Dharmathalī and east of the Bherī [River], inspect thoroughly whether [the *hulāka*-posts] are present or not. Exempt *hulākī* porters specified in earlier *moharas* from half of the *sāune-phāgu* [levy], *beṭha* and *begāra* [labour obligations], and from the *sermā* [levy] on homesteads. Do not confiscate paddy fields or any fields being cultivated by *hulākīs* under the *adhiyā* [system of tenancy].” We have made arrangements so that from the year [VS 18]66 (1809 CE), they are exempt from [the remaining] half of the *sāune-phāgu* [levy], and so that each household may earn ...¹⁷⁷ *murīs* from paddy fields [cultivated under] the *adhiyā* [system]. Draft a *rukkā* in accordance with this and dispatch it to us together with the earlier *mohara*. We will send it [back to you] after affixing the royal seal --- 1.

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Second directive: Conforming to the [allocated] sums (*rakama*) and land mentioned in earlier *moharas* for those who operate the mail-transporting *hulāka*-posts west of Dharmathalī and east of the Bherī [River], and in accordance with this year’s arrangements (*bandeja*), prepare an estimate (*vājakhāma*) of required sums. Draft a *rukkā* accordingly and send it to us together with the earlier *moharas*. We will send it [back to you] after affixing the royal seal --- 2.

Third directive: Put in shape the main routes at the different places west of Dharmathalī and east of the Bherī [River], and in order to transport loads [of goods] set up 4 *hulāka*-posts along the route over a distance of each day’s journey. Assign 20 families to each *hulāka*-post. [The king] has exempted the load-transporting *hulākīs* employed at different places from the following [levies and obligations]: *sāune-phāgu* and *ughāunī-paghāunī* [homestead levies], *jhārā*, *beṭha* and *begāra* [obligations]. Prepare an estimate and put things in order. Draft a *rukkā* and send it to us.

177 The space for number has been left blank.

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We will send it [back to you] after affixing the royal seal --- 3.

Fourth directive: Regarding the carrying of loads, excluding loads going from here or coming from the west relating to military activity or to sick persons, do not, without seeing a *lālamohara* or a document signed by Kājī Bhīmsīṃ Thāpā (i.e., Bhīmasena Thāpā) with an order to transport loads, carry anyone else's loads including those of [guru] priests, *cautarīyās*, *kājīs*, *sardāras*, *subbās*, *subedāras*, *jmādāras*, *sipāhīs*, or [members] of the four caste-classes (*varṇa*) and thirty-six castes (*jāta*). If someone has loads transported, falsely stating that the loads belong to the palace, detain the man along with his luggage and report [the matter] to us. Instruct everyone to act as ordered --- 4.

Fifth directive: [The king] has issued a [*lāla*] *mohara* to the *bhārā[dāra]*s, *subbās*, *subedāras* and so on of various offices, proclaiming: “If anyone in disregard of the arrangements made [by us] regarding the mail-transporting *kāgatya-hulākīs* or the load-transporting *hulākīs* coerces or causes injustice to them, detain that man and report [the matter] to us.”

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For that reason, relay this information to the [following] places, [responsible for the following regions]:

Pokhara: [for the region] west of the Marsyāndī [River] and east of the Kālī [River]

Pyuthana: [for the region] west of the Kālī and east of the Sakhi [River]

Salyan: [for the region] west of the Sakhi and east of the Bheri [River]

Dullu [of] Dailekh: [for the region] west of the Bheri and east of the Karṇālī [River]

Achham: [for the region] west of the Karṇālī and east of Kāḍhā Gāū (Doti)

Dipayal [of] Doti: [for the region] west of Kāḍhā Gāū, Doti and east of the Mahākālī¹⁷⁸ [River]

178 Part of the text in the original here has been supplied by comparing it with RRC_0040_0044.

Almora: [for the region] west of the Mahākālī and east of the border with Garh

Srinagar: [for the region] west of the border with Kumaun and east of the Bhāgīrathī [River]

Dun: [for the region] west of the Bhāgīrathī and east of the Jamunā [River] --- 5.

Sixth directive: Check whether or not forts and fortresses have been built at various places. Find out whether they are properly manned.

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If they have not been built or are in disrepair, apply pressure to have them built or repaired. Send a report about this to us --- 6.

Seventh directive: Inspect the river crossings (*tāraghāṭa*). At places where they are broken down or need to be repaired, admonish the local *bhārādāras* or *amālīdāras* to have them repaired. Send [us] details of whether they have been repaired or not --- 7.

Eighth directive: Send an exact report regarding the number of *bhārādāras*, *subbās*, *subedāras* etc. from place to place along with [the number of] men of high and low rank, and the kinds of arrangements (*tadbir*) they have [among themselves] --- 8.

Ninth directive: Check from place to place whether or not factories at powder houses and magazines are functioning at full capacity. Send to us a report of the work done—the guns and gunpowder produced—and information on the number of workers and artisans and their castes --- 9.

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Tenth directive: Submit reports to us regarding the amount of munitions (*khajānā*) sent to the front (*muhūḍā*) from Pyuthana and Kumaun, and where and for what reasons munitions sent to the front from here (i.e., Kathmandu), Pyuthana and Kumaun get obstructed. Wherever munitions are obstructed, admonish the local *bhārādāras*, *subbās*, *subedārās*, *segutā*¹⁷⁹ and *amālīs* to have them moved on quickly --- 10.

179 Reading in the original is unclear. M.C. Regmi translates here as “chiefs of feudatory principalities” (Regmi 1986: 140).

Eleventh directive: At villages at places along the [*hulāka*] route which are deserted due to oppression caused by passersby, solace tenants from the villages and have them [re]settled there. Have *bhārādāras*, [military] companies and *amālīs* of the various places informed of our order: “Except for those travelling on palace business or by our orders, people travelling through villages on the route shall not be allowed to cause trouble [to villagers] by having them carry loads for free (*begārī*), or by demanding free provisions (*baikara*).” Get a report of action taken according to this regulation,

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keep one copy for yourself, and send another copy to us --- 11.

Twelfth directive: Take attendance at [military] companies at different places. When doing so, collect from the *bhārādāra* or *subedāra* on duty whatever [revenue] has not been paid up in companies ...¹⁸⁰ in accordance with *raibandī* [system], at the rate of 25 rupees per *khetā* --- 12.

Thirteenth directive: If mail and military supplies [including] cannons, guns, bullets, flint and gunpowder dispatched from the palace or coming from the front are obstructed, the person exercising jurisdiction over the place shall punish the obstructor --- 13.

Fourteenth directive: When providing paddy fields to *hulākī* households on an *adhiyā* [tenure basis], distribute them in the presence of the [local] *amālī*: [to each household] land between forty *murīs* and one *khetā* (i.e., 100 *murīs*) according to the size of the family. It is stated in the [above] directive that for a distance of one day’s journey there should be four *hulāka*-posts for transportation of loads.

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Therefore, after checking the remoteness of the terrain, and estimating according to whether long or short rest stops [are necessary,] establish between two and four *hulāka*-posts for a one day’s journey. Prepare a *rukkā* accordingly and send it to us. We will send [it back to you] after affixing the royal seal --- 14.

Fifteenth directive: Regarding the official amount under exemptions granted to the mail- and load-transporting *hulākīs*, some of it has

180 The term in original is incomprehensible.

already been compensated to the *amālīs* of the corresponding areas. Regarding newly appointed *hulākīs* at different places and the amounts deducted [for them] from [the *amālīs*'s] emoluments (*khāngī*), send us details of the amounts. We will make arrangements [accordingly] --- 15.

Sixteenth directive: When making arrangements for mail-transporting *hulāka*-posts, prepare [a draft of] a *rukkā* granting a maximum exemption of one rupee per household from the *sermā* [levy]. We will send [it back to you] after affixing the royal seal --- 16.

The date is valid. The 4th of the bright fortnight of Āṣāḍha in [the Vikrama era year] 1866 (1809 CE).

Commentary:

This copy of an order issued by King Gīrvāṇayuddha Vikrama Śāha to *subedāras* Balabhadra Khatrī and Dharmānanda Khavāsa consists of sixteen directives concerning the management of the *hulāka* for relaying mail and loads in the western part of Nepal.

The first directive completely exempts mail-transporting *hulākīs* from the *sāune-phāgu* levy. It mentions earlier royal orders regarding the establishment of *hulāka*-posts along the route.¹⁸¹ In this and several of the following directives, the addressees are asked to compose drafts of *rukkās*, which then would be officialized at the palace by affixing the royal seal.

The third directive concerns load-transporting *hulākīs*. It instructs that four *hulāka*-posts be set up within the distance covered by a day's journey, and that twenty *hulākī* families should be assigned to each post. These *hulākīs* are exempted from the same levies as cancelled for the mail-transporting *hulākīs*, with the exception of *ughāunī-paghāunī* replacing *sermā*.

The fourth directive limits the categories of loads allowed to be transported to ones relating to: military activity, sick persons and the loads for which there is a written order from either the king or Kājī Bhīmasena Thāpā.

The fifth directive names nine regional offices as responsible for the organization of the *hulāka* system. Directives six and seven order the maintenance of forts and river crossings, while directive eight orders that records of army men at the different camps be kept. Directives nine and ten call for inspecting ammunition factories, and keeping records of transfers of munitions between the areas.

181 See Document 7.1 (DNA_0013_0062) for one such *rukkā*.

The eleventh directive is concerned with preventing the misuse of *hulākī* labour. Labour exploitation of the tenants appointed to *hulāka* tasks was common, so that the palace had to issue such orders at different times to prevent it. The exploitation in some places was so harsh that some villages along routes had become desolate. This section instructs the addressees to encourage tenants to resettle such villages, and prohibits people from using *hulākī* labour to transport any private loads.

The fourteenth directive states that the transfer of land to *hulākīs* for their service should be done in the presence of the local *amālīdāra*. This section refines the third directive by stating that between two and four *hulāka*-posts be set up to cover a day's journey, depending on the terrain.

The fifteenth directive documents that the government occasionally provided compensation to local *amālīdāras* for amounts exempted from taxes and levies borne by *hulākīs*.

The sixteenth directive exempts the *hulākīs* from one rupee of *sermā* levy. This, however, seems to contradict with the first directive where the *sermā* is entirely exempted.

An English translation of this document was first published in Regmi 1986: 138–141, and extracts are available in Stiller 1976: 52–54 and K. L. Pradhan 2012: 222–224. In the wake of war with the British, such *hulāka* routes were organized for eastern part of Nepal and other places as well (see RRC 41.533: 514, RRC 41.538: 517 and RRC 41.569: 556–61).

7.3 A copy of a set of directives re *hulāka* stations in areas between the Vāgmatī and Vijayapura (RRC_0041_0569)

Edited and translated by Manik Bajracharya; Date VS 1871 (1814 CE); Regmi Research Collection, vol. 41, document no. 569, pp. 556–61; Archived at the Tribhuvan University Library, Kirtipur; microfilmed as NGMPP E 2451/1.

Edition:

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1 हुलाक वसालन्या सवाल

1 १८२ आगे नजीकी सनमां सीके वागमती पुर्व विजेपुर

2 पस्चीं जगा जगामा जाई गन्या काजको सवाल गरीवक्-

- 3 स्यौं । सवाल वमोजीको काज गर्दा कसैको मोलाहीजामा न-
 4 परी हाम्रा नीमकको सोझो गरी लायाको काज-
 5 मा तपर¹⁸² भै गर । ---
 6 तपसील
 7 प्रथम सवाल / वागमती पुर्व विजैपुर पस्चीं चीठीपत्र-
 8 का हुलाक २/३ कोसको फरक गरी हुलाक वसाउनु ।
 9 हुलाकीलाई साउंन्या फागुको आधा वेठ वेगार घर
 10 वारीको सेर्मा रुपैजा १ सम्म माफ गरी हुलाकीले कमा-
 11 याको घेत कुत अधीजा नषोसनु भनी साउंन्या फागु
 12 आधा तीर्न्यास्मेत माफ गरी कुत अधीजा घेत घ-
 13 र १ के []¹⁸³ मुरी कमाउनु गरी वंधेज वाधीवक्स्यौं । हु-
 14 लाकीको नाउं घर कुत अधीजा घेतस्मेतको वेव

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- 15 रा घाली येका हुलाकमा घर १६ वसाई जगाअ-
 16 नुसार वाजषाम मीलाई रुक्का लेषी हाम्रा ह-
 17 जुर् चढाईपठाउनु । मोहर गरीवक्सी पठाउला । १
 18 दोश्रा सवाल / वीजैपुर पस्चीं वागमती पुर्व जगा जगामा
 19 मुल रास्ताका चल्दोमील्दो गरी भारीका हुलाक
 20 वोकनालाई दीं १ को वाटामा चार जगामा हुला-
 21 क राषनु । येक जगाका हुलाकमा घर १२ राषी जगा
 22 जगामा राष्याका भारि वोकने हुलाकीको साउंन्या
 23 फागु उघाउनी पघाउनी झारा वेठ वेगार माफ गरी-
 24 वक्स्याको छ । ताहा वाजषां मीलाई वंदोवस्त ग-
 25 री रुक्का लेषी हाम्रा हजुर चढाईपठा-
 26 उनु । मोहर गरीवक्सी पठाउला । --- २
 27 तेश्रो सवाल / हुलाकका भारि वोकदा जाहावाट
 28 जान्या पुर्ववाट आउन्या जंगी कांको र वेरामी तो-
 29 डा वाहीक वीना लालमोहर र जर्णेल भींसीं

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- 30 थापाको दस्पत हुलाक चलाईदेउ भंन्या नदेषी
 31 गुरु प्रोहीत चौतरीया काजी सदर् सवा सुवेदार ज-
 32 मादार सीपाही चार वर्ण छतीसै जात कसैको भा-
 33 री नवोकनु । यो भारी दर्वारको हो भनी ढाटी कसैले

182 Read: *tatpara*.

183 Space left blank.

- 34 हुलाक चलायो भन्या आलमाल मानीसस्मेत पक्री
 35 हाम्रा हजुरमा वींती गरीपठाउनु । हुकुं गया वमोजीं गर्नु
 36 भनी उर्दी सवैलाई सुनाईदीनु । --- ३
 37 चौथा सवाल / चीठीपत्रको कागत्या हुलाकी र भा-
 38 री वोकन्या हुलाकीलाई वंधेज वाँधीवकस्याका मोह-
 39 र वमोजींमा कसैले वीथीती गरी जवरदस्ती अंन्या-
 40 य गर्यो भन्या तेस मानीसलाई पक्री हाम्रा हजुर
 41 विंती गरीपठाउनु । --- ४
 42 पाचौ सवाल / जगा जगाका गढी कील्ला वंन्या नवंन्या
 43 हेर्नु । कुह्न्या मानीस वस्या नवस्याको जाचनु । नव-
 44 न्याका वीगर्याको भया वनाउनाको ताकीती गर्नु ।
 45 सो कैफीयेत हाम्रा हजुर वींती गरीपठाउनु । --- ५

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- 46 छैटौ सवाल / जगा जगाको मुल वाटो तारघाट्
 47 हेर्नु । वीगर्याको र नवन्याका ठाउमा उस जगाको
 48 भारादार अमालीदारलाई पै गरी वनाउन
 49 लाउनु । वनायाको र नवनायाको वीस्तार वींती
 50 गरीपठाउनु । --- ६
 51 सातौं सवाल / वाटाका जगा जगाका गाउमा आउन्या
 52 जान्याको वीहृतले उठ्याका गाउ कुरीयालाई तस-
 53 ल्लह गरी झीकाई वसाउनु । जगा जगामा रह्याका
 54 भारा कंपनी अमालीलाई रास्ताका गाउमा दर्वार-
 55 को काजले हाम्रा हुकुं वाहीक आउन्या जान्या मा-
 56 नीसहेरुले आफ्ना भारी वेगारी वैकरको टंटा
 57 लाउन नदीनु भनी उर्दी सुनाईदीनु । औ येस सवा-
 58 ल वमोजीं गर्स्याका काजको येक फर्द साफ गरी तै-
 59 ले राषनु येक फर्द साफ गरी हाम्रा हजुर चढा-
 60 ईपठाउनु । --- ७
 61 आठौ सवाल / जगा जगाका कंपनीको हाजीरी

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- 62 लीनु । हाजीरी लीदा रैवंदी वमोजीं [नालजाजीमा?]¹⁸⁴ जुं
 63 कंपनीमा जती भर्ना भयाको छैन पेट १ को रुपैजा २५-
 64 को दर्ले भारा सुवेदार जस्का तैनाथी छ उसैसंग भ-
 65 री लीनु । --- ८

- 66 नौमा सवाल / जाहा दरवारवाट जान्या चीठीपत्र
 67 र नागरी चैंपुर वीजैपुरवाट आउन्या जंगी कांको घर-
 68 षजाना तोप वंदुक गोली पत्थर वारूद जस्का अमाल-
 69 मा अटकछ अटकाउन्यालाई दंड गर्नु । --- ९
 70 दसौ सवाल / हुलाकीका घरलाई कुत अधिजा
 71 घेत दिदा अमालीस्मेत राषी येक घेतदेषी उंधो
 72 र चालीस मुरीदेषी उंभो जाहां हेरी रैवंदी गरीदीनु ।
 73 औ येक दीनको वाटामा चार जगामा भारी वोकन्या
 74 हुलाक राषनु भनी सवालमा चढ्याको छ । तसर्थ
 75 तीमीहेरुले जगा जगा जाँची लामो वास र छोटो वास
 76 जगानुसार येक दीको वाटोमा भारीको चार हुला-

[page-561]

- 77 कदेषी उंधो पुर्व हुलाकदेषी उंभो वाजषाम
 78 मीलाई हुलाक राषी रुक्का लेषी चह्वाईपठाउ-
 79 नु । मोहर गरी वक्सीपठाउला । --- १०
 80 येगाह्नी सवाल / कागत्या हुलाकको वंदोव-
 81 स्त गर्दा येक घरको सेर्मा रुपैजा येकसम्म माफ
 82 गरी रुक्का लेषी चह्वाईपठाउनु । मोहर गरी वक्सी-
 83 पठाउला । --- ११
 84 १८७१ साल वैसाष सुदी १३ रोज २ शुभम् ।

Translation:

[page-556]

Directives regarding the establishment of *hulāka* posts.

182¹⁸⁵

Āge: To Najikī Sanmām Siṃ.

We have issued [this set of] directives concerning tasks to be carried out at different locations east of the Vāgmatī [River] and the west of Vijayapura. When carrying out the tasks as mentioned in the ordinance, be true to our salt, and perform the assigned duties promptly without showing favouritism to anyone.

185 This denotes the record number of the document within the original bundle, which has been identified as *pokā* no. 12; *bahī* no. 40 (see RRC 41: 534).

Particulars:

First directive: Establish *hulāka*-posts for the transport of mail [within the area] east of the Vāgmatī and west of Vijayapura at intervals of 2 to 3 *kośas*.¹⁸⁶ Our [earlier] order states: “*Hulākī* porters shall be exempted from half of the *sāune-phāgu* [levy], from *beṭha* and *begāra* [labour obligations], and up to 1 rupee of the *sermā* [levy] on homesteads. Do not confiscate paddy fields or fields cultivated by *hulākīs* under the *kuta* or *adhiyā* [system of tenancy].” We have made arrangements for them to be exempted from [the remaining] half of the *sāune-phāgu* [levy], and for each household to earn ...¹⁸⁷ *murīs* from paddy fields [cultivated under] the *kuta* or *adhiyā* [system].

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Prepare a detailed [report] containing the names of the *hulākīs*, their houses, and the paddy fields [cultivated by them under] the *kuta* or *adhiyā* [system]. Assign 16 *hulākī* families to each *hulāka*-post and prepare an estimate (*vājakhāma*) [of revenue] according to the [type of] land. Draft a *rukkā* and dispatch it to us. We will send [it back to you] after affixing the royal seal --- 1.

Second directive: In order to transport properly the loads [of goods,] put the main route in shape from place to place west of Vijayapura and east of the Vāgmatī, and set up 4 *hulāka*-posts over a distance of each day’s journey. Assign 12 families to each *hulāka*-post. [The king] has exempted load-transporting *hulākīs* employed from place to place from the following [obligations and levies]: *sāune-phāgu*, *ughāunī-paghāunī*, *jhārā*, *beṭha* and *begāra*. Prepare an estimate and put things in order. Draft a *rukkā* and send it to us. We will send it [back] after affixing the royal seal --- 2.

Third directive: Regarding the carrying of loads—excluding loads going from here or coming from the east relating to military purposes, sick persons and money bags (*toḍā*)—without seeing a *lālamohara* or a document signed by General Bhīmsīṃ Thāpā

186 *Kośa*: a measurement unit of distance varying between 3.2 and 3.6 kilometres (Bakker 2006: 34), equivalent to a quarter of a *yojana*.

187 The space for number has been left blank.

[page-558]

with an order to transport the loads, do not carry anyone else's loads including those of [guru-]priests, *cautarīyās*, *kājīs*, *sardāras*, *subbās*, *subedāras*, *jmādāras*, *sipāhīs*, or [members] of the four caste-classes (*varṇa*) and thirty-six castes (*jāta*). If someone has loads transported, stating falsely that the loads belong to the palace, detain the man along with his luggage and report [the matter] to us. Instruct everyone to act as ordered --- 3.

Fourth directive: If anyone in disregard of the arrangements made [by us] regarding the mail-transporting *kāgatīyā-hulākīs* or the load-transporting *hulākīs* coerces or causes injustice to them, detain that man and report [the matter] to us --- 4.

Fifth directive: Check whether or not forts and fortresses have been built at various places. Find out whether they are properly manned. If they have not been built or are in disrepair, apply pressure to have them built or repaired. Send a report about this to us --- 5.

[page-559]

Sixth directive: Inspect main routes and the river crossings (*tāraghāṭa*). At places where they are broken down or need to be repaired, admonish the local *bhārādāras* or *amālīdāras* to have them repaired. Send [us] details of whether they have been repaired or not --- 6.

Seventh directive: Regarding the villages along the [*hulāka*] route which are deserted due to oppression caused by passersby, solace the tenants from the villages and have them [re]settled there. Have *bhārādāras*, [military] companies and *amālīs* of the various places informed of our order: "Except for those travelling on palace business or by our orders, people travelling through villages on the route shall not be allowed to cause trouble [to villagers] by having them carry loads for free (*begārī*), or by demanding free provisions (*baikara*)."
Get a report of action taken according to this regulation, keep one copy for yourself, and send another copy to us --- 7.

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Eighth directive: Take attendance at [military] companies at different places. When doing so, collect from the *bhārādāra* or *subedāra* on duty

whatever [revenue] has not been paid up in companies ...¹⁸⁸ in accordance with *raibandī* [system], at the rate of 25 rupees per *kheta* --- 8.

Ninth directive: If mail and military supplies [including] cannons, guns, bullets, flint and gunpowder dispatched from the palace or coming from Nāgarī, Cainapura and Vijayapura are obstructed, the person exercising jurisdiction over the place shall punish the obstructor --- 9.

Tenth directive: When providing paddy fields to *hulākī* households on a *kuta* or *adhiyā* [tenure basis], distribute them in the presence of the [local] *amālī*: [to each household] land between forty *murīs* and one *kheta* (i.e., 100 *murīs*) according to the size of the family. It is stated in the [above] directive that for a distance of one day's journey there should be four *hulāka*-posts for transportation of loads. Therefore, after checking the remoteness of the terrain, and estimating according to whether long or short rest stops [are necessary,] establish between two and four *hulāka*-posts for a one day's journey. Prepare a *rukkā* accordingly and send it to us. We will send [it back to you] after affixing the royal seal --- 10.

Eleventh directive: When making arrangements for mail-transporting *hulāka*-posts, prepare [a draft of] a *rukkā* granting a maximum exemption of one rupee per household from the *sermā* [levy]. We will send it [back to you] after affixing the royal seal --- 11.

Monday, the 13th of the bright fortnight of Vaiśākha in [the Vikrama era] year 1871 (1814 CE).

Commentary:

This copy of a royal order, issued to Najikī Sanmāna Siṃ, contains eleven directives regarding the organization of the mail- and load-relaying *hulāka*-posts in the eastern part of Nepal. Found in Regmi Research Collection volume 41, it lacks the original *praśasti* of the issuing king. However, from the date it is clear that it was issued by King Gīrvāṇayuddha Vikrama Śāha, probably together with General Bhīmasena Thāpā. A document similar to this one was issued five years earlier in 1866 regarding the organization of *hulāka*-posts for the western part of Nepal; see Document 7.2 (RRC_0006_1015) and RRC_0040_0044. Several of the directives in this document, including the number of *hulāka*-posts to be established in each area, the exemption of *hulākī* porters from different levies and the benefits provided to

188 Space left blank in the original.

them, are similar to the earlier ones. The place Vijayapura mentioned in this document probably lies in present-day Dharan.

7.4 A *rukkā* directing residents of Ālampura and Pakarbāsa to repair an irrigation-channel (DNA_0013_0060)

Edited and translated by Manik Bajracharya; Dated VS 1894 (1838 CE); National Archives Nepal, Ms no. 369; microfilmed as NGMPP DNA 13/60; for digital edition, see: <https://nepalica.hadw-bw.de/nepal/editions/show/1576>.

Edition:

1 श्री: \

[Royal seal]

- 1 स्वस्ति । श्रीमन्महाराजाधिराजकस्य रुक्का । ---
 2 आगे आलम्पूर पकरवासका तपसिल वमोजीम् गाउ गाउका द्वार्या थरि मुषि-
 3 या मिझार्या रैति गैह चार वर्न छत्तिसै जातप्रति । पकरवास माडि ब्येसिका पेतको
 4 कुलो भटौलि षोलाले अलाग गरि लगिराषेछ यो साल कुलो नवनाया कंपु पल्टं-
 5 का पेत वाझा रहन लाग्या भनि पकरवासका द्वार्या थरि भला आदमिले हाम्रा हजुर-
 6 मा विंति गर्न आउदा जाहेर भयो । ९४ सालका झाराका रुपैया आधि माफ गरि हुला-
 7 कि ब्राह्मण र तिलंगा घरवाहेक् तपसिल माफिकका गांउले र पेत कमाउन्या मो-
 8 हि गैहले घरहि डप्को झारा भै तिन मैन्हाको षान्या सामल र कोदाला वंचरा गल् कुंदा
 9 घन् टागासमेत् लि पकरवासका द्वार्या र थरि सिवनारान् प्रसाजी मेहर सिं का-
 10 कि रामनाथ पाध्या पौड्याल् कासिनाथ पाध्या हुंग्याल्हरुसग सामेल भै फागु-
 11 न चैत वैसाषभरमा नजाँ कुलो पनि पहरो काटि वनाई पानि चह्वाउन्या काम ग-
 12 र । हरहेमायेत् गरि झारामा सामेल नभै कुलो नसिध्याई पेत वाझा रहन गया भ-
 13 न्या कंपु पल्टंको वालि वुझाउनु पर्ला । डंड पनी पर्ला । औ कुलो षन्दा पहरो का-
 14 ट्नालाई आलंपुरका आग्रि जना १० लाई आलंपुरका द्वार्या मुषियाले षटाई
 15 पठाईदिनु । पहरो काट्नुया आग्रि जना १० लाई रोजीन्ना सिधा र ज्याला पुजा ला-
 16 गन्या षर्च पकरवासको थनुवा पेतका वालिमध्ये षर्च लाउनु । मोजरा वक्सौला ।
- 17 तपसिल्
 18 पकरवासभर अम्बल १
 19 आलंपुरमध्ये गाउ ६
 20 कुवापानि फुलपा १
 21 माकाडम् १

22	वांग्या सल्ला	१
23	गागल्	१
24	पिंपोरि	१
25	मेगर्पा भदौर्या	१
26	इति सम्बत् १८९४ साल मिति फागुन सुदि ३ रोज ३ शुभम् ---	

Translation:

Śrī

A *rukkā* of the glorious great king.

Age: to all the four *varṇas* and thirty-six *jātas* including *dvāryās*, *tharis*, *mukhiyās*, *mijhāryās* and ryots of the villages of Ālampura¹⁸⁹ and Pakarabāsa¹⁹⁰ listed [below].

The *dvāryās*, *tharis* and local notables of Pakarabāsa came to petition us and apprised us [of the following,] saying: “The irrigation-channel in the paddy fields of Māḍi Besi has overflowed and been swept away by the Bhaṭauli River. If the irrigation channel is not repaired this year, the fields belonging to the *kampu palṭana*¹⁹¹ may remain barren.” Half of the amount of *jhārā* [levy] of the year [VS 18]94 will be cancelled [for the labourers]. Excluding *hulākīs*, Brahmins and soldiers (*tilaṃgā*), each household of villagers or of tenants (*mohī*) who till land shall become compulsory labourers by command (*dapko jhārā*). Take with you provisions for three months, mattocks (*kodālo*), axes, crowbars (*gal*), mallets (*kundā*), sledgehammers and measuring rods (*tāgo*). Gathering together with the *dvāryās* and *tharis* [named] Śivanārān Prasāī, Mehara Siṃ Kārki, Rāmanātha Pādhyā Pauḍyāl and Kāśīnātha Pādhyā Ḍhuṅgyāla, make a new irrigation channel by digging and cutting through rocks throughout [the months of] Phāguna, Caitra and Vaiśākha, and accomplish the task of getting water to flow¹⁹² [through it]. If, having been shown preferential treatment (*harahemāyat*), you do not join in the compulsory labour or leave the irrigation channel incomplete, so that the fields remain barren, you will

189 From the list provided in this document containing six villages within Ālampura, it seems to be a fairly wide area in Rāmechāpa district. Modern maps, however, do not display this Ālampura.

190 Pakarabāsa is a VDC in Rāmechāpa district.

191 The terms used here are *kampu* and *palṭana*, denoting two different categories of army units. These two terms are mentioned here together as having the land under their control, so that it may be assumed that they are used collectively to denote the army.

192 *Carhāunu*, lit. to ascend, lift.

have to compensate the crops for the *kampu paṭana*'s [loss of] crops. A fine will also be imposed. During the digging of the irrigation channel, the *dvāryās* and *mukhiyās* of *Ālampura* shall dispatch 10 masons (*āgri*) for cutting rocks. The expenses for the daily raw food (*rojinnā sidhā*), wages and rituals for the 10 *āgri* shall be met from the standing crops of *Pakarabāsa*'s *thunuvā kheta*¹⁹³. Deductions will be granted.¹⁹⁴

Particulars

<i>Pakarabāsa ambala</i>	1
Villages within <i>Ālampura</i>	6
<i>Kuvāpāni Phulapā</i> ¹⁹⁵	1
<i>Mākāḍam</i> ¹⁹⁶	1
<i>Bāngyā Sallā</i> ¹⁹⁷	1
<i>Gāgal</i> ¹⁹⁸	1
<i>Pimkhori</i>	1
<i>Megarpā Bhadauryā</i>	1

Tuesday, the 3rd of the bright fortnight of *Phāguna* in the [Vikrama era] year 1894 (1838 CE).

Commentary:

This royal order of King Surendra Vikrama Śāha directs the residents of *Pakarabāsa* and six villages within *Ālampura*, both lying in *Rāmechāpa* district, to participate in the repair of an irrigation channel as a civil duty. The paddy field to be irrigated belonged to the army. The document exempts households of Brahmins, soldiers and *hulākī* porters from the labour. The rest of the residents had to contribute their labour under unfavourable terms: they are ordered not just to work for free for three months on the channel, but also to bring their own supplies and tools. Interestingly, the document mentions providing wages to ten stonemasons, probably because it was an exceptionally difficult task to cut through rocks while digging the conduit.

193 The paddy fields currently under government restraint.

194 This probably refers to deductions on the amount of *jhārā* labour required under the annual levy.

195 *Kuvāpāni* village lies within *Kathjor* VDC in *Rāmechāpa* district.

196 Also spelled *Mākāduma*, a VDC in *Rāmechāpa* district.

197 A village within *Purānā Gāū* VDC in *Rāmechāpa* district.

198 Probably *Gāgal Bhadaure*, a VDC in *Rāmechāpa* district.

The document exempts the residents from half of the amount of *jhārā* fee for the year. This implies that the residents of the stated vil-lages had to pay an annual *jhārā* levy in cash. It is, however, unclear whether this levy was meant to substitute for regular *jhārā* obligations. M. C. Regmi argues that such an obligation could not be avoided through monetary compensation, and that a special levy in cash in lieu of the obligation was only rarely possible, in cases where the labourers were in a remote location or the area was sparsely populated (see Regmi 1971: 115–16).

7.5 Copy of a *rukkā* issued by the king to Jaṅga Bahādura Kūvara permitting *jhārā* labour to be used to build a bridge at Āryaghāta (RRC_0062_0180)

Edited and translated by Manik Bajracharya; Dated VS 1903 (1847); Regmi Research Collection, vol. 62, document no. 180, pp. 617–18; Archived at the Tribhuvan University Library, Kirtipur; microfilmed as NGMPP E 2467/3; for the digital edition, see <https://nepalica.hadw-bw.de/nepal/editions/show/47509>.

Edition:

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1 ७४

- 1 रुक्कासौ – आगे श्री प्राईम मीनीष्टर यान
- 2 कम्प्याण्डर ईन चीफ जनरल जङ्ग वहादुर
- 3 कुवर प्रति । मेरा बाबा काजी बाल नरसिंह
- 4 कुवरले श्री आर्याघाटमा बनायाको फला-
- 5 मको पुल पक्का नठहर्दा त्यो फलामको पु-
- 6 ल अन्त सारी पक्का पुल बनाउनालाई
- 7 मेरो र भाईहरू काजी कर्णेल कपरदार क-
- 8 सानहरूका पुवाका प्रजा रैतीहरू झारा
- 9 लगाई बनाउनु भन्थ्या हुकुम वक्स्या पु-
- 10 ल बनाउदा हुं भनि तैले हाप्पा हजुरमा
- 11 वीन्ती पादा धर्मको काम हो तेरो र तेरा भा-
- 12 ई काजी कर्णेल कपरदार कसानहरूका
- 13 तपसील वमोजीमका पुवाका प्रजा रैतीह-

- 14 रूलाई झाराका रूपैया तीन्या प्रजाहरूलाई
 15 दप्क गुहार र झाराका रूपैया नतीन्यालाई

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- 16 १९०३ सालमा लाग्याको अनेत्रको झा-
 17 रा माफ गरी दप्को झारा लगाई जंगलवा-
 18 ट काठ वोकाई पुल बनाउना नीमीत्य
 19 ईनै पुवाका प्रजा रैतीहरू दप्को झारा
 20 गरी पुल नसीधीनज्यालसम्म काम
 21 लगाई यसै सालमा सीध्याउन भनि
 22 झाराको मोहर गरीवक्स्यौ । ईति सम्ब-
 23 त १९०३ साल मीति माघ वदी ४ रोज
 24 ३ सुभम् । ---

Translation:

[page-617]

74¹⁹⁹

Rukkāsau.

Āge: To the Prime Minister and Commander-in-Chief General Jaṅga Bahādura Kūvara.

You have petitioned us as follows: “The iron bridge that my father Kājī Bāla Narasiṃha built at Śrī Āryaghāṭa²⁰⁰ is deemed unstable. If, in order to shift the iron bridge elsewhere and build a [new,] stable bridge, [Your Majesty] were to issue an order to employ subjects (*prajā*) and tenants (*ratiṅ*) of the provinces (*khuvā*) who are [under the authority] of me and my brothers—[holders of such posts as] *kājī*, colonel, *kaparadāra* and captain—as *jhārā* [labourers], I would build the bridge.”

I have thus issued [this] *mohara* [authorizing] *jhārā* that states: “It is an act of dharma [to build the bridge]. Employ subjects and tenants of the listed provinces that are [under the authority] of you and your brothers, who are [holders of such posts as] *kājī*, colonel, *kaparadāra* and captain. For subjects who are paid the *jhārā* fee, employ them by

199 This is the record number in the bundle where the document was originally kept.

200 A cremation site at Pashupati in Kathmandu.

command (*dapka/dapko*) [or] request (*guhāra*), and for ones who are not paid the *jhārā* fee,

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exempt them [first] from their *jhārā* obligations enforced for the year [VS] 1903 at other places and employ them [for the bridge construction] through *jhārā* by command. Have them carry timber from forest. Employ these subjects and tenants of the provinces until the bridge is complete within this year.”

Tuesday, the 4th of the dark fortnight of Māgha in the [Vikrama] era year 1903 (1847 CE). Auspiciousness.

Commentary:

This document, an executive order of the king, permits Prime Minister Jaṅga Bahādura Rāṇā to employ *jhārā* labourers in order to rebuild the bridge across the Bagmati River at Pashupati. Jaṅga Bahādura, the supremely powerful prime minister at the time, could have easily mobilized the labourers himself, so why did he have to obtain royal consent for a relatively minor task? S. Rupakheti opines that the reason lies in Jaṅga's inclination toward rule-based governance, uniformity and standardization (Rupakheti 2017: 180). It is unclear, however, if there was a standard legislation in place regarding *jhārā* labour at the time this document was issued. It is in the *Ain* of 1854, promulgated seven years after the current document, regulated that forced labour was to be exacted only for the state's purpose. The *Ain* of 1854 contained four paragraphs regarding forced labour, which can be summarized as follows:

- A landlord is not to force a tenant or a peasant on his farm to work unpaid without a written contract. If such forced labour occurs, the landlord is to pay back a sum equivalent to wages of 10 *paisās* per day to the wronged party and to be fined an equal amount (Ain-54 § 11.1).
- A government official or a revenue functionary is not to employ forced labour for his own purposes. If it is proven that he has done so, the wronged party is to be reimbursed the equivalent of 4 *ānās* per day (Ain-54 § 11.2).
- *Jhārā*, *begāra*, and *beṭhi* are to be employed only for state-managed activities (Ain-54 § 11.3).

- If an official sends a person away from his own province as a day labourer or a porter, the latter should be provided with two meals a day and an allowance of 10 *paisās* per day (Ain-54 § 11.4).

The act of building the Bagmati bridge, even though of public concern, seems to have still been considered a private undertaking of the Kūvara family in this document. Interestingly, the king grants permission to employ the labourers on the grounds that the bridge building was “an act of *dharmā*”.

The document makes clear that not all the *jhārā* labourers were unpaid, and that the labourers could be employed either by command or by request.

The copier abbreviates the *intitulatio* down to the phrase *rukkāsau*, leaving out the name of the issuer. However, it is clear from the date that the issuer is King Rājendra Vikrama Śāha (ruled until 12 May 1847). Since the word *tapasīla* is mentioned in the document, the original presumably contained a list of provinces that were under the control of the Kūvara brothers. However, such a list is not included in the copy.

7.6 A *rukkā* of the king forbidding abuse of porters and directing *hulākī* porters to carry the loads only for state purposes (DNA_0016_0023)

Edited and translated by Manik Bajracharya; Dated VS 1905 (1888 CE); National Archives Nepal, Ms no. 673; microfilmed as NGMPP DNA 16/23; for digital edition, see: <https://nepalica.hadw-bw.de/nepal/editions/show/1342>.

Edition:

[*Ir*]

1 श्री दुर्गाज्यू\

1 श्री गुरु

1 445

[Royal seal]

- 1 स्वस्ति । श्रीमन्महाराजाधिराजकस्य रुक्मा । ---
 2 आगे मेचि पश्चिम महाकाली पूर्व भर मुलुकका अडाअडाका --- पुरोहित चौत-
 3 रीया जनरल काजि कम्प्यांडर कर्णेल{...} सर्दार कपतान सुव्वा कुंमेदान सु-
 4 वेदार कंपुका जाचकि जिल्लादार ठेकदार द्वार्या थरि रकमि गैह् प्रति । पुर्व पश्चि-
 5 मका भारादारहरू आँउंदा जाँदा र रकमी जाचकि गैह् आउंदा जाँदा सदरवा-
 6 ट गल्लिगल्लिमा वेगारि पक्रि भारि वोकाउंदा सारा दुआँलाई²⁰¹ साह्रै विजाई वि-
 7 च्छत हुन जाँदोरहेछ र सो कुरा श्रीमद्राजकुमारकुमारात्मज श्री प्राइम मि-
 8 निष्टर यान कम्प्यांडर इन चिफ् जनरल जङ्ग वहादुर कुवर राणाजी मार्फत
 9 हाम्रा हजुरमा जाहेर भयो । अब उप्रांत मेची पश्चिम महाकाली पुर्वका कागत्या
 10 हुलाकि थापल्या हुलाकिहरूले लालमोहर वमोजीम हाम्रा जंगी षजाना रुपैया
 11 पैसा तोडाका भारि अधिदेषि चली आया वमोजीम वोक्तु । --- पुरोहीत
 12 जनरल काजि कम्प्यांडर कर्णेल अरू भरभारादार गैह् आउंदा जाँदा र रक-
 13 मि जाचकी जिल्लादार गैह्का भारि वेगारिमा नवोक्तु । कंपु पल्टन् कंपनी
 14 गैह्का षेतका कुला वाद²⁰² विग्रंदा र भत्क्या विग्र्याका सागु वनाउंदा उसै ठाऊ-
 15 का गाउघरका गुहारले नपुग्दा मुक्त्यारका दस्पत वमोजीम झारा गुहा-
 16 र गरि वाद²⁰³ कुलो सागु वनाउंन्या काम गर्नु । येति वाहेक अरू भरभारादा-
 17 र जाचकि रकमी जिल्लादार गैह् कसैले पनी ज्याला मजुरि नदी उसै वे-
 18 गारिमा भारि नवोकाउनु । हाम्रा सदरवाट पनी तीन सहर गाउ भरअम्बल-
 19 मा विना मजुरि नदी कसैले वेगारि पक्री भारि नवोकाउनु भंन्या वन्देज वा-
 20 धिवक्त्यौं । जसुले यो वन्देज नाधि ज्याला मजुरि नदी वेगारिमा भारि वोका-
 21 उला उसुलाई भारि दंड सासना होला । ईति संम्वत् १९०५ साल मिति पौ-
 22 ष वदि ५ रोज ६ शुभंम । ---

[Iv]

- 1 मार्फत् वं वाहादुर कवर राणाजी
 1 मार्फत् जङ्ग वहादुर कवर राणाजी

Translation:

[Ir]

Glorious Durgā

Venerable guru²⁰⁴

445

201 Read: *duniñālāi*.

202 Read: *bādha*.

203 Read: *bādha*.

204 This probably refers to Baḍāguruju, the chief royal preceptor.

[Royal seal]

Hail! [This is] an executive order (*rukkā*) of the venerable supreme king of great kings.

Age: To [Venerable Guru], priests, *cautarīyās*, generals, *kājīs*, commanders, colonels, *saradāras*, captains, *subbās*, *kumedānas*, *subedāras*, inspectors (*jācakī*) of the *kaṃpus*, *jillādāras*, *ṭhekadāras*, *dvāryās*, *tharis*, *rakamīs* etc. of various offices (*aḍḍā*) within the entire territory west of the Mechi and east of the Mahākālī.

It seems that when *bhārādāras*, *rakamīs*, *jācakīs* and so on from the east and the west travel back and forth, they seize *begārī* [labourers] and make them carry loads from headquarters to different [village] quarters, which is a matter of great pain and unease to all subjects. We have been informed of this by the venerable prince and son of a prince, Prime Minister and Commander-in-Chief General Jaṅga Bahādura Kūvara Rāṇā.

From now on the *kāgatyā hulākīs* and *thāpalyā hulākīs* from west of the Mechi and east of the Mahākālī shall carry (only) loads containing military materials (*khajānā*), cash or money bags (*toḍā*) for our army in accordance with a *lālamohara* as has been done since earlier times. [Hulākīs] shall not carry loads [as] *begārīs* for [the venerable guru], priests, generals, *kājīs*, commanders, colonels and other *bhārādāras* etc. when coming and going, or for *rakamīs*, *jācakīs*, *jillādāras* and so on. When irrigation channels[or] embankments in fields belonging to *kampus*, *paṭṭanas* or *kampanīs* etc. are damaged, or when repairing the broken-down bridges (*sāgu*), and local assistance is insufficient, accomplish the task of repairing the embankments, irrigation channels and bridges by calling upon *jhārā* assistance in accordance with a letter (*daskhata*) from the *mukhtyāra*²⁰⁵. Except in these cases, no other *bhārādāras*, *jācakīs* or *jillādāras* are to obligate someone to carry loads as a *begārī* without paying him wages. I have made the prohibition (*bandeja*) that nor shall anyone seize a *begārī* [labourer] and make him carry loads without payment from our headquarters (i.e., Kathmandu) to the three cities²⁰⁶, villages and the entire [capital] district. Whoever disobeys this prohibition and makes [the hulākīs] carry loads as *begārīs* without payment will be subject to heavy punishment.

Friday, the 5th of the dark fortnight of Pauṣa in the [Vikrama] era year 1905 (1848 CE). Auspiciousness.

205 The commander-in-chief of the Nepalese army.

206 I.e., Kathmandu, Patan and Bhaktapur.

[1v]

Through [the hands of] Baṃ Bāhādura Kūvara Rāṇā.

Through [the hands of] Jaṅga Bahādura Kūvara Rāṇā.

Commentary:

This executive order of King Surendra Vikrama Śāha, addressed to priests, government officials and military personnel, outlaws the exploitation of *hulāka* porters for personal purposes. It reflects the central government's repetitive attempts to control the misuse of porters. A plethora of documents announcing similar regulations were issued to officials in different parts of the country.²⁰⁷ The present document bears witness the state's intention to use the *hulāka* system for strictly military purposes; having them work on outside obligatory (*jhārā*) projects now required a written sanction from the commander-in-chief himself. It prevents in particular *hulākīs* from being used as *begārī* porters, that is, porters forced to carry loads for free.

This document has been signed by Bam Bahādura Rāṇā and Jaṅga Bahādura Rāṇā on the back side as witnesses.

The *hulāka* mail system in Nepal proved to be highly efficient throughout the 18th- and 19th-centuries. Reformed by Bhīmasena Thāpā and later on by the Rāṇās, it provided a useful means of transporting military ammunition and government mail during the Gorkha expansion. As mentioned in the current document, the *hulāka* porters were of two kinds, namely *kāgatyā*- and *thāpalyā-hulākīs*. *Kāgatyā* (var. *kāgate*) *hulākīs* were assigned to transport mail, and *thāpalyā* (var. *thāple*) *hulākīs* to transport goods. Both were provided with land for their services (cf. Ain-54 § 2.11, and Documents 7.1 and 7.2).

The *hulāka* remained a service limited to the government's own use until 1878, when it opened up to the general public through the formation of a postal service department, the Nepāla Hulāka Ghara.²⁰⁸

207 An ordinance issued by Bhīmasena Thāpā in 1809 had already prohibited the exploitation of *hulāka* porters in a similar manner (see Document 7.2, section 4).

208 Cf. https://en.wikipedia.org/wiki/Nepal_Post, accessed 6 June 2019.

III. Editions and Translations of Selected Articles from the *Ain* of 1854

Simon Cubelic, Rajan Khatiwoda and Axel Michaels

Introduction: Slavery and Unfree Labour in the *Ain* of 1854

With the usurpation of power by the Rāṇā aristocracy, the legal system of enslavement underwent full development. The *Ain*, commissioned by Prime Minister Jaṅga Bahādura Rāṇā and enacted during the reign of King Surendra Vikrama Śāha, was promulgated on 6 January 1854.

The *Ain* not only contains several separate articles exclusively concerned with various aspects of slavery (*Ain*-54 Art. 80–86, 161–162), but legal regulations concerning slaves, bondservants, maids and other unfree labourers are found in almost every other field—from land ownership, inheritance and private commercial contracts to the law governing sexual offences and ritual observances. This indicates that social relations of extreme legal and economic dependency were a ubiquitous phenomenon in nineteenth-century Nepal. However, the *Ain* as a legal code is not simply a mirror of the various existing forms of unfree labour, but also an attempt to systematize and standardize them and to reconfigure their relation to key institutions of the Rāṇā order, such as the state, feudal landholdings, religious endowments, the caste system or the household. Thus, a closer look at the semantic field of unfree labour in the *Ain* is, at the same time, a window onto the governmentality of the Nepalese state itself. In that regard, slavery is much more than “just” an extreme form of coercive economic exploitation. It serves as a constitutive feature for a wide array of modes of stratification, institutional settings and social codes, such as lordship, political privilege, honour, kinship relations, caste and gender.²⁰⁹ It is the

209 For an “embedded” view of South Asian slavery which stresses its conceptual and normative interconnections with caste, religion and household and military affairs see Chatterjee (2017).

interplay of slavery with these phenomena which helps to elucidate the peculiarities of Nepal's slavery regime.

Slavery and the Household

In the *Ain*, slavery is closely tied to the institution of the household.²¹⁰ Certainly, belonging to a household primarily meant being the property of a joint family. As family wealth, slaves could be sold (Ain-54 Art. 81), mortgaged (Ain-54 §§ 20.5–6) and passed on as inheritance (Ain-54 § 22.8), or given away as dowry or gifts (Ain-54 § 28.11). However, despite being turned into a commodity, slaves were nevertheless considered to be a part of the household, even though they were situated at the extreme end of a continuum of dependent statuses.²¹¹ A striking example in that regard is Ain-54 § 97.30, which shows that, in the case of their master's death, slaves were affected by death impurity to the same degree as his closest relatives, and thereby assigned a ritual role in the household life.²¹² The passage is not only revealing in that it demonstrates the nexus between slavery, kinship, ritual and the household, but also because it brings together various forms of unfree labour existing within this dependency structure:

If one's master or mistress dies, and the household is polluted by [death] impurity, a servant in servitude, a Khavāsa, a maid, or a male or female slave is fully afflicted by the death impurity. A wage-earning servant, a male or female bondservant, or a servant working for his keep are afflicted by the impurity for 3 days. A servant is not afflicted by the impurity, except when the master or mistress of his household dies, [but not] if any other of the master's [more distant] family members dies for whom a 10-day mourning period is prescribed. (Ain-54 § 97.30)

210 For the relationship of slavery and the household in general see Zeuske (2018: 47–79), for South Asia see Guha (2013: 121ff.).

211 This characterisation follows Eaton (2006: 2–3) who defined South Asian forms of slavery as total dependency within larger societal webs of dependency.

212 Slaves of the *kamāro* category have to observe the full mourning period (*puro juṭho*) of 13 days for their deceased master which is normally only applicable on the death of close family members or that of the king (Ain-54 § 97.1). What the king is for his subjects, and the father is for his sons is the master for his slaves. This example shows how important household related concepts were for the governmental discourse, where a homology is established between the king and the *pater familias* on the one side and the subjects and slaves on the other.

At the apex of the household pyramid was the *khasam* or master. This generic term designated the head of a household. It covered both the role of a family head and that of a master of different categories of servants. Rarely, the term *mālik* (predominantly a designation for government officials) is used synonymously in the same context (e.g., Ain-54 §§ 106.25–27). In regard to bondservants (*bādhā*) and slaves (*kamāro*), the term *dhanī* (“owner”) is also employed, stressing the ownership which the master exercises over them (e.g., Ain-54 §§ 20.7, 12).

Cākara was a generic term for a servant attached to the master’s household, probably on a long-term basis. Two different types of *cākara* are to be distinguished, those working for wages (*darmahādāra cākara*) and those working only for their keep (*mānu khāi cākari garne*). The rarely used term *bhatuvā* (a servant working only for food, Ain-54 § 85.3) seems to be a low category of the latter. In contradistinction to a bondservant (*bādhā*) and slave (*kamāro*), a *cākara* can neither be pledged nor sold and their subordination to the master is of a contractual nature.

The term *keṭī* (“maid”) is often understood as a synonym for a female slave (see e.g., Hamilton 1819: 20). In the *Ain*, however, *keṭī* without any qualification seems rather to be a generic term for any kind of female servant or maid. Thus, if the slavehood of a young unmarried woman is to be expressed, the term *kamārī keṭī* (Ain-54 § 23.6) is used. The otherwise frequently used term *keṭī* occurs only in a few instances in the *Ain*, which indicates that the legally more precise term *kamārī* was preferred.

The term *bādhā* (m.)/*badhetyānī* (f.) refers to a bondservant. There were two forms of bondservitude (Ain-54 § 82.6): The first resulted from a non-usufructuary security-backed loan agreement (*dr̥ṣṭi-bandhaka*), according to which the person put up as a pledge becomes the possession of the creditor only after the debtor fails to pay back the loan. In a usufructuary security-backed loan agreement (*bhoga-bandhaka*), the person put up as a pledge has to do labour at his creditor’s house. A convict from an Enslavable caste unable to pay his fines to the government could be forced to work off his dues (Ain-54 § 35.9). Theoretically, bondservants can reclaim their freedom by paying off the debt (Ain-54 § 80.8); in contrast to slavery, bondservitude is defined as a temporary state. Bondservants can be put up as pledges by their creditors (Ain-54 § 19.8), but in contradistinction to full slaves not sold. Only those persons were eligible to serve as bondservants who were liable for the repayment of a loan agreement, which means

male members of a household who were entitled to a share in the joint property (Ain-54 § 82.7) and had reached the age of maturity (Ain-54 § 82.12). Maybe this regulation was an attempt to restrict the transfer of girls as bondservants, because of the sexual abuse they faced in the creditor's household (see below).

Kamāro (m.)/*kamārī* (f.) designates a “full” slave who is treated as a commodity and can be conveyed as property.²¹³ A *kamāro* was still entitled to hold private property (Ain-54 § 18.8), but his right to bequeath it to his children was considerably restricted (see below).²¹⁴ A slave could become emancipated (*amalekha*) or a free person (*ajāputra*) in one of the following ways: either by being freed by the master (Ain-54 § 82.16), especially slave women taken as concubines by the master (Ain-54 §§ 23.6, 24.2), by being freed on the basis of a court verdict in the case of a master committing extreme atrocities against his slave (Ain-54 §§ 60.4, 67.4), or by fleeing to Surkhet and Morang (Ain-54 §§ 2.64–65).²¹⁵ However, emancipation did not lead immediately to full legal autonomy.²¹⁶ The *Ain* indicates that there were arrangements by which a slave was emancipated, but remained in servitude in his master's household (Ain-54 § 82.16). Despite the differences, bondservitude and slavery were, as extreme forms of bondage, also conceptually linked. Both states were only permissible for members of Enslavable or lower castes (Ain-54 §§ 82.7, 129.10), both were designated as *gyū* (“body”)²¹⁷ (Ain-54 § 40.10–11), in both

213 Occasionally, the term *kariyā* is used instead of *kamāro* to denote a slave (see Ain-54 § 82.9). This term, however, is used also as a qualifier indicating a slave-like status of other types of servants such as a *cākara* (Ain-54 § 97.30) and a *khavāsa* (e.g. Ain-54 § 161.10). Since in such cases *kariyā* is often associated with the term *ghara* (“household”), it can be assumed that it refers to slavery embedded within the household (see e.g. Ain-54 § 161.12).

214 The soteriological importance of the right to pass down one's estate cannot be overestimated. Receiving inheritance was contingent upon performing the funerary rites and paying off the deceased person's debts (Ain-54 § 23.18). Both were preconditions to save the dead from otherworldly damnation. Additionally, passing on one's estate is a constitutive feature in the construction and maintenance of the patrilineal descent group. Limiting or denying that right is, therefore, a strategy to annihilate the slave's identity.

215 The state emancipated the slaves settling there in order to increase cultivation.

216 The term “freedom” is purposely avoided here. The opposite term of the state of servitude (*kariyā*) in the Nepālī discourse would be more adequately described as mastery or lordship (*khasam*), referring to the state of having command over various sorts of dependants either from one's own kin or in the form of servants. R. Eaton (2006: 3) aptly remarks that the equivalent for “freedom” in the pre-modern Indic world would rather be a state of complete detachment from the webs of hierarchy structuring past South Asian societies.

217 This term strikingly expresses the processes of depersonalization, objectification and commodification which a slave or bondservant underwent.

cases the act of release is designated as *amalekha* (emancipation) (Ain-54 § 50.10), and both subjects were dealt with in the same articles (for example, Ain-54 Art. 82).

More enigmatic is the term *Khavāsa*. In historical sources and secondary literature, several, partly contradictory, definitions exist.²¹⁸ The *Ain* distinguishes four types of *Khavāsa*: those who are in servitude (*kariyā*), emancipated *Khavāsa*, *Pasuvā Khavāsa*²¹⁹ (Ain-54 § 126.7) and *Khāna-Khavāsa* (Ain-54 § 31.11). The category of the *Pasuvā Khavāsa* is most probably borrowed from Rajput courts, where *Khavās Pāsībāns* as personal attendants of the rulers could rise to powerful positions through their loyalty and the intimate relationship with their masters.²²⁰ According to the *Ain*, *Khāna-Khavāsas* were recruited among orphans with unclear caste backgrounds. Since the term also refers to a title bestowed by rulers in the Indo-Persian context, one might assume that *Khāna-Khavāsas* were slaves directly serving the king, maybe because their loyalty was assured on the grounds that they had no remaining social ties of any kind.²²¹ In general, the institution of the *Khavāsas* in Nepal evinces the influence of Indo-Persian concepts of slavehood insofar as, within elite households, slavehood was not necessarily identical with low status and deprivation from economic resources. It was also not inevitably a permanent status and therefore master-slave-relations could turn into patron-client-relations. Under favourable conditions slavehood might even have opened certain career paths (Eaton 2006: 6). However, this should not obscure the fact that even such privileged slaves or servants still remained in positions of strong dependency and their lives were at the mercy of their masters. For the sake of a definition, it seems safe to assume that *Khavāsa* was used more as an umbrella term for current or former slaves of the nobility and the offspring born

218 For B. H. Hodgson (1874: 43) they were manumitted slaves of the royalty. S. Lévi (1905/I: 274) defines this class more broadly as consisting of slaves and manumitted slaves of the king, the illegitimate offspring of the royal family, and the illegitimate offspring of Thakuris and slave women. For M. C. Regmi (1995: 39), *Khavāsas* were in general slaves of noble or royal families. Finally, A. Höfer (2004: 104) argues that in the *Ain* *Khavāsas* referred to freed slaves who remained in the service of their master.

219 Probably from Persian *pāsībān* (watchman, sentinel, guard).

220 Chatterjee (2006: 29), for example, reports of a “*khavasa pasvan* (lit. ‘intimate servant’)” of the prince of Krishangarh who wrote poetry.

221 G. Unbescheid (1986: 236) records that, during *Dasāi*, a *Khāna-Khavāsa* functioned as *bhitriyā susāre* (also *dośro dhoke*) of the deity. If one assumes an analogy between the designation of offices and posts in the temple and those in the court, a *Khāna-Khavāsa* might have functioned as a type of royal body guard.

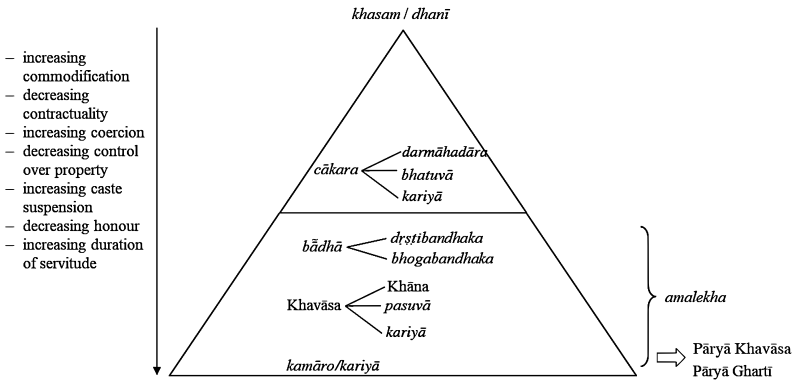


Fig. 2: Dependency Statuses within the Household

of unions of nobles and slave women. A slave owed his or her master absolute loyalty and submission under his authority. Hence, violations of this loyalty entailed the most drastic consequences. For example, sexual intercourse with the master’s wife or daughter was punishable by death, irrespective of the circumstances and the former caste status of the slave (Ain-54 § 161.1). Even the slightest physical act against the master was punished by imprisonment (Ain-54 § 59.16). However, the power a master could exercise over his slave was not absolute and unconditional. If he abandoned a slave during sickness (Ain-54 § 85.1) or subjected him to humiliating practices (Ain-54 § 60.4), a master forfeited his ownership rights and the slave was to be emancipated.

The *Ain* served as an instrument for institutionalising and legalising slavery, but no single, clear-cut legal category for slaves is formulated there. What we find instead are various degrees of enslavement, depending on the extent to which the relationship between master and slave had a contractual component, the extent to which a slave was commodified (sellable, pledgeable and so forth), to which his caste identity and family ties were suspended, and to which it was legitimate to exert physical violence against him, as well as the extent of control he exerted over his property, and also, finally, depending on the duration of a slave’s servitude (see Fig. 2).²²²

222 This resembles the concept of *slaving* employed by M. Zeuske (2018: 23–24), which refers to the various strategies used in history to exercise control over human bodies through the combined effects of disembedding and degrading a person.

Slavery and Kinship

Slavery is often seen as the antithesis of kinship. A slave is forcibly removed from his family and locality, deprived of the possibility to participate in the socio-ritual practices of his former kin group and transplanted into a social environment foreign to him or her. Although slaves could become members of their master's extended household, it was far more difficult to enter into a kinship relation with their master's family. For male slaves it was, in fact, impossible. A slave woman could enhance her status by giving birth to her master's offspring. In such a case she was no longer considered a slave, at least as long as she remained faithful to her owner, and her children were not only free, but also entitled to a diminished share of their father's estate (Ain-54 § 129.8).²²³ If the master was from a Sacred Thread-wearing caste and he took the slave woman as his wife, their sons had the same right to wear the sacred thread as the master's legitimate offspring (Ain-54 § 91.2).²²⁴ This indicates that at least a certain part of the slave population re-entered kinship networks and thereby mainstream society through the institution of concubinage.²²⁵

The *Ain* also deals with family relations among slaves. Slave families were vulnerable and precarious institutions. A slave couple living together was allowed to transfer property to each other (Ain-54 § 28.10). Slave children were entitled to their father's estate, but this legal privilege ceased as soon as the children were sold off to a different household (Ain-54 § 28.11). However, even when father and children were separated, it had at least to be ensured that his children could use his estate to perform his funerary rites.²²⁶ Slaves only regained the full right to pass down their estates after emancipation (Ain-54 § 28.12). The relation of a slave mother to her slave children was only protected up to the time when the child reached the age of eleven. Afterwards,

223 If children were born of a slave woman to a free person who was not her owner, the children were still considered slaves belonging to the owner of the slave mother. It was at the discretion of the owner to sell the children to their father (Ain-54 § 82.2). Free children could only be born into the kin group of the slave woman's master.

224 Cf. Rupakheti (2017: 182).

225 Female bondservants were likewise released from bondage once they became formal consorts of their master (Ain-54 § 129.12).

226 In this case, the major share of the slave's estate belonged to his owner. Again, there is a homology between the master-slave and king-subject relation. As the escheats of the property belong to the state (Ain-54 § 28.9), the escheats of a slave belong to his master (Ain-54 § 28.10).

it was permissible to separate a mother from her children (Ain-54 Art. 83). Interestingly, enslavement did not necessarily mean losing one's family. If a married man was enslaved and his wife consented to continue the marriage with him, they were allowed to live together as husband and wife and the children of such a couple were still considered to be free persons (Ain-54 § 161.9). Weak to non-existing kinship ties and limited inheritance rights among slaves came close to the states of natal alienation and social death what characterise slavery, according to Orlando Patterson (1982). The fact that the *Ain* even touches on the issues about family status and ritual matters among slaves indicates that the slaves that were being considered were most probably "internal" to Nepal, and were not foreigners or war captives from distant places.²²⁷ The regulations concerning slave women suggest the existence of a slave-kinship-continuum where slave consorts and their offspring were integrated as lesser kin into the master's family in order to increase their "wealth-in-people" (Chatterjee 2017; Guha 2013: 122).

Slavery and Caste

The relationship between slavery and caste is similar to that between slavery and household and, partly, kinship. Slavery was entangled with the caste system, rather than being a status in which such social codes are totally suspended. The most visible link between both institutions is the category of the Enslavable castes. Only persons from lower castes could be turned into slaves; the status of being non-enslavable represented an upper-caste privilege and a powerful element in social distinction (see Table 4 for an outline of caste hierarchy in the *Ain*).²²⁸ In that regard, slavery enforced the caste hierarchy, rather than subverting it. Viewed in this light, it is not surprising that enslavement, though a radical degradation in status, did not lead to a complete eradication of a slave's former caste identity. Slaves could, after their emancipation,

227 For the distinction between internal and external slavery, see Zeuske (2018: 50). However, from the documentary sources, one could infer that slave owners and slaves came at least from socially different groups, since the majority of slave owners belonged to the upper castes (see for example, Document 5.4) and enslavability was limited to the members of the lower caste groups.

228 This privilege seems to have been unalienable. Even when a member of a Sacred Thread-wearing caste was degraded to an Enslavable caste, he was still exempted from the punishment of enslavement (Ain-54 § 82.17, see also Rupakheti 2017: 182).

Table 4: The Caste Hierarchy in the *Ain* of 1854ⁱ (* = Ethnic group)**1. Caste group of the “Sacred Thread-wearers” (*tāgādhārī*)**

Upādhyāya Brahmin

Devabhāju (Newar Brahmins)

Brahmins of foreign kingdoms: Terhaūte Brahmin, Bhaṭṭa Brahmin, Marhattā Brahmin, Nāgara Brahmin, Gujarātī Brahmin, Mahārāṣṭrīya Brahmin, Tailaṅgī Brāhmin, Dravidian Brahmin, Brahmin of Madhesa

Asala Rājapūta, Rājapūta, Chetri / Kṣatriya (“warriors”)

Asala Jaisī Brahmin, Jaisī Brāhmin, Dotyāla Jaisī, Jumlī Jaisī, Duī-Liṅga-Jaisī, Tīna-Liṅga Jaisī

High Newar castes such as Tharaghara, Asala Śreṣṭhaⁱⁱ

Hamāla

Bhāṭa / Bhāṭa Jaisī

Some ascetic sects (such as Jogī, Jaṅgama, Sannyāsī, Sebaḍā, Kanaphaṭṭā, Udāsī and Baghara, etc.)ⁱⁱⁱ**2. Caste group of the “Non-enslavable Alcohol-drinkers” (*namāsinyā matuvālī*)**

* Guruṅg

* Magara

* Ghale

* Sunuvāra

* Limbu, Kirātī^{iv}

Newar castes from whose members water is acceptable

- i This table is reproduced from Khatiwoda, Cubelic and Michaels (2021: 32-33). See also Höfer (2004: 10), Khatiwoda *forthc.*; cf. *Ain*-54 § 89.17.
- ii The *Ain* does not extensively classify caste hierarchy amongst Newars. It puts the Hindu Newar priests (Devabhāju) and foreign (i.e., Indian) Brahmins on the same rank (*Ain*-54 § 146.3) and presents a brief hierarchy among the other Hindu Newars (*Ain*-54 §§ 145.7, 8, 9, 10); Tharagharas and Asala Śreṣṭhas are placed at the top of the hierarchy after Devabhājus. Śreṣṭhas are classified as inferior to Tharagharas and Asala Śreṣṭhas and superior to Bāḍā, Udāsa and Jyāpu. Sāلامي, Nakarmī, Chipā, Mālī, Khusalamusala, Duī, Citrakāra and so forth are considered inferior to Bāḍā, Udāsa and Jyāpu. Only Kasāi, Kusle, Kula and Doma are recognised as Water-unacceptable but Touchable, whereas Poḍhyā (Poḍhyā) and Cyāmakhala are considered Water-unacceptable and Untouchable. The *Ain* does not deal with the Buddhist Vajrācāryas and the rest of the Buddhist Newars.
- iii They are ranked equal to Tīna-Liṅga-Jaisī, Dotyāla or Jumlī Jaisī (*Ain*-54 § 151.1).
- iv The caste status of these two groups, which are mentioned only once in the *Ain* (*Ain*-54 § 124.5), is not very clear, as they originally seem to have been grouped as enslavable. Cf. Höfer (2004: 98).

Table 4 (continued): The Caste Hierarchy in the *Ain* of 1854 (* = Ethnic group)

3. Caste group of the “Enslavable Alcohol-drinkers” (*māsinyā matuvālī*)

* Bhoṭe (ethnic groups who speak Tibeto-Burmese languages)

* Chepān

* Danuvāra

* Hāyu

* Darai

* Kumāla

* Paharī

Ghartī (descendants of freed slaves) from hill regions, also called Pāre/
Pāryā Ghartī

* Lāpacyā (Lepcā)^v

* Mājhi

* Ṭhokryā

* Galahatyā

Newar castes from whose members water is unacceptable

4. Water-unacceptable but Touchable castes (*pāni nacalnā choi chiṭo hālnunaparnyā*) according to Ain-54 § 160.17

Muslim (Musalamāna)

Telī of Madhesa (oil sellers)

Kasāi (butchers)

Kusle (Newar caste who brush and sweep the courtyards of the palaces,
of the houses of high-ranking officials or in the temples, and play musical
instruments in the temples)

Dhobī (washermen)

Kulu (leather-workers)

Christians, Mleccha (European)

Curauṭe (Muslim bracelet sellers, mainly in the Kathmandu Valley)

Kalavāra (brewers, merchants)

* Mecyā^{vi}

v The caste status of this group, only mentioned in Ain-54 § 89.49, is not clear.

vi The members of the Mecyā caste were upgraded to a Water-acceptable caste in 1860 (Ain-54 § 89.49).

Table 4 (continued): The Caste Hierarchy in the *Ain* of 1854 (* = Ethnic group)

5. Untouchable castes (*pānī nacalnyā choi chiṭo hānu parnyā*) according to Ain-54 § 160.17

Sārki (tanners, shoemakers)
Kāmī (blacksmith)
Cunāro / Cunāra
Hurkyā
Damāī (tailors and musicians)
Gāine (singers, players of musical instruments and beggars)
Bādi Bhāḍa (singers, dancers and beggars)
Cyāmakhala (Newar scavengers)
Kaḍārā (stemming from unions between Kāmī and Sārki)

regain a caste identity. The *Ain* classifies ex-slaves into two different caste groups. The first is that of the Pāryā-Ghartīs²²⁹ assigned to the Enslavable castes. A higher status is granted to former Khavāsa slaves, who are treated like members of a Non-enslavable Alcohol-drinking caste (Ain-54 § 126.7). Whether a person was subjected to slavery at all, how he was legally treated as a slave, and his social status after emancipation was thus highly dependent on the caste system.

Slavery, State and the Ruling Classes

Slavery in the *Ain* is not only shaped by the institutions of household and caste, but also placed under strict state control (Rupakheti 2017: 183). This is largely accomplished by the following three measures. First, the state prohibits the enslavement of a person on account of indebtedness. Defaulting on debt-payments could turn a free person into a bondservant (*bādhā*), but not a slave (*kamāro*) (Ain-54 § 82.1).²³⁰

229 The term *ghartī* serves also as a category to classify people of “notorious” origin, such as the offspring of certain incestuous or hypergamous unions (Höfer 2004: 105).

230 Besides enslavement as a punishment, there were only two other legally recognized origins for a person’s slave status in the *Ain*: either a bondservant was turned into a slave before VS 1914 (Ain-54 § 82.1), or the person was born of a union of a slave couple or a slave woman and a free person from outside her owner’s household.

The same passage also indicates that the *Ain* banned self-sale into slavery, but no general rule in that regard can be found in the Code. However, parents who sold their children were heavily fined (*Ain*-54 § 81.3). Second, the only legal method of enslavement regulated in the *Ain* was that of state-enforced punishment for members of Enslavable castes, mostly for offences against the caste hierarchy, such as the intentional contamination of high caste members (e.g., *Ain*-54 § 87.7, 15–16; 90.10–11, 16, 18) or sexual intercourse with upper-caste women (e.g., *Ain*-54 § 105.5, 15; 139.3), but also for criminal offences such as rape (*Ain*-54 § 132.7–8), infanticide (*Ain*-54 § 143.2), arson (*Ain*-54 § 73.4) or theft (*Ain*-54 § 68.38). The ownership of the enslaved criminals was tied to the ownership of the land where the crime was committed. If it had taken place on land under state control, the slaves were managed by the local *amālī* (*Ain*-54 § 86.1), but if it was committed on feudal estates such as *birtā*- or *guthī*-land (*Ain*-54 § 86.2), the slaves came into the possession of the landlords or trustees. This suggests that the *Ain* created a monopoly on slaves and slave labour for the state and the feudal classes and thereby reinforced the tributary labour relations existing already in the form of tenurial arrangements and corvée labour. Third, the *Ain* regulates the ownership and commercial aspects of slavery in great detail. The value of slaves (*Ain*-54 § 82.4) and their labour (*Ain*-54 § 80.10) were fixed so as to calculate damage claims in judicial disputes, and procedures were established for the registration and verification of slave sales at government courts (*Ain*-54 § 81.3, 82.1). These regulations consolidated the property rights of slave-owners and supported the creation of a more secure market in slaves based on verified property titles.

The aim of the *Ain*'s slavery policy is, at least partly, evident. By restricting enslavement to a state-imposed punishment, the *Ain* created a powerful instrument to discipline the lower classes socially and at the same time exploit them economically.²³¹ The creation of a monopoly on slaves through the penal system guaranteed the state's unhindered access to labour and consolidated the dominance of the land-owning classes. However, it is not entirely clear why other roads into enslavement, such as indebtedness or the sale of children, were banned. Was it a strategy to legitimise the slavery system by justifying it as deserved punishment for severe moral transgressions? Or was it an attempt to prevent a massive enslavement of the population that

231 See also Rupakheti (2017: 183).

would have decreased tax income and agricultural expansion by free peasant households, and enriched landlords at the expense of the state treasury?

Slavery, Gender and Honour

Slave women were not only exploited in terms of their labour, but also sexually. The male members of a household were granted impunity for sexual intercourse with a slave woman, except in the case where she had already entered a more formalized relationship with the head of the household (Ain-54 § 129.1). In the laws governing sexual crimes, slave women are treated on a par with women classified as *veśyā*, a term used for “common women” who had several sexual partners, or for prostitutes (Ain-54 § 109.5). This not only reflects the “dishonourable” status of slave women, but also the lack of any substantial legal protection from sexual abuse. The dishonourable, sexually available slave woman served as the counterpart against which the ideal of the chaste, faithful, ritually married wife was constructed.²³² This clearly shows that slavery in the *Ain* is also an intersectional phenomenon which varies in accordance with the interplay of multiple modes of discrimination, such as those based on the slave’s former caste identity or gender. In the context of a patriarchal society, it is not only the status of a woman which is determined by her chastity, but also the honour of her husband or other male relatives, who are responsible for protecting her chastity and avenging any violation of it. In the *Ain*, this concept of honour is enshrined in an aggrieved husband’s right to kill his wife’s paramour (Ain-54 § 134.1)—actually not only a right, but also a duty, since not exercising it could entail the payment of a fine for “unmanliness” (Ain-54 § 141.19). In that sense, the husband of a (former) slave woman who was unable to protect his wife’s chastity also served as the opposite to a man of honour. Even after their emancipation, the dishonourable state of slaves persisted for several generations. Former slaves and their offspring belonging to the Pāryā-Ghartī caste were denied the right to kill their wives’ paramours (Ain-54 § 139.6), and calling a free person a Pāryā-Ghartī was considered a punishable insult (Ain-54 § 56.6). In the *Ain*, the female slave

232 This nexus between slavery, honour and the status of women has recently been explored by D. Graeber (2011: 165–85).

body serves as a discursive object for the consolidation of patriarchal social codes such as chastity and honour and the social hierarchy that rested on them.

Conclusion

The law on slavery is a revealing source for the foundation of the Rāṇā-order both in material and ideological respects. On the one hand, the regulations were intended to increase the control over the lower castes and their labour force exercised by the state and the ruling classes. On the other hand, the conceptual and ideological implications of slavery were equally important. Slavery as a state of institutionalised intersectional marginality served as the extreme reference point through which foundational concepts and institutions of the social order—such as the chain of dependencies in the household, status in kin groups, the caste hierarchy, tributary production relations or gender categories—were established or consolidated.

Editions and Translations of Selected Articles

The texts from the *Ain* of 1854 presented in this section have been transcribed from the book *Śrī 5 Surendra Bikram Śāhadevakā Śāsanakālamā Baneko Mulukī Ain* published by Kānuna tathā Nyāya Mantrālaya in VS 2022. Emendations are partly based on Ain-54-JF.

Article 11: *jhārākhetālā* (On Forced Labour)

Edition:

१. त्रिती सुनागुठि छाप रैकर घेत पाषामा मोहि कुरियाले लेषतपत्र गरि घेताला भरिया दिन्या गर्याको रहेछ भन्या तेस्तालाई षतवात लागदैन । कबोल लेषपत्र नभयाकालाई कर लगाई घेताला भरिया लियेछ र कोहि कराउन आयो भन्या रोजको १० पैसाका हिसावले मजुरी दिलाई सोही वमोजिम् दंड गर्नु । कबुल वमोजिम् मोहिले दियेन भन्या पोसिदिनु ।

२. अमाली रकमीहरूले आफ्ना काज निमित्त रैतिलाई गुहारि लि काममा नलाउनु । अमाली जागिरदार रकमीले गाउ सहर पुवामा जादा कर लगाई मेजमानी नषानु । रैति प्रजाले पनी नदिनु । ज्याला मजुरि कबुल गर्याको दियेन र जवरजस्तिसित गुहारि भनी काम लगायो केहि दियेन भनी रैति कराउन आयो र सावित ठहूर्यो भन्या मंजुर कबोल गर्याकालाई कबुल वमोजिम् जवरजस्ति गुहारि लिन्यालाई रोजको ४ आना मंजुरी²³³ लाई सोही वमोजिम् जरिवाना गर्नु ।

३. दरि चली आयाका राजकाजका झारा वाहेक जागिरदार अमानत इजारादार ठेकदार फौजदार चौधरि कानुगोइ मुषिया रकमी गैह्र कामदारले आफ्ना निमित्त र पुर्व पश्चिम जान्या जनरल कर्णेल चौतरिया काजी सर्दार भारादार गुरुप्रोहित छोटा वडाका निमित्त वेगारि झारा वेठि नलगाउनु । वेमुनासिव गरि रैति दुनिआलाई झारा वेठि वेगारि लगाई कराउन आया भन्या रोजको १ के चार आनाका दरले ज्याला मजुरी दिलाइदिनु । दिलाया वमोजिम् जरिवाना गर्नु ।

४. आफ्ना पुवा गाउका मानिसहरूलाई भरिया तुल्याई काहि लैजानु पर्यो भन्या जति दिन लाग्छ हीसाव गरि साज विहान घान र रोजको दस पैसा मजुरि दि लैजानु । मजुरी पाइन भनी कराउन आया एसै हिसावले दिलाई दि वीगा वमोजिम् दंड गर्नु ।

Translation:

1. If tenants (*mohī*) and peasants (*kurīyā*) [cultivating] *birtā*, *sunāguṭhī*, *chāpa* land or state-owned irrigated paddy fields or unirrigated highlands provide farm labour or portorage [to their landlords], having issued a written agreement to do so, [the landlords] shall not be held accountable. [If a landlord] forces [the tenants and peasants] to provide him with farm labour and portorage without any verbal or written agreement, and if someone comes to complain about it, the landlord shall be made to pay them wages at the rate of 10 *paisās* per day, and shall be fined an amount equal to that. If the tenants do not provide their landlords [with the services] they agreed to, [such] tenants shall be evicted [from the land].

2. *Amālīs* and *rakama* holders shall not request subjects to carry out work for private purposes. *Amālīs*, *jāgira* or *rakama* holders shall not enjoy generous hospitality from the subjects when they visit the villages, towns or land assigned to them, forcing them to do so. Also, the peasants and subjects shall not give generous hospitality to [such functionaries]. If a peasant comes to complain that [his landlord or a government functionary] has not paid [his wages] as agreed, or has requested services and made him work by force, but has not paid at all for this, and if such an allegation is proven, the person who agreed to the wages [but did not pay them] shall be fined an amount equal to the wages he agreed. The person who forces [peasants] to serve him shall be made to pay them a daily wage of 4 *ānā* per person and shall be fined an amount equal to that.

3. Except for forced labour for state affairs, which has been established and practiced [from times past], a state functionary, such as a *jāgira* holder, revenue collector, *ijārā* holder, contractor, a *caudhari*²³⁴, *kānuḡoi*²³⁵, *mukhīyā*, *rakama* holder or the like, shall not demand [forced labour such as] *jhārā*, *beṭhī*, *begārī* for his personal purposes or for other state officials—irrespective of whether they are low or high in rank—who are stationed from east to west, such as generals, colonels, *cautarīyās*, *kājīs*, *sardāras*, *bhāradāras*, [royal] gurus or priests. If [forced labour such as] *jhārā*, *beṭhī*, *begārī* is demanded from peasants or commoners unlawfully, and if someone comes to complain about it,

234 A headman or landlord vested with revenue-collection rights, especially in the Tarai.

235 A local official responsible for tax collection and record-keeping in the Terai regions.

[the official who demanded forced labour] shall be made to pay them wages at a rate of 4 ānās per day for 1 person and shall be fined an amount equal to [the wages] he has to pay.

4. If [an official] has to take people from the land or villages assigned to him somewhere as porters, he shall calculate the number of days he requires their service, give them food for the morning and evening, pay them a wage of 10 *paisās* per day and take them with him. If someone comes to complain that he has not received his wage, [the official] shall be made to give him [the wage] according to this rate and shall be fined an equal amount.

Article 28: *aputāliko*

(On Property Passed On in the Absence of a Son as Heir)

Edition:

१०. यौटाको कमारो यौटाकि कमारिसित वस्याको छ । दुवै मरि अपुताली पर्यो भन्या कमाराको धन कमारैका धनिको हुन्छ । कमारिको धन कमारिकै धनिको हुन्छ । कमाराले आफ्नी स्वास्त्रीलाइ दियाको धनमाल स्वाम्निकै हुन्छ । अरूले लिन पाउदैनन् ।
 ११. वावु चाहि षसम्का घर रह्याको छ । छोरा छोरी विकि अनेत्र गयाका र दातव्य दाइजो दि अंतै गयाका छन् । वावु चाहि षसम्का घर मर्यो भन्या वेचि दानदातव्य गरि दि सक्याका छोरा छोरिले वावुको अपुताली षांछु भन्या पाउदैन । विक्याका दाइजो दियाका छोरा छोरिवाट वावु आमाको धनले काजक्या गराइरह्याकामा सयकरा १० रूपैया क्या गन्या छोरा छोरिलाई दि रह्याको षसमले षानु । षसमले पाउछ ।
 १२. कमारा कमारि पार भै एका अम्बलमा गै धुरी धुवाइ तिरो भरो गरि वस्याका छन् । पार भयापछि जन्म्याको छोरा छोरि छैनन् । पार नहुदै जन्म्याका कमारा कमारि छोरा छोरि एकै अंवलमा छन् भन्या पनि अर्कै अम्बलमा रह्याछन् भन्या पनि अपुताली उस्का छोरा छोरिले षान पाउछन् । अमालि धनिले पाउदैनन् । सर्कार पनि लाग्दैन ।

Translation:

10. If someone's male slave lives together with someone else's female slave, and if both die leaving their property without a son as heir to, the property of the male slave goes to his owner, and the property of the female slave goes to her owner. Any property given by the male slave to his wife belongs to the wife. No one else shall be permitted to take it.

11. If a [slave] father lives at his owner's house, but his sons and daughters have gone somewhere else, having been either sold or given away as a gift or dowry, and if the father dies at the house of his

owner, the sons and daughters who have been sold or given away as a gift or dowry shall not receive their father's property, for which there is no [legally recognised] son as heir. The sons and daughters who were sold or given away as a dowry shall carry out the funeral rites from their father's and mother's wealth. From whatever remains, 10 rupees per 100 shall be given to the sons and daughters who perform the funeral rites, and the owner shall enjoy the rest; the owner shall receive it.

12. If a male and a female slave are emancipated, and they go [together] to some administrative district and settle down, establishing a household (*dhuri dhuvāunu*)²³⁶ and paying the levies [there], and if they have no sons and daughters born to them after their emancipation, their sons and daughters born to them before their emancipation shall be permitted to enjoy [what otherwise would be] property for which there is no son as heir to, irrespective of whether they are living in the same or a different administrative district [to the one their parents lived in]. The *amālī* official or their owner shall not receive it, nor shall the government seize it.

Article 80: *bādhā kamārā bhagāunyāko*
(On Letting Slaves or Bondservants Escape)

Edition:

१. कसैका कमारा कमारि कसैले भगाइ मोगलाना पुर्यायो भनि कोहि अदालत् ठाना अमाल्मा फिराद गर्न आयो भन्या रोवकार गर्दा भगायाको ठहर्यो भन्या जस्ले भगायाको छ तेसलाइ झिकाउन लगाइ निम्याकस्मेत् ज्यू सौपाइदिनु । धनिले फेला पारि झिकायो भन्या लाग्याको षर्च र निम्याकस्मेत् भगाउन्यावाट भराइदिनु । झिकाइदिन नसक्या भगाउन्यालाइ अैन वमोजीम ज्यूको वर्षको अैन वमोजीम्को मोल धनिलाइ भराइ मोलका विगा वमोजीम दंड गर्नु । रुपैया नतिर्या अैन वमोजीम् कैद गर्नु ।

२. कसैका कमारा कमारि वाधा वधेत्यानि आफुले भयो अरू कसैलाइ लाइ अह्नाइ भयो चोरि भगाइ लैगि आफ्ना घर्मा लुकाइराष्यो अथवा वाहिर कांहि लैगि लुकाइराष्यो भन्या तेसले राष्याका ठाउवाट मरि भागि गयाका भया पनि अैन वमोजीम्को उस्का घरवाट मर्या भाग्याका दिनसंम्मको निम्याक् र मोल् विगो भराइदिनु । मरे भाग्याका रह्याछन् भन्या निम्याक र ज्यूका जिवै फिर्ता गराइ मोल् विगा वमोजीम् दंड गर्नु । रुपैया नतिर्या अैन वमोजीम् कैद गर्नु ।

236 Lit. "to make the roof-tree smoky".

३. एकाको कमारो एकाकी कमारी धनिले थाहा नपाइ आफु आफै मतो गरि भाग्याका रह्याछन् भन्या कमाराका धनिले पनि कमारिका धनिलाइ विगो भर्नु पर्दैन । कमारिका धनिले पनि कमाराका धनिलाइ विगो भर्नु पर्दैन । आफ्ना आफ्ना ज्यू फेला पार्याका लिनु । अडा अदालत् ठाना अमाल्वाट पन्न्याको रहेछ भन्या पनि अरू कसैले पक्रि ल्याइदियो भन्या पनि पक्रि ल्याउन्त्यालाइ जिय १ को ५।५ रुपैयाका दर्ले पनाउनि दिलाइ जस्का कमारा कमारी हुं सौपिदिनु ।

४. कसैले अर्काका कमारा कमारि वाधा वधेत्यानि भागि आयाका आफ्ना घरमा आया भन्या फलानाका हुन् भनि थाहा पाया जस्का हुन् उस्लाइ जनाउ दि सौपिदिनु । टाढा रहेछ भन्या तेरा वाधा वधेत्यानि कमारा कमारि जाहा हाम्रा घरमा छन् लिन पठाइदेउ भनि चिठि पवर पठाइ सौपीदिनु । लिन पठायेन भन्या आफ्ना घरवाट मर्या भाग्या भन्या पनि निम्याक् मोल केहि दिनु पर्दैन । षतवात पनि लाग्दैन ।

५. कसैका कमारा कमारी वाधा वधेत्यानिले भागि जात टाटी अरू कसैका घरमा वस्न गयाका रह्याछन् । राषन्याले पनि इ एस्ता वाधा कमारा भगुवा हुन् भनि थाहा नभै राष्याकामा धनिले पत्ता पाइ पक्रन गयो भन्या त्यो वास दि राषन्याले वाधा कमारा जो हो उहि ज्यू सौपिदिया हुन्छ । थाहा नभै राष्याकाको निम्याक् तिर्नु पर्दैन । ज्यू मर्याको भया र उस्का घरवाट पनि भाग्याका भया मोल पनि तिर्नु पर्दैन । दंड पनि हुदैन ।

६. अर्काका कमारा कमारि मेरो हो भनि वेचन्यालाइ वेच्याका कमारा कमारिको ज्मा थैलि लिन्यालाइ भराइ दसौद लि वेच्याका थैलि वमोजीम् दंड गरि कमारा कमारि धनिलाइ विहोराइदिनु । अर्काको वाधा मेरो हो भनि अन्त सारि रुपैया लीयाको भया धनिलाइ वाधा दिलाइ किन्याको थैलि भराइ दसौद लि अर्काको वाधा मेरो हो भनि सान्यालाइ थैलिका विगा वमोजिम् दंड गर्नु । रुपैया नतिर्या मैन्हाका रुपैया ५ का दर्ले कैद गर्नु ।

७. कसैका कमारा कमारिले षसम्ले भन्याको मानेनन् कामकाजमा टेरेनन् विराहाको कामकाज गर्न्या गर्त्या र षसम्ले नकुटि कैद गर्छु भन्यो भन्या अदालत् ठाना अमाल्मा साधनु । अदालत् ठाना अमालवाट पनि आज्ञा वचन् दिनु । नेल ठिगुरा चमौट हाल्नु । भाग्याका कमारा कमारि पक्रियाकालाइ अदालत् ठाना अमाल्मा साधनु पर्दैन । धनिले नेल् ठिगुरा चमौट हालनु । धनिलाइ षतवात लाग्दैन ।

८. ज्यू भोग वाधा लिदा दिदा वाधाले रुपैया तिरि अर्काका घर सर्न लाग्यो भन्या तमसुकमा लेपीयाका मितिमा रुपैया तिरि सर्नु । मिति नआइ अधि पछि रुपैया तिरि सर्न पाउदैन । आफैले थैलि तिरि निषनिन लाग्यो भन्या असार मैन्हा वाहेक जहिले रुपैया तिर्छ थैलि बुझि लि तमसुक फारि साहुले छोडिदिनु ।

९. कसैका वाधा वधेत्यानि आफ्ना मुनासिवले भागी गयाका धनिले फेला पार्यो र वाधा वधेत्यानिले रुपैया तिर्न लाग्या भन्या तेस्को निम्याक् भराउदा थैलिको दोवर नहुंज्याल् दिनको १ आना का दरले निम्याक् भराउनु । थैलिको दोवर् भयछ भन्या निम्याकको हिसाव नगर्नु । थैलिको दोवर भराउनु ।

१०. कमारा कमारि वाधा वधेत्यानिको निम्याक् भराउनु पर्दा जना १ के रोजको २ आना मध्ये षानालाइ १ आना दि वाकि १ आनाको हिसावले भगाइ लैग्यादेपि उस्का घरमा रह्यासंममा ठहर्याको निम्याकको ज्मास्मेत् ज्यू फिर्ता गरि सौपाइदिनु । मोल् भराउनु पर्दा पनि एसै रीतले ठहर्याको निम्याकस्मेत् गरि अैन वमोजिम्को वाधाको

थैलि कमारा कमारीको मोल धनिलाइ भराइदिनु । भगाइ लैग्यापछि धनिका जिम्मा नलागदै मर्याको रहेछ भन्या मर्याका दिन् तकको निम्याक् र अैन वमोजीम्को मोल् भराइदिनु ।

११. कसैको वाधा भागी गयाको पक्रि आयो भन्या धनिले नेल ठिगुरा चमौट् हलाउछु भन्या भाग्याका दिनका निम्याकको ज्मा गरि तेतिसम्ममा अैन वमोजिम नेल हलाउन पाउछ । नेल ठिगुरा चमौट् हलायापछि निम्याक् लिन पाउदैन नतिराउनु । नेल ठिगुरा चमौट् हलाउदीन भन्यो भन्या हिसाव गरि भाग्याका दिनको अैन वमोजीम निम्याक् लिन पाउछ । दिन्छ भन्या भराइदिनु । तिर्न सकेन भन्या तमसुकमा चढाइदिनु ।

Translation:

1. If someone comes to complain at an *adālata*, *ṭhānā* or *amāla* office that such and such a person has aided such and such a person's male or female slaves to escape and has brought them to Mugalāna, and if it is ascertained upon interrogation that he has aided the slaves to escape, the person who has aided them to escape shall be made to bring [them] back and hand them over [to their master] together with [a payment of compensation] for the value of their labour (*nimyāka*) [the master could not enjoy in their absence]. If the master traces them and has them brought back, it shall be arranged that he receives compensation for the expense incurred and the value of their labour from the person who has aided them to escape. If the one who has aided [them] to escape is not able to bring them back, he shall be made to compensate their master for the price of the slaves [depending on their] age, in accordance with the *Ain*,²³⁷ and he shall be fined an amount equal to that. If the amount of the fine is not paid, he shall, in accordance with the *Ain*, be imprisoned.

2. If someone himself steals another's male or female slaves or male or female bondservants or orders someone to do so, or aids them to escape, takes them and hides them at his home, or takes them out somewhere and hides them—irrespective of whether they die at the place where they have been kept by him or flee from there—[the culprit] shall be made to compensate [the master], in accordance with the *Ain*, for the value of their labour up to the day of their death or their escape from his home, and he shall be fined an amount equal to the price [of the slaves]. If they have neither died nor escaped, [the culprit]

237 This is a reference to the *Ain*-54 § 82.4, in which the price of slaves has been regulated depending on their age and gender. For example, a male or female slave who is past the age of 12 and below 50 is priced at 100 and 120 rupees, respectively.

shall be made to compensate the value of their labour, shall be made to return the slaves and shall be fined an amount equal to the price [of the slaves]. If the amount of the fine is not paid, he shall, in accordance with the *Ain*, be imprisoned.

3. If a male slave of one person and a female slave of another person escape without the knowledge of their masters, neither shall the master of the male slave pay compensation to the amount in question to the master of the female slave, nor shall the master of the female slave pay compensation to the amount in question to the master of the male slave. If they are traced, [the masters] shall take their respective slaves back. If they have been arrested either by an *addā*, an *adālata*, *thānā* or *amāla*, or any other person arrests and brings them back, [their masters] shall be made to pay 5 rupees as a reward (*panaunī*) for each slave to the person who arrests them and brings them back, and the male and female slaves shall be handed over to the person to whom they belong.

4. If someone knows that the male or female slave or bondservants who have run off and come to his house belong to such and such a person, he shall notify their owner and hand them over to him. If [the master] is far away, he shall send a letter or a message [to him] stating: “your male or female bondservants or slaves are at our house, send [someone] to take them [back]”, and hand them over [to their master]. If the master does not send anybody to take [the slaves or bondservants back], [the person at whose house they are staying] shall pay neither for the value of their labour nor their price, even if they die or flee from there. He shall not be held accountable.

5. If someone’s male or female slaves or male or female bondservants escape and go to live at someone else’s house, lying about their status (*jāta*) [as slaves or bondservants], and if the one who keeps them without knowing that they are such fugitive bondservants or slaves, and if the master traces them and comes to arrest them, the one who has kept them by providing them with a place to stay shall hand over the slaves or bondservants. Since he has kept them without knowing [that they are fugitive servants], he shall not pay the value for their labour. If the slaves or bondservants die or also escape from his house, he shall neither pay the price [of the slave or bondservant] nor shall he be fined.

6. A person who sells another’s male or female slaves, pretending that they belong to him, shall be made return the total price of the male or female slaves to the buyer, 10 percent [of the total price] shall be collected [as court fee], and [the culprit] shall be fined an amount equal

to the sale price and shall be made to hand over the male or female slaves to their master. If [the culprit] has received money for transferring another person's bondservant to another household, pretending that the bondservant belongs to him, the bondservant shall be returned to the master, the buyer shall get his sales price back, 10 percent of it shall be collected [as a court fee], and person who transferred the bondservant of someone else, pretending that he belonged to him, shall be fined an amount equal to the sales price. If the amount of the fine is not paid, he shall be imprisoned at the rate of 1 month for every 5 rupees.

7. If male or female slaves do not obey their master, do not carry out their tasks, do their work improperly, and if their master declares that he will confine them without beating them, he shall [first] consult an *aḍḍā*, *ṭhānā* or *amāla*. The *aḍḍā*, *ṭhānā* or *amāla* shall give him verbal permission. The master shall put [his slaves] into iron, wooden or leather fetters. If a male or female slave who ran off is arrested, the *adālata*, *ṭhānā* or *amāla* is not required [in order to confine him]. The master shall put him into iron, wooden or leather fetters. [The master] shall not be held accountable.

8. If a person is pledged as a usufructuary mortgage, and if that person intends to move to another person's house, he shall be allowed to do so [only] at the end date of the loan agreement upon repayment of his debt.²³⁸ He shall not be allowed to move upon repayment of his debt before that date arrives, or afterwards. If the bondservant intends to redeem himself by repaying his debt, the creditor shall accept [his payment], shall tear up the loan agreement and let him go whenever he repays his debt, except for the month of Aṣāḍha.

9. If a master traces his male or female bondservants who have run off of their own will, and such male or female bondservants intend to repay their debt, concerning the compensation for the value of labour [the master lost through their escape], [the bondservants] shall be made to pay compensation for the value of their labour at the rate of 1 ānā per day as long as [the compensation] does not reach double the principal sum. If [the compensation] has reached double the principal sum, [further] compensation for the value of his labour shall not be calculated. They shall be made to pay double the principal sum [as compensation for their value of labour].

238 In this case, the bondservant does not pay off his debt himself, but another person who in return takes over the bondservant.

10. When the value of labour of a male or female slave or bondservant has to be compensated, from 2 ānās for one [slave or bondservant] for 1 day, 1 ānā is counted for food. A person who has aided a slave or bondservant to escape and taken him with him shall be made to return him, together with the total compensation for the value of labour calculated on the basis of the remaining 1 ānā per day—starting from the day of [the slave's or bondservant's] escape [and continuing] for as long as he kept him at his house. When the price of [a slave or bondservant] has to be compensated, the master shall, in accordance with the *Ain*, be compensated with his credit sum for a bondservant or his sales price for a slave together with the value of their labour, determined according to the above-mentioned rate. If [the slave or bondservant] dies after he was aided to escape and taken away, and before he is returned to his master's responsibility, [the culprit] shall be made to pay [the master] compensation for the value of labour until the day of [the slave's or bondservant's] death, together with an amount equal to the sales price or credit sum, respectively.

11. If a bondservant who has run off is arrested and returned, and the master wants to have him put into iron, wooden or leather fetters, he shall calculate the total compensation for the value of labour for the days he was on the run, and shall let him be put into fetters for an equivalent period of time. The master shall not be allowed to take the compensation for the value of labour after he has [the bondservant] put into iron, wooden or leather fetters, and [the bondservant] shall not be made to pay [any compensation]. If the master declares that he will not have [the bondservant] put into iron, wooden or leather fetters, he shall, in accordance with the *Ain*, be allowed to take compensation for the value of labour after having it calculated for the days of the bondservant's escape. If [the bondservant] is able to pay, [the master] shall be compensated. If he is unable to pay, it shall be recorded [as an additional debt] in the bond.

Article 81: *kamārā kamāri becatāko*
(On the Sale of Male and Female Slaves)

Edition:

१. कसैका अंस नभै एका घरमा संग वस्याका भाइमा अरू दाज्यूभाइसित सल्लाह नगरि एका भाइले कमारा कमारि चौपाया गैह्व वेचेछ र अरू भाइले हाम्रो अंस यसले वेचि जान्या होइन भनि उजुर गर्‍या भन्या जाहान पाल्दा वेच्याको भया र आफ्ना भागमा आउन्‍या अंस जति वेच्याको भया सदर हुंछ । आफ्ना भागभन्दा बढता भाइसित सल्लाह नगरि वेच्याको रहेछ घरका जहान पालनालाइ वेच्याको पनि रहेनछ भन्या र हामि एकै घरमा थिञ्च्युं हामिसीत सल्लाह नगरि हाम्रो भाग नराषि एसले मात्रै वेचि जान्या होइन भनि घरमा रह्याका भाइले दिन ३५ भित्रमा र पर्देस जान्या भाइले घर आयाका दिन ३५ भित्रमा उजुर गर्‍या भन्या वेचन्यावाट किंन्याको थैलि फिर्ता गराइ माल भाइहरूलाइ दिलाइदिनु । वेचन्यावाट थैलि उठेन भन्या कपाली तमसुक गराइदिनु । भराइदियाका ज्माको दसौद विसौद लिनु ।
२. कसैले कमारा कमारि चौपाया दोहोरो वेच्यो वंधक राष्यो भन्या ऐन वमोजिम् अगाडिवाला साहुको सदर हुंछ । अगाडीवालालाई विहोराइदिनु । पछाडीवाला साहुको थैलि तिर्नसकन्या रहेछ भन्या विगो भराइ थैली तिर्नसकन्या रहेनछ भन्या कपालि तमसुक गराइदि पछिल्ला साहुका थैलीका विगा वमोजिम् दंड गर्नु । रुपैया नतिर्या मैन्याका ५ रुपैयाका दरले कैद गर्नु ।
३. मासिन्या जातका छोरा छोरि म मासि दिंछु नेल²³⁹ ठोकिदेउ भनी वावु आमाले भन्या मासन हुदैन । अदालत ठाना अमाल्वाट तेल ठोक्र पनि हुदैन । कसैले तेल ठोकाइदियो भन्या थैलि लिलाम् गरि वेचन्या र तेल ठोकाइदिन्या दुवैलाइ १००।१०० रुपैया दंड गर्नु । रुपैया नतिर्या ऐन वमोजिम् कैद गर्नु । किन्याको थैलि भुसिंछ ।
४. कसैले छोरो वाधा राष्ता साहुलाइ दिदा १६ वर्षदिषि माथिका ज्यूलाइ अदालत ठाना अमालमा ल्याइ दिन्याले दिनु लिन्याले लिनु । अदालत् ठाना अमालवाट वाधा पर्या ज्यू जो छ उसलाइ वाधा पन्न राजि छस् कि भनि सोधनु र राजि छु भन्यो भन्या वाधा पस्यावाट²⁴⁰ म वाधा पस्छु भर्या पुसिको मुचुल्का लेषाइ लिनदिन गर्नु । उस्को सहि हलाइ लियाको दियाको सदर हुंछ । करसित वावु आमाले पनि वाधा हालन हुदैन । वावु आमाले करसित वाधा हलाइदिया भनि छोराछोरि कराउन आया वावुका नाउमा कपालि तमसुक गराइदि वाधा लेषियाको ज्यू छाडीदिनु । वावु आमा मर्यापछि कराउन आयो भन्या उसैका नाउमा कपालि तमसुक गराइदिनु ।
५. कसैले वेहकमा अजापुत्र मास्यो भनि कसैका नाउमा कराउन आयो र उसलाइ ल्याइ रोवकार गर्दा ज्यू मास्याको ठहरेन रीसले पोल्याको मात्र ठहर्यो भन्या तेस्ता पोलाहा लोग्न्या मानिसलाइ १०० रुपैया दंड गर्नु । स्वास्नि मानिसले भया ५० रुपैया दंड गर्नु । नतिर्या ऐन वमोजिम् कैद गर्नु ।

239 Read: *tela*.

240 Read: *pasnyābāṭa*.

६. मासिन्या जात्का छोराछोरि कसैलाइ मेरा कमारा कमारि भनि ढाटि छलि वेचन्या अजापुत्र मासिन्या ठहर्छ । तेस्तालाइ ३६० रुपैया दंड गर्नु । नतिर्या मैन्हाका ५ रुपैयाका दरले कट्टि नहुंज्याल् कैद गर्नु । नमासिन्या मतवाली जातकालाइ कमारा कमारि भनि वेच्याको भया ५४० रुपैया दंड गर्नु । तागाधारि जातकालाइ कमारा कमारि भनि वेच्याको भया ७२० रुपैया दंड गर्नु । रुपैया नतिर्या ऐन वमोजिम कैद गर्नु ।

७. कसैले आफ्ना अंसमा आयाका र आफ्ना पौरषले कमायाका कमारा कमारि वेचता आफ्ना हकवाला अंसियार भाइलाइ मैले फलानु कुरो वेचन लाग्या तिम्हेरु लिंछौ भन्या देसिले दियाको थैलि दि तिमि लेउ । तिमीहरू लीदौन भन्या अरूलाइ दिंछु भनु र हकवाला अंसियार भाइले लिंछ भन्या इनले पाउछन् । देसिले पाउदैनन् । अंसियार भाइ भन्या टाढा रह्याछन् आफुलाइ गर्ज पर्दा वेचेछ भन्या वेचन्याले अंसियार भाइलाइ लेषि पठाउनु । किन्याले पनि वेचन्याका हकवाला अंसियार भाइलाइ लेषि पठाउनु र ३५ दिन भित्रमा निषन्न आयो भन्या अलिपत्र भयाको भया पनि उस्को परल् रुपैया सौपि अंसियार भाइले निषनि लिन पाउछ । ३५ दिन संममा थैलि तिर्न आयान भन्या भाइ साछि वस्याका नभया पनि गौराजी षायाको नभया पनि वेच्या किन्याको सदर हुंछ । ३५ दिन नाघ्यापछि आउन्या भाइले निषन्न पाउदैन ।

८. आफु हाकिमि भै कसैका कमारा कमारि किन्दा वेचाउदा ऐन वमोजिमका मोलमा घटाइ किन्यो वेच्यो भनि कमारा कमारीका धनि कराउन आया भन्या घटायाको मोल् हाकिमिवाट धनिलाइ भराइ घटायाका विगा वमोजिम हाकिमिलाइ दंड गर्नु । हाकिमिका मोलाहिजामा लागी ऐन वमोजिमका मोलमा घटाइ मोलपटक गर्या²⁴¹ साछिहरूलाइ जति जना छन् जनहि आधि आधिका दरले दंड गर्नु । दंडका रुपैया नतिर्या ऐन वमोजिम कैद गर्नु ।

९. कसैका कमारा कमारी वेचदा किन्दा हाकिमिदेषि वाहेक अरू रैतिले राजी षुसिसंग ऐन वमोजिमका मोलमा घटीवढी मोलपटक गरी साछि सुर्त्ता राषि परंभट्ट लेषिदियाको रहेछ भन्या किन्याको पाको । कराउन आउन्याको फिराद नसुनु । साछि सुर्त्ता राषि परंभट्ट लेषिदियाको रहेनछ भन्या जवरजस्ति ठहर्छ । जवरजस्तिका ऐन वमोजिम दंड गर्नु ।

Translation:

1. If one of the brothers who are living together in the same household without partitioning the property sells a male or female slave or a quadruped or the like without consulting the other elder and younger brothers, and the other brothers make a complaint that he is not allowed to sell their share, [the sale] shall be valid if he has sold [the property] in order to support the family, or if he has sold only that much of the inheritance which would have fallen under his share. If he has sold more than his share without consulting his brothers, and if it was not

sold for the support of the family members of the household, and if the brothers who stay at the household make a complaint within 35 days, or the brothers who have gone abroad within 35 days from the day they arrive at home, declaring “We have been living in the same household. He alone should not be allowed to sell without consulting us and without keeping our share”, the seller shall be made to return the purchase sum to the buyer, and the commodity shall be returned to the brothers. If the amount paid cannot be recovered from the seller, he shall be made to issue a loan agreement without security (*kapālī tamasuka*). Ten and 20 percent [respectively] shall be collected from the total amount that was refunded [as a court fee].

2. If somebody sells or pledges a male or female slave or quadruped [at the same time] to two [different persons], [the contract made] with the first creditor shall, in accordance with the *Ain*, be held to be valid and [the sold or pledged commodity] shall be handed over to the first person. [The seller or pledger] shall be made to refund the amount in question to the second creditor if he is able to pay the credit amount, or he shall be made to issue a loan agreement without security if he is not able to pay, and he shall be fined an amount equal to the amount he owes to the second buyer or creditor. If the amount [of the fine] is not paid, he shall be imprisoned at the rate of 1 month for every 5 rupees.

3. Children belonging to an Enslavable caste shall not be enslaved if their parents declare: “We sell [them] into slavery, anoint them with oil (*tela thoknu*)”.²⁴² Also [an official of] an *adālata*, *ṭhānā* or *amāla* office shall not anoint them with oil. If someone has them anointed with oil, the sales price shall be confiscated, and the seller and the person who had them anointed with oil shall be fined 100 rupees each. If the amount [of the fine] is not paid, they shall, in accordance with the *Ain*, be imprisoned. The buyer shall lose his purchase price.

4. If someone pledges his son as a bondservant to his creditor, and if his son is past the age of 16, he shall be brought to an *adālata*, *ṭhānā* or *amāla* office, [the father] who gives [his son into bond service] shall hand him over and [his creditor] shall take him into possession. The *adālata*, *ṭhānā* or *amāla* shall ask the prospective bondservant whether

242 The text reads here and in the following *nela thoknu* (“to put into fetter”). We follow here the reading of Ain-54-JF § 81.3 *tela thoknu* (“anoint with oil”). According to TND (s.v. *telyāhā*), a slave’s head was anointed with oil on buying. Documents give evidence for this practice. In an emancipation deed from 1892 (VS 1949) it is reported that the anointment with oil on the head completed the enslavement process (see Document 4.8).

he agrees to enter into bond service. If he declares that he agrees, he shall be made to issue a written statement of consent, declaring: “I agree to enter into bond service”, the contract shall be made, and he shall be handed over. The contract shall [only] be considered valid once his signature is obtained. Even a father or mother shall not be allowed to pledge [their child] as a bondservant by use of force. If a child comes to complain that their father or mother has forcibly pledged them as a bondservant, a loan agreement without security shall be drawn under the father’s name and the son or daughter who has been recorded as a bondservant shall be set free. If a child comes to complain after the death of his father or mother, a loan agreement without security shall be drawn under its own name.

5. If somebody comes to complain that such and such a person has enslaved a free person (*ajāputra*), and if [that person] is brought and upon interrogation it is ascertained that [no free person] has been enslaved, but it is only a false accusation made out of anger, such a false accuser shall be fined 100 rupees, if a man; if it is a woman, she shall be fined 50 rupees. If the amount [of the fine] is not paid, [the false accuser] shall, in accordance with the *Ain*, be imprisoned.

6. If somebody falsely and deceitfully sells a son or daughter of someone else belonging to an Enslavable caste, claiming that he or she is his slave, he shall be held accountable for having enslaved a free person, and such a person shall be fined 360 rupees. If the amount [of the fine] is not paid, he shall be imprisoned until the fine is remitted at the rate of 5 rupees for each month. If he has sold [a son or daughter] of someone belonging to a Non-enslavable Alcohol-drinking caste, claiming that he or she is a slave, he shall be fined 540 rupees. If he has sold [a son or daughter] of someone belonging to a Sacred Thread-wearing caste, claiming that he or she is a slave, he shall be fined 720 rupees. If the amount [of the fine] is not paid, he shall, in accordance with the *Ain*, be imprisoned.

7. If someone sells a male or female slave who represents part of his share of the parental property, or whom he acquired by his own achievement, he shall inform his claimants, coparceners and brothers, stating: “I am selling such and such a [slave]. If you want to take him or her, you may pay me the [same] amount as offered by the external party and take him or her. If you do not take him or her, I will give the slave to that other person.” If the claimants, coparceners or brothers want to take [the slave], they shall be entitled to do so, but not the external party. If the coparceners and brothers are far away, and if

[the owner] has sold [the slave] out of necessity, the seller shall write to his coparceners and brothers, and the purchaser, too, shall write to the claimants, coparceners and brothers of the seller [about the sale of the slave]. If they come to buy the slave back (*nikhannu*) within 35 days, they shall be entitled to do so by paying the price paid by the purchaser, even if a deed of relinquishment of title (*alipatra*)²⁴³ has already been issued. If they do not come to pay the amount paid by the purchaser within 35 days, the sale shall be considered valid, even if no brother has witnessed it or has taken earnest money (*gaurānī*) for it. The brother who comes once 35 days have passed shall not be entitled to buy back [the slave].

8. If a master of a male or female slave comes to complain that any government officer responsible [for the sale or purchase of slaves], while purchasing the slave or making him be sold, has done so by reducing the price [below] what is regulated in the *Ain*, such an officer shall be made to pay compensation to the amount by which he reduced [the price] to the master, and he shall be fined an amount equal to that by which he reduced [the price]. Half of such a fine shall be imposed on each witness who, in collusion with the officer, deviated from the price regulated in the *Ain* by reducing it. If the amount [of the fine] is not paid, they shall, in accordance with the *Ain*, be imprisoned.

9. While selling or buying a male or female slave, if any subject, except government officers, has willingly repriced a slave above or below what is regulated in the *Ain*, and a deed of sale (*paramabhāṭṭā*), attested by witnesses, has been issued, [the slave] shall belong to the buyer. Whoever comes to complain shall not be heard. If no deed of sale attested by witnesses has been issued, [the sale of the slave] shall be considered to be an act of coercion, and [the culprit] shall be punished in accordance with the law on coercion.

243 We follow here M.C. Regmi's translation of this term (Regmi 1979: 51), which seems to imply that the slave owner gives up all claims over the slave to the buyer. However, the exact meaning of the term remains unclear.

Article 82: *gyū māsanyā becanyā*
(Enslaving or Selling a Person)

Edition:

१. १४ सालदेपि अघि मासिन्या जातका वावु छोरा भयो अथवा वावु छोरि भयो दाज्यु भाइ भयो दिदि वैन्हि दाज्यु वैह्नी दिदि भाइ भयो कसैका घरमा वाधा वधेत्यानि भै वस्याका छन् । २ जनाका सल्लाहले राजि पुसिसित एक ज्यु मासि कमारा कमारि हुंछौं एक ज्यु आफु सुपि हुंछौं भनि अदालत ठाना अमालमा गै एक जनाले तेल ठोकी गल्याका रह्याछन् भन्या अदालत ठाना अमालमा गै तेल ठोकीयाको हुनाले साहुलाइ र गालि दिन्या वावुलाइ वात लाग्दैन । राजिसित तेल ठोकी गल्याको ज्युमा पर्याको थैलिमा तेहि ज्यु वाधा वधेत्यानि लेपाइ तमसुक गराइदिनु । ज्यु नगालनु भंन्या ऐन भयापछि गालिदिन्या अदालत ठाना अमालका हाकिमलाइ १०० रुपैया दंड गर्नु । अदालत ठाना अमाल नसाधि तेल ठोकाइ लियाको रहेछ भन्या साहुको त्यो थैलि हाकिमले लिनु । रुपैया षाइ गालि दिन्या वावु आमालाइ १०० रुपैया दंड गर्नु । त्यो ज्यु आफु सुपि हुंछ । १६ वर्षदेपि उधोका वालषलाइ राजिनामा लेपाइ अदालत ठाना अमालवाट तेल हलाइ गलाइ दियाको रहेछ भन्या पनि सदर हुदैन । साहुको थैलि भुसिंछ । गालिदिन्या वारिसलाइ र गलाइदिन्या हाकिमलाइ १००।१०० रुपैया दंड गरि कागज फराइ आफु सुपी गराइदिनु ।

२. तागाधारि मतवालि जात गैह्र कसैले अर्काकि कमारि स्वास्त्रि तुल्याइ उसवाट छोरा छोरि पनि जन्म्याका छन् । कमारिका षसमले इन्लाइ थैलि तिरि निषनि लैजान दिदौन वेचदौन भन्या उस्का वावु दाज्यु भाइको कर लाग्दैन । धनिले अन्यत्र वेच्यो वेचन लाग्यो भन्या उसवेलामा देसिले दियाको थैलि गनी वावु दाज्यु भाइले निषनि लैगि अमलेष गराउछौं भन्या पाउछन् । देसिले पाउदैनन् । ऐल्है थैलि पुर्याउन सकीन तमसुक भाषा गरिदेउ भन्या थैलि तिरिकन मात्रै आफु सुपि गराउन पाउंछ । भाषा तमसुक हुदैन । धनिले वेचता उस्का वावु दाज्यु भाइ टाढा रह्याछन् । पछि थाहा पाइ निषन आया देसिले दिया वमोजिम्को थैलि गनि छोरो भया जन्मघरवाट अन्त सर्यापछि जैह्लेसुकै पनि निषन पाउंछन् । छोरि रहिछ भन्या ११ वर्षको उमेर नहुंजि मात्रै निषन पाउछ । ११ वर्ष नाच्यापछि निषन पाउदैन । किन्याले आफनु परल थैलि लि वावु दाज्यु भाइलाइ निषन दिनु । आमा वावु दाज्यु भाईहरूले हाम्रो भाइ छोरा हो भनि निषनि लैगि अमलेष गरायापछि घर सारि अन्त वेचन पाउदैनन् । आफु सुपि हुन्छन् । वेच्यो भन्या अजापुत्र मासन्या ठहर्छ । तेस्तालाइ किन्याको थैलि फिर्ता गराइ ३६० रुपैया दंड गर्नु ।

३. कसैले दर्माहा दि चाकर राष्याको छ दिन मैन्हा वर्षको कवुल् छैन भन्या आफुले चाकरि गर्यासम्मको दर्माहा लि छोडि जान पाउछ । वर्ष मैन्हा दिनको कवुल् गरि चाकर राष्याको भया कवुल् वमोजिम् चाकरि गर्नु पर्छ । छाडि जान पाउदैन । अरु ठाउमा बढता दर्माहा पाइन्छ भन्या पनि जान पाउदैन । कवुल् पुग्यापछि छोडि जान पाउछ । वोल् कवुल् नपुग्दै भागि नासि गयो भन्या जति दिन काम छोड्याको छ उत्तिको दर्माहा नदि तेसै चाकरि गराउनु । चाकरि गराउन्याले कवोल् वमोजिम् मिति मितिको दर्माहा मजुरि माग्दा दियन र नालिस् गर्न आयो भन्या जति मैन्हाको

दर्माहा वालि²⁴⁴ रह्याको छ उत्तिको कबुलभन्दा बढता मैन्हाको १ रुपैयास्मेत थप गरि दिलाइदिनु । पछि राजीले वस्छ भन्या पनि छाड्छ भन्या पनि वरुयाको घुस ।

४. कमारा कमारिका झगरामा अदालत् ठाना अमालवाट मोल् भराउनु पर्दा ३ वर्षदेपि उधोका कमाराको २० कमारिको २५ तिं वर्षदेपि माथि ६ वर्षसंमका कमाराको ३० कमारिको ३५ छ वर्षदेपि माथि १२ वर्षसंमका कमाराको ५० कमारिको ५५ वाह् वर्षदेपि माथि ४० वर्षसंमका कमाराको १०० कमारीको १२० चालिस् वर्षदेपि माथि ५० वर्षसंमका कमारा कमारीको ६०।६० पचास् वर्षदेपि माथि ६० वर्षसंमकाको ५० रुपैयाका हिसावले भर्नु भराउनु गर्नु । कसैले मेरा कमारा कमारी हुं भनि समायो रोवकार गर्दा सावित् गर्न सकेन भन्या एसै उमेरका दर वमोजिमले दंड गर्नु । दंडको चौथाइ जिताउरि लिनु ।

५. कमारा कमारी नगद जिनिस् जवाहेर चौपाया अनाज गैहृका झगरामा कागजपत्र केहि निस्केन । देषन्या जान्या साछि रह्याछन् । अरू विहोराले छिनेन । दुवै झगरियाले साछिका सिरमा दिया भन्या सिरवंदि लेषाइ साछिलाइ हरिवंस भकाइ वक्या वमोजिम् छिनिदिनु । हान्यालाइ विगा वमोजिम दंड गर्नु । जितन्यावाट दंडको चौथाइ जिताउरि लिनु । दंडका रुपैया नतिर्या मैन्हाका ५ रुपैयाका दर्ले कैद गर्नु । जिताउरिका रुपैयालाइ जौन माल् जित्याको छ उसैवाट लिनु ।

६. साहुले वाधा लिंदा दिंदा अदालत् अमाल् साछि गरि ज्यू वाधामात्र लेषि लिनु दिनु गर्नु । घर वाधा नलेषनु । आफुले दृष्टि भोग वाधा लेष्याको ज्यू साहुका घर मर्यो भन्या पनि असामीका घर मर्यो भन्या पनि उस्का अरू भाइ जहान पक्रि लिन पाउदैन । आफुले वाधा लेषि लियाको ज्यू मर्यापछि उस्का अरू भाइ जहान् पक्रयो भनि कराउन आया पक्रन्यालाई पक्र्याका विगा वमोजिम दंड गर्नु । रुपैया नतिर्या ऐन वमोजिम् कैद गर्नु ।

७. वाधा वरुया जातका कसैले वावु आमाले पायाका रिनमा छोरा पनि रह्याछन् । छोरी पनि रह्याछन् भन्या छोरिले अंस नपाउन्त्या हुनाले अदालत अमाल् साछि गरिकन पनी छोरि वाधा कसैले नलिनु । अदालत् ठाना अमाल् साछि राषि लियाको रहेछ भन्या साछि वरुया अदालत अमाल्वालालाइ १० रुपैया वाधा लिन्या दिन्या साहु असामीलाई ५।५ रुपैया दंड गरि वाधा तमसुक फराइ वाधा दिन्या जो हो उसैका नाउमा कपालि तमसुक गराइदिनु । छोरि वैन्हि आफु सुषि हुंछन् ।

८. कमाराले ज्यान जान्या तक्सीर गर्यामा ज्यान लिनु । दामल् हुन्या तक्सिर गर्यामा दामल् गर्नु । दंड हुन्या कुरा गर्यामा कैद गर्नु । कैदका रुपैया तिर्या ऐन वमोजिम् गर्नु । सर्वस्व हुन्या कुरा गर्यामा कमाराको सर्वस्व हुदैन । सर्वस्व नगर्नु ।

९. वावु आमा पार भयाका छन् । छोरा एकै अम्बल्मा छन् वा अर्के अम्बल्मा छन् । आफु पार भयापछि कोहि छोरालाइ आफुले निषन्थो कोहि छोरा करिया छन् र वावु आमा मर्या भन्या तीन्को धन पेवामा काजकृया गरिरह्याकामा निषनिन्या चाहिका थैलिसंमको धन् कमारैमा रह्याका छोराको भाग दि बढता भयाका धनमा निषनियाकालाइ र कमातैमा रह्याका छोराहरूलाई वरावर वाडिदिनु । निषनिन्या चाहिका थैलि जति पुगेन भन्या त्यो धन आफु सुषि भयाको छोराले पाउदैन । कमातैमा रह्याका छोराहरूले पाउछन् । घर्ति भयापछि जन्म्याका छोरा रह्याछन्

भन्या वावु आमाको काजकृया गरि रह्याको कमारा हउन् सवै छोराले वरोवर गरि पान पाउछन् ।

१०. ढेरै जाहान हुन्या कसैले यौटाका नाउमा वाधाको तमसुकु गर्याको रहेछ । घरका सल्लाहले वाधाले वाधा लेषियाको चाहि घरमा वसि अकै ज्यू सट्टा गै धनिको काम गर्याको रहेछ वा आलो पालो गरि काम गर्दा रह्याछन् । तेस्तैमा धनिको काम गन्या मरेछ भन्या लेषियाको ज्यूलाइ साहुले काम लाउन पाउछ । लेषियाको ज्यू मर्यो भन्या आफ्नु वाधा लेषियाको ज्यू मर्यापछि सट्टा काम गर्न वस्याकालाइ र अरू जाहान्लाइ समाउन पाउदैन । समायो भन्या सयकरा १० रुपैयाका दरले दंड गर्नु ।

११. कसैले अजापुत्रलाइ कमारा कमारि हुन् भनि वेचता अजापुत्र हो भनि जानि जानि कमारा कमारि हो भनि कागज लेषिदिन्या र अपत्यार भै वेचाउन्या साछि वस्याहरूलाइ १००।१०० रुपैया दंड गर्नु । अजापुत्र भनि थाहा नपाउन्या वेचता किन्दा कागज लेषिदिन्या साछि वस्याहरूलाइ जनहि २०।२० रुपैया दंड गर्नु । रुपैया नतिर्या ऐन वमोजिम कैद गर्नु । थाहा पाइ किन्याको थैलि भुसु गराइ उसै विगा वमोजिम दंड गर्नु । थाहा नपाइ किन्याको थैलि तिर्न सक्न्या रहेछ भन्या तिराइदिनु । तिर्न सक्न्या रहेनछ भन्या उसैका नाउमा कपालि तमसुकु गराइ छाडिदिनु ।

१२. १६ वर्ष मनिकालाइ वाधा लिन्या दिन्यालाइ १०।१० रुपैया दंड गर्नु । १६ वर्ष नाध्याकालाइ कर लगाइ अदालत ठाना अमाल साछि नराषि वाधा लिन्या दिन्यालाइ पनि ५।५ रुपैया दंड गर्नु । १६ वर्ष मनिकालाइ वाधा हाल्दा साछि वस्या अमालीलाइ ५ रुपैया दंड गर्नु ।

१३. छोरा रह्यानछन् छोरिमात्र रह्याछन् र १६ वर्ष नाध्याका छोरिले वावु आमाले षायाका रीनमा पुसिराजीले हामी वाधा पस्तछौ भनि अदालत ठाना अमालमा राजिनामा लेषिदिन्या भन्या राजिनामा लेषाइ लि वाधा लियाको सदर हुन्छ । १६ वर्ष नपुग्याकालाइ राजिनामा लेषाइ वाधा लियाको भया पनि सदर हुदैन । लेषाइ दिन्या अदालत ठाना अमालवालालाइ ५ लिन्या दिन्या साहु असामीलाइ ५।५ रुपैया दंड गरि तमसुकु फराइ आमा वावुकै नाउमा कपालि तमसुकु गराइदिनु ।

१४. कसैका कमारा कमारिले हामी अजापुत्र हुँ भनि अदालत ठाना अमालमा फिराद गर्न आया भन्या तिन्का माइति मावलि कोहि आइ हाँप्ना एस्ता हुन् अजापुत्र हुन् इन्ले हार्या दंड र जित्या जिताउरि जो पर्याको हामि बुझाउला भनि तिन्लाइ ली कोहि वारिस अधि सर्यो भन्या तिन्को दोहोरो कुरा सुनि नीसाफ गर्दा अजापुत्र ठहर्यो भन्या कमारा कमारि हुन् भन्यालाइ विगा वरावर दंड गरि तिन्वाट दंडको चौथाइ जिताउरि लि छोडिदिनु । अजापुत्र ठहरेनन् कमारा करीन्यै²⁴⁵ ठहर्यो भन्या अजापुत्र हुन् भन्यालाइ विगा वरावर दंड गर्नु । रुपैया नतिर्या ऐन वमोजिम कैद गर्नु । अजापुत्र भन्या अर्को वारिस्वाला उस्कामा वलि ससुरालि पुर्षा दाज्यू भाइ गैह नाता कोहि निस्केन उसैका घरका कमारा कमारि आफैले अजापुत्र हुँ भनि झगरा गर्न आयाका रह्याछन् भन्या अधिदेपी आफुले भोग गर्याका कमारा कमारि रह्याछन् भन्या अजापुत्र हुँ भनि आफ्ना षसम्का नाउमा फिराद गर्याको नसुनु । पनाउनी जियको ५।५ रुपैया वक्सानुनी लि षसम्का जिम्मा लाइदिनु । भोग नगर्याकालाइ मेरा कमारा कमारि हुन् भनी धनिले समातेछ र हामी अजापुत्र हुँ भनि फिराद गर्न

आयाका रद्दाछन् भन्या पत्रपात्र गाउघरका साछि सुर्ता राषि निसाफ हेरिदिनु ।
कमारा कमारि ठहर्या दंडको चौथाइ जिताउरि लि धनिका जिम्मा सौपदिनु²⁴⁶ ।
अजापुत्र ठहर्या विगा वमोजिम दंड गर्नु ।

१५. कसैका हेरै भाइ रद्दाछन् । तिन्मा १६ वर्ष नाध्याका एकालाइ वावु आमाले
अदालत अमाल साछि गरि आफ्ना षुसिले वाधा वस्याको रहेछ । तेस्लाइ वावु आमा
दाज्यू भाइले साहु तिरि निषनि लैगया भन्या एका घर संग छदाका अरू साहु पनि
भाग अनुसार तेस्ले तिर्नु पर्छ । आफ्नु पेवा कमाइले हवस् वा साहु रिझाइ हवस् आफ्नु
निषनीन्याले अरू साहु तिर्नु पर्दैन । आफ्नु अंस भन्या लिन पाउछ । अरू साहु जति
छन् घर वरुया भाइले तिर्नु पर्छ । निषनि गयाकालाइ अरू साहुले समाउन पाउदैन ।

१६. कसैले कमारा कमारिलाइ पार गर्दा हाडपार भयो कामपार भयाको छैन भन्या
विहोरा गरि साछि सुर्ता राषि कागजपत्र भयाको रहेछ भन्या कागज वमोजिम कमारा
कमारिले पनि काम छोडि अंत जान पाउदैनन् । षसमले पनि विक्रि गरि रुपैया षान
पाउदैनन् । एस्ता कुरामा कसैले अदालत् ठाना अमालमा कराउन आया भन्या वेचि
षान त पाउदैनस् काम छोडन त पाउदैनस् भनि ठोकिदिनु ।

१७. ब्राह्मण लगायत् तागाधारि जात गैह्रका कोहि मानिस मासिन्या जात पानि
नचलन्या जात छिटो हालनु पर्न्या जातसित करणि भात पानीमा भजि उहि जात
भयाकाले षतवात गर्यामा ज्यू पनि मासन हुदैन । वाधा लिन पनि हुदैन । ज्यू मासेछ
भन्या अजापुत्र मासिन्याका ऐन वमोजिम् दंड सजाय गर्नु । घटि जातमा मिलि घटि
जातैका स्वास्त्रि राषि उन्वाट जन्म्याका संतान्ले षतवात गर्यामा जौन जातका
आमावाट जन्म्याका छन् उसै जातलाइ लेष्याका ऐन वमोजिम् दंड सजाय गर्नु ।

१८. अर्काका १२ वर्ष मनिका वालष छोरा छोरिहरुलाइ ललाइ फकाइ वारिसवाला
वावु आमा दाज्यू भाइ दिदि वैन्हि मावलिलाइ थाहा नदि चाकरि गर्न भनी अर्कालाइ
सौपिदियाको रहेछ । उस्का वारिसवालाले सोध षोज गर्दा आफुले सौप्याको कुरो
नकहि दवायाको ठहर्यो भन्या तेस्तो लोग्न्या मानिस् भया ५० स्वास्त्रि मानिस् भया
२५ रुपैया दंड गरि वालष झिकाइ वारिसवालाका जिम्मा गरिदिनु ।

१९. तागाधारि जात नमासिन्या जात कोहि अर्काकि कमारिसित वसि जन्म्याका
छोराले अरू कसैको करणि गरेछ वा अरू षतवात गरेछ भन्या उस्का वावु काका
दाज्यू भाइ कसैले हाप्पो संतान हो भनि निषनि तागाधारिको छोरो भया जनै दियाको
नमासिन्या मतवाली जातको छोरो भया आफु सुषि गरायाको रहेछ भन्या कमारो
घर्ति ठहरदैन । तेस्तालाइ जौन जात भयाको छ उसै जातलाइ लेष्याका ऐन वमोजिम
गर्नु । निषनि लैगयाको रहेनछ कमारतनैमा रहेछ भन्या ठुला जातको विर्य हो तापनि
कमारै ठहरछ । कमारैका ऐन वमोजिम् गर्नु । अधि कमारतन् छदैमा षतवात गरि
कमाराका ऐन वमोजिम् गरिसक्याको रहेछ । पछि वावुकाका दाज्यू भाइले निषनि
लैगि तागाधारिको भया जनै दियेछ अरू जात भया आफु सुषि अम्लेष गरायाको रहेछ
भन्या पति अधि कमारो छदा कमाराका ऐन वमोजिम्को सजाय गर्न्या अडा अदालत्
अमालवालालाइ वात लागदैन ।

Translation:

1. If a father and son, a father and daughter, an older and younger brother, an older and younger sister, an older brother and younger sister or an older sister and younger brother who belong to an Enslavable caste [began to] live as bondservants at someone's house before [VS 19]14, and after consulting each other, the 2 persons willingly and of their own volition [decide] that one of them will be enslaved—become a slave—and the other become free, and if they accordingly go to an *adālata*, *ṭhānā* or *amāla* office and the one [who agrees to be enslaved] enters [into slavery] by having [his head] anointed with oil,²⁴⁷ neither their creditor nor a father who gives [his child] into slavery shall be held accountable, inasmuch as [the future slave] went to the *adālata*, *ṭhānā* or *amāla* and was anointed with oil. The price paid for the bondservant who enters of his own will [into slavery] by having [his head] anointed with oil shall be written down and a [new] loan agreement shall be drawn up. If the *hākima* of an *adālata*, *ṭhānā* or *amāla* gives any person into slavery after the enactment of the regulation prohibiting such enslavement, he shall be fined 100 rupees. [If a creditor] takes [such a person as a slave], having had [his head] anointed with oil, without consulting the *adālata*, *ṭhānā* or *amāla*, the *hākima* [of such an office] shall seize the sum owed to the creditor. The father or mother who takes money and gives [their child] into slavery shall be fined 100 rupees. That [enslaved] person shall be freed. If it happens that a child who is below the age of 16 is enslaved—even if [an official] of an *adālata*, *ṭhānā* or *amāla* has had a deed of consent issued and oil has been poured [on the child's head]—the act shall not be held to be valid. The sum owed to the creditor shall be cancelled; both the guardian who gave him into slavery and the *hākima* who permitted it shall be fined 100 rupees each. The document shall be torn up and [the enslaved person] shall be freed.

2. If someone belonging to any of the Sacred Thread-wearing or Alcohol-drinking castes or the like keeps a female slave of someone

247 *Tela ṭhokī/hālī galnu* (“to be melted/dissolved through applying oil”): The context suggests that this phrase denotes a legal ritual during the process of enslavement of a free person or of buying a slave. This meaning could also be inferred from an emancipation deed issued in VS 1949 (see Document 4.8) which records the enslavement of a girl through oil being applied to her forehead (*kapālmā tel ṭhokī*). The term *galnu* might refer to the dissolving of the family ties of the enslaved person. However, the exact meaning of the phrase remains obscure.

else as his wife, and if children, too, are born [to her], the father of such children or his other coparceners (*dājyūbhāi*) shall have no right [to redeem them], if the master [of the slave woman] declares that he neither allows [them] to redeem [the slave children] by paying their price, nor does he sell them [at all]. If the master sells them to someone else, or is about to do so, then at that moment the father or his coparceners shall have the right to take them if they declare their willingness to buy them back and emancipate them, after paying the price offered by a third party (*desi*). [In such a case] the third party shall not get them. Even if they declare that they are unable to pay that price at the moment and request [the master] to issue a loan agreement with a deadline [for the payment of the price], they shall be allowed to free them only if they pay the price [directly]. A loan agreement with a deadline may not be issued. If the father or the coparceners are far away at the time when the master sells [the slave children], and the father or coparceners come to redeem them once they learn of [the sale], they shall be allowed to redeem the [slave] boys through the payment of the purchase price paid by the third party at any time after they have been shifted from the household where they were born to a different household. In the case of slave girls, they shall be allowed to redeem them as long as they are not past the age of 11. They shall not be allowed to redeem them once they are past the age of 11. The purchaser shall allow the father or his coparceners to redeem them for the purchase amount he has paid. Once the paternal grandparents or uncles [of the enslaved children] redeem and emancipate them on the grounds that [the father of the slave children] is their brother or son, they shall not be allowed to sell [those children] and shift to a different household. [Such children] shall become free. If they sell them, it shall be considered to be the enslavement of a free person (*ajāputra*), and they shall be made to return the purchase amount to the buyer and be fined 360 rupees.

3. If someone keeps a servant on a wage basis, and if it has not been agreed for how many days, months or years [the contract should last], [such a servant] shall be allowed to leave at any time, receiving a wage for the entire period he has served. If someone keeps a servant, agreeing how many years, months or days [the contract should last], [the servant] shall serve according to the agreement, and shall not be allowed to leave [before the termination of the contract]. Even if he can get higher wages at other places, he shall not be allowed to leave. He shall be allowed to leave once the agreement expires. If he

escapes before the agreement expires, he shall be made to serve without wages for as many days as he has left his work [before the expiry of the agreement]. If a person who keeps a servant does not pay the agreed wages on the specified dates, though he is requested to do so, and if the servant comes to complain, he shall be made to pay the due wages or rent for the outstanding months, together with the additional payment of 1 rupee for each month in addition to what has been agreed upon. Afterwards, it shall be at his pleasure as to whether he willingly continues working [there] or quits.

4. Concerning a dispute [on the price] of a male or female slave, if an *adālata*, *ṭhānā* or *amāla* orders someone to pay the price [for a male or female slave], it shall be determined as follows: [1] 20 rupees for a slave boy below the age of 3 years, [2] 25 rupees for a slave girl [of the same age], [3] 30 rupees for a male slave from 3 to 6 years of age, [4] 35 rupees for a female slave [of the same age], [5] 50 rupees for a male slave from 6 to 12 years of age, [6] 55 rupees for a female slave [of the same age], [7] 100 rupees for a male slave from 12 to 40 years of age, [8] 120 rupees for a female slave [of the same age], [9] 60 rupees for a male or female slave from 40 to 50 years of age, and [10] 50 rupees [for a male or female slave] from 50 to 60 years of age. If someone seizes a certain male or female, claiming that they belong to him, but fails to prove his claim upon interrogation, he shall be fined according to the rates mentioned, based on the age [of a male or female slave]. One-fourth of the amount of the fine shall be collected as a winning fee.

5. If, in a dispute concerning male or female slaves, cash, goods, jewellery, quadrupeds, grain or the like, no documentary evidence is found, [but] there are witnesses who know [of the ownership], and if the case cannot be settled by any other means, [then] both litigants give [the case] into the hands of the witnesses; [the litigants] shall be made to issue a *sirabandī* certificate, [the jury members] shall be made to take the oath on the *Harivaṃśa* and the case shall be decided according to the statement [given by the witnesses]. The litigant who loses the case shall be fined an amount equal to the amount in dispute, and $\frac{1}{4}$ of the amount of this fine shall be collected from the winning party as a winning fee. If the amount of the fine is not paid, [the losing party] shall be imprisoned at the rate of 1 month for every 5 rupees [of the fine]. The winning fee shall be realised from the goods [for which the winning litigant claimed] and won.

6. When a creditor accepts a person as a bondservant, only this person him- or herself shall be recorded as a bondservant [in the deed],

naming an *adālata* or *amāla* as witnesses. None of his or her household [members] shall be recorded as a bondservant. If a person who has been accepted as a usufructuary or non-usufructuary mortgage (*bādhā*) by [the creditor] himself [dies], irrespective of whether he dies in the creditor's or debtor's house, [the creditor] shall not seize his other coparceners and household members. If someone comes to complain that [a creditor] who has accepted a person as bondservant has seized the coparceners or family members of that bondservant after he dies, [the creditor] who has seized [the deceased bondservant's family members] shall be fined according to the amount he claimed. If he does not pay the amount of the fine, he shall, in accordance with the *Ain*, be imprisoned.

7. If parents who belong to a caste whose members are allowed to enter into debt bondage take a loan, and if they have both sons and daughters, the creditor shall not accept the daughter as a bondservant, even if [the deed] has been witnessed by an *adālata* or *amāla*, because the daughter is not entitled to a share in the paternal property. If it becomes apparent that [a creditor] has accepted a daughter as a bondservant, naming an *adālata*, *thānā* or *amāla* as witnesses, the official from the *adālata* or *amāla* who witnessed [the deed] shall be fined 10 rupees. Both the creditor who accepted her as a bondservant and the debtor who gave her into bondservanthood, shall be fined 5 rupees each, and the deed confirming the debt bondage shall be torn up. [The creditor] shall be made to issue a loan agreement without security (*kapālī tamasuka*) [to the debtor] who gave her into bondservanthood. Such a daughter or sister becomes a free person.

8. If a slave commits a crime that mandates the death sentence, he shall be executed. If he commits a crime that mandates the punishment of *dāmala*, he shall be punished by *dāmala*. If he commits a crime that mandates a fine, he shall be imprisoned. If he pays the amount set in lieu of the prison term, action shall be taken according to the *Ain*. If a slave commits a crime that mandates confiscation of his property, his property cannot be confiscated. [One] shall not confiscate his property.

9. If parents have been freed from slavery, and if their sons are living in the same or different jurisdictions [as slaves], and if the parents redeem some of their sons from slavery, while others remain in servitude (*kariyā*), and if [the parents] die [in the meantime], from the remnant of their personal property after meeting the funeral expenses, the amount equal to what was paid for redeeming [the freed sons] shall [first] be given to the sons who are still in slavery. The remaining

property shall then be distributed equally among the free and unfree sons. If the value of the property [left by the deceased parents] is not equal to what was paid for redeeming [the free sons], the free sons do not receive any property. The sons who are still in slavery shall receive it. If [the deceased parents] had begotten any sons after they were freed from slavery, all sons, regardless of whether they are slaves or free, shall be permitted to enjoy the paternal property left after meeting the funeral expenses.

10. If someone with several members in his family has executed a deed of debt bondage recording the name of one of his family members [as a mortgage], and if, by mutual consent, the person who has been recorded as bondsman [in the deed] stays at home and another member of the family goes in his stead to work for the creditor, or if they work for the creditor in rotation, and the person who is working for the creditor [at the moment] dies, the creditor may oblige the person whose name has been recorded [in the deed] to work for him. If the person who has been recorded as bondsman [in the deed] dies, the creditor shall not be permitted to seize the person who had been working on behalf of the deceased person, or any other member of [the deceased's family]. If [the creditor] seizes such a person, he shall be fined 10 per cent [of the credit sum].

11. If someone sells a free person (*ajāputra*), [lying] that he or she is a slave, the persons who wittingly prepare the sales deed stating that he or she is a slave, the main person responsible for the sale, and the witnesses shall each be fined 100 rupees. If a person is sold [into slavery] or purchased without knowing that he or she is a free person, the persons who prepare the sale deed and the witnesses shall each be fined 20 rupees. If they do not pay the amount of the fine, they shall, in accordance with the *Ain*, be imprisoned. If someone buys a person knowing that [he or she is not a slave], the purchase amount shall not be compensated, and [the purchaser] shall be fined an amount equal to the purchase sum. If someone unwittingly buys [a free person as slave], [the seller] shall be made to return the purchase sum to the buyer, if he is able to repay. If [the seller] is not able to return it, he shall be made to issue a loan agreement without security (*kapālī tamasuka*) [in favour of the purchaser] and be let off.

12. The persons who offer or accept [children] below the age of 16 years as bondservants shall be fined 10 rupees each. The persons who offer or accept persons who are past the age of 16 years as bondservants by force, without having [the deed] witnessed by an *adālata*,

ṭhānā or *amāla*, shall be fined 5 rupees each. If an *amālī* witnesses [the deed confirming] that a person below the age of 18 has been given into debt bondage, he shall be fined 5 rupees.

13. If a person has no son, but only daughters, and if a daughter who has passed the age of 16 years signs a document of consent at an *adālata*, *ṭhānā* or *amāla*, stating that she, by her own will and volition, enters into debt bondage for a loan taken by her parents, it shall be valid to accept her as a bondservant once the deed of consent signed by her is received. If [the daughter] has not passed the age of 16 years, it shall not be valid even if [the creditor] accepts her as a bondservant after she is made to sign the deed of consent. The official concerned of the *adālata*, *ṭhānā* or *amāla* who made her sign [the deed of consent] shall be fined 5 rupees, and the creditor and debtor shall each be fined 5 rupees. The loan deed shall be torn up, and a deed without security for the loan shall be issued to her parents.

14. If someone's male or female slave comes to lodge a complaint at an *adālata*, *ṭhānā* or *amāla*, claiming that he or she is a free person, and if a member of his or her paternal or maternal family or any authorised person comes forward to verify [the claim], stating: "The person concerned is a free person. If he or she loses the case, I will pay the fine, and if he or she wins it, I will pay the winning fee", and if, upon hearing both parties, it is ascertained that the complainant is a free person, the person who claims that the complainant is a slave shall be fined an amount equal to the purchase amount [of the illegally enslaved person], and $\frac{1}{4}$ of the amount of the fine shall be collected as winning fee, and [both] shall be let off. If it is not ascertained that [the complainant] is a free person, but a slave, then the [complainant] who claims that he or she is a free person shall be fined an amount equal to what was paid for him or her. If he or she does not pay the amount of the fine, he or she shall be imprisoned according to the *Ain*. If no authorised person, such as someone from his or her maternal family or someone of his or her in-laws, from among the seniors (*purkhā*) or coparceners, comes forward to confirm the claim that the complainant is a free person, and if it is found that he or she has made such a claim that he or she is a free person on his or her own in order to quarrel [with the master], and if such a slave has been in the master's possession for a longer period of time, his or her complaint against the owner shall not be heard. Such a slave shall be returned to the master's authority after a *baksāunī* fee of 5 rupees per head has been collected from him for recovering the slave. If someone seizes a person, arguing that he or she is his slave, but who

has not been in his possession, and if that person [who is seized] lodges a complaint stating that he or she is a free person, the case shall be decided [by investigating] the documented [evidence] and summoning the witnesses of the area. If it is proved that the complainant is a slave, he or she shall be handed over to the owner, after $\frac{1}{4}$ of the amount of the fine has been collected as a winning fee. If [the complainant] is proven to be a free person, [the person who seized him or her] shall be fined an amount equal to the value [of the illegally enslaved person].

15. If one of several brothers who are past the age of 16 years is given into [debt bondage] by his parents, naming an *adālata* or *amāla* as witnesses, and he becomes a bondservant of his own volition, and if his parents or coparceners repay the debt and redeem him, he must repay his share of the loans which accrued while he was living in the joint household. If he redeems himself by repaying the debt through his own personal property or earnings, or by winning the favour of the creditor, he is not required to repay other debts [of his household]. He shall be permitted to receive his share from the joint property. The debts due to other creditors shall be repaid by his brothers who are living in the joint household. Other creditors shall not be permitted to seize such a person who has redeemed himself.

16. When someone emancipates a slave, if a deed [of emancipation] is prepared, citing witnesses along with the particulars that he or she is emancipated from slavery (*hāḍapāra*), but not freed from servitude (*kāmapāra*), in accordance with such a deed [of emancipation] neither the male or female slave shall be permitted to leave work and go somewhere else, nor shall the owner be permitted to sell [such a slave] and enjoy the sales proceeds. If someone comes to lodge a complaint at an *adālata*, *ṭhānā* or *amāla* concerning such matters, the case shall be decided to the effect that the owner shall not be permitted to sell such a slave and the slave shall not be permitted to quit work.

17. If someone from a Brahmin caste, including any of the Sacred Thread-wearing castes, has sexual intercourse with a person belonging to an Enslavable, Water-unacceptable or Untouchable caste, or else becomes contaminated by such a person with respect to cooked rice or water, and thereby becomes [a member] of the latter's caste [as punishment], and if such a person commits a crime [that mandates enslavement], he shall neither be enslaved nor shall he be accepted as a bondservant. If anyone enslaves him, that person shall be punished according to the *Ain*, as applicable to someone who enslaves a free person. If a creditor accepts such a person as a bondservant, he shall

lose his credit sum and be fined an equal amount. If such a person who has been placed in one of these lower castes keeps a woman of a lower caste, and if their children commit a crime, they shall be fined and punished according to the *Ain*, as laid down for the members of their mother's caste.

18. If someone entices someone else's children, who are below the age of 12 years, without the knowledge of their guardians such as their parents, brothers, sisters, maternal relatives or the like, and hands them over to someone into servitude, and if it is ascertained that [such an enticer] when asked by the guardians of these children does not admit that he handed them over to someone in servitude, but conceals it, such a person—if it is a man—shall be fined 50 rupees, and 25 rupees, if it is a woman. The children shall be summoned and handed over to their rightful guardians.

19. If someone from a Sacred Thread-wearing or Non-enslavable caste lives together with someone's female slave, and if a son born to them has illicit sexual intercourse, or else he commits any other crime, such a slave boy shall not be considered a Ghartī [for the imposition of punishment], if his father, paternal uncles, brothers [or the like] have already redeemed him, on the grounds that he is their offspring and they have provided him with the sacred thread, if his father is from a Sacred Thread-wearing caste, or have freed him, if his father is from a Non-enslavable Alcohol-drinking caste. Such a son shall be punished according to the *Ain*, as laid down for the respective caste to which he belongs. If such a son has not been redeemed [by his father or family member], and is still in servitude, he shall be considered a slave, although he is born from the semen of a person belonging to a high caste. He shall be [punished] in accordance with the *Ain*, as applicable to a slave. If such a son has previously committed a crime while he was in servitude, and he has already been punished according to the law applicable to a slave, and if his father, paternal uncles, brothers [or the like] later redeem him and provide him with the sacred thread, if his father is from a Sacred Thread-wearing caste, or emancipate him, if his father is from any other caste, the official of the respective *aḍḍā*, *adālata* or *amāla*, who previously punished him according to the law applicable to a slave, when he was still a slave, shall not be held accountable.

Article 83: *bālakha ra āmā chuṭyāi becanyā*
(On the Sale [of Slaves] That Separates Children
from Their Mother)

Edition:

१. कसैका घरमा ११ वर्ष मुनिका छोरा छोरि भयाकि कमारि छ । भाइ अंस गर्दा कसै भाइपट्टि आमा परि कसै भाइपट्टि ११ वर्ष मुनिका छोरा छोरि पर्न गया भन्या छोरा छोरि ११ वर्ष मुनिका भया पनि आफ्ना आफ्ना अंसमा पर्याका ज्यू छुट्याइ लैजानु हुन्छ पत् लाग्दैन । छोरि वैन्हिहरूलाइ दाइजो दातव्य दियाका ज्यू ११ वर्ष नाघ्यापछि लैजानु षत लाग्दैन ।

२. कसैका ११ वर्ष मुनिका छोरा छोरी भयाकि कमारि घरमा छ । धनिले थामन नसकी ११ वर्ष मुनिका छोरा छोरिलाइ हवस् वा आमालाइ हवस् छुट्याइ साहुलाइ सौप्यो भन्या साहुले छोरा छोरिको ११ वर्षको उमेर नभै आमा छोरा छोरि छुट्याइ लैजान हुदैन । छुट्याइ लैजान्या साहुलाइ र पुसिले सौपन्या असामीलाइ १०।१० रूपैया दंड गर्नु । तिन्को ११ वर्षको उमेर नाघ्यापछि आफुलाइ लेपिदियाका ज्यू लैजान हुन्छ षतवात लाग्दैन ।

३. कमारा कमारि दान वक्स पाउन्याले कमारिका ११ वर्ष मुनिका छोरा छोरि रह्याछन् भन्या छोरा छोरि पायाका भया पनि आमा चाहि पायाकि भया पनि छोरा छोरिका ११ वर्षको उमेर नहुंज्याल् आमा छोरा छोरि छुट्याइ लैजान हुदैन । एस्ता छोरा छोरि छुट्याइ आमालाइ लैगयो वा आमा छुट्याइ छोरा छोरि लैगयो भन्या दिन्या दातालाइ र पाइ लैजान्या दुवैलाइ ५।५ रूपैया दंड गरि आमा छोरा छोरि यकै ठाउमा रषाइदिनु । छोरा छोरिको ११ वर्षको उमेर नाघ्यापछि आफुले पायाका ज्यू छुट्याइ लैजान्यालाइ षत लाग्दैन ।

४. कसैले कमारि वेचता कमारिका ११ वर्ष मुनिका छोरा छोरिस्मेत रह्याछन् भन्या एकै ठाउमा वेचनु हुन्छ । ११ वर्ष मुनिका छोरा छोरि छुट्याइ आमा एकातिर वेच्यो वा आमालाइ छुट्याइ एस्ता छोरा छोरि मात्र यकातिर वेच्यो भन्या वेचन्यालाइ २० जानि जानि किन्यालाइ १० रूपैया दंड गरि वेचन्याले वेच्याका ज्यूको थैली फीर्ता ल्याउछ तापनि किन्याले अरू ज्यूको मोलस्मेत् तिरि लिंछ तापनी ११ वर्ष मुनिका छोरा छोरि र आमालाइ यकै घरमा रषाइदिनु ।

Translation:

1. If there is a female slave who has children below the age of 11 in a household, and, during the partition of the joint property amongst the brothers, the slave mother falls under the property of one brother, and her children below the age of 11 under that of another brother, it is allowed to separate them and take the slaves falling under their

respective share, even though the children are below the age of 11.²⁴⁸ No one shall be held accountable. If [the slave children] are given to the sisters or daughters as a dowry or gift, they shall be taken when they are past the age of 11. No one shall be held accountable.

2. If there is a female slave who has children below the age of 11 in a household, and if the master, being unable to keep them, hands over the children below the age of 11 or the mother to his creditor, thus separating [them from each other], the creditor shall not be allowed to separate the children from their mother as long as they are under the age of 11. The creditor who separates them and takes them away and the debtor who willingly hands them over shall be fined 10 rupees each. The creditor shall be permitted to take the slaves who have been signed over to him once [the slave children] are past the age of 11. No one shall be held accountable.

3. If someone receives a male and female slave as a gift (*dāna*) or present (*bakasa*), and if the female slave has children below the age of 11, [the recipient]—irrespective of whether he or she has received the mother or the children—shall not be allowed to separate the children from their mother and take them, as long as [the children] are not past the age of 11. If the recipient separates the children from their mother and takes her away or separates the mother from her children and takes them away, both the person who has received [the slaves] and taken them away and the person who gave them away [as a gift] shall be fined 5 rupees each, and mother and children shall be kept at one place. Someone who separates [a slave mother and her children from each other] once the children have passed the age of 11 shall not be held accountable.

4. If someone sells a female slave who has children below the age of 11, he is allowed to sell [the mother together with her children] to the same household (*ekai thāu*). If he separates the children below the age of 11 from their mother and sells her to one household or he separates the mother from her children and sells only them to another household, the seller shall be fined 20 rupees and the one who knowingly buys them shall be fined 10 rupees. The [slave] children below the age of 11 and their mother shall be kept at the same household, irrespective of whether the seller returns the purchase amount [to the buyer and takes

248 The age restriction for a child being separated from a slave mother is 11 years. If the ownership of the child is transferred within a family after partition of property, no age restriction exists. This is most probably due to the fact that in such a case the child might still live in the vicinity of its mother.

back the slaves] or the buyer also pays the price for those [slaves being sold into another household] and takes them.

Article 84: *svāsni becanyāko* (Selling a Wife)

Edition:

१. तागाधारि जात कसैले आफ्ना अैनले जार हान हुन्यासंमका स्वास्त्रि वेचि अर्कालाइ सौपेछ र तेस स्वास्त्रिको जात भात गयाको रहेनछ भन्या प्रायश्चित्त गर्नु पर्दैन । स्वास्त्रिको जात भातस्मेत् गयाको भया वेचन्या तागाधारिको जनै झिकि उस्को अंस सर्वस्व गरि जात वाहेक गरि छाडिदिनु । यस्ता स्वास्त्रि वेचन्याको हातको भात चल्दैन पानि मात्रै चल्छ । स्वास्त्रि तेसैसीत वस्छे भन्या पनि वस्तीन भन्या पनि अैन वमोजिमको आफ्नु अंस लि जान पाउछे । अंत पोइल गै भन्या जार काटन पाउदैन । काट्या ज्यानको वदला ज्यान हुंछ ।

२. तागाधारि जात नमासिन्या मतुवालि जात पानी चलन्या मासिन्या जात गैह कसैले भातवाट विग्रि वेस्या भयाका र मासिन्या नमासिन्या जातका राप्याका स्वास्त्रिलाइ कमारि भनि वेचन्या अजापुत्र मासन्या ठहर्छ । तेस्ता तागाधारि जातका छोरि वेस्या भयाका र नमासिन्या मतुवालि जातका छोरि ल्यायाका स्वास्त्रि वेचन्यालाइ ५४० रुपैया मासिन्या जातका ल्यायाका स्वास्त्रि वेचन्यालाइ ३६० रुपैया दंड गर्नु । किन्याले जानि जानि किन्याको ठहर्या त्यो मोलको थैलि अदालत अमालवाट लि जानि किन्यालाइ अजापुत्र वेचन्याका दंडको आधि दंड गर्नु । थाहा नपाइ किन्यालाइ थैलि कपालि गराइदिनु । जात बुझि²⁴⁹ किन्या वेकुफ ठहर्छ । यस्तालाइ २० रुपैया दंड गर्नु । स्वास्त्रि आफु पुसि हुंछे । यस्ता स्वास्त्रि अर्कासीत पोइल गया जार हान पाउदैनन् । काट्या ज्यानको वदला ज्यान हुंछ । मुसलमान् वाहेक अरू पानि नचलन्या जात र छोइ छिटो हालनु पर्न्या जातले स्वास्त्रि वेच्यो भन्या किन्याले फलानाकि स्वास्त्रि हो भनि जानि जानि किनेछ भन्या थैलि लिलाम् गरि किन्या वेचन्या दुवैलाइ मासिदिनु । थाहा नपाइ किनेछ भन्या वेचन्याको ज्यू मासियापछि थैलि भुस हुंछ । स्वास्त्रि आफु सुपि हुंछे । जात नबुझि किन्या वेकुफ ठहर्छ । यस्तालाइ ५ रुपैया दंड गर्नु । मुसलमान जातले स्वास्त्रि वेच्या अजापुत्र मासन्या ठहर्छ । तेस्तालाइ ३६० रुपैया दंड गर्नु ।

३. तागाधारि जातका अैनले जार हान हुन्यासंमका स्वास्त्रि जानि जानि किन्यालाइ किन्याकि स्वास्त्रिको करणि गराइ हवस् भात पुवाइ हवस् जातस्मेत् लियेछ भन्या किन्याको अंस सर्वस्व गरी छाडीदिनु । स्वास्त्रि आफु सुपि हुंछे । जानि जानि किनेछ जात भातमा विग्र्याकी रहिनछ भन्या किन्याको थैलि भुस गराइ १०० रुपैया दंड गर्नु । थाहा नपाइ कमारि हो भनी भोरमा किनेछ स्वास्त्रिले पनि म एस्ता जात कि हुं भनि जाहेर गरीनछ र स्वास्त्रि जात भात करणिमा विग्रिछ भन्या थैलि कपाली गराईदिनु । जात नबुझि किन्या वेकुफ ठहर्छ । एस्तालाइ २० रुपैया दंड गर्नु । स्वास्त्रि आफु सुपि हुंछे ।

४. कसैले आफ्ना स्वास्त्रि वेचतामा यो फलानाकी स्वास्त्रि हो भनि जानि जानि साछि वरुया कागज लेषन्या गौराइ षान्यामा तागाधारि जातका जार हान हुन्यासंमका स्वास्त्रि भया ३६० तागाधारि जातका वेस्या भयाका स्वास्त्रि र मासिन्या²⁵⁰ जातका स्वास्त्रि भया २७० पानि चलन्या मासिन्या जातका स्वास्त्रि भया १८० मुसल्मानका भया पनि १८० रुपैया पानी नचलन्या र छोइ छिटो हालनु पर्न्या जात भया २० रुपैया दंड गर्नु । फलानाकि स्वास्त्रि भनि थाहा नपाइ साछि वरुया कागज लेषन्या गौराजी षान्यालाइ नबुझि वस्याका हुनाले तागाधारि जातकी भया २० तागाधारि जातका वेस्या भयाका र नमासिन्या जातकी भया १५ रुपैया पानि चलन्या मासिन्या जातकी भया १० पानि नचलन्या जात र छोइ छिटो हालनु पर्न्या जातकी भया ५ रुपैया दंड गर्नु ।

५. नमासिन्या मतुवाली जातले आफ्ना स्वास्त्रि वेचि अर्कालाइ सौपेछ भन्या अजापुत्र मासिन्या ठहर्छ । तेसलाइ ५४० रुपैया दंड गर्नु । मासिन्या जातले भया ३६० रुपैया दंड गर्नु । किन्याले जानी जानि किनेछ भन्या थैलि भुस गराइ उसै वमोजिम दंड गर्नु । थाहा नपाइ किन्यालाइ थैलि कपाली गराइदिनु । दंड हुदैन ।

Translation:

1. If someone belonging to a Sacred Thread-wearing caste sells his wife, and her status is such that her husband may, in accordance with the *Ain*, kill her paramour, and if she does not lose her caste status and the right of consuming cooked rice with her fellow caste members, she must not observe penance (*prāyaścitta*). Such a wife retains her caste status. The seller shall be set free after his share of property has been confiscated. If [the wife] loses her caste status and the right of consuming cooked rice with her fellow caste members, the sacred thread of a seller belonging to a Sacred Thread-wearing caste shall be removed, his share of property shall be confiscated and he shall be set free, after he has been excluded from his caste. Cooked rice from the hands of such a person who has sold his wife may not be accepted. Only water may be accepted. The wife—irrespective of whether she continues to live with him or not—shall be permitted to take her share of property and leave. If she runs off with another man, her husband shall not be permitted to kill his wife's paramour. If he kills him, he shall be executed—taking life for life.

2. If someone belonging to a Sacred Thread-wearing, a Non-enslavable Alcohol-drinking, a Water-acceptable Enslavable caste or the like sells his wife, declaring her a slave on the grounds that she has been deprived of the right to consume cooked rice with her fellow caste

members and has become a common woman [through illicit sexual intercourse], or if he sells a concubine from an Enslavable or a Non-enslavable caste, he shall be regarded as a person who has enslaved a free person. Such a person who sells a woman who has become a common woman and belongs to a Sacred Thread-wearing caste, or who sells a concubine belonging to a Non-enslavable Alcohol-drinking caste, shall be fined 540 rupees. If he has sold his concubine and she belongs to an Enslavable caste, he shall be fined 360 rupees. If it is ascertained that the buyer has knowingly bought such a woman, the purchase sum for her shall be confiscated by an *adālata* or *amāla* office and the buyer shall be fined half of what is applicable to someone who has sold a free person. If he buys the woman without knowing [about her caste status], [the seller] shall be made to issue a loan agreement without security (*kapālī tamasuka*) [for the purchase amount he paid]. The person who buys her without knowing about her caste status shall be considered foolish, and he shall be fined 20 rupees. The woman shall become a free person. If such a woman runs off with another man, her husband shall not be permitted to kill his wife's paramour. If he kills him, he shall be executed—taking life for life. Except for Muslims, if someone belonging to a Water-unacceptable or an Untouchable caste sells his wife, and if the buyer does not know that she is the wife of that person, the purchase amount shall be confiscated, and both buyer and seller shall be enslaved. If he buys her without knowing about it, [the buyer] loses his purchase sum once the seller has been enslaved. The woman shall become a free person. The person who buys her without knowing her caste status shall be considered foolish, and he shall be fined 5 rupees. If some belonging to a Muslim caste sells his wife, he shall be regarded as someone who has enslaved a free person. Such a culprit shall be fined 360 rupees.

3. If someone knowingly buys the wife of a person belonging to a Sacred Thread-wearing caste who, in accordance with the *Ain*, bears the right to kill his wife's paramour, and if he deprives her of her caste status by having illicit sexual intercourse with her or by feeding her cooked rice, such a buyer shall be set free after his share of property has been confiscated. The woman shall become a free person. If he buys her knowing [that she is the seller's wife] and if she does not lose her caste status through cooked rice [and illicit sexual intercourse], the buyer shall lose his purchase amount and he shall be fined 100 rupees. If he buys her without knowing [that she is the seller's wife] under the impression that she is a slave, and if the woman, too, does not inform

him that she belongs to such and such a caste, and if she loses her caste status through cooked rice and illicit sexual intercourse, [the seller] shall be made to issue a loan agreement without security for the purchase sum. The person who has bought her without knowing her caste status shall be considered foolish and he shall be fined 20 rupees. The woman shall become a free person.

4. If someone sells his wife, those persons who witness the sale, who write down the sales deed and who accept the earnest money—knowing that she is [the seller's] wife—shall be fined 360 rupees if she belongs to a Sacred Thread-wearing caste and her husband bears the right to kill his wife's paramour. If she is a woman belonging to a Sacred Thread-wearing caste and has become a common woman, or if she belongs to a Non-enslavable caste, [the culprits] shall be fined 270 rupees. If she is a woman belonging to a Water-acceptable or an Enslavable caste, [the culprits] shall be fined 180 rupees. If she is a Muslim woman, [the culprits] shall be fined 180 rupees. If she is a woman belonging to a Water-unacceptable or an Untouchable caste, [the culprits] shall be fined 20 rupees. If the woman belongs to a Sacred Thread-wearing caste, those persons who witness the sale, who write down the sales deed and who accept the earnest money without knowing that she is [the seller's] wife shall be fined 20 rupees, on the grounds that they unknowingly did so. If she belongs to a Sacred Thread-wearing caste and has become a common woman, or if she belongs to a Non-enslavable caste, they shall be fined 15 rupees. If she belongs to a Water-acceptable or an Enslavable caste, they shall be fined 10 rupees. If she belongs to a Water-unacceptable or an Untouchable caste, they shall be fined 5 rupees.

5. If someone belonging to a Non-enslavable caste sells his wife, he shall be regarded as someone who enslaves a free person. He shall be fined 540 rupees. If someone belonging to an Enslavable caste does so, he shall be fined 360 rupees. If the buyer knows [about her caste status], he shall lose his purchase amount and be fined an [amount] equal [to that]. If the buyer does not know about it, [the seller] shall be made to issue a loan agreement without security [for the purchase sum]. He shall require no fine.

Article 85: *birāmī cākara nikālanyā*
(On Removing Sick Slaves)

Edition:

१. कसैका कमारा कमारि वाधा वधेत्यानिमा रोग लाग्याकालाइ धनिले आफ्ना घरवाट निकालि कसैका जिम्मा नगरि घाट पाटि दोवाटोमा लैगी फाल्याका वाचि आया भन्या धनिले समाउन पाउदैन । आफु सुषी हुन्छन् । अदालत ठाना अमाल्वाट छुट्टि भयो कर लाग्दैन भन्या सनद गराइ अमलेष गराइदिनु । घरवाट निकालि षान पीन दि सहिसम्भार गर्त्याको रहेछ भन्या ति कमारा कमारी वाधा वधेत्यानि छुट्टि हुदैनन् । धनिले लैगी कज्याउन पाउछ ।
२. आफ्ना घरमा वास दि राष्याकालाइ वेराम भयाका वषत्मा घरमा वस्तु हुदैन भनि कसैले ननिकाल्नु । वेरामि भयाकालाइ घरवाट निकालन्या घरका धनिलाइ १० रुपैया दंड गर्नु ।
३. कसैका घरमा भतुवा राष्याको छ तेस्लाइ हैजा अठ्या विफर षवट्या रोग भयो भनि रोग ल्याग्यामा²⁵¹ घरवाट निकाल्दिन्या सह्यारसंभार नगरि अलपत्र फालन्यालाइ २० रुपैया दंड गर्नु ।
४. कसैले कमारा कमारी वाधा वधेत्यानिलाइ भारी वोकाइ पर्देस लग्याको वाटमा वेरामी भयो भन्या तेझ्नाइ षान्या पिन्या कुरो दि कसैका जिम्मा गरि छोडिआयाको रहेछ पछि वाचि आयो भन्या षसमूले चलन् गर्न पाउछ । वेरामी हुदा कसैका जिम्मा नगरि षर्च नदि अलपत्रमा पारि उसै छोडिआयाको पछि वाचि आयो भन्या आफु सुषि हुन्छ । धनिको कर लाग्दैन । अदालत ठाना अमाल्वाट छुट्टि भयो कर लाग्दैन भन्या सनद गराइ अमलेष गराइदिनु ।

Translation:

1. If a master removes a male or female slave or a male or female bond-servant who has fallen sick from his house, takes them to a [burning] *ghāṭa*, wayside public shelter or crossroads, and abandons them there without leaving them in anyone's care, and they survive and recover, the master shall not be allowed to recapture them. They shall become free. An *adālata*, *ṭhānā* or *amāla* office shall emancipate them by issuing a deed (*sanada*) stating that they are free and shall not be under [anybody's] control. If it turns out that, after removing them from the house, [the master] provided the male or female slave or male or female bondservant with food and drink and took good care of them, they shall not be freed. The master shall take them and put them [back] to work.

2. No one shall remove [a servant] who has been kept at one's house, providing him with a place to stay when he falls sick, stating that he should not stay at the house [anymore]. The master of the household shall be fined 10 rupees if he removes [a servant] who has fallen sick from his house.

3. If someone keeps a servant working only for food (*bhatuvā*) at his home, and [such a servant] suffers from cholera, Aṭhyā fever, smallpox or emaciation, the person who removes him from the house and throws him into destitution (*alapatra phālnu*), without taking care of him and without offering support on the grounds that he suffers from such a disease, shall be fined 20 rupees.

4. If someone takes male or female slaves or male or female bond-servants to a foreign territory to carry his loads, and [such slaves or bondservants] fall sick on the way, and if [the master] provides them with food and drink and leaves them under somebody's care and returns, and thereafter [the slaves or bondservants] survive and return, the master shall be allowed to make use of them. If the master, while [the slaves or bondservants] are sick, does not leave them under anyone's care, and does not make provisions for their expenses, and returns leaving them destitute and abandoned, and thereafter [the slaves or bondservants] survive and return, [such slaves or bond-servants] shall become free, and shall not be under the control of their master. An *adālata*, *thānā* or *amāla* shall emancipate them by issuing a deed stating that they are free and shall not be under [anybody's] control.

Article 86: *māsinyā jyū amālile linyāko*

(On the Amālī's Right to Take Slaves into His Possession)

Edition:

१. मासिन्या जातका लोग्ग्या स्वान्नि मानिस् कसैले मासिन्या षतवात गर्याको कुरो जाहेर भै भागी अरू अम्बल्मा गै वस्याका रह्याछन् भन्या कायल्नामा भयाको भया जौना अम्बल्वाट विराव गरि भाग्याका छन् उसै जगाका कायल्नामा लेषाउन्या अमालिले पाउछ । षत जाहेर भयापछि कायल्नामा हुन नपाइ भाग्याका रह्याछन् र पछि पत्ता लाग्यो भन्या उसै जगाका पछि पत्ता लगाइ पक्रन्या अमालिले पाउछ । भागी गै वस्याका जगाका अमालिले कायल्नामा गरायाको भया पनि लिन पाउदैनन् । मासिन्या षतवात गर्याको कुरो प्रकास नहुदै उस् ठाउवाट अरू अम्बल्मा गै वस्याका रह्याछन् र पछि कुरो जाहेर भयो भन्या जाहा गै वस्याका छन् उसै ठाउका अमालिले

लिन पाउछ । षतवात जाहेर नभै गयाकामा मेरा अम्बल्का कुरिया हुन् म पाउन्त्या हुं भनि अधि ति वस्याका ठाउका अमाली द्वार्याले लिन पाउदैनन् । नलिनु ।

२. गुठि विर्ता वितलव वेषमाना चावल् फिगढार²⁵² मरौट् छाप जगाका मासीन्या षत्मा पर्याका चाक चकुइ उस ठाउवाट भागी गै गुठि विर्ता वितलव गैह् जगामा वस्याका रह्याछन् भन्या जौन जगाका हुन उसै जगाका धनिले पाउछन् । रैकर षुवा जगामा गै वस्याका रह्याछन् भन्या विर्ता वितलववालाहरूले अधि कायेलनामा गर्याको भया उसैले पाउछन् । कायेलनामा गर्याको रहेनछ भन्या अदालत्को हुंछ ।

३. स्वास्त्रि जातले पेट बोक्न्याको छ । तेसै स्वास्त्रिले चोरि गरि अर्का जातमा करणि गराइ मासी भन्या गर्भ रह्याको वालष पनि मासिंछ । गर्भवाट अधि जन्म्याको रहेछ भन्या आमाका षत्मा छोरा छोरि मासिदैनन् ।

४. कमाराले भोत्था चेपाङ् मास्त्रि दनुवार हायु दरै कुमाल् पहरि गैह् मासिन्या जातका छोरी बुहारिको करणि गर्यो भन्या गुठि विर्ता सर्वाक माफि जगा वेष छाप गैह्का कागजका मालिक् र इजारा ठेकदार द्वार्याका कमाराले करणि गरी चाक चकुइ पर्याका दुवै ज्यू सर्कारिया हुंछन् । अदालत ठानावाट बुझिलिनु । दुनिजा रैतिका कमाराले विरायामा चकुइ पर्याको अमालि ठेकदार द्वार्या वेष विर्ता छाप सर्वाक माफि जगाका धनिले लिनु । पर्जाका छोरि बुहारि विराउन्त्या कमारालाइ अदालत् ठाना अमालवाट अैन् वमोजीम् कैद गर्नु । षसम्ले म्यादका रुपैया तिरि लैजांछ भन्या अैन वमोजीम् रुपैया लि उसैका जिम्मा गरि छाडीदिनु ।

५. हाड फोरा परि मासिन्या षत्मा र चाक चकुइ परि दंड हुन्त्या षत्मा एका अम्बलको चाक एका अम्बलकि चकुइ पर्या भन्या जस् जस्का अंवलमा पर्याका हुन् उसै उसै अंवलवाट लिनु ।

६. मासिन्या जात गैह्का जार काटि मासियाकि स्वास्त्रि जार भागी जादा अर्का अवलमा गै काटि डल्लो गल्यो भन्या हाम्रा अम्बलमा डल्लो गल्यो भन्त्याले पाउदैन । जाहाका कुरिया हुन् उसै अंवलकाले पाउछन् ।

७. मासिन्या जातले १ फेरा मासिन्या षत गरि अैन वमोजिम् मासियापछि छुटि अकरीया भैरह्याका मानिसले फेरि मासिन्या षत गर्यो भन्या फेरि पनि मासिदिनु ।

८. जागीर्दार जागीर्दारका षुवा जागीरका दुवैतर्फका जगामा पर्याको झगराको मेरा जगावाट झगरा छिन्यापछि आम्दानि मेरो हुंछ भनि दियेन भनि कोहि कराउन आया दुवै झगरिया आफ्ना अंवलका भया तिनको अैन वमोजीम्को आम्दानि पनि उसै जगाका अमालिको हुंछ । उइतर्फका²⁵³ कुरिया रह्याछन् र एकापट्टिका अमालि द्वार्याहरू मात्रै भै झगरा छिन्याको भया आम्दानीको छैटि लि उपर आम्दानी जौना अम्बल्का कुरिया हुन् उसै अम्बलका अमालिलाइ सौपिदिनु ।

Translation:

1. If a man or a woman who belongs to an Enslavable caste flees to another jurisdiction and settles there after it becomes known that he or

252 Read: *phikdāra*.

253 Read: *duitarphakā*.

she has committed a crime that mandates enslavement, and if a confession had [earlier] been obtained, then [the *amālī* officer] of the jurisdiction from which he or she fled after committing the crime—the *amālī* that drew up the confession—shall take him or her into his possession. If the person flees after the crime has become known, but with no confession having been obtained, and if information [regarding the crime] becomes known [more widely], the *amālī* of that jurisdiction that apprehends [him or her] after such information has been made known shall take him or her into possession. The *amālī* of the jurisdiction to where the person flees and settles shall not take him or her into possession, even though it obtains a confession. If the person flees from that place and settles in another jurisdiction before the crime that mandates enslavement becomes known, and if the matter becomes known [later], the *amālī* of the place where the person went and settled shall be permitted to take him or her into possession. If they flee before the crime becomes known, the *amālī* or *dvāre* officer of the place where they lived before shall not be entitled to take them into possession on the grounds that they are tenants from his jurisdiction and he is the one to capture them. He shall not take them into possession.

2. If [a man and a woman who live as tenants] on *guṭhī*, *birtābitalapa*, *bekha*, *mānācāmala*, *phikadāra*, *marauṭa* or *chāpa* land commit a [sexual] offence that mandates enslavement, and the *cāka* and *cakuī* flee from that place and settle on *guṭhī* or *birtābitalapa* land or the like, the owner of that land to which they belonged [before they fled] shall have custody [of the offenders]. If they flee and settle on state-owned or *khuvā* land, the owners of the *birtābitalapa* land shall have custody if a confession has earlier been obtained. If no confession has [earlier] been obtained, the *adālata* office shall have custody.

3. If a woman is pregnant and she treacherously has illicit sexual intercourse with a man from a different caste, the child in her womb shall also be enslaved. If children are born [before their mother is enslaved for her crimes], such children shall not be enslaved for their mother's crime.

4. If a slave has illicit sexual intercourse with the daughter or daughter-in-law [of someone] belonging to an Enslavable caste, such as Bhoṭe, Cepāṅga, Mājhī, Danuvāra, Hāyu, Darai, Kumāla, Paharī or the like, and if that slave who has had illicit sexual intercourse belongs to the owner of *guṭhī*, *birtā*, tax-exempted, *bekha*, *chāpa* land or the like, or to an *ijārā* or *ṭheka* holder, both the *cāka* and *cakuī* shall become government property. The *adālata* or *ṭhānā* office shall take them into

possession. If a slave belonging to a commoner has such illicit sexual intercourse, the *amālī*, *ṭheka* holder or *dvāre* or the owners of *bekha*, *birtā*, *chāpa* and tax-exempted land shall take the woman (*cakuī*) into possession. A slave who has illicit sexual intercourse with the daughter or the daughter-in-law of [someone belonging to] a Parjā caste shall, in accordance with the *Ain*, be imprisoned by an *adālata*, *ṭhānā* or *amāla*. If his master pays the amount set in lieu of his prison term and takes him back, he shall be set free and handed over to his master, the amount being accepted in accordance with the *Ain*.

5. Concerning a case of incest which mandates enslavement or the punishment applicable to a *cāka* and *cakuī*, if the *cāka* belongs to one jurisdiction and the *cakuī* to another, the respective jurisdiction shall take the respective offender into possession.

6. If a woman from an Enslavable caste or the like, who has been enslaved after her paramour was killed [by her husband], runs off with [another] paramour and they flee to another jurisdiction and [the paramour] is killed on that soil (*ḍallo galnu*), [the official concerned of that jurisdiction] shall not be allowed to take [the woman] into possession on the grounds that [the paramour was killed] on the soil of his jurisdiction. The [respective official] of the jurisdiction where they lived as tenants [before they fled] shall take her into possession.²⁵⁴

7. If someone from an Enslavable caste commits a crime that mandates enslavement and, thus, is enslaved in accordance with the *Ain*, and if once he is freed and not in servitude [any more], he commits again a crime that mandates enslavement and he shall again be enslaved.

8. If there is a dispute concerning *khuvā* or *jāgira* land belonging to two different *jāgira* holders, and if the [respective] *amālī* comes to complain that [one of the *jāgira* holders] does not give him the income [generated from the case] on the grounds that the income should belong to him because the case was settled on his land, and if both litigants are from [the *amālī*'s] jurisdiction, the income in accordance with the *Ain* shall belong to the *amālī* of that land. If tenants from two different [jurisdictions are in dispute], and if the dispute is settled by only the *amālīs* or *dvāres* of one jurisdiction, $\frac{1}{2}$ of the income shall be given to [the *amālīs* or *dvāres*] who settled the case and the remaining income shall be handed over to the respective *amālīs* of the jurisdictions to which the tenants belong.

254 The exact meaning of this section is unclear, especially since the meaning of the phrase *ḍallo galnu* (“a clod that dissolves”) remains obscure to us.

Article 97: *āsauca bārnyāko* (On Observing Impurity)

Edition:

३०. आफ्ना षसम् षस्मिनिहरू मरि घरमा जुठो पर्यो भन्या करिया चाकर षवास्या केटि कमारा कमारिहरूलाइ पुरो जुठो लाग्छ । दर्माहादार चाकर वाधा वधेत्यानि मानु षाइ चाकरि गरि वरुया एस्ता चाकरहरूलाइ ३ दिन जुठो लाग्छ । आफ्ना घरका षसम् षस्मिनि वाहेक षसंका अरु दसाहा भाइ मर्यामा चाकरलाइ जुठो लाग्दैन ।

Translation:

30. If one's master or mistress dies, and the household is polluted by [death] impurity, a servant in servitude, a Khavāsa, a maid, or a male or female slave is fully afflicted by the death impurity. A wage-earning servant, a male or female bondservant, or a servant working for his keep are afflicted by the impurity for 3 days. A servant is not afflicted by the impurity, except when the master or mistress of his household dies, [but not] if any other of the master's [more distant] family members dies for whom a 10-day mourning period is prescribed.

Article 118: *māsinyā matuvālīko*

(On [incest among] Enslavable Alcohol-drinking Castes)

Edition:

आफ्ना हाडनातामा करणि गर्न्या मासिन्या मतुवाली जात गैह्र पानी चलन्याको तपसिल

१. सधवा भया पनि विधवा भया पनि वेस्या भया पनि आफुलाई जन्माउन्या आमाको करणि गर्न्या मासिन्या मतुवाली जातका गैह्रलाइ काटि मारिदिनु ।

२. आफ्ना एका वावुवाट जन्म्याका दिदि वैन्ही र आफुले जन्मायाका छोरिको करणि गर्न्या मासिन्या मतुवालि जात गैह्रलाइ ऐन वमोजिमको सर्वस्व गरि दामल् गर्नु ।

३. आफ्ना हाडमा ५ पुस्तासम्मका आफुलाइ जन्माउन्या आमा आफ्ना एका वावुवाट जन्म्याका दिदि वैन्ही आफुले जन्मायाको छोरि र भाउज्यू नाता पर्न्या वाहेक अरु ११ वर्ष नाध्याका कंन्या सधवा विधवाको करणि गर्न्या मासिन्या मतुवाली जात गैह्रका लोग्न्या स्वास्त्रि दुवैलाई मासिदिनु ।

४. आफ्ना हाडमा ५ पुस्तादेपि माथि आफुदेपि १४ पुस्तासम्मका ११ वर्ष नाध्याका कंन्या र विधवाको करणि गर्न्या मासिन्या मतुवाली जात गैह्रका लोग्न्यालाइ १५ स्वास्त्रिलाई १० रुपैया दंड गरि छुट्याइदिनु । ५ पुस्तादेपि माथि करणि गर्न्याको ज्यू मासिदैन ।

५. आफ्ना १४ पुस्तादेपि माथिका हाडनातामा करणि गर्न्या मासिन्या मतुवाली जात गैह्लाका लोग्ग्यालाई १२ रुपैया स्वास्त्रिलाइ ८ रुपैया दंड गर्नु ।
६. मासिन्या मतुवालीमा पानि चलन्या जातसम्मका कसैले आफ्ना हाडका ५ पुस्तादेपि उभोका सधवा स्वास्त्रिको करणि गर्यो भन्या विहा गरि ल्यायाका र विहाको रित गरि ल्यायाका स्वास्त्रिको २० रुपैया विहा षर्च साधुलाइ भराई दि लोग्ग्यालाई २० हाडफोरा पर्नाले स्वास्त्रिलाई १० रुपैया दंड गर्नु । विहाको रित नपुर्याइ ल्यायाका आफ्ना जात भातमा चल्याका स्वास्त्रिको करणि गर्न्यालाई विहा षर्च पर्देन । लोग्ग्यालाई १० स्वास्त्रिलाइ १० दंड गर्नु । जात भातमा नलियाका घरमा ल्याइ राष्याका स्वास्त्रिको करणि गर्न्या लोग्ग्यालाई १० स्वास्त्रिलाइ ५ रुपैया दंड गरि छुट्याईदिनु । रुपैया नतिर्या ऐन वमोजिम् कैद गर्नु ।
७. मासिन्या मतुवाली जात गैह्ले विधवा भाउज्यू नाता पर्न्याका मनोमानले करणि गर्यो भन्या करणि गर्न्या गराउन्या दुवैलाई राजषत लाग्दैन । सधवा भाउज्यू नाता पर्न्याको करणि गर्यो भन्या अधिदेपि जार हात्र्या जातलाई साधुले जार काटन नहुनाले ऐन वमोजिम् अंस सर्वस्व गरि लिंछ तापनि वस्यका गाउ सहरवाट नीकाली दिंछ तापनि केहि नगरि उसै छाडछ तापनि साधुको पुसि । साधुले सजाय नगरि षत माफ गरि छाड्याकाको जात जादैन । म सजाय गर्दिन भनि अडा गौडा अदालत् ठाना अमाल्मा भन आयो भन्या जारि गर्न्याको ऐन वमोजिम् अंस सर्वस्व गरि दसौद ली उपर साधुलाइ सौपिदीनु । करणि गर्न्यालाई ६ मैन्हा कैद गर्नु । म्यादको रुपैया दिया लिनु । साधुले सजाय नगरि जारिको षत माफ गरि छोड्यो भन्या राजषत लाग्दैन जात जादैन । अधिदेपि जार नहानि आउन्या जातका लोग्ग्या स्वास्त्रि दुवैलाई मासिदिनु ।
८. आफुले जन्मायाका छोरिका छोरि नाति²⁵⁵ र ऐनले जार हात्र हुन्यासम्मका नातीन्या वुहारिको करणि गर्न्या मासिन्या मतुवाली जात गैह्लाई राजषत लाग्ग्याले करणि गर्न्या गराउन्या दुवैलाई मासिदिनु ।
९. भांजा भांजि पट्टीका नातामा सधवा भया पनि विधवा भया पनि कंन्या भया पनि आफ्ना वावुवाट जन्म्याका दिदि वैन्हिका छोरि भंजि र ऐनले जार हात्र हुन्या भांज्या वुहारिको करणि गर्न्या मासिन्या मतवालीजात गैह्लाई राजषत लाग्ग्याले लोग्ग्या स्वास्त्रि दुवैलाई मासिदिनु ।
१०. मावलि पट्टीका नातामा आमालाइ जन्माउन्या वज्यू आमाका सहोदर वज्यू आमा जन्म्याका एका वावुवाट जन्म्याका दिदि वैन्हि सानि ठुली आमा र मामाका जार हात्र हुन्या सम्मका स्वास्त्रि माइज्यूको करणि गर्न्या मासिन्या मतुवाली जात गैह्लाई राजषत लाग्ग्याले लोग्ग्या स्वास्त्रि दुवैलाई मासिदिनु ।
११. मावली पट्टीका नातामा आमाका सौतिन्या आमाका छोरि सानि ठुली आमा र आमाकि आमाका एका वावुवाट जन्म्याका दिदि वैन्हि बज्युहरूको करणि गर्न्या मासिन्या मतुवाली जात गैह्लाई सधवा भया साधुलाइ २० रुपैया विहा षर्च भराइ लोग्ग्यालाई २० स्वास्त्रिलाइ १० रुपैया दंड गर्नु । कंन्या विधवा भया राजषत लाग्ग्याले करणि गर्न्या लोग्ग्यालाई १५ रुपैया स्वास्त्रि लाइ १० रुपैया दंड गर्नु ।

१२. ससुराली पट्टिका नातामा आफ्ना स्वास्त्रिकि आमा सासु आफ्ना ससुराले विहा गरि ल्यायाका स्वास्त्रि सासु ससुरालाइ र साधुलाइ²⁵⁶ जन्माउन्त्या बुढि सासु ऐतिको करणि गर्न्या मासिन्या मतुवाली जात गैह्लाइ करणि गर्न्या र करणि गराउन्त्या दुवैलाइ मासिदिनु ।

१३. आफुलाइ दिक्षा मंत्र सुनाउन्त्या गुर्मा र गुरुका ऐनले जार हात्र हुन्त्या स्वास्त्रि गुर्माको करणि गर्न्या मासिन्या मतुवाली जात गैह्लाका लोग्न्त्या स्वास्त्रिलाइ मासिदिनु ।

१४. आफुलाइ जन्माउन्त्या वावु आफ्ना एका वावुवाट जन्म्याका दाज्यू भाइ आफुले जन्मायाका छोरालाई करणि दिन्या आफ्ना ससुरालाइ करणि दिन्या स्वास्त्रिहरूमा नमासिन्या जातका स्वास्त्रि भया ३ वर्ष कैद गर्नु । म्यादका रुपैया तिर्या ली छाडनु । मासिन्या जात पानि नचलन्त्या जात छोइ छिटो हालनु पर्न्या जातका स्वास्त्रिलाइ मासिदिनु ।

१५. मासिन्या जातमा पानि चलन्त्या नचलन्त्या गैह्ला जातले आफ्ना एका वावुवाट जन्म्याका ज्येठा कांछा वावुका छोरिका छोरि भांजिहरू र आफ्ना एका वावुवाट जन्म्याका दाज्यू भाइका छोरिका छोरि नातिनीहरूको करणि गरेछ भन्त्या सधवा भया ऐन वमोजिम् साधुको पुसि । कन्या र विधवा भय²⁵⁷ करणि गर्न्या गराउन्त्या लोग्न्त्या स्वास्त्रि दुवैलाइ मासिदिनु । एति नाता वाहेक अरू गोटिया भाइहरूका छोरिका छोरिको करणि गरि भातमा वोरेछ भन्त्या सधवा भया ऐन वमोजिम् साधुको पुसि । ११ वर्ष नाच्याका कन्या विधवा भया नाता नलाग्न्या कुटुंबका कन्या विधवाको करणि गर्न्यालाइ लेष्याका ऐन वमोजिम् सजाय गर्नु । भातमा वोर्याको नभया षतवात लाग्दैन ।

Translation:

The regulations applicable to someone belonging to an Enslavable Alcohol-drinking Caste who commits incest within blood relations:

Particulars

1. Someone belonging to an Enslavable Alcohol-drinking caste who commits incest with his natural mother, shall be executed—irrespective of whether she is married, widowed or a common woman.

2. Someone belonging to an Enslavable Alcohol-drinking caste who commits incest with his sister, begotten by his father himself, or with his daughter he himself has begotten, shall be punished by *dāmala* after his share of property has been confiscated, in accordance with the *Ain*.

3. If someone belonging to an Enslavable Alcohol-drinking caste commits incest with an unmarried girl, married woman or widow of his blood relations who shares with him a common ancestor up to

256 Read: *sāsulāi*.

257 Read: *bhayā*.

5 generations back, who is past the age of 11 and who is not his natural mother, nor a sister his father himself has begotten, nor a daughter he himself has begotten, nor an older brother's wife, both such a man and woman shall be enslaved.

4. If someone belonging to an Enslavable Alcohol-drinking caste commits incest with an unmarried or widowed woman of his blood relations who has passed the age of 11 and who shares with him a common ancestor from more than 5 generations back and up to 14 generations, such a man and woman shall be fined 15 and 10 rupees respectively and they shall be separated from each other. Someone [belonging to an Enslavable Alcohol-drinking caste] who commits incest [with a woman] who, in his family tree, is related to him more than 5 generations back shall not be enslaved.

5. If someone belonging to an Enslavable Alcohol-drinking caste commits incest with a person of his or her blood relation who shares a common ancestor from more than 14 generations back, such a man and woman shall be fined 12 and 8 rupees respectively.

6. Among the Enslavable Alcohol-drinking castes, if someone from whom water may be accepted commits incest with a married woman of his blood relations who shares a common ancestor more than 5 generations back, and who has entered marriage or has been wedded according to the marriage rites of her caste, he shall be made to pay 20 rupees to her aggrieved husband for the marriage expenses and shall be fined 20 rupees. Since it is incest, such a woman shall be fined 10 rupees. If he commits incest with such a woman, who has been brought in without being wedded according to the marriage rites of her caste, and who has been accepted to consume cooked rice with [her aggrieved husband's] fellow caste members, he shall not need to compensate [her aggrieved husband] for the marriage expenses. Both such a man and woman shall be fined 10 rupees each. If he commits incest with such a woman who has been brought in and kept in the house, but has not been accepted to consume cooked rice [with her aggrieved husband's] fellow caste members and to perform caste rituals with them, such [an adulterer] shall be fined 10 rupees and she shall be fined 5 rupees. They shall be separated from each other. If they do not pay the amount of the fine, they shall, in accordance with the *Ain*, be imprisoned.

7. If someone belonging to an Enslavable Alcohol-drinking caste has consensual sexual intercourse with the widow of his older brother, both parties shall not be held accountable for committing a heinous crime (*rājakhata*). If he has sexual intercourse with his older

brother's ritually married wife, since her aggrieved husband, although he belongs to a caste bearing the right to kill his wife's paramour, is not permitted to kill his wife's paramour [in such a case], it shall be up to the will of the aggrieved husband whether he, in accordance with the *Ain*, confiscates his wife's paramour's share of property, or exiles him from the village or city where he lives, or whether he lets his wife's paramour off without doing any such. If such an aggrieved husband lets his [wife's paramour] off, giving him an excuse for his crime and without punishing him, [the adulterer] shall not lose his caste. If such an aggrieved husband comes [to government offices] and declares that he will not punish his wife's paramour, the *aḍḍā*, *gauḍā*, *adālata*, *ṭhānā* or *amāla* offices shall, in accordance with the *Ain*, confiscate the share of property of such [an adulterer], shall collect 10 percent of [the total value], and give it to that aggrieved husband. The adulterer shall be imprisoned for 6 months. If he pays the amount in lieu of his prison term, it shall be accepted. If the aggrieved husband forgives his wife's paramour and lets him off without punishing him, [the latter] shall not be held accountable for committing a *rājakhata*. He shall not lose his caste. Both such a man and woman, if they belong to a caste whose members do not bear the right to kill their wives' paramour [in such a case of adultery], shall be enslaved.

8. If someone belonging to an Enslavable Alcohol-drinking caste commits incest with his granddaughter, who is daughter of the daughter he himself has begotten, or his granddaughter-in-law, whose husband bears the right to kill his wife's paramour according to the *Ain*, both the man who committed incest and the woman who let him do so shall be enslaved, because it is a *rājakhata*.

9. Among nephews and nieces, if someone belonging to an Enslavable Alcohol-drinking caste commits incest with his niece, who is the daughter of his sister fathered by the same father as he is, or with his niece-in-law who is the wife of his nephew bearing the right to kill his wife's paramour according to the *Ain*—irrespective of whether she is married, widowed or unmarried, both shall be enslaved, because it is a *rājakhata*.

10. Among the maternal relations, if someone belonging to an Enslavable Alcohol-drinking caste commits incest with his grandmother who gave birth to his mother, or with his maternal aunt fathered by the same father of his mother, or with his maternal uncle's wife whose husband bears the right to kill his wife's paramour, both shall be enslaved, because it is a *rājakhata*.

11. Among the maternal relatives, if someone belonging to an Enslavable Alcohol-drinking caste commits incest with his maternal aunt who is the daughter of the stepmother of his mother, or grandmother who is the daughter fathered by the same father of the mother's mother (i.e. grand-aunt), and she is married, he shall be made to pay 20 rupees to her aggrieved husband for the marriage expenses, and both such a man and woman shall be fined 20 and 10 rupees, respectively. If such a woman is unmarried or widowed, the man shall be fined 15 rupees and woman shall be fined 10 rupees, because it is a *rājakhata*.

12. Among the family from the bride's side, if someone belonging to an Enslavable Alcohol-drinking caste commits incest with his mother-in-law who gave birth to his wife, with a co-wife of his father-in-law who has entered marriage, with his grandmother-in-law who gave birth to his father and mother-in-law, both such a man who committed incest and the woman who let him do so shall be enslaved, because it is a *rājakhata*.

13. If someone belonging to an Enslavable Alcohol-drinking caste commits incest with his female guru who gave him the initiatory mantra, or with the wife of his guru who gave him the initiatory mantra and who bears the right to kill his wife's paramour according to the *Ain*, both shall be enslaved.

14. Among the women, any who lets her natural father, her brother whom her father himself has begotten, her son whom she herself has begotten or her father-in-law commit incest with her, if she belongs to a Non-enslavable caste, she shall be imprisoned for 3 years. If she pays the amount in lieu of her prison term, it shall be accepted and she shall be set free. If such a woman belongs to an Enslavable, Water-unacceptable [but Touchable] or Untouchable caste, she shall be enslaved.

15. If someone belonging to an Enslavable Alcohol-drinking caste commits incest with his niece born to the daughter of his paternal uncle, who is born from the same grandfather, or with his granddaughter born to the daughter of his brother, who is born from the same father, and she is married, it shall, in accordance with the *Ain*, be up to the will of her aggrieved husband [as to whether he punishes his wife's paramour or not]. If she is unmarried or widowed, both such a man who committed incest and the woman who let him do so shall be enslaved. If such a person has illicit sexual intercourse with a woman among his relatives or clan members other than the ones mentioned above, and if he has contaminated his fellow caste members through cooked rice after the illicit sexual intercourse, and if she is married, it shall, in accordance

with the *Ain*, be up to the will of her aggrieved husband [as to whether he punishes his wife's paramour or not]. If she is unmarried or widowed and is past the age of 11, he shall be punished in accordance with the regulation applicable to someone who has sexual intercourse with an unmarried or widowed woman who is not among his relatives [or clan members]. If he has not contaminated [his fellow caste members] through cooked rice, he shall not be held accountable.

Article 124: *hādanātākā vesyā bhayākāko karaṇi garnyā māsinyāko*

(On [Incest] by a Member of an Enslavable [Alcohol-drinking Caste with a Relative Who Has Become a Common Woman])

Edition:

१. मासिन्या मतवालि जात गैह्ले आफ्ना हाडमा ४ पुस्तासंमका दाज्यू भाइ काका वाज्या छोरा नाति पन्याका छोरि फुपु वज्यू दिदि वैन्हि छोरि भतिजि नातिनि पनातिनि पन्या र आफ्ना साक्षात् दिदि वैन्हिका छोरि भांजि आफ्ना आमालाइ र वावुलाइ जन्माउन्त्या वज्यू आमाका सहोदर दिदि वैन्हि सानि ठुलि आमा आफ्नि स्वास्त्रिलाइ जन्माउन्त्या सासु आफुलाइ मंत्र सुनाउन्त्या गुर्मा एतिमा आफ्ना षसंको सत्य छोडि अर्कासित पोइल गयाकालाइ जति सुकै लिंग परि करणि गर्या पनि लोग्न्यालाइ मासिदिनु । करणि दिन्या स्वास्त्रि नमासिन्या जातकि रहिछ भन्या वेस्या हुंछे । मासिन्या जातकि रहिछ भन्या मासिदिनु ।

२. मासिन्या मतवालि जात गैह्ले आफुलाइ जन्माउन्त्या आमा वाहेक अरू वावुले अैनले जार हानं हुन्या संमका ल्यायाका सौतिन्या आमा आफुलाइ मंत्र सुनाउन्त्या गुरुका स्वास्त्री गुर्मा आफ्नि आमाका विमात् पट्टिका दिदि वैन्हि सानि ठुलि आमा ससुरालाइ र सासुलाइ जन्माउन्त्या वुढि सासु ससुराले अैनले जार हान्न हुन्यासंमका स्वास्त्री सौतिन्या सासु यतिमा आफ्ना षसंको सत्य छोडि अर्कासित पोइल गयाका स्वास्त्रिको आफु तेश्रो परि कर्णि गर्न्यालाइ लोग्न्या रहेछ भन्या जार हान्या जातको अैन वमोजिम साधुको षुसि । लोग्न्या रहेनछ वा जार हानेन भन्या राजषत् लाग्नाले २० रुपैया चौथो परि कर्णि गर्न्यालाइ १५ जतिसुकैसित विग्याकि भया पनि चौथोदेषि युढो परि कर्णि गर्न्यालाइ अधिदेषि जार हान्या जात रहेछ भन्या १० रुपैया दंड गरि छुट्याइदिनु । जात जादैन ।

३. मासिन्या जातमा पानि चल्न्या गैह्ल जातका आफ्ना हाडमा ४ पुस्तादेषि युढो ७ पुस्तासंमका दाज्यू भाइ काका वाज्या छोरा भतिजा पन्याका छोरि फुपु वज्यू दिदि वैन्हिको छोरि नातिनि पनातिनि नाता पन्या स्वास्त्रीहरूमा आफ्ना षसंको सत्य छोडि अर्कासित पोइल गयाकाको आफु तेश्रो परि कर्णि गर्यो भन्या लोग्न्या रहेछ भन्या अधिदेषि जार हानि आयाका जातलाइ जार हान्या जातको अैन वमोजिम साधुको षुसि । लोग्न्या रहेनछ भन्या र जार हानेन भन्या अधिदेषि जार नहान्या जात

रहेछ भन्या राजषत् लाग्नाले १५ रुपैया चौथो लिंग परि कर्णि गर्न्यालाइ १० रुपैया जतिसुकैसित विग्र्याकि भया पनि पाचौ लिंग देषि युढो परि कर्णि गर्न्यालाइ ५ रुपैया दंड गरि छुट्याइदिनु । ७ पुस्तादेषि युढोका आफ्ना पसंको सत्य छोडि अर्कासित पोइल गयाका स्वास्त्रीको कर्णि गर्न्यालाइ राजषत् लाग्दैन ।

४. मासिन्या मतवालि जात गैह्ले आफ्ना हाडका ७ पुस्तासंमका काका वाज्या भाइभतिजा छोरा नातिहरूले विहा गरि ल्यायाको दियो कलस पूजि ल्यायाका जारि गरि ल्यायाका कन्या विधवा ल्यायाका र आफ्ना साक्षात् माइजू भांज्या वुहारिहरूमा आफ्ना सषसंमको²⁵⁸ सत्य छोडि अर्कासित पोइल गयाका स्वास्त्रीहरूसित आफु तेश्रो परि कर्णि गर्यो भन्या लोग्न्या रहेछ भन्या जार हांन्या जातको अैन वमोजिं साधुको पुसि । लोग्न्या नरहेछ²⁵⁹ भन्या र जार हानेन भन्या राजषत् लाग्नाले १५ रुपैया आफु चौथो लिंग परि कर्णि गर्न्यालाइ १० रुपैया जतिसुकैसित विग्र्याकि भया पनि पाँच लिंगदेषि युढो कर्नि गर्न्यालाइ ५ रुपैया दंड गरि लोग्न्या स्वास्त्री छुट्याइदिनु । ७ पुस्तादेषि युढोका आफ्ना पसंको सत्य छोडि अर्कासित पोइल गयाका स्वास्त्रीको कर्णि गर्न्यालाइ पनि राजषत् लाग्दैन ।

५. लिंनु किराति जात वाहेक तागाधारि जात र नमासिन्या मतवालि जात मासिन्या जात पानि नचल्न्या जात छोया छिटो हालनु पर्न्या जातले आफ्ना वाबुले विहा गरि लायाका कन्या ल्यायाका विधवा ल्यायाका जारि गरी ल्यायाका अैनले जार हांन हुन्यासंमका स्वास्त्री सानि आमाहरू अर्कासित विग्र्याका विग्र्याको जाहेर भै कर्णि गरेछ भन्या अैन वमोजिं अंस सर्वस्व गरि लोग्न्या स्वास्त्री छुट्याइदिनु । एस्ताका हातको भात चल्दैन । पानि चल्छ । पानिको मात्र पतिया दिन²⁶⁰ । छुट्यायापछि फेरि पनि कर्णि गर्यो भन्या जति फेरा कर्णि गर्छ उत्तिपल्ट १०।१० रुपैया दंड गरि छुट्याइदिनु ।

Translation:

1. If someone belonging to an Enslavable Alcohol-drinking caste commits incest with a woman from his blood relations, sharing with him a common ancestor up to 4 generations back, and who, being unfaithful to her husband, has run off with another man, and who is the daughter, paternal aunt, grandmother, sister, niece, granddaughter or great-granddaughter of a male member of his family, [such as] parental uncles, grandfathers, sons or grandsons, or a niece who is the daughter of his full-sisters, the grandmother who gave birth to his father or mother, a maternal aunt who is the full-sister of his mother, the mother-in-law who gave birth to his wife or the female guru who gave him the initiatory mantra, such [an incestuous man] shall be enslaved irrespective of whatever numbers of men with whom she had committed adultery [before him]. If such a woman, who has let him commit incest with

258 Read: *śasamako*.

259 Read: *rahenacha*.

260 Read: *dinu*.

her, belongs to a Non-enslavable caste, she shall become a common woman. If she belongs to an Enslavable caste, she shall be enslaved.

2. If someone belonging to an Enslavable Alcohol-drinking caste commits, as her third [sexual] partner, incest with a woman who has run off with another man without remaining faithful to her husband, and who is not his natural mother, [but] the co-wife of his father, and his father bears the right to kill his wife's paramour; or the wife of his guru who gave him the initiatory mantra, or a maternal aunt who is the half sister of his mother, or the grandmother-in-law who gave birth to his father-in-law or mother-in-law or co-wife of his father-in-law and the latter bears the right to kill his wife's paramour, and if such a woman has a husband belonging to a caste whose male members have the right to kill their wives' paramour, it shall, in accordance with the *Ain*, be her aggrieved husband's decision [whether he kills his wife's paramour]. If she has no husband or her aggrieved husband does not kill his wife's paramour, the culprit shall be fined 20 rupees, because it is a heinous crime (*rājakhata*). If he has committed incest with such a woman as her fourth sexual partner, he shall be fined 15 rupees. If he has committed incest with her as her fifth sexual partner or beyond, he shall be fined 15 rupees if he belongs to a caste whose members have always borne the right to kill their wives' paramours, and they shall be separated from each other, irrespective of the number of other men with whom she had illicit sexual intercourse before. They shall not lose their caste status.

3. If someone belonging to an Enslavable Alcohol-drinking caste commits, as her third [sexual] partner, incest with a woman who has run off with another man without remaining faithful to her husband, and who is the daughter, paternal aunt, grandmother, sister, granddaughter or great granddaughter of one or more of the male members of his family (*dājyūbhāi*) within his blood relations, [such as], paternal uncles, grandfathers, sons or nephews sharing with him a common ancestor from 4 generations up to 7 generations back, and if such a woman has a husband belonging to a caste whose members have always borne the right to kill their wives' paramours, it shall, in accordance with the *Ain*, be her aggrieved husband's decision [whether he kills his wife's paramour]. If such a woman has no husband or her husband does not kill his wife's paramour, or if such an aggrieved husband belongs to a caste whose members have not always borne the right to kill their wives' paramours, such [an incestuous man] shall be fined 15 rupees, because it is a *rājakhata*. If he has, as her fourth sexual partner, committed

incest with such a woman, he shall be fined 10 rupees. If he has committed incest as her fifth sexual partner or beyond, he shall be fined 10 rupees and they shall be separated from each other, irrespective of whatever numbers of other men with whom she had illicit sexual intercourse before him. If he has sexual intercourse with such a woman, who shares with him a common ancestor more than 7 generations back, and who has run off with another man without remaining faithful to her husband, he shall not be held accountable for committing a *rājakhata*.

4. If someone belonging to an Enslavable Alcohol-drinking caste commits, as her third [sexual] partner, incest with [a] a woman who has run off with another man without remaining faithful to her husband and who is the wife of one of the male members of his family—[such as] parental uncles, grandfathers, brothers, nephews, sons or grandsons sharing with him a common ancestor up to 7 generations back—and this wife has been brought [into the household] by ritual marriage or by worshipping the lamp (*diyo*) and the water vessel (*kalaśa*) [only], or she has been taken as a wife by a [family member as her] paramour, or who, being an unmarried or widowed woman, was taken as a concubine; [b] or with a maternal aunt, the wife of his mother's brother, or [c] with the wife of his nephew and if such a woman has a husband bearing the right to kill his wife's paramour, it shall be her aggrieved husband's decision [whether he kills his wife's paramour or not]. If such a woman has no husband or her husband does not kill his wife's paramour, such [an incestuous man] shall be fined 15 rupees, because it is a *rājakhata* crime. If he has committed incest with such a woman as her fourth [sexual] partner, he shall be fined 10 rupees. If he has committed incest with her as her fifth sexual partner or beyond, he shall be fined 5 rupees and they shall be separated from each other, irrespective of whatever numbers of other men with whom she had illicit sexual intercourse before him. If he has sexual intercourse with such a woman, who shares with him a common ancestor more than 7 generations back, and who has run off with another man without remaining faithful to her husband, he shall not be held accountable for committing a *rājakhata*.

5. If someone belonging to a Sacred Thread-wearing, Non-enslavable Alcohol-drinking, Enslavable Alcohol-drinking, Water-unacceptable but Touchable or an Untouchable caste, excluding Limbu and Kirāti castes, commits incest with his co-mother who has entered into marriage with his father, or who has been taken by his father as a paramour, or who, being an unmarried or widowed woman, was taken as a concubine by his father, and if his father bears the right to kill his

wife's paramour, and if the culprit committed incest with such a woman while being unaware that she had committed adultery with somebody else [before], his share of property shall, in accordance with the *Ain*, be confiscated, and [such an incestuous] man and woman shall be separated from each other. Cooked rice from the hands of such [a culprit] shall not be acceptable. Water may be accepted; he shall be granted expiation with respect to water only. If such [a culprit] again commits incest [with his co-mother] after they have been separated, he shall be fined 10 rupees for each time he commits incest with her and they shall be [again] separated from each other.

Article 129: *kamārī svāsnī rākhanyā*
(On Keeping Slave Women as Wives)

Edition:

१. तागाधारी जार हान्या जातका कन्या कमारि स्वास्त्री तुल्याइ घर्मा जाहेर गरि राष्याको पारस्मेत् गरि दियाको रहेछ भन्या जाया जन्म भयाको हवोस् नभयाको हवस् तापनि तेस्ता स्वास्त्रिमा साक्षात् छोरा भतिजाका²⁶¹ दाज्यू भाइहरू पर्या भन्या पनि अरू कसैले कर्णि गर्यो भन्या जार काटन हुदैन । जनै झिकि अैन वमोजिं अंस सर्वस्व गरि लिन्छ तापनि तेसै छाडछ तापनि साधुको पुस । कमारि स्वास्त्री राष्याको रहेछ पार गरि दियाको छैन कमार्तन् गर्दै रहिछ भन्या तेस्तामा ३ पुस्तासम्मका पर्या पनि षतवात लाग्दैन ।

२. आफ्ना घर्कि कन्या कमारि आफैले राषि जाया जन्म भयाको रहेछ भन्या त्यो कमारि वेचन हुदैन । कसैले वेच्यो भन्या किन्याको थैलि वेचन्यावाट भराइदिनु त्यो कमारि आफु सुषि हुंछे । वेचन्यालाइ विगा वमोजिं दंड गर्नु । रुपैया नतिर्या अैन वमोजिं कैद गर्नु ।

३. आफ्ना घर्कि कन्या कमारि आफुले स्वास्त्री तुल्याइ राष्याको रहेछ पार गरि दियाको रहेनछ भन्या तेस्ता स्वास्त्री अर्कासित पोइल गै भन्या वेचि रुपैया लिन पाउदैन । त्यो कमारि स्वास्त्री आफु सुषि हुंछे । जससित पोइल जांछे लैजान्यावाट ३०० रुपैया भराइ लिन पाउछ । दसौद लि अदालत अमालवाट भराइदिनु । एस्ता स्वास्त्रीतिर आफुवाट जन्म्याका छोरा छोरी वेचन हुदैन । वेचेछ भन्या किन्याको थैलि कपालि गराइदि वेचन्यालाइ विगा वमोजिं दंड गर्नु । किन्याले फलानाका छोरा छोरी हुं भनि जानि जानि किन्याको रहेछ भन्या थैलि लिलाम गरि लिनु ।

४. अर्कासित विग्र्याकि आफिन कमारि स्वास्त्री राष्याकि छ जाया जन्म पनि भयाको छ त्यो कमारि अन्त पोइल गै भन्या वेस्या हुंछे । वेचि रुपैया लिन पाउदैन । त्यो कमारि आफु सुषि हुंछे । जससित पोइल जांछे लैजान्यावाट २०० रुपैया भराइ लिन

पाउछ । दसौद लि अदालत् ठाना अमालवाट भराइदिनु । एस्ता स्वास्त्रीतिर आफुवाट जन्म्याका छोरा छोरि वेचन हुदैन । वेच्याको रहेछ भन्या किन्त्याको थैलि कपालि गराइदि वेचन्यालाइ विगा वमोजिं दंड गर्नु । किन्त्याले फलानाको छोरो हो भनि जानि जानि किन्त्याको रहेछ भन्या थैलि लिलां गरि लिनु ।

५. आफ्ना घरकि कन्या कमारि आफैले स्वास्त्री तुल्याइ राष्याको छ जाया जन्म पनि भयाको छैन भन्या तेस्ता कमारि स्वास्त्री अरू कसैसित विग्र्या भन्या त्यो कमारि आफ्नै घरमा राषछ तापनि अरूलाइ वेचछ तापनि षसम्को पुस् ।

६. अघिवाट अर्कासित विग्र्याकि आफ्नि कमारि आफैले स्वास्त्री तुल्याइ राष्याकि छ तेसवाट आफ्नु जाया जन्म भयाको छैन भन्या तेस्ता कमारिलाइ वेच्या उठायको सदर हुन्छ । एस्ता कमारिमा वावु छोरा दाज्यू भाइ मर्या भन्या पनि षत्वात् लाग्दैन ।

७. वेस्या कमारि छ षसम् पनि कर्णि गर्छ अरूलाइ पनि कर्णि गराउछे भन्या तेस्ता कमारिवाट जन्म्याका संतान् कमारा कमारि नै हुन्छन् । कमारिले फलानाका छोरा छोरि भन्याको सदर हुदैन ।

८. आफ्ना कमारि षसमसित वस्यापछि अर्कासित पोइल गयाकि रहिनछ भन्या तेसवाट षसम्का विर्यले जन्म्याका सन्तान् जोसुकै भया पनि कमारा कमारि ठहर्दैनन् । सुकि विक्रि गर्न हुदैन । कसैले कमारा कमारि भनि वेच्यो भन्या किन्त्याको थैलि वेचन्यावाट तिर्न सकन्या रहेछ भन्या धन् तिराइदिनु । तिर्न नसक्या कपालि तमसुक गराइदिनु । ति कमारिवाट जन्म्याका संतान् अकरिया हुन्छ । वेचन्या वावु दाज्यू भाइ छोरालाइ वेच्याका थैलि वमोजिम् दंड गर्नु । रुपैया नतिर्या अैन वमोजिम् कैद गर्नु । अैन वमोजिम्को अंसस्मेत् दिलाइदिनु ।

९. कसैले ११ वर्ष माथिका वेस्या कमारि स्वास्त्रीलाइ मनोमान गराइ²⁶² जमात वाधि हुल् उठि वलजफसग कर्णि लियो भन्या ३० रुपैया दंड गर्नु रुपैया नतिर्या कैद गर्नु ।

१०. साहुका कर्जा वावत् साहुकै घरमा वस्याकि वाधा पर्या जातका छोरिलाइ कसैले कर्जा तिरि निषनि स्वास्त्रि तुल्याइ घरमा राष्यापछि त्यो वध्येत्यानि अर्का लोग्न्यासग गै भन्या थैलि तिरि निषनि ल्याइ स्वास्त्री तुल्याउन्याको थैलि तेसैलाइ जसले विगार्यो उसैवाट भराइदिनु । उसलाइ पनि छोडि अरूसित गै भन्या त्यो स्वास्त्री वेस्या ठहर्छे । थैलि पाउदैन ।

११. आफुले वाधा लियाकि वध्येत्यानि वाधा नवस्तेमा हवस् वा आफुले वाधा लियापछि हवस् आफुभन्दा अघिवाट २ जना पोइ भयाका रह्याछन् । तेस्तेमा वाधाका धनिले आफु तेश्रो लिंग परि कर्णि गरेछ भन्या धनिले कर्णि गर्यो भने थैलि भूस हुदैन । आफ्नु परल थैलि लिन पाउछ ।

१२. कन्या र आफ्ना षसम्का सत्यमा रह्याका सधवा विधवा वध्येत्यानिको धनिले कर्णि गरेछ भन्या एस्ता वध्येत्यानि आफुले स्वास्त्रि तुल्यायापछि धनिले थैलि लिन पाउदैन । थैलि भुस गराइ वध्येत्यानिवाट दसौद लि तमसुक फराइ अम्लेष गराइ छुटाइदिनु ।

Translation:

1. If [a master]—belonging to a Sacred Thread-wearing caste having the right to kill their wives' paramours—keeps an unmarried slave girl as a wife, and if he has informed [his household] about it at his house, and if he has emancipated her, and if his direct son, nephew, uncle, brother or any other person has illicit sexual intercourse with her, [the aggrieved husband]—irrespective of whether any offspring has been born to her by him or not—shall not be permitted to kill his wife's paramour. The aggrieved husband of such a slave woman shall be allowed, at his own will, [to decide] whether he, in accordance with the *Ain*, removes [the paramour's] sacred thread and confiscates his share of property, or he lets [the culprit] go. If [the master] has kept the slave woman as a wife and has not emancipated her, and if she has still been doing the tasks assigned to her [as a slave], [the culprit] shall not be held accountable, even if he is [a blood relative of her master traceable back to] within the 3rd generation.

2. If [a master] has kept an unmarried slave girl of his own household [as a wife], and if he has had offspring born [to her], he shall not be permitted to sell the slave. If he sells, the seller shall be made to return the original amount to the buyer. The slave becomes a freed person. The seller shall be fined according to the amount in question. If the amount of the fine is not paid, he shall, in accordance with the *Ain*, be imprisoned.

3. If [a master] has kept an unmarried slave girl of his own house as a wife, and if he has not emancipated her, and if such a wife runs off with another man, [the master] shall not be permitted to sell her. The slave becomes a freed person. [The master] shall be allowed to take compensation of 300 rupees from the person with whom she has run off. An *adālata* or *amāla* office shall charge 10 percent [of the total amount as a court fee] and shall hand [the remaining amount] over to [the master]. The master shall not sell his offspring born to such wife and receive money [for it]. If he has sold [any], the seller shall be made to issue a loan agreement without security (*kapālī tamasuka*) to the buyer for the paid price. The seller shall be fined in accordance with the amount in question paid. If the buyer knows that [the child] is the son or daughter of such and such a person and buys him or her, the amount paid by him shall be confiscated.

4. If [a master] has kept a slave girl as a wife who has [previously] had illicit sexual intercourse with someone else, and if the former has

offspring born to her, and if such a slave woman runs off with another man, she shall be [considered] a common woman. [The master] shall not be permitted to sell her and receive money. The slave woman becomes a freed person. [The master] shall be allowed to take compensation of 200 rupees from the person with whom she has run off. An *adālata* or *amāla* office shall charge 10 percent [of the total amount as a court fee] and shall hand [the remaining amount] over to [the master]. The master shall not sell his offspring born to such a wife. If he sells any, the seller shall be made to issue a loan agreement without security (*kapālī tamasuka*) to the buyer for the paid price. The seller shall be fined in accordance with the amount in question paid. If the buyer knows that [the child] is the son or daughter of such and such a person and buys him or her, the amount paid by him shall be confiscated.

5. If [a master] has kept an unmarried slave girl of his own house as a wife, and if he has not emancipated her, and if no offspring has been born to her, and if such a slave woman has illicit sexual intercourse with someone else, the master shall be allowed at his own will [to decide] whether he keeps that woman at his house or sells her to someone else.

6. If [a master] has kept a slave woman as a wife who has previously had illicit sexual intercourse with someone else, and if he has no offspring born to her, the sale of such a slave woman shall be considered valid. Even if [the master's] father, son or brother had illicit sexual intercourse with her, [the culprit] shall not be held accountable.

7. If a slave is a common woman, and if her master has sexual intercourse with her and she also has let someone else have illicit sexual intercourse with her, the offspring born to her shall become slaves. If the slave woman claims that the offspring are sons or daughter of such and such [a man], it shall not be considered valid.

8. If a slave woman—after she has started living with her master as his wife—does not run off with another person, the offspring born [to her] from his semen—irrespective of who they are—shall not be considered slaves. They shall not be sold. If someone sells them, stating that they are male or female slaves, the amount paid by the buyer shall be recovered from the seller, if he is able to return the amount. If the seller is not able to return the amount, he shall be made to issue a loan agreement without security. The offspring born to such a female slave shall become freed persons. If [the master's] father, brother or son sells [such offspring], [the seller] shall be fined in accordance with the amount of sale in question. If the amount of the fine is not

paid, he shall, in accordance with the *Ain*, be imprisoned, and the offspring shall, in accordance with the *Ain*, be provided with their share of property.

9. If someone assembles a gang and rapes a slave woman without her consent, who is past the age of 11 and who is a common woman, he shall be fined 30 rupees. If the amount of the fine is not paid, he shall be imprisoned.

10. If a woman who belongs to a caste whose members may be made bondservants has been living at her creditor's house as a bondservant for debt, and if a person repays her debt and keeps her as wife at his house, and if such a bondservant runs off afterwards with a third person, the amount which the [first] person paid to repay her debt and kept her as a wife shall be compensated by the [third] person with whom she has illicit sexual intercourse. If she also leaves the [third] person and runs off with someone else, such a woman shall be considered a common woman and [the man who cleared her debt]²⁶³ shall not get back the amount he paid for her.

11. If [a creditor] has taken a woman as a bondservant, and if she has already had two husbands before or after becoming his bondservant, and if her creditor, as her third sexual partner, has sexual intercourse with her, his credit shall not be nullified. He shall be permitted to recover his standing credit.

12. If a creditor has sexual intercourse with a female bondservant who is either an unmarried girl, a married woman who has remained faithful to her husband, or a widow—the creditor shall not be permitted to recover his credit after keeping such a female bondservant as his wife. His credit shall be nullified. Ten percent of [the total credit] shall be taken from that female bondservant [as a court fee] and she shall be freed (*amalekha*), after the loan agreement has been torn apart.

263 It is not entirely clear whether it is the man who initially cleared the bondservant's debt or the second man, with whom she ran off, who is not entitled to receive the paid amount back.

Article 139: *māsinyā jātako jāri garnyā*
(Adultery Committed with a Woman from an Enslavable Caste)

Edition:

१. जार हांन्या मासिन्या मतवालि जातले आफ्ना हाडनाता वाहेक अरू मासिन्यै जातको जारि गर्यो र साधुले विहा षर्च षाइ हवस वा टागमनि छीराइ हवस उसै छाड्यो भन्या जारीका षतमा साधुले छाड्यापछि राजषत लाग्दैन । ज्यू पनि मासिदैन ।
२. तागाधारि जात र मतवालि नमासिन्या जात गैह्ले मासिन्या पर्जा जातका सधवा स्वास्त्रिको करणि गर्यो भन्या लोग्न्यालाइ जार हांन्या जात वाहेक २० रुपैया विहा षर्च भराइ २० रुपैया दंड गर्नु । रुपैया नतिर्या अैन वमोजिम कैद गर्नु । जार हांन्या जातका विहा षर्च लिन र अैन वमोजिम जार हांन साधुको पुसि ।
३. मासिन्या जातले मासिन्या जात गैह्ल कसैको जारि गर्यामा साधुले जार काटि ज्यान् मार्यो भन्या त्यो स्वास्त्रि मासिन्छे । अदालत ठाना अमालवाट लिनु । साधुले जार हांन्यापछि घा लागि जारि गर्न्याको ज्यू वाच्यो भन्या स्वास्त्रि मासिन । जारि गर्न्यैले विहोर्न पाउछ । साधुको चोट षपि ल्यायाका एस्ता स्वास्त्रि अर्काले लैगयो भन्या जार हांन्या जातले जार हांन पाउछ । जार नहांन्या जातलाइ २० रुपैया दंड गर्नु । रुपैया नतिर्या अैन वमोजिम कैद गर्नु । विहा षर्च पाउदैन । स्वास्त्रि तेसैसित वस्छे भन्या पनि वस्तिन भन्या पनि उसैको पुसि । पछि लैजान्या लोग्न्याको कर लाग्दैन ।
४. पार्या घर्तिले भोटे चेपाडः दहै माझि हायु दनवार कुमाल पहरि गैह्ल मासिन्या जातका सधवाको करणि गर्यो भन्या तेस घर्तिवाट साधुलाइ २० रुपैया विहा षर्च भराइ २० रुपैया दंड गर्नु । ज्यू मासिदैन । त्यो स्वास्त्रि तेसैसित वस्छे भन्या विहा षर्च र दंड तिरि राषन पाउछ । स्वास्त्रिले वस्तिन भन्या पुसि उसैको हुंछ । लोग्न्याको कर लाग्दैन ।
५. पार्या घर्तिका आफ्ना जातको रित गरि ल्यायाका सधवा स्वास्त्रिको कसैले करणि गर्यो भन्या लोग्न्याले स्वास्त्रि लैगयो स्वास्त्री लैगयापछि विहा षर्च पाउदैन । २० रुपैया दंड मात्रै गर्नु । साधुले स्वास्त्रि लैगयेन भन्या ३० रुपैया विहा षर्च भराइ २० रुपैया दंड गर्नु । आफ्ना जातको रित नपुर्याइ ल्यायाका ताला कुचि सौपि राष्याका स्वास्त्रिको करणि गरेछ भन्या १० रुपैया दंड गर्नु । रुपैया नतिर्या अैन वमोजिम कैद गर्नु । तेससित वस्त्र अर्कासित जानु स्वास्त्रिको पुसि । लोग्न्याको कर लाग्दैन ।
६. पार्या घर्तिको कसैले जारि गरि लैगयामा पार भयाका ३ पुस्तासम्मका घर्तिले जार काट्यो भन्या ज्यान्को वदला ज्यान् जान्छ । पार भयाका ४ पुस्ता र ५ पुस्ताकाले जार काट्यो भन्या अैन वमोजिमको अंस सर्वस्व गरि दामल गर्नु । पार भयाका ६ पुस्तादेषि माथिकाले जार काट्यो भन्या मासिदिनु ।
७. मासिन्या आठ वाह्ल लिन्या चाक चकुइ पन्या विहा षर्च लिन्या जार पनि हांन्या जातहरूका लोग्न्या स्वास्त्रिलाइ कसैले मासिन्या षतको कुरा पोल्यो र पुर्पक्ष गर्दा पोल्याको ठहर्यो भन्या पोलन्यालाइ १ वर्ष कैद गर्नु । म्यादका रुपैया तिर्छ भन्या अैन वमोजिम लि छाडिदिनु ।

८. जार नहांन्या मासिन्या मतवालि जातका विवाहिता स्वास्त्रिलाइ कसैले फलानासित पोइल गै भनि पोल्यो र पुर्पक्ष गर्दा पोल्याको ठहर्यो भन्या पोलन्यालाइ १५ रुपैया दंड गर्नु । रुपैया नतिर्या अैन वमोजिम कैद गर्नु ।

९. मासीन्या जात गैहले आफुले मासिन्या षतवात गरि मासियो । नमासिदैमा विह्या²⁶⁴ गर्याकि स्वास्त्रि अन्त पोइल गै भन्या मासियाका मानिसले जार हांन हुदैन । हान्यो भन्या ज्यानको वदला ज्यान् लिनु ।

१०. पानी नचल्ल्या र छोइ छिटो हालनु पर्न्या जातमा जार हांन्या जातले पानी नचल्ल्या जातको जारि गर्यो र साधुले जार हान्यो भन्या स्वास्त्रि चकुइ पर्छे । मासिदिनु । जार हान्दीन विहा षर्च लिंछु भनि अदालत ठाना अमाल्मा भन आयो भन्या ३० रुपैया विहा षर्च भराइ १५ रुपैया दंड गर्नु । रुपैया नतिर्या अैन वमोजिम कैद गर्नु । विहा षर्च लियापछि स्वास्त्रि मासिन्न ।

११. मासीन्यै मासिन्या जातमा एका जातका सधवा स्वास्त्रिलाइ अरू जात कसैले जारि गरि लैगयो भन्या उस्का लोग्न्यालाइ २० रुपैया भराइ लोग्न्यालाइ १२ स्वास्त्रिलाइ ८ रुपैया दंड गर्नु । ११ वर्षदिषि उभोकि कंन्या विधवाको कसैले करणि गर्यो । यो हाम्रा भात नचल्ल्या हो भातमा पारि दियो भनि कोहि कराउन आयो भन्या ५ रुपैया दंड गर्नु । रुपैया नतिर्या अैन वमोजिम कैद गर्नु ।

१२. मासीन्या जातका अैनले जार हांन हुन्यास्मका सधवा स्वास्त्रिको तागाधारि जात र नमासिन्या मतवालि जातले करणि गरेछ र साधुले जार काट्छु भन्या अधि उस्का पिता पुषदिषि जार हानि आयाका जातले अैन वमोजिम् जार काटन हुन्छ । षत लाग्दैन । जार नहानि आयाका जातले काटन पाउदैन । काट्यो भन्या ज्यान्को वदला ज्यान काटि मारिदिनु । तल्ला जातसित गयाकि हवस् उपल्ला जातसित गयाकि हवस जार काटियापछि करणि गराउन्या स्वास्त्रिलाइ मासिदिनु ।

१३. पानी नचल्ल्या र छोइ छिटो हाल्नु पर्न्या जातका अैनले जार हांन हुन्यासम्मका स्वास्त्रिको तागाधारि जात नमासिन्या मतवालि जात मासिन्या पानि चल्ल्या जात गैह कसैले करणि गरेछ भन्या अैन वमोजिम सजाय हुन्छ । साधुले जार काटन पाउदैन । कसैले काटेछ भन्या ज्यान्को वदला ज्यान् काटि मारिदिनु ।

Translation:

1. If someone from an Enslavable caste who bears the right to kill his wife's paramour, commits adultery with a [married] woman from an Enslavable caste who is not his blood relative, and if the aggrieved husband of that woman has let her paramour off [without killing him] after taking the marriage expenses from him or after [insulting him] by forcing him to crawl between [the aggrieved husband's] legs, her paramour, after he has been let off by the aggrieved husband, shall neither be held accountable for committing a heinous crime (*rājakhata*), nor shall he be enslaved.

2. If someone from a Sacred Thread-wearing or Non-enslavable Alcohol-drinking caste commits adultery with a married woman of an Enslavable Parjā caste, such a person—if he belongs to a caste of which the members may not be killed by an aggrieved husband—shall be made to pay [the aggrieved husband] 20 rupees for the marriage expenses, and shall be fined 20 rupees. If he does not pay the amount of the fine, he shall, in accordance with the *Ain*, be imprisoned. If he belongs to a caste the members of which may be killed by an aggrieved husband, it shall be at the pleasure of that aggrieved husband as to whether he takes the marriage expenses from her paramour or kills him.

3. If someone from an Enslavable caste commits adultery with the wife of a person who also belongs to an Enslavable caste, and the aggrieved husband kills her paramour, such a woman shall be enslaved. The *adālata*, *ṭhānā* or *amāla* office shall take her into possession. If her paramour survives the attempt at killing by the aggrieved husband with injuries, the woman shall not be enslaved. Her paramour, who committed adultery with her, shall be permitted to take her away. If someone else takes such a wife away, who has been brought [into the household by her paramour] bearing the injury given [by the first aggrieved husband], he, if he belongs to a caste [whose members] bear the right to kill their wives' paramours, shall be permitted to kill his wife's [second] paramour. If her [second] paramour belongs to a caste the members of which may not be killed by an aggrieved husband, he shall be fined 20 rupees. If he does not pay the amount of the fine, he shall, in accordance with the *Ain*, be imprisoned. The aggrieved husband does not receive the marriage expenses. It shall be at the pleasure of that woman as to whether she lives together with him or not. She shall not be forced to do so by her second aggrieved husband.

4. If a Pāre Ghartī man commits adultery with a woman from any of the Bhoṭe, Cepāṅga, Darai, Mājhi, Hāyu, Danuvāra, Kumāla or Paharī castes, [whose members] may be enslaved, he shall be fined 20 rupees and be made to pay 20 rupees as compensation for the aggrieved husband's marriage expenses. He shall not be enslaved. If such a woman wants to live together with her adulterer, he shall be permitted to keep her after paying the aggrieved husband for the marriage expenses and paying a fine. If such a woman declares that she does not want to live together with her adulterer, it shall be at her pleasure to decide. She shall not be obliged to do so by her adulterer.

5. If someone commits adultery with a Pāre Ghartī man's wife, and this wife has been brought [into the household by the latter] performing his caste's customs, and if the aggrieved husband takes such a woman [back], he does not receive the marriage expenses from the adulterer. The adulterer shall only be fined 20 rupees. If the aggrieved husband does not take such a wife back, the adulterer shall be fined 20 rupees and he shall be made to pay 30 rupees to the aggrieved husband as compensation for his marriage expenses. If such [an offender] commits adultery with such a wife who has been brought [by her husband into his household] without performing his caste's customs, but she has been kept [by him at the household as a wife,] handing the key and sweeping-brush of the household over to her, [her adulterer] shall be fined 10 rupees. If he does not pay the amount of the fine, he shall, in accordance with the *Ain*, be imprisoned. It shall be at the pleasure of that woman as to whether she lives together with her adulterer or she runs off with someone else. She shall not be obliged [to stay with him].

6. If someone commits adultery [with the wife] of a Pāre Ghartī man and takes her away, and if [the aggrieved Pāre Ghartī], belonging to the 3rd generation after [his forefathers'] emancipation, kills his wife's adulterer, he shall be executed—taking life for life. If [an aggrieved Pāre Ghartī] who belongs to the 4th or 5th generation after emancipation kills his wife's adulterer, he shall be punished by *dāmala*, after his share of property has been confiscated, which is his according to the *Ain*. If [the aggrieved Pāre Ghartī] belongs to the 6th generation or more after emancipation and kills his wife's adulterer, he shall be enslaved.

7. If someone accuses a man or woman of committing the crime [of illicit sexual intercourse] which results in the enslavement [of the accused person], who belongs to a caste whose members may be [punished by] enslavement, whose members may take [compensation] of 8 or 12 [*ānās*] [from the wife's paramour], and may be declared as *cāka* or *cakuī*, who may take marriage expenses [from their wives' paramours] or [else] may bear the right to kill their wives' paramours, and if it is ascertained upon the trial that the accuser made [a false] accusation, he shall be imprisoned for 1 year. If he pays the amount of the fine [set in lieu of the prison term], it shall, in accordance with the *Ain*, be accepted and he shall be set free.

8. If someone accuses a married woman, the wife of a person belonging to an Enslavable caste whose members do not bear the right to kill their wives' adulterers, of having run off with such and such a man, and if it is ascertained upon the trial that the accuser made [a

false] accusation, he shall be fined 15 rupees. If he does not pay the amount of the fine, he shall, in accordance with the *Ain*, be imprisoned.

9. If someone who belongs to any of the Enslavable castes commits a crime which results in enslavement and is thereby enslaved, and if his wife, with whom he was married before his enslavement, runs off with another man, the aggrieved husband who is enslaved shall not be permitted to kill her adulterer. If he does so, he shall be executed—taking life for life.

10. Amongst the persons from the Water-unacceptable [but Touchable] and Untouchable castes, if a person who bears the right to kill his wife's adulterer commits adultery with a married woman from a Water-unacceptable [but Touchable] caste, and if the aggrieved husband kills her adulterer, the wife becomes a *cakuī*, and she shall thus be enslaved. If the aggrieved husband comes to an *adālata*, *ṭhānā* or *amāla* and states that he will not kill her adulterer, but takes the marriage expenses from him, the adulterer shall be made to pay 30 rupees to the aggrieved husband for the marriage expenses and shall be fined 15 rupees. If he does not pay the amount of the fine, he shall, in accordance with the *Ain*, be imprisoned. Such a woman shall not be enslaved after the aggrieved husband has taken marriage expenses [from her adulterer].

11. Amongst the persons from the Enslavable castes, if a married woman of one caste is taken away by a person of another caste after he has committed adultery with her, [the adulterer] shall be made to pay 20 rupees to her [aggrieved] husband. That woman and her adulterer shall be fined 12 and 8 rupees [each]. If someone [from among the Enslavable castes] comes to complain that “such and such a person [from among the Enslavable castes] has had sexual intercourse with such and such an unmarried girl or widowed woman from among us. Cooked rice [touched by him] is unacceptable [for us]. He contaminated [our unmarried girl or widowed woman] through cooked rice”, [the offender] shall be fined 5 rupees. If he does not pay the amount of the fine, he shall, in accordance with the *Ain*, be imprisoned.

12. If someone from a Sacred Thread-wearing or Non-enslavable Alcohol-drinking caste commits adultery with a married woman from an Enslavable caste whose status allows her husband to kill her adulterer according to the *Ain*, and if the aggrieved husband wants to kill her adulterer, he—whose father and forefathers have always had the customary right to kill their wives' adulterers—shall, in accordance with the *Ain*, be permitted to kill his wife's adulterer. He shall not

accrue blame [by doing so]. That person whose [father and forefathers] were never allowed to kill their wives' adulterers, shall not be allowed to kill his wife's adulterer. If he does so, he shall be executed—taking life for life. That woman who has sexual intercourse with her adulterer, irrespective of whether it is sexual intercourse with a person of a caste inferior or superior to her own, shall be enslaved after her aggrieved husband kills her adulterer.

13. If someone from any of the Sacred Thread-wearing or Non-enslavable Alcohol-drinking castes or the Enslavable castes from whose members water is acceptable, has sexual intercourse with a married woman from a Water-unacceptable [but Touchable] caste or Untouchable caste, he shall, in accordance with the *Ain*, be punished, but the aggrieved husband shall not be permitted to kill his wife's adulterer. If someone does so, he shall be executed—taking life for life.

Article 145: *misāṣatko*

(On Illicit Sexual Relations [among Newars])

Edition:

१. षतवातमा अधिदेषि मासिआयाका नेवार जात गैहमा पानि चलन्या सम्मका नेवार जातले मासिन्या षत गर्यामा इन्हेरुलाइ नमासिन्या नेवार जातका सरह सजाय गर्नु । अव उप्रान्त ज्यू नमासनु । कसैले मास्यो भन्या अजापुत्र मासन्यालाइ लेप्याका ऐन वमोजिम दंड सजाय गर्नु । पानि नचलन्या नेवार जातलाइ मासिन्या षतमा मासिन्छ ।

Translation:

1. Among the Newar castes whose members have been punished by enslavement for [certain] crimes in the past, if [such caste members] commit a crime punishable by enslavement, they shall be punished like subjects from Non-enslavable Newar castes, if they belong to a Newar caste from whom at least water is acceptable. From now on, they shall not be enslaved. If [anyone] enslaves them, he shall be punished in accordance with the regulations laid down for someone who enslaves a free person (*ajāputra*).²⁶⁵ Subjects who belong to a Water-unacceptable Newar caste shall be enslaved if they commit a crime punishable by enslavement.

265 See Ain-54 § 81.6.

Article 153: *ghaṭi badhi jātamā karaṇi garnyā māsinyāko*
(Sexual Intercourse with Members of Enslavable Alcohol-
drinking Castes)

Edition:

१. मासिन्या मतवालि जातले उपाध्या असल जैसि, रजपुत क्षत्रि तागाधारि जातका ११ वर्ष नाध्याका कन्या विधवाको राजि षुसिले करणि गरि भातमा वोर्याको रहेनछ भन्या १॥ वर्ष कैद गरि मासिदिनु । भातमा स्मेत् वोरेछ भन्या ३ वर्ष कैद गरि मासिदिनु । म्यादको डवल दिया लिनु । भोरमा पन्यालाइ पतिया गराइदिनु ।
२. मासिन्या मतवालि जातले देवभाजु तेहौत्या भट्ट मर्हट्टा नागर गुज्राति माहाराष्ट्र तैलंगि द्राविण मधिस्या देसि ब्राम्हण र विराना राजका अरू गैह ब्राम्हणका ११ वर्ष नाध्याका कन्या विधवाको राजि षुसिले करणि गरि भातमा वोरायाको रहेनछ भन्या १ वर्ष कैद गरि मासिदिनु । भातमा स्मेत् वोरेछ भन्या २ वर्ष कैद गरि मासिदिनु । भोरमा षान्यालाइ पतिया गराइदिनु ।
३. मासिन्या मतवाली जातले दशनाम जोगि जंगम संन्यासि सेवडा वैरागि कानफट्टा नानक उदासि वधर गैह भेष धारि र ३ लिंग देषिका जैसि डोट्याल जैसि जुमलि जैसि जात गैहका ११ वर्ष नाध्याको कन्या विधवाको राजि षुसिले करणि गरि भातमा वोरायाको भया पनि नभया पनि मासिदिनु । भोरमा षान्यालाइ पतिया गराइदिनु ।
४. मासिन्या मतवालि जातले नमासिन्या मतवालि जातका ११ वर्ष नाध्याका कन्या विधवाको राजि षुसिले करणि गर्या भातमा पार्या पनि नपार्या पनि मासिदिनु । कैद हुंदैन ।
५. मासिन्या मतवालि जातले आफु मिल्दा मासिन्या मतवाली जातका अैनमा सजाय लेषियाका हाडनाता वाहेकमा र अरू कुटुम्बका ११ वर्ष नाध्याका कन्या विधवाको राजि षुसिले करणि गरि भातमा वोर्याको रहेनछ भन्या षतवात लाग्दैन । भातमा वोर्यो भनि कोहि कराउन आया ५ रुपैया दंड गर्नु ।

Translation:

1. If an Enslavable Alcohol-drinking caste member has consensual sexual intercourse with an unmarried girl or widow who is past the age of 11 and belongs to an Upādhyāya [Brahmin], Asala Jaisī, a Rajapūta, Kṣatriya or any other Sacred Thread-wearing caste, and if he has not contaminated [any of her fellow caste members] through cooked rice, he shall be imprisoned for 1½ years and then be enslaved. If he has contaminated [any of her fellow caste members] through cooked rice, he shall be imprisoned for 3 years and then be enslaved. If he pays double the fine in lieu of his prison term, it shall be accepted. Anyone who is accidentally [contaminated] shall be granted expiation.

2. If an Enslavable Alcohol-drinking caste member has consensual sexual intercourse with an unmarried girl or widow who is past the age of 11 and belongs to the Devabhājus, Tehraūte, Bhaṭṭa, Marahaṭṭā, Nāgara, Gujarātī, Mahārāṣṭra, Tailaṅgī, Draviḍa, Madhise, Deśī Brahmins or to any other Brahmin caste from foreign kingdoms, and if he has not contaminated [any of her fellow caste members] through cooked rice, he shall be imprisoned for 1 year and then be enslaved. If he has contaminated [any of her fellow caste members] through cooked rice, he shall be imprisoned for 2 years and then be enslaved. Anyone who has accidentally eaten cooked rice [from his hands] shall be granted expiation.

3. If an Enslavable Alcohol-drinking caste member has consensual sexual intercourse with an unmarried girl or widow who is past the age of 11 and belongs to an [ascetic group such as] Daśanāmī, Jogī, Jaṅgama, Sannyāsī, Sebaḍā, Vairāgī, Kanaphaṭṭā, Nānaka, Udāsī, Baghara or the like, who has put on the robe, or a Tīna-Liṅga-Jaisī, Doṭyāla or Jumlī Jaisī or the like, he shall, irrespective of whether or not he has contaminated [any of her fellow caste members] through cooked rice, be enslaved. Anyone who has accidentally eaten cooked rice [from his hands] shall be granted expiation.

4. If an Enslavable Alcohol-drinking caste member has illicit consensual sexual intercourse with an unmarried girl or widow who is past the age of 11 and belongs to a Non-enslavable Alcohol-drinking caste, he shall, irrespective of whether or not he has contaminated [any of her fellow caste members] through cooked rice, be enslaved. He shall not be imprisoned.

5. If an Enslavable Alcohol-drinking caste member has consensual sexual intercourse with an unmarried girl or widow who is past the age of 11 and belongs to a caste whose status is similar to his, or who is his distant relative, but no blood relative, and for whom punishment is written down in this *Ain's* [regulations] for Enslavable Alcohol-drinking castes, and if he has not contaminated [any of his fellow caste members] through cooked rice, he shall not be held accountable. If someone comes to complain that he has been contaminated through cooked rice, [the culprit] shall be fined 5 rupees.

Article 161: *kamārāko karaṇi*
(On [Illicit Sexual Intercourse with] a Slave)²⁶⁶

Edition:

१. कमाराले आफ्ना षसम्का स्वास्त्रि छोरि वुहारिको करणि गरेछ भन्या जवरजस्तिले भया पनि षुसि राजिले भया पनि तेस्ता कमारालाइ काटि मारिदिनु ।
२. कमारा कमारि गैह्रका हाडनातामा करणि सनबंधका कुरा परि आयामा भोद्व्या प्रजाका सरह वमोजिमका सजाय निसाफ गर्नु ।
३. मासिन्या जातकि छोरि आफुभंदा ठुला जात र आफु मिल्दा जातसंग करणि गरेको रहेछ । पछिवाट आफु वरावरका जातमा माइतिले रित नषाइ उसै लैगि स्वास्त्रि ल्यायाको रहेछ । त्यो पज्यानि कमारासित विग्रि भन्या मासिन्न । वेस्या ठहर्छे । पानि चल्न्या जातसंग²⁶⁷ भन्या वेस्या भयाकि हो ता पनि मासिन्छे ।
४. मासिन्या जातकि छोरि आफुभन्दा ठुला जात र आफु मिल्दा जातसंग करणि गर्याको रहेछ । पछिवाट आफु वरावरको कुटुम्बले आफ्ना जातको रित गरि विहा गरि लैगि दाल भात आफ्ना जात भाइले षायाको रहेछ भन्या त्यो स्वास्त्रि कमारासंग र पानि नचलन्या जातसंग विग्रि भन्या तेस्ता स्वास्त्रिलाइ मासिदिनु ।
५. मासिन्या जातकी कन्या विहा नगरि माइत घर वस्याकि आफुभंदा पल्ला जात र आफु वरावर जातसित करणि भै पछिवाट कमारासित करणि भयाको रहेछ भन्या पज्यानि पनि मासिन्न । कमारालाइ पनि दंड कैद पर्देन । त्यो पज्यानि वेस्या ठहर्छे ।
६. नमासिन्या मतवालि जातका विधवा र कन्यालाइ मासिन्या जातले करणि गर्यो भन्या तेस्तालाइ मासि आफ्ना अमालिले छिन्यो भन्या अमालको हुन्छ । अमालिले छिन्न नसकि अदालत ठानामा आयो भन्या अदालत ठानाको हुन्छ ।
७. मासिन्या जातकि कन्या अरूसंग नविग्रि कमारासित विग्री भन्या मासिन्छे ।
८. कसैका वाधा वधेत्यानिले मासिन्या षत गरि मासियो भन्या जौना अम्बलका वाधा वधेत्यानि हुन् उसै अम्बलका अमालिले पाउछन् । वाधा वधेत्यानिका वावु आमा वस्याका ठाउका अमालिले पाउदैनन् । वाधा वधेत्यानिको थैलि साहुको पर सारि मासियाका ज्यू अमालिले लिनु ।
९. मासिन्या जातले मासिन्या षत् गरि मासियो । नमासिंदै अघि विहा गर्याकि उसकी स्वास्त्रि रहिछ । लोग्न्या षतवातले मासियो तापनि विहाइतै लोग्न्या हो म तेसै लोग्न्यासितै जान्छु भन्या जान पाउछे । षतवात लाग्दैन । तेस स्वास्त्रिवाट जन्म्याका सन्तान अजापुत्रहरू ठहर्छन् । उससित षुसले वस्छे भन्या वस्त्र पाउछे । षुसि राजिले अर्कासित पोइल गै भन्या लैजान्यालाइ षतवात लाग्दैन ।

266 Ain-54 gives only *kamārāko* as title for this Art., whereas it is *kamārāko karaṇi* in Ain-54-JF. Since this Art. deals with sexual offenses of slaves and not with the topic of slavery in general and is situated among other Articles dealing with sexual offences, we take the heading from Ain-54-JF.

267 Om., read: *bigryā* (Ain-54-JF).

१०. ब्राह्मण लगायेत् चार वर्ष छत्तिसै जातका कमाराले र घरमा करिया भै रह्याका षवास्याले तागाधारि जात गैहका ११ वर्ष मनिका कन्या विधवा सधवाको करणि गर्न्या जवरजस्ति ठहर्छ । सधवाको करणि गर्न्या अैन वमोजिम् साधुको पुसि । कन्या र विधवाको करणि गर्न्या षवास्या र कमारालाइ काटि मारिदिनु ।

११. कमाराले र घरमा करिया भै रह्याका षवास्याले नमासिन्या मतवालि जातका ११ वर्ष मनिका कन्या विधवा सधवाको करणि गरेछ भन्या कमाराले करणि गर्दा स्वास्तिका जात मिल्दाले विहावरी गर्न्या रहेनछन् तेस्का हातको भात षाजा चलन्या रहेनछ गलंज्या पनि नहुन्या रहिछ भन्या करणि गर्न्या जवरजस्ति ठहर्छ । सधवा भया जार हांन्या जातको अैन वमोजिम् साधुको पुसि । जार नहान्या जातका सधवा र कन्या विधवाको करणि गरेछ भन्या तेस्ता षवास्या र तागाधारि जातका कमारालाइ ६ वर्ष कैद गर्नु । म्यादको चौवर दिया रुपैया लिनु । म्याद पुग्यापछि षसमका जिम्मा गरि छोडिदिनु । नमासिन्या मतवालि र मासिन्या जातका कमारालाइ दामल गर्नु । पानि नचलन्या र छोया छिटो हालनु पर्न्या जातका कमारालाइ काटि मारिदिनु ।

१२. कमाराले र घरमा करिया भै रह्याका षवास्याले नमासिन्या मतवालि जातका ११ वर्ष मनिका कन्या विधवा सधवाको करणि गरेछ भन्या कमाराले करणि गर्दा स्वास्तिको प्रायश्चित्त गरि भात षाजामा चलन्या रहेछ । जाति मिल्दाले विहावरी गर्न्या रहेनछन्²⁶⁸ । गलंज्याको प्रायश्चित्त गरि जातमा आउन्या रहिछ भन्या जवरजस्ति ठहर्नाले सधवाको करणि गर्न्या जार हांन्या जातको अैन वमोजिम् साधुको पुसि । जार नहान्या जातका सधवा र कन्याको करणि गरेछ भन्या षवास्या र तागाधारि जातका नमासिन्या मतवालि जातका कमारालाइ ६ वर्ष कैद गर्नु । मासिन्या जातका कमारालाइ १२ वर्ष कैद गर्नु । पानि नचलन्या र छोया छिटो हालनु पर्न्या जातका कमारालाइ काटि मारिदिनु ।

१३. कमाराले र घरमा करिया भै रह्याका षवास्याले मासिन्या पर्जा जातका ११ वर्ष मनिका कन्या सधवा विधवाको करणि गरेछ भन्या जवरजस्ति ठहर्छ । सधवाको करणि गरेछ भन्या जार हांन्या जातको अैन वमोजिम् साधुको पुसि । जार नहान्या जातका सधवा र कन्या विधवाको करणि गर्न्या षवास्या र तागाधारि जात नमासिन्या मतवालि जातका कमारालाइ ६ वर्ष कैद गर्नु । मासिन्या जातका कमारालाइ ७ वर्ष कैद गर्नु । पानि नचलन्या र छोया छिटो हालनु पर्न्या जातका कमारालाइ दामल गर्नु । जवरजस्ति हुनाले स्वास्ति मासिन ।

१४. कमारा र घरमा करिया भै रह्याका षवास्याले पानि नचलन्या छोया छिटो हालनु नपर्न्या जातका ११ वर्ष मनिका सधवा विधवा कन्याको करणि गरेछ भन्या जवरजस्ति ठहर्छ । सधवाको करणि गरेछ भन्या जार हांन्या जातको अैन वमोजिम् साधुको पुसि । जार नहान्या जातका सधवा र कन्याको विधवाको करणि गरेछ भन्या षवास्या र तागाधारि जात नमासिन्या जात मासिन्या जातका कमारालाइ करणि गरि उस्का हातको भात पानि षाइ आफु मिल्दालाइ भातमा र अरूलाइ पानिमा वोरेछ भन्या ७ वर्ष कैद गरि उसै जातको १ अक्षर वाजा गालामा षोदि पानि वाहेक गरि षसम्का जिम्मा गरि छाडिदि²⁶⁹ । करणि गरि आफुले तेस्का हातको भात पानि

268 Read: *rahechan* (Ain-54-JF).

269 Read: *chāḍidīnu*.

षायाको रहेनछ भन्या ६ वर्ष कैद गरि म्याद पुग्यापछि षसम्का जिम्मा गरिदिनु । पानि चलछ । पतिया दिनु । पानि नचलन्या जातमा छिटो हालनु नपर्न्या जातले करणि गरेछ भन्या ७ वर्ष कैद गर्नु । छिटो हालन पर्न्या जातले भया ८ वर्ष कैद गर्नु । म्यादको चौवर दिया रुपैया लिनु । म्याद पुग्यापछि षसम्का जिम्मा गरि छाडिदिनु । जवरजस्ति हुनाले स्वास्त्रि मासिन ।

१५. कमाराले र घरमा करिया भै रह्याका षवास्याले छोया छिटो हालनु पर्न्या जातका ११ वर्ष मनिका कन्या सधवा विधवाको करणि गरेछ भन्या जवरजस्ति ठहर्छ । करणि गर्न्या षवास्या र तागाधारि नमासिन्या मतवालि जात छोया छिटो हालनु नपर्न्या जातका कमाराले करणि गरि अरूलाइ पानिमा र आफु मिल्दालाइ भातमा वोरेछ भन्या ७ वर्ष भात पानिमा वोरेको नभया ६ वर्ष कैद गरि उसै जातको १ अक्षर वाजा गालामा षोदि पानि वाहेक गरि षसम्का जिम्मा गरि छाडिदिनु । छोया छिटो हालनु पर्न्या जातका कमारालाइ ७ वर्ष कैद गर्नु । म्यादको चौवर दिया रुपैया लिनु । नतिर्या कैद गरि म्याद पुग्यापछि षसम्का जिम्मा गरि छाडिदिनु । जवरजस्ति हुनाले स्वास्त्रि मासिन ।

१६. ब्राह्मण लगायेत् वार वर्ण छत्तिस जातका कमाराले घरमा करिया भै रह्याका षवास्याले तागाधारि जात गैहका ११ वर्ष नाघ्याका कन्या विधवा सधवालाइ लागु पुवाइ वाधि मुष थुनि २।३ जाना मिलि करणि गर्यो वा एति कुरा गरि एकलैले करणि गर्यो भन्या जवरजस्ति ठहर्छ । सधवा भया अैन वमोजिम् साधुको पुसि । विधवा र कन्या भया करणि गर्न्या षवास्या र कमारालाइ दामल गर्नु ।

१७. कमाराले र घरमा करिया भै रह्याका षवास्याले नमासिन्या मतवालि जातका ११ वर्ष नाघ्याका कन्या र सधवा विधवालाइ लागु पुवाइ होस् वाधि हवस् मुष थुनि २।३ जना मिलि करणि गर्यो वा एति कुरा गरि एकलैले करणि गर्यो भन्या जवरजस्ति ठहर्छ । सधवा भया जार हान्या जातको अैन वमोजिम् साधुको पुसि । विधवा कन्या भया जार नहान्या जातका सधवाको करणि गरेछ भन्या तेस स्वास्त्रिलाइ षवास्या र कमाराले करणि गर्यापछि जात मिल्दाले विहा गर्न्या रहेनछ तेस्का हातको भात षाजा चलन्या रहेनछ गंलज्या पनि हुन्या रहिनछ भन्या त्यो षवास्या र तागाधारि जातको कमारा भया ६ वर्ष नमासिन्या मतवालि जातको कमारो भया ८ वर्ष मासिन्या जातको भया १२ वर्ष कैद गर्नु । म्यादको चौवर दिया रुपैया लिनु । पानि नचलन्या र छोया छिटो हालनु पर्न्या जातको कमारो भया दामल गर्नु ।

१८. कमाराले र घरमा करिया भै रह्याका षवास्याले नमासिन्या मतवालि जातका ११ वर्ष नाघ्याका कन्या र सधवा विधवालाइ लागु पुवाइ वाधि मुष थुनि २।३ जना मिलि करणि गर्यो वा एति कुरा एकलैले करणि गरि गर्यो भन्या जवरजस्ति ठहर्छ । सधवा भया जार काटन्या जातको अैन वमोजिम् साधुको पुसि । जार नहान्या जातका सधवा र विधवा कन्या भया तेस स्वास्त्रिलाइ कमाराले करणि गर्यापछि जात मिल्दाले विहावारि गर्न्या रह्याछन् प्रायेश्चित्त गरि भात षाजा चलन्या रहेछ गंलज्याको प्रायेश्चित्त गरि जातमा आउन्या रहिछ भन्या षवास्या र तागाधारि जातको कमारो भया १॥ वर्ष कैद गर्नु । नमासिन्या मतवालि जातको कमारो भया २ वर्ष मासिन्या जातको कमारो भया ३ वर्ष कैद गर्नु । म्यादको दवल् दिया लिनु । पानि नचलन्या र छोया छिटो हालनु पर्न्या जातको कमारो भया दामल गर्नु ।

१९. कमाराले र घरमा करिया भै रह्याका षवास्याले मासिन्या जातका ११ वर्ष नाघ्याका कंन्या र विधवा सधवालाइ लागु पुवाइ वाधि मुष थुनि २।३ जाना मिलि करणि गर्ग्या वा एति कुरा गरि एकैले करणि गर्ग्यो भन्या जवरजस्ति ठहर्छ । सधवा भया जार हान्या जातको अैन वमोजिम् साधुको पुसि । जार नहान्या जातका सधवा र विधवा कंन्याको करणि गर्ग्या षवास्या र तागाधारि जातको कमारो र नमासिन्या जातका कमारालाइ ३ वर्ष मासिन्या जातका कमारालाइ ६ वर्ष कैद गर्नु । म्यादको डवल् दिया लिनु । पानि नचलन्या र छोया छिटो हालनु पर्न्या जातका कमारालाइ दामल गर्नु । जवरजस्ति ठहर्नाले स्वास्त्रि मासिन्न ।

२०. कमाराले र घरमा करिया भै रह्याका षवास्याले पानि नचलन्या जातमा छोटो छिटो हालनु नपर्न्या जातका ११ वर्ष नाघ्याका कंन्या विधवा सधवालाइ लागु पुवाइ वाधि मुष थुनि २।३ जना मिलि करणि गर्ग्यो वा एति कुरा गरि एकैले करणि गर्ग्यो भन्या जवरजस्ति ठहर्छ । सधवा भया जार हान्या जातको अैन वमोजिम् साधुको पुसि । जार नहान्या जातका सधवा विधवा कंन्याको करणि गर्ग्या षवास्या र तागाधारि नमासिन्या मासिन्या जातका कमाराले करणि गरि आफु मिल्दालाइ भातमा र अरूलाइ पानिमा वोरेछ भन्या ३ वर्ष कैद गरि उसै जातको १ अक्षर वाजा गालामा षोदि पानि वाहेक गरि छाडिदिनु । करणि गरि आफुले उस्का हातको भात पानि षायाको रहेनछ भन्या १ वर्ष कैद गरि म्याद पुग्यापछि षसम्का जिम्मा गरिदिनु । पानि चल्ल्छ । पतिया दिनु । छोटो छिटो हालनु नपर्न्या जातका कमाराले भया ६ वर्ष कैद गर्नु । छिटो हालनु पर्न्या जातका कमारालाइ ७ वर्ष कैद गर्नु । म्यादको डवल् दिया लिनु । जवरजस्ति ठहर्नाले स्वास्त्रि मासिन्न ।

२१. कमाराले र घरमा करिया भै रह्याका षवास्याले भया छिटो हालनु पर्न्या जातका ११ वर्ष नाघ्याका कंन्या सधवा विधवालाइ लागु पुवाइ वाधि मुष थुनि २।३ जना मिलि करणि गर्ग्यो वा एति कुरा गरि एकैले करणि गर्ग्यो भन्या जवरजस्ति ठहर्छ । जार हान्या जातका सधवा भया अैन वमोजिम् साधुको पुसि । जार नहान्या जातका सधवा र कंन्या विधवाको करणि गर्ग्या षवास्या र तागाधारि नमासिन्या मासिन्या छोटो छिटो हालनु नपर्न्या जातका कमाराले करणि गरि आफ्ना जातलाइ भातमा र अरूलाइ पानिमा वोरेछ भन्या ३ वर्ष भात् पानिमा वोरेको रहेनछ भन्या १ वर्ष कैद गरि उसै जातको १ अक्षर वाजा गालामा षोदि पानि वाहेक गरि छाडिदिनु । छिटो हालनु पर्न्या जातका कमारालाइ ६ वर्ष कैद गर्नु । म्यादको डवल् दिया लिनु । जवरजस्ति हुनाले स्वास्त्रि मासिन्न ।

२२. ब्राह्मण लगायेत् चार वर्ण छत्तिसै जातका कमाराले र घरमा करिया भै रह्याका षवास्याले तागाधारि जात गैहका ११ वर्ष नाघ्याका कंन्या सधवा विधवा को राजि पुसिले करणि गर्ग्या सधवा भया अैन वमोजिम् साधुको पुसि । विधवाको र कंन्याको करणि गर्ग्या षवास्या र कमारालाइ दामल गर्नु ।

२३. कमाराले र घरमा करिया भै रह्याका षवास्याले नमासिन्या मतवालि जातका ११ वर्ष नाघ्याका सधवा विधवा कंन्याको राजि पुसिले करणि गरेछ भन्या सधवा भया जार हान्या जातको अैन वमोजिम् साधुको पुसि । जार नहान्या जातका सधवा विधवा कंन्याको कमाराले करणि गरि स्वास्त्रिका जात मिल्दाले विहावरि गर्ग्या रहेनछन् तेस्का हातको भात षाजा चलन्या रहेनछ गलंज्या पनि नहुन्या रहिछ भन्या तेस्ता षवास्या र तागाधारि जातका कमारालाइ ३ वर्ष कैद गर्नु । म्याद पुग्यापछि

षसका²⁷⁰ जिम्मा गरि छाडिदिनु । नमासिन्या मासिन्या मतवालि जातका कमारालाइ ६ वर्ष कैद गर्नु । म्यादको चौवर दिया लिनु । पानि नचलन्या र छिटो हालनु पर्न्या जातका कमारालाइ दामल गर्नु ।

२४. कमाराले र घरमा करिया भै रह्याका षवास्याले नमासिन्या मतवालि जातका ११ वर्ष नाघ्याको कन्या सधवा विधवाको राजी पुसिले करणि गरेछ भन्या सधवा भया जार हांन्या जातको अैन वमोजिम् साधुको पुसि । जार नहांन्या जातका कन्या सधवा विधवाको करणि गरेछ भन्या इनुले करणि गरि स्वास्त्रिका हातको भात षाजा चलन्या रहेछ जात मिल्दाले विहावरि गर्न्या रहेछन् गलंज्याको प्रायश्चित्त गरि जातमा आउन्या रहीछ भन्या षवास्या तागाधारि जात र नमासिन्या मतवालि जातका कमारालाइ ३ वर्ष मासिन्या जातका कमारालाइ ६ वर्ष कैद गर्नु । म्यादको डवल दिया रुपैया लिनु । म्याद पुग्यापछि षसम्का जिम्मा गरि छाडिदिनु । पानि नचलन्यालाइ र छोया छिटो हालनु पर्न्या जातका कमारालाइ दामल गर्नु ।

२५. कमाराले र घरमा करिया भै रह्याका षवास्याले मासिन्या जातका ११ वर्ष नाघ्याका कन्या सधवा विधवाको राजि पुसिले करणि गरेछ भन्या सधवा भया जार हांन्या जातको अैन वमोजिम् साधुको पुसि । जार नहांन्या जातका सधवा विधवा कन्याको करणि गरेछ भन्या तेस्ता षवास्या तागाधारि जात र नमासिन्या मतवालि जातका कमारालाइ १ वर्ष कैद गर्नु । मासिन्या जातका कमारालाइ ६ वर्ष कैद गर्नु । म्यादको डवल दिया लिनु । पानि नचलन्या र छिटो हालनु पर्न्या जातका कमारालाइ दामल गर्नु । स्वास्त्रिलाइ मासिदिनु । वेस्या भयाकि स्वास्त्रि रहिछ भन्या मासिन्न । करणि गर्न्या षवास्या र कमारालाइ पनि वात लाग्दैन ।

२६. कमाराले र घरमा करिया भै रह्याका षवास्याले पानि नचलन्या छोया छिटो हालनु नपर्न्या जातका ११ वर्ष नाघ्याका सधवा विधवा कन्याको राजि पुसिले [करणि गरेछ] । करणि गर्न्या षवास्या र तागाधारि जात नमासिन्या मासिन्या जातका कमारालाइ करणि गरि आफुले उस्का हातको भात पानि षाइ आफु मिल्दालाइ भातमा र अरूलाइ पानिमा वोरेछ भन्या १॥ वर्ष कैद गरि उसै जातको १ अक्षर वाजा गालामा षोदि पानि वाहेक गरि षसम्का जिम्मा गरि छाडिदिनु । करणि गरि आफुले उस्का हातको भात पानि षायाको रहेनछ भन्या १ वर्ष कैद गर्नु । म्याद पुग्यापछि षसम्का जिम्मा गरि छाडिदिनु । पानि चल्छ । पतिया गराइदिनु । पानि नचलन्या जातमा छिटो हालनु नपर्न्या जातले करणि गर्त्या ४ वर्ष छिटो हालनु पर्न्या जातले भया ६ वर्ष पानिमा पार्या ७ वर्ष कैद गर्नु । म्यादको चौवर दिया लिनु । म्याद पुग्यापछि षसम्का जिम्मा गरि छाडिदिनु । स्वास्त्रि मासिंछे ।

२७. कमाराले र घरमा करिया भै रह्याका षवास्याले छिटो हालनु पर्न्या जातका ११ वर्ष नाघ्याका कन्या विधवा सधवाको राजि पुसिले करणि गरेछ भन्या सधवा भया जार हांन्या जातको अैन वमोजिम् साधुको पुसि । जार नहांन्या जातका सधवा र विधवा कन्याको करणि गरेछ भन्या तेस्ता षवास्या र तागाधारि जात नमासिन्या मतवालि जात मासिन्या मतवालि जात पानि नचलन्या जातका कमाराले करणि गरि आफु मिल्दालाइ भातमा र अरूलाइ पानिमा वोरेछ भन्या १॥ वर्ष कैद गर्नु । भात पानिमा वोर्त्याको रहेनछ भन्या १ वर्ष कैद गरि उसै जातका १ अक्षर वाजा

गालामा षोदि पानि वाहेक गरि षसम्का जिम्मा गरि छाडिदिनु । छिटो हालनु पन्या जातका कमाराले करणि गर्या ४ वर्ष कैद गर्नु । म्याद पुग्यापछि षसम्का जिम्मा गरि छाडिदिनु । स्वास्त्रि मासिछे ।

२८. आफ्ना घरका वाधा कमाराले आफ्नै षसम्का स्वास्त्रि छोरि वुहारिहरूको करणि गरू भनि फकाउनाको आसये गरेछ वा फकाउन लायेछ भन्या २ वर्ष घर वाहेकका अरू षस्मिनी पन्याको करणि गरू भनि फकाउनाको आसये गरेछ वा फकाउन लायेछ भन्या १ वर्ष कैद गर्नु । म्यादका रुपैया दिया लि छाडनु ।

२९. कसैले कमारो छदामा मासिन्या जातकि छोरिको करणि गर्याको रहेछ । जाहेर भयाको रहेनछ । पछि पार भै घर्ति भयापछि उहि करणि जाहेर भयो भन्या सधवाको करणि गर्याको भया अैन वमोजिम् साधुको पुसि । कन्या विधवाको करणि गर्याको रहेछ भन्या ज्यू मासिदैन । करणि गरि भात्मा वोरि दियो भनि कराउन आया तेस घर्तिलाइ २० रुपैया दंड गर्नु । भातमा वोर्याको रहेनछ भन्या षतवात लाग्दैन ।

Translation:

1. If a slave has illicit sexual intercourse with his master's daughter or daughter-in-law, such a slave shall be executed—irrespective of whether it was rape or consensual.

2. If any legal dispute arises regarding incest of male or female slaves within their blood relations, the punishment and judgment shall be delivered which are applicable to Bhoṭe Parjā.

3. If an unmarried girl belonging to an Enslavable caste has illicit sexual intercourse with [a man] whose caste status is higher than or similar to her own, and if she, later on, has been taken as wife by [another man] from a caste similar to her own, without the maternal side accepting the customary gifts (*rita khānu*) [from that man], and if such a Parjā woman has illicit sexual intercourse with a slave, she shall not be enslaved. She shall be regarded as a common woman. If the illicit sexual intercourse was with a man belonging to a Water-acceptable caste, she shall be enslaved, even if she is a common woman.

4. If an unmarried girl belonging to an Enslavable caste has illicit sexual intercourse with [a man] whose caste status is higher than or similar to hers, and if she, later on, has been married by [another] man from a caste similar to hers by following the customs of their own caste, and if [the bridegroom's] fellow caste members (*jāta bhāī*) have consumed cooked lentils and rice from [their] hands, and if such a woman has illicit sexual intercourse with a slave or a man belonging to a Water-unacceptable caste, she shall be enslaved.

5. If an unmarried girl belonging to an Enslavable caste who has been living at her parental house has illicit sexual intercourse with [a

man] whose caste status is higher than or similar to hers, and if, later on, she has illicit sexual intercourse with a slave, she shall neither be enslaved nor shall the slave be fined or imprisoned. She shall be regarded as a common woman.

6. If someone belonging to an Enslavable caste has illicit sexual intercourse with a widow or an unmarried girl belonging to a Non-enslavable caste, such a person shall be enslaved, and he shall become [the property] of the *amāla* office, if the dispute is settled by the *amālī* official of the respective place. If the *amālī* is unable to settle the dispute, and it is forwarded to an *adālata* or *ṭhānā* office, he shall become the property of the *adālata* or *ṭhānā*.

7. If an unmarried girl belonging to an Enslavable caste has illicit sexual intercourse with a slave and not with someone else, she shall be enslaved.

8. If a male or female bondservant has been enslaved for committing a crime which is punishable by enslavement, the *amālī* of the respective place shall be entitled to take him or her into possession. The *amālī* of the place where the bondservant's parents live shall not be entitled to own the bondservant. The *amālī*, having paid the debt to the creditor, shall take the enslaved bondservant.

9. If someone belonging to an Enslavable caste has been enslaved for committing a crime which is punishable by enslavement, and if he has a wife whom he married with before being enslaved, she shall be permitted to live with him if she declares: "Although my husband is enslaved because of his crime, I will live with him since he is my ritually married husband." She shall not be held accountable. Offspring born to her shall be regarded as free persons. If she prefers to live with him, she shall be permitted to do so. If she, at her own will, runs off with another man, she shall not be held accountable.

10. If a slave from any of the Four Varṇas or Thirty-six castes, including Brahmins or a Khavāsa who has remained a domestic servant (*kariyā*), has illicit sexual intercourse with any unmarried, widowed or married girl below the age of 11 belonging to a Sacred Thread-wearing caste, it shall be considered rape. If it has happened with a married girl, the aggrieved husband shall decide in accordance with the *Ain* [whether he kills his wife's paramour or not]. The slave or Khavāsa who has illicit sexual intercourse with an unmarried girl or a widow shall be executed.

11. If a slave or Khavāsa who has remained a domestic servant has illicit sexual intercourse with an unmarried, widowed or married girl

below the age of 11 belonging to a Non-enslavable Alcohol-drinking caste, it shall be considered rape if men equal to her caste will not marry her, if her fellow caste members will not accept cooked rice from her hands, and if she is not pregnant. If she is married [to a man] of a caste bearing the right to kill his wife's paramour, the aggrieved husband shall decide in accordance with the *Ain* [how he punishes his wife's paramour]. If he has illicit sexual intercourse with a married girl whose husband belongs to a caste not bearing the right to kill his wife's paramour or with an unmarried or widowed girl, such a Khavāsa or slave of a Sacred Thread-wearing caste shall be imprisoned for 6 years. If he pays four times the amount of the fine in lieu of his imprisonment, it shall be accepted. He shall be handed over to the custody of his master after the prison term is over. The slave belonging to a Non-enslavable Alcohol-drinking or Enslavable caste shall be punished by *dāmala*. The slave [or Khavāsa] belonging to a Water-unacceptable but Touchable or an Untouchable caste shall be executed.

12. If a slave or a Khavāsa who has remained a domestic servant has illicit sexual intercourse with an unmarried, widowed or married girl below the age of 11 belonging to a Non-enslavable Alcohol-drinking caste, it shall be considered rape if the girl may be accepted for cooked rice by her fellow caste members after she undertakes penance, if men equal to her caste may marry her, and if she may regain her caste status after undertaking penance for her pregnancy. If he has illicit sexual intercourse with a woman married [to a man] of a caste bearing the right to kill his wife's paramour, the aggrieved husband shall decide in accordance with the *Ain*. If he has illicit sexual intercourse with a married girl whose husband belongs to a caste not bearing the right to kill his wife's paramour or with an unmarried girl, such a Khavāsa or a slave from a Sacred Thread-wearing or Non-enslavable Alcohol-drinking caste shall be imprisoned for 6 years. The slave belonging to an Enslavable caste shall be imprisoned for 12 years. The slave or [Khavāsa] belonging to a Water-unacceptable but Touchable or an Untouchable caste shall be executed.

13. If a slave or Khavāsa who has remained a domestic servant has illicit sexual intercourse with an unmarried, married or widowed girl below the age of 11 belonging to an Enslavable caste, it shall be considered rape. If he has illicit sexual intercourse with a woman married [to a man] of a caste bearing the right to kill his wife's paramour, the aggrieved husband shall decide in accordance with the *Ain* [how he punishes his wife's paramour]. If he has illicit sexual intercourse with

a married girl whose husband belongs to a caste not bearing the right to kill his wife's paramour or with an unmarried or widowed girl, such a Khavāsa or slave from a Sacred Thread-wearing or Non-enslavable Alcohol-drinking caste shall be imprisoned for 6 years. The slave belonging to an Enslavable caste shall be imprisoned for 7 years. The slave [or Khavāsa] belonging to a Water-unacceptable but Touchable or an Untouchable caste shall be punished by *dāmala*. Since it is a rape, the woman shall not be enslaved.

14. If a slave or Khavāsa who has remained a domestic servant has illicit sexual intercourse with a married, widowed or unmarried girl below the age of 11 belonging to a Water-unacceptable but Touchable caste, it shall be considered rape. If he has illicit sexual intercourse with a woman married [to a man] of a caste bearing the right to kill his wife's paramour, the aggrieved husband shall decide in accordance with the *Ain* [how he punishes his wife's paramour]. If he has illicit sexual intercourse with a married girl whose husband belongs to a caste not bearing the right to kill his wife's paramour or with an unmarried or widowed girl, and if he has consumed cooked rice and water from her hands after the illicit sexual intercourse, and if he has contaminated fellow caste members equal to him through cooked rice and others through water, he shall be imprisoned for 7 years, the first letter of the caste [name] of that woman shall be branded on his left cheek, he shall be deprived of his right to drink water together with his fellow caste members, and he shall be handed over to his master's custody. If he has not consumed cooked rice and water from her hands after the illicit sexual intercourse, he shall be imprisoned for 6 years and shall be handed over to his master's custody after his prison term is over. Water may be accepted from his hands, thus he shall be granted water expiation. Among the Water-unacceptable castes, if [a slave] belonging to a Water-unacceptable but Touchable caste has illicit sexual intercourse [with a woman of a caste equal in status to his own], he shall be imprisoned for 7 years. If [a slave] belonging to an Untouchable caste has illicit sexual intercourse [with a woman belonging to a Water-unacceptable but Touchable caste], he shall be imprisoned for 8 years. If four times the amount of the fine is paid in lieu of his imprisonment, it shall be accepted. [Such a culprit] shall be handed over to his master's custody after his prison term is over. Since it is a rape, the woman shall not be enslaved.

15. If a slave or Khavāsa who has remained a domestic servant has illicit sexual intercourse with an unmarried, married or widowed girl

below the age of 11 belonging to an Untouchable caste, it shall be considered rape. If a Khavāsa or the slave from a Sacred Thread-wearing, Non-enslavable Alcohol-drinking or [Water-unacceptable but] Touchable caste has contaminated fellow caste members equal to him through cooked rice and others through water after the illicit sexual intercourse, he shall be imprisoned for 7 years. If he has not contaminated [others] through water, he shall be imprisoned for 6 years, the first letter of the caste [name] of that woman shall be branded on his left cheek, he shall be deprived of his right to drink water together with his fellow caste members, and he shall be handed over to his master's custody. The slave who belongs to an Untouchable caste shall be imprisoned for 7 years. If four times the amount of the fine is paid [in lieu of imprisonment], it shall be accepted. If the amount of the fine is not paid, he shall be imprisoned and be handed over to his master's custody after his prison term is over. Since it is a rape, the woman shall not be enslaved.

16. If a slave belonging to any of the Four Varṇas and Thirty-six castes, including Brahmins, or a Khavāsa who has remained a domestic servant, has illicit sexual intercourse with an unmarried, widowed or married woman belonging to a Sacred Thread-wearing caste and who is past the age of 11 by intoxicating her, by tying her up or by gagging her, whether jointly with 2–3 people or alone, it shall be considered a rape. If she is a married woman, the aggrieved husband shall decide in accordance with the *Ain* [how he punishes his wife's paramour]. If she is a widow or an unmarried woman, the Khavāsa or slave shall be punished by *dāmala*.

17. If a slave or Khavāsa who has remained a domestic servant has illicit sexual intercourse with an unmarried, married or widowed woman belonging to a Non-enslavable Alcohol-drinking caste and who is past the age of 11 by intoxicating her, by tying her up or by gagging her, whether jointly with 2–3 people or alone, it shall be considered a rape. If she is a woman married [to a man] of a caste bearing the right to kill his wife's paramour, the aggrieved husband shall decide in accordance with the *Ain* [how he punishes his wife's paramour]. If she is widowed or unmarried or married [to a man] of a caste not bearing the right to kill his wife's paramour, such a Khavāsa or slave from a Sacred Thread-wearing caste shall be imprisoned for 6 years if fellow caste members equal in status to that woman will not marry her, if her fellow caste members will not accept cooked rice from her hands and if she is not pregnant. If the slave belongs to a Non-enslavable Alcohol-drinking caste, he shall be imprisoned for 8 years. If he belongs

to an Enslavable caste, he shall be imprisoned for 12 years. If he pays four times the amount of the fine [in lieu of imprisonment], it shall be accepted. If the slave belongs to a Water-unacceptable but Touchable or an Untouchable caste, he shall be punished by *dāmala*.

18. If a slave or Khavāsa who has remained a domestic servant has illicit sexual intercourse with an unmarried, married or widowed woman belonging to a Non-enslavable Alcohol-drinking caste and who is past the age of 11 by intoxicating her, by tying her up or by gagging her, whether jointly with 2–3 people or alone, it shall be considered a rape. If she is a woman married [to a man] of a caste bearing the right to kill his wife's paramour, the aggrieved husband shall decide in accordance with the *Ain* [how he punishes his wife's paramour]. If she is a woman married [to a man] of a caste not bearing the right to kill his wife's paramour, or is widowed or unmarried, such a Khavāsa or slave from a Sacred Thread-wearing caste shall be imprisoned for 1½ years, if men of equal status to her caste status may marry her after the illicit sexual intercourse, if she may be accepted for cooked rice by her fellow caste members after she undertakes penance, and if she may re-join her caste after undertaking penance for her pregnancy. If such a slave belongs to a Non-enslavable Alcohol-drinking caste, he shall be imprisoned for 2 years, and if he belongs to an Enslavable caste, he shall be imprisoned for 3 years. If he pays twice the amount of the fine in lieu of the prison term, it shall be accepted. If he belongs to a Water-unacceptable but Touchable or an Untouchable caste, he shall be punished by *dāmala*.

19. If a slave or a Khavāsa who has remained a domestic servant has illicit sexual intercourse with an unmarried, widowed or married woman belonging to an Enslavable caste and past the age of 11 by intoxicating her, by tying her up or by gagging her, whether jointly with 2–3 people or alone, it shall be considered a rape. If she is a woman married [to a man] of a caste bearing the right to kill his wife's paramour, the aggrieved husband shall decide in accordance with the *Ain* [how he punishes his wife's paramour]. If she is a woman married [to a man] of a caste not bearing the right to kill his wife's paramour, or is widowed or unmarried, such a Khavāsa or the slave from a Sacred Thread-wearing or Non-enslavable caste shall be imprisoned for 3 years. If he belongs to an Enslavable caste, he shall be imprisoned for 6 years. If he pays twice the amount of the fine in lieu of the prison term, it shall be accepted. If he belongs to a Water-unacceptable but Touchable or an Untouchable caste, he shall be punished by *dāmala*. Since it is a rape, the woman shall not be enslaved.

20. If a slave or Khavāsa who has remained a domestic servant has illicit sexual intercourse with an unmarried girl, widow or married woman belonging to a Water-unacceptable but Touchable caste and past the age of 11 by intoxicating her, by tying her up or by gagging her, whether jointly with 2–3 people or alone, it shall be considered a rape. If she is a woman married [to a man] of a caste bearing the right to kill his wife's paramour, the aggrieved husband shall decide in accordance with the *Ain* [how he punishes his wife's paramour]. If a Khavāsa or a slave from a Sacred Thread-wearing, Non-enslavable or Enslavable caste has illicit sexual intercourse with a married woman whose husband belongs to a caste not bearing the right to kill his wife's paramour or with a widow or unmarried girl, and if he has contaminated fellow caste members equal in status to him through cooked rice and others through water, he shall be imprisoned for 3 years, the first letter of the caste [name] of that woman shall be branded on his left cheek, he shall be deprived of his right to drink water together with his fellow caste members and he shall then be set free. If he has not consumed cooked rice and water from her hands after the illicit sexual intercourse, he shall be imprisoned for 1 year and shall be handed over to his master's custody after his prison term is over. Water may be accepted from his hands, thus he shall be granted water expiation. If the slave belongs to a [Water-unacceptable but] Touchable caste, he shall be imprisoned for 6 years, and if he belongs to an Untouchable caste, he shall be imprisoned for 7 years. If twice the amount of the fine is paid in lieu of his imprisonment, it shall be accepted. Since it is a rape, the woman shall not be enslaved.

21. If a slave or a Khavāsa who has remained a domestic servant has illicit sexual intercourse with an unmarried, widowed or married woman belonging to an Untouchable caste and past the age of 11 by intoxicating her, by tying her up or by gagging her, whether jointly with 2–3 people or alone, it shall be considered a rape. If she is a woman married [to a man] of a caste bearing the right to kill his wife's paramour, the aggrieved husband shall decide in accordance with the *Ain* [how he punishes his wife's paramour]. If a Khavāsa or a slave from a Sacred Thread-wearing, Non-enslavable, Enslavable or a Touchable [but Water-unacceptable] caste has illicit sexual intercourse with a married woman whose husband belongs to a caste not bearing the right to kill his wife's paramour or with an unmarried or widowed woman, and if he has contaminated fellow caste members equal in status to him through cooked rice and others through water, he shall be imprisoned

for 3 years—if he has not contaminated them through cooked rice and water, for 1 year—, the first letter of the caste [name] of that woman shall be branded on his left cheek, he shall be deprived of his right to drink water together with his fellow caste members, and he shall be set free. If the slave belongs to an Untouchable caste, he shall be imprisoned for 6 years, and if twice the amount of the fine is paid in lieu of his imprisonment, it shall be accepted. Since it is rape, the woman shall not be enslaved.

22. If a slave belonging to any of the Four Varṇas and Thirty-six castes, including Brahmins, or a Khavāsa who has remained a domestic servant, has illicit consensual sexual intercourse with an unmarried girl, a married woman or widow belonging to a Sacred Thread-wearing caste and past the age of 11, and if she is a married woman, the aggrieved husband shall decide [how he punishes his wife's paramour]. The Khavāsa or the slave who has had illicit sexual intercourse with a widowed or unmarried woman shall be punished by *dāmala*.

23. If a slave or a Khavāsa who has remained a domestic servant has illicit consensual sexual intercourse with a married woman, widow or an unmarried girl past the age of 11 and belonging to a Non-enslavable Alcohol-drinking caste, and if she is a woman married [to a man] of a caste bearing the right to kill his wife's paramour, the aggrieved husband shall decide in accordance with the *Ain* [how he punishes his wife's paramour]. If he has illicit sexual intercourse with a married woman whose husband belongs to a caste not bearing the right to kill his wife's paramour or with a widowed or an unmarried woman, such a Khavāsa or slave from a Sacred Thread-wearing caste shall be imprisoned for 3 years, if men of castes equal in status to her caste will not marry her, if her fellow caste members will not accept cooked rice from her hands, and if she is not pregnant. After his prison term is over, he shall be handed over to his master's custody. The slave belonging to an Enslavable or a Non-enslavable Alcohol-drinking caste shall be imprisoned for 6 years. If he pays four times the amount of the fine [in lieu of imprisonment], it shall be accepted. The slave belonging to a Water-unacceptable but Touchable or an Untouchable caste shall be punished by *dāmala*.

24. If a slave or a Khavāsa who has remained a domestic servant has illicit consensual sexual intercourse with an unmarried, married or widowed woman who is past the age of 11 and belongs to a Non-enslavable Alcohol-drinking caste, and if she is a woman married [to a man] of a caste bearing the right to kill his wife's paramour, the aggrieved

husband shall decide in accordance with the *Ain* [how he punishes his wife's paramour]. If he has illicit sexual with a married woman whose husband belongs to a caste not bearing the right to kill his wife's paramour or with an unmarried girl or widow, such a Khavāsa or slave from a Sacred Thread-wearing or Non-enslavable Alcohol-drinking caste shall be imprisoned for 3 years, and if he belongs to an Enslavable caste, for 6 years, if her fellow caste members may accept cooked rice from her hands, men of a caste equal to her caste in status may marry her, and if she may re-join her caste after she undertakes expiation for her pregnancy. After his prison term is over, he shall be handed over to his master's custody. If he pays twice the amount of the fine [in lieu of imprisonment], it shall be accepted. He shall be handed over to his master's custody after his prison term is over. The slave belonging to a Water-unacceptable but Touchable or an Untouchable caste shall be punished by *dāmala*.

25. If a slave or a Khavāsa who has remained a domestic servant has illicit consensual sexual intercourse with an unmarried, married or widowed woman past the age of 11 and belonging to an Enslavable caste, and if she is a woman married [to a man] of a caste bearing the right to kill his wife's paramour, the aggrieved husband shall decide in accordance with the *Ain*. If he has illicit sexual intercourse with a married woman whose husband belongs to a caste not bearing the right to kill his wife's paramour or with a widowed or an unmarried woman, such a Khavāsa or slave from a Sacred Thread-wearing or Non-enslavable Alcohol-drinking caste shall be imprisoned for 1 year. The slave who belongs to an Enslavable caste shall be imprisoned for 6 years. If he pays twice the amount of the fine [in lieu of imprisonment], it shall be accepted. The slave who belongs to a Water-unacceptable or an Untouchable caste shall be punished by *dāmala*. The woman shall be enslaved. If the woman is a common woman, neither the Khavāsa nor the slave shall be held accountable.

26. If a slave or a Khavāsa who has remained a domestic servant has illicit consensual sexual intercourse with a married woman, widow or unmarried girl who is past the age of 11 and belongs to a Water-unacceptable but Touchable caste, and if he has contaminated fellow caste members equal to him in status through cooked rice and others through water, such a Khavāsa or slave from a Sacred Thread-wearing, Non-enslavable or Enslavable caste shall be imprisoned for 1½ years, the first letter of the caste [name] of that woman shall be branded on his left cheek, he shall be deprived of his right to drink water together with his

fellow caste members, and he shall be set free and be handed over to his master's custody. Water may be accepted from his hands, he shall be granted expiation with respect to water. If the deed has been committed by a slave who belongs to a Water-unacceptable but Touchable caste, he shall be imprisoned for 4 years, and if it was committed by a slave who belongs to an Untouchable caste, he shall be imprisoned for 6 years. If he has contaminated the woman through water, he shall be imprisoned for 7 years. If he pays four times the amount of the fine [in lieu of imprisonment], it shall be accepted. He shall be handed over to his master's custody after his prison term is over. The woman shall be enslaved.

27. If a slave or a Khavāsa who has remained a domestic servant has illicit consensual sexual intercourse with a married woman, widow or unmarried girl who is past the age of 11 and belongs to an Untouchable caste, and if she is a woman married [to a man] of a caste bearing the right to kill his wife's paramour, the aggrieved husband shall decide in accordance with the *Ain* [how he punishes his wife's paramour]. If he has illicit sexual intercourse with a married woman whose husband belongs to a caste not bearing the right to kill his wife's paramour or with a widowed woman, such a Khavāsa or slave from a Sacred Thread-wearing or Non-enslavable Alcohol-drinking, Enslavable Alcohol-drinking or Water-unacceptable but Touchable caste shall be imprisoned for 1½ years, if he has contaminated fellow caste members equal in status to his caste through cooked rice and others through water. If he has not contaminated [anyone] through cooked rice or water, he shall be imprisoned for 1 year, the first letter of the caste [name] of that woman shall be branded on his left cheek, he shall be deprived of his right to drink water with his fellow caste members, and he shall be set free and be handed over to his master's custody. If the slave who belongs to an Untouchable caste has such illicit sexual intercourse, he shall be imprisoned for 4 years. He shall be handed over to his master's custody after his prison term is over.

28. If a bondservant or a slave tries to convince his master's wife, daughter or daughter-in-law to have illicit sexual intercourse with him or if he asks somebody else to persuade her [on his behalf] for this purpose, he shall be imprisoned for 2 years. If he has tried to convince someone else other than his master's wife for this purpose or he asks somebody else to convince her, he shall be imprisoned for 1 year. If he pays the amount in lieu of his prison term, it shall be accepted and he shall be set free.

29. If someone has illicit sexual intercourse with a woman belonging to an Enslavable caste when he is still a slave, and if it has not been reported before, and if such illicit sexual intercourse is reported after he has been emancipated and has become a [member of the] Ghartī caste, and if the woman is married [to a man], the aggrieved husband shall decide in accordance with the *Ain* [how he punishes his wife's paramour]. If he had illicit sexual intercourse with an unmarried or widowed woman, he shall not be enslaved [again]. If [the woman] comes to complain that he has contaminated her through cooked rice after the illicit sexual intercourse, such a Ghartī shall be fined 20 rupees. If he has not contaminated her through cooked rice, he shall not be held accountable.

Article 162: *bādhāko karaṇi*

(On [Illicit Sexual Intercourse with] Bondservants)²⁷¹

Edition:

१. पानि चलन्या जातका वाधाले आफु वाधा वस्याका घरका षस्मीनि छोरि वुहारि स्वास्त्रिको जवरजस्ति करणि गरेछ भन्या जवरजस्ति करणि गर्न्याका ऐन वमोजिम् मा डेढो वढाइ कैद गर्नु । कन्या विधवा सधवा स्वास्त्रिको षुसि राजिले करणि गर्न्याको भया जौना जातका वाधाले जौना जातका षस्मीनि स्वास्त्रिको करणि गर्न्याको छ उसै जातकालाइ लेष्याका ऐन वमोजिम्मा डेढो वढाइ कैद गर्नु । ११ वर्ष मनिका कन्या विधवाको करणि गरेछ भन्या डवलुका दरले कैद गर्नु ।
२. पानि चलन्या जातका वाधाले आफु वाधा वस्याका घरका षसम्का छोरि वुहारि स्वास्त्रि वाहेके अरूको करणि गर्न्याको भया ११ वर्ष मनिका हुउन् माथिका सधवा विधवा कन्याको जवरजस्ति करणि गर्न्याको भया ११ वर्ष माथिका स्वास्त्रिलाइ राजिषुसिले करणि गर्न्याको भया पनि जौना जातका वाधाले जौना जातका स्वास्त्रिको करणि गर्न्याको छ उसै जातलाइ लेषियाका ऐन वमोजिम् दंड सजाय कैद गर्नु ।
३. पानि चलन्या²⁷² छोरि हालनु नपन्या जातका वाधाले आफ्ना षसम्का स्वास्त्रि छोरि वुहारिको जवरजस्तिले करणि गर्न्या पनि राजि षुसिले करणि गर्न्या पनि ऐन वमोजिम्को अंस सर्वस्व गरि दसौद लि उपर तेसै स्वास्त्रिलाइ दिलाइ करणि गर्न्यालाइ दामल गर्नु ।

271 Ain-54 gives only *bādhāko* as title for this Art., whereas it is *bādhāko karaṇi* in Ain-54-JF. Since this Art. deals with the sexual offences of bondservants and not with the topic of debt bondage in general and is situated among other Articles dealing with sexual offences, we take the heading from Ain-54-JF.

272 Read: *nacalanyā* (Ain-54-JF).

४. पानि चलन्या²⁷³ छोया छिटो हालनु नपन्या जातका वाधाले आफ्ना षसम्का स्वास्त्रि छोरि बुहारि वाहेक अरू जातका स्वास्त्रिको जवरजस्तिले करणि गर्याको भया पनि षुसि राजिले भया पनि करणि गर्न्यालाइ जौना जातका स्वास्त्रिको करणि गर्याको छ उसै जातका स्वास्त्रिको करणि गर्न्यालाइ लेष्याका ऐन वमोजिम् दंड सजाय कैद गर्नु ।
५. छोया छिटो हालनु पन्या जातका वाधाले आफ्ना षसम्का स्वास्त्रि छोरि बुहारिको जवरजस्तिले करणि गरोस् षुसि राजिले करणि गरोस् करणि गर्न्यालाइ काटि मारिदिनु ।
६. छोया छिटो हालनु पन्या जातका वाधाले आफ्ना षसम्का स्वास्त्रि छोरि बुहारि वाहेक अरू जातका स्वास्त्रिको जवरजस्तिले करणि गर्याको भया पनि षुसि राजिले भया पनि करणि गर्न्यालाइ जौना जातका स्वास्त्रिको करणी गर्याको छ उसै जातका स्वास्त्रिको करणि गर्न्यालाइ लेष्याका ऐन वमोजिम् दंड सजाय कैद गर्नु ।
७. वाधाले आफु वाधा वस्याका घरका षस्मीनि छोरि बुहारिहरूमा २।३ जना स्वास्त्रिको करणि गर्या जौना जातका वाधाले जौन् जौन् जातका स्वास्त्रिको करणि गर्याको छ उसै जातका करणिका ऐन वमोजिम् सजाय गर्नु ।

Translation:

1. If a bondservant belonging to a Water-acceptable caste rapes his master's wife, daughter or daughter-in-law of the house where he is living as a bondservant, he shall be imprisoned by increasing [the term] to 1½ times that which is laid down in the *Ain's* [Art.] "On Rape".²⁷⁴ If he has illicit consensual sexual intercourse with an unmarried, widowed or married woman [of his master's house], the bondservant shall be imprisoned by increasing [the term] to 1½ times that which is laid down in the *Ain* for the respective castes, depending on the respective caste status [of the offenders].²⁷⁵ If he has such an illicit sexual intercourse with an unmarried girl or widow below the age of 11, he shall be imprisoned for twice the term.

2. If a bondservant belonging to a Water-acceptable caste has illicit sexual intercourse with a woman other than his master's daughter, daughter-in-law or wife [from the household] where he is living as a bondservant, irrespective of whether he rapes a married woman, widow or unmarried girl below or past the age of 11 or has consensual illicit sexual intercourse with a married woman past the age of 11, he shall be fined and imprisoned in accordance with what is laid down in the *Ain* for the respective castes.

273 Read: *nacalanyā* (Ain-54-JF).

274 See Ain-54 Art. 132–133.

275 See Ain-54 Art. 146–160.

3. If a bondservant belonging to a Water-unacceptable but Touchable caste rapes his master's wife, daughter or daughter-in-law, or if he has illicit consensual sexual intercourse with her, his property shall, in accordance with the *Ain*, be confiscated. Ten percent of [the confiscated property] shall be taken and be given to the woman. He shall be punished by *dāmala*.

4. If a bondservant belonging to a Water-unacceptable but Touchable caste rapes a woman other than his master's wife, daughter or daughter-in-law, or if he has illicit consensual sexual intercourse with her, he shall be fined and imprisoned in accordance with what is laid down in the *Ain* for the respective caste of the woman.

5. If a bondservant belonging to an Untouchable caste rapes his master's wife, daughter or daughter-in-law, or if he has illicit consensual sexual intercourse with her, he shall be executed.

6. If a bondservant belonging to an Untouchable caste rapes a woman other than his master's wife, daughter or daughter-in-law, or if he has illicit consensual sexual intercourse with her, he shall be fined and imprisoned in accordance with what is laid down in the *Ain* for the respective caste of the woman.

7. If a bondservant has illicit sexual intercourse with 2–3 women among his master's family, be it the wife, daughter or daughter-in-law of the house where he lives as a bondservant, then, depending on his caste the bondservant shall be punished in accordance with what is laid down in the *Ain* for illicit sexual intercourse for the respective castes.

Glossary

adālata – a law court, superordinate to *ṭhānās* and *amālas*, functioning either at the district level (*jillā-adālata*) or in frontier areas (*gaūḍā-adālata*).

aḍḍā – a law court superordinated to *adālatas*, *ṭhānās* and *amālas*.

adhiyā – a system in the central hill region under which the crop yield was equally shared between the tenant and the state or landlord.

āge – lit. “henceforward”, it is especially used in administrative and legal documents to mark the beginning of a text or paragraph. In its function it is similar to *uprānta*.

Ain – law-code of Nepal, first promulgated in 1854 during the rule of Jaṅga Bahādura Rāṇā. The later emendations of this was named *Mulukī Ain* after 1927 or 1952 (Michaels 2005: 7). A printed edition of the *Ain* of 1854 incorporating the amendments prepared between 1865–67 was published by the Ministry of Law and Justice in Kathmandu in 1965 bore the title *Mulukī Ain*.

ajāputra – a freeman, a person who is not a slave.

amāla – a village level revenue collection office with judicial functions (cp. Adhikari 1984: 344).

amalekha – an act of slave emancipation.

amālī – also called *amālidāra*, chief of an *amāla* office, a revenue functionary of a regional administrative unit with judicial powers.

ambala – 1) territory, district. 2) a land from which the state has acquired right to collect revenue (cf. Michael 2012: 129).

ānā – 1) monetary unit worth one sixteenth of a rupee with four *ānās* constituting one *sukā*. 2) sixteenth part of land, property etc.

bādhā/bādhā – 1) a bondservant. 2) a substantial property, valueables or human chattel mortgaged by a debtor.

baikara – obligation of supplying provisions to the government officials without payment.

bāpata – a criminal offence.

begāra – a forced labourer either under individuals or public service (Wilson 1855, s.v. *begar*); labour for purposes such as portage,

- construction and digging (R. Shaha 1990/I: 207, Michael 2012: 130); requisition of labour for emergencies (cf. Regmi 1965: 53).
- bekha* – an inheritable *birtā* grant.
- beṭha/beṭhi* – usually written together with ‘*begāra*’; compulsory labour; unpaid labour esp. for farms (cf. R. Shaha 1990/I: 207); exaction of unpaid labour on a customary basis in the hill region, usually for agricultural work (cf. Regmi 1965: 53, Michael 2012: 130).
- bhārādāra/bhāradāra* – lit. “burden bearer”; a generic term for high-level functionaries and courtiers.
- bhoga bādhā* – 1) a bondservant who is in active service to the creditor.
2) an usufructuary mortgage; see also: *dr̥ṣṭi bādhā*.
- birtā* – a royal land grant with privileges in terms of tax-exemption, revenue collection and judicial authority.
- birtābitalapa* – an often tax-exempted type of *birtā* grant which obliges its beneficiary to work for the state when called upon to do so.
- birtāvāla* – holder of *birtā* land.
- cāka* – a low-caste man punished by enslavement for a sexual offence.
- cākara* – a servant attached to the master’s household. The *Ain* distinguishes between a *cākara* working for wages (*darmāhadāra cākara*), the one working only for their sustenance (*bhatuvā cākara*) and the one fully bound to servitude on a longterm basis (*kariyā cākara*).
- cakū* – a low-caste woman punished by enslavement for a sexual offence.
- cautariyā* – 1) in the early Śāha period, a royal collateral appointed as principal officer of the state, often kings’ second and third sons.
2) later a title with no specific functions attached, granted to several male descendants of the Śāha kings at a time. Cautariyās held different higher administrative posts, such as governors.
- chāpa* (land) – land granted by the state to individuals on a lifetime basis in return for their service.
- dāmala* – Replacement for execution for perpetrators from castes exempted from the death penalty; the offender is branded on his left cheek, his entire property is confiscated and he is imprisoned for life.
- daśanāmī* – an order of Śaiva ascetics said to be founded by Śaṅkarācharya.
- Dāsatvamocana Aḍḍā – the manumission office established by Candra Śamśera in 1925 (VS 1982).
- devadāsī* – a servant attached to a shrine.

- ḍiṭṭhā* – a civil servant ranking above a *mukhiyā* and lower than a *subbā*, serving in courts or account offices.
- dr̥ṣṭi bādhā* – 1) a bondservant who is not in active service to the creditor. 2) a non-usufructuary mortgage; see also: *bhoga bādhā*.
- dvāryā/dvāre* – a local revenue collection official with minor police and judicial powers (cf. Stiller 1981: 379)
- gaurāi/gaurāi/gaurānī* – an earnest payment, often used in the phrase *gaurāi bainā* (e.g., Ain-54 § 2.14–15).
- Guthī Bandobasta Aḍḍā – “Guthi Administration Office”, office responsible for the management of *guthīs*; established under Jaṅga Bahādura Rāṇā in 1852–1853 as replacement of the former Guthī Kacaharī.
- hākima* – chief of an administrative unit, government office or court.
- hulāka* – a system of transportation for official mail and civil and military supplies through relays of porters.
- hulākī* – a porter of the *hulāka* system. See also *kāgate-* and *thāple-hulākī*.
- ijārā* – a system under which the government granted an individual a contract to collect revenue from specified sources such as mines.
- ijārādāra* – a holder of an *ijārā* contract.
- jācakī* – an examiner, inspector.
- jāgira* – sources of revenue such as land, homesteads assigned to government employees as remuneration for their services.
- jamādāra/jmādāra* – a low ranking commissioned officer in the army, below *subedāra*, who could also be assigned to civil offices (see Edwards 1975: 108).
- jhārā* – unfree labour, unpaid work or assistance exacted from the people by the government or a landlord for the cause of the state or public welfare. For other forms of unfree labour, see *baikara*, *beṭha* and *begāra*.
- kāgatvā/kāgate hulākī* – *hulākī* porters assigned to transport mails and official papers.
- kājī* – an officer of ministerial rank superintending civil and military affairs (M.R. Pant 2002: 133; cp. Edwards 1975: 105).
- kamāro* (m.)/*kamārī* (f.) – a “full” slave who is treated as a commodity and can be transferred as property.
- kampu* – one of three categories of army units in the early nineteenth century, the other two being *palṭana* and *kampanī* or company. A *kampu* comprised different *palṭanas*.
- kapālī tamasuka* – a deed of loan transaction without security.

- kariyā* – a slave working in a household, a servant.
- keṭī* – a maidservant, often understood as a synonym for a female slave.
- keṭo* – a servant, often understood as a synonym for a male slave.
- khaḍga nisānā sanada* – executive order from Rāṇā prime minister bearing a seal with an image of a sword (*khaḍga nisānā*).
- Khavāsa – an umbrella term for current or former slaves of the nobility and the offspring born of unions of nobles and slave women.
- kheta* – a measure of land in the hill region equal to 25 *ropanīs* or 100 *murīs*.
- khuvā* – 1) non-irrigated land given as emolument for government employees (cf. Adhikari 1984: 352; Michael 2012: 132). 2) small division of country, district, province (TND, s.v. *khuvā*).
- kuta* – A system of tenancy under which a cultivator paid a fixed quantity of produce or a fixed amount of money as rent to the owner of the field.
- lālamohara* – a royal order or decree bearing the red seal.
- lihalagata/lihala* – legal currency, current money.
- mānā* – a volumetric unit equivalent to 0.568 litres, or 1/8 of a *pāthī*.
- marauṭa* – a governmental land grant endowed to the family of a person who gave his life for the welfare of the kingdom.
- mijhāryā/mijhāra* – headmen of certain castes such as Tamauta, Lohar, Mahar, Phalame, Kadera, Maji, and Sunuwar (see Regmi 1971: 228).
- mohara* – a royal document bearing the red seal, often an abbreviated reference to *lālamohara*.
- mohararupaiyā* – often abbreviated as *moru*, *moharu*; monetary unit equivalent to two eight-*anna* silver coins (*moharas*), four *sukās*, 16 *ānās* or 64 *paisās*.
- Mugalāna/Mogalāna – territories of the Moghul empire; In the hills the term is used especially to refer to North India (see Adhikari 1984: 353 and Michael 2012: 132).
- mukhiyā* – A designation for an administrative post used at the local, district and central level. At the local level *mukhiyās* functioned as village headmen and revenue functionaries. District headmen were also called *mukhiyās*. In the central administration, *mukhiyās* were writers who kept accounts or supervised officials of lower ranks.
- mukhtiyāra* – title of the chief minister in the pre-Rāṇā and the early Rāṇā period, and of the commander-in-chief in most of the Rāṇā period.

murī – 1) also called *khetamurī*; unit of land measurement in the hill region, comprising 1/4 *ropanīs* (with 100 *murīs* in 1 *khetā*). The area varied according to the grade: 1190 sq. ft. for lands of the best grade, and 1339 sq. ft., 1487 sq. ft., and 1785 sq. ft. for lands of inferior grades. 2) volumetric unit comprising 20 *pāthīs* (with 8 *mānas* to a *pāthī*), equivalent to 90.919 (M.R. Pant 2002: 134) or 87.23 (Pant and Pierce 1989: 93) liters.

nimyāka/nimeka – 1) value of the labour of a slave or a bondservant.
2) a compensation made to a master in case of a runaway slave or a bondservant (cf. Ain-54 § 80.9-10).

paīsā – monetary unit equal to one-fourth of an *ānā*.

paṭṭana – a regiment, battalion (TND, s.v. *paṭṭan*); an army unit smaller than a *kamṭu* (cf. Adhikari 1984: 158).

paṭṭī – a squad headed by a *subedāra*.

pañcamahāpātaka – five grave sins or offenses causing loss of caste, enumerated as: killing a Brahmin, drinking intoxicating liquor, theft, committing adultery with the wife of one's teacher or elder, and associating with anyone guilty of these crimes (Olivelle 2015: 315).

paramabhaṭṭā/paramabhaṭṭa – a deed, prepared by the seller, formalizing the sale of a slave.

pārapatra – a deed of emancipation, also called *pārapatrako nāmāpatra* (see K_0118_0032).

Pāre/Pāryā Gharī – caste group consisting of former slaves and their offsprings.

parjā/prajā – lit. “subject”; In the *Ain*, it is used as an umbrella term for Bhoṭe, Cepāṅga, Darai, Mājhi, Hāyu, Danuvāra, Kumāla and Paharī people, who are classified as enslavable.

pāthī – a volumetric unit equivalent to 4.546 litres comprising of 8 *mānas*.

pevā – private property of a married woman given to her by her parents, husband or others; self-earned property of a woman.

phikadāra – inheritable *birtā* grant made to persons of status below Brahmin castes, for which the *lālamohora* bore the mark of betel juice spat by the king.

pīra – heads of important *mathas*, esp. of the Nātha tradition (see Bouillier 2017: 60 *et passim*).

prahara/pahara – division of time equivalent to about 3 hours, eighth part of a day.

- purjī* – a formal letter written by a government institution or an official to another institution or to a person.
- raibandī* – a system of redistribution of paddy fields among local tenants in proportion to the size of their families (see M.C. Regmi 1978: 113–14).
- rājakhata* – a heinous crime such as killing of a Brahmin or incest which may be considered either as a crime against or punishable by the king.
- rājīnāmā* – deed of relinquishment of rights.
- ropanī* – unit of land measurement in the hill region, including the Kathmandu Valley, comprising four *murīs*. The area may vary according to the grade, but current standard area for a *ropanī* comprises 5,476 square feet.
- rukkā* – an executive order, short note, missive from the highest authority. The king, the crown prince, but also queens and the Rāṇā prime ministers issued *rukkās*.
- sāhu* – a money-lender, creditor.
- sanada* – a grant, charter, appointment or endorsement, often signed by a ruling authority.
- sardāra* – a top-ranking official next in hierarchy to a *kājī*.
- satī* – 1) widow, concubine or female slave who follows her deceased husband or master into death by immolating herself either on her husband's or master's fire, or on a separate funeral pyre. 2) the ritual of self-immolation.
- sāune-phāgu* – a homestead levy collected in the hill districts, including Kathmandu Valley, during the months of Śrāvaṇa and Phālguna every year (see Regmi 1971: 230; M.R. Pant 2002: 136). According to M.C. Regmi it originally served the supply of foodstuff to the royal household, and was converted into a cash payment in 1807 (Regmi 1995: 27-28).
- savāla* – Ordinances; a set of directives issued especially for administrative purposes.
- sermā* – an annual homestead tax collected in cash on unirrigated high or hillside land.
- sipāhī* – A soldier or a non-combatant person employed as a policeman or an office attendant.
- śrī 3 sarkāra* – lit. “three-times venerable ruler”; title used by the Rāṇā prime ministers.
- subbā* – governor or chief administrator of a province or district.
- subedāra* – a military official, incharge of a *ṭhānā*.

sukā – monetary unit worth one fourth of a rupee and comprising four *ānās*.

tamasuka – a deed of loan transaction.

ṭhānā – a police or military office with judicial functions.

thāpalyā/thāple hulākī – var. *thāple hulākī*; n. *hulākī* porters assigned to transport goods.

tharaghara – 1) members of the six clans (*cha thara*) including the Pāḍes, Pantas, Aryjālas, Khanālas, Rāṇās, and Boharā. 2) members of highest group of the Śreṣṭha castes among Newars as mentioned in the *Ain*.

thari – head of a clan (*thara*), elder, also functioning as a tax collector.

thekadāra – a contractor to whom right for revenue, tax collection or land usage have been granted by the government for a stipulated period.

uprānta – hereafter, after that, in addition to. In official documents, this word marked the beginning of a text or paragraph. In some documents, it takes the form of *yathocita uprānta*.

References

Documents

- DNA_0002_0019. VS 1871. *An arjī sent by Bam Śāha from Almora re British-India army casualties in the battle of Nālāpānī*. Edited and translated by Manik Bajracharya and Rajan Khatiwoda. National Archives Nepal, Ms no. 136; microfilmed as NGMPP DNA 2/19.
<https://doi.org/10.11588/diglit.36925>.
- DNA_0014_0026. VS 1840. *A rukkā from King Raṇabahādura exempting goldsmiths of Kathmandu from corvée*. Edited and translated by Rajendra Shakya. National Archives Nepal, Ms no. 447; microfilmed as NGMPP DNA 14/26. <https://nepalica.hadw-bw.de/nepal/editions/show/1545>.
- DNA_0014_0028. VS 1879. *A lālamohara of King Rājendra reconfirming the exemption of the Magars from maryoaputāli, cākacakui etc.* Edited and translated by Rajan Khatiwoda. National Archives Nepal, Ms no. 449; microfilmed as NGMPP DNA 14/28.
<https://nepalica.hadw-bw.de/nepal/editions/show/858>.
- RRC_0040_0044. VS 1866. *A copy of a set of directives re hulāka stations for areas between Dharmathālī in Kathmandu and the Jamuna River in Kumaun*. Edition and synopsis by Manik Bajracharya. Regmi Research Collection, vol. 40, document no. 44, pp. 65-72; microfilmed as NGMPP E 2450/2. <https://nepalica.hadw-bw.de/nepal/editions/show/48821>.
- K_0281_0044. VS 1979. *A sale deed of a slave in Pyuthana area*. Edited and translated by Axel Michaels. Microfilmed as NGMPP K 281/44.
<https://doi.org/10.11588/diglit.36829>.
- K_0281_0051. VS 1971. *A sale deed of a slave in Pyuthana*. Edited and translated by Axel Michaels. Microfilmed as NGMPP K 281/51.
<https://doi.org/10.11588/diglit.36830>.
- K_0281_0058. VS 1976. *A sale deed of a slave in Purkoṭ area*. Edited and translated by Axel Michaels. Microfilmed as NGMPP K 281/58.
<https://doi.org/10.11588/diglit.36831>.
- K_0282_0001. VS 1974. *A sale deed recording the purchase of three slaves in Pyuthana*. Edited and translated by Manik Bajracharya. Microfilmed as NGMPP K 282/1. <https://doi.org/10.11588/diglit.44594>.

- K_0282_0005. VS 1979. *A deed recording the sale of a slave in Bādikoṭa, Pyuthana*. Edited and translated by Manik Bajracharya. Microfilmed as NGMPP K 282/5. <https://nepalica.hadw-bw.de/nepal/editions/show/31797>.
- K_0282_0007. VS 1971. *A sale deed recording the purchase of a slave in Pyuthana*. Edited and translated by Manik Bajracharya. Microfilmed as NGMPP K 282/7. <https://doi.org/10.11588/diglit.44597>.
- Tsum_0001_0014. VS 1943. *A document from Dalāna Tahasila Aḍḍā acknowledging the obtainment of lokābhāra from Pāro*. Edited and translated by Nadine Plachta and Rajendra Shakya. In the collection of Nile Labrang, Tsum. <https://nepalica.hadw-bw.de/nepal/editions/show/28172>.

Literature

- Adhikari, Krishna Kant. 1984. *Nepal under Jang Bahadur 1846-1877*. Kathmandu: Buku.
- Agrawal, Hem N. 1976. *The Administrative System of Nepal: From Tradition to Modernity*. New Delhi: Vikas Publishing House.
- Ain-54 [The *Mulukī Ain* of 1854] Kānūna Tathā Nyāya Mantrālaya, ed. 1965 (VS 2022). *Śrī 5 Surendra Vikrama Śāhadevakā Śāsanakālamā Baneko Mulukī Ain*. Kathmandu: Kānūna Kitaba Vyavasthā Samiti.
- Ain-54-JF [Fezas' edition of the *Mulukī Ain* of 1854] Fezas, Jean. 2000. *Le Code népalais (Ain) de 1853*. 2 Vols. Corpus Juris Sanscriticum 2. Torino: Comitato per la Pubbl. del Corpus Juris Sanscriticum.
- Ain-70 [The *Mulukī Ain* of 1870] VS 1927. *Śrīmadrājakumāarakumārātmaja Śrīkamyāṇḍara iṃ Cīpha Jenarala Raṇoddīpa Siṃha Rāṇā Bahādurakā Marji Motāvika Chāpyāko Kitāba*. Kathmandu: Nepāla Manorañjanākhyā Yantrālaya.
- Atkinson, Edwin Thomas. 1974. *Kumaun Hills: Its History, Geography and Anthropology with Reference to Garhwal and Nepal*. Reprint. Delhi: Cosmo Publications.
- Bakker, Hans. 2006. "The Avimuktakṣetra in Vārāṇasī: Its Origin and Early Development." In *Visualizing Space in Banaras: Images, Maps and the Practice of Representation*, edited by Martin Gaenszle and Jörg Gengnagel, 23–40. Wiesbaden: Harrassowitz.
- Bales, Kevin. 2005. *Understanding Global Slavery: A Reader*. Berkeley: University of California Press.
- Bouillier, Véronique. 2017. *Monastic Wanderers: Nāth Yogī Ascetics in Modern South Asia*. Delhi: Manohar.

- Campbell, A. 1837. "Notes on the Agricultural and Rural Economy of the Valley of Nepal." In *The Transactions of the Agricultural and Horticultural Society of India*, vol. 4, 58-175. Serampore: Agricultural & Horticultural Society of India.
- Caplan, Lionel. 1980. "Power and Status in South Asian Slavery." In *Asian and African Systems of Slavery*, edited by James L. Watson, 169–94. Berkeley/Los Angeles: University of California Press.
- Chatterjee, Indrani. 1999. *Gender, Slavery, and Law in Colonial India*. New Delhi: Oxford University Press.
- . 2006. "Renewed and Connected Histories: Slavery and the Historiography of South Asia." In *Slavery & South Asian History*, edited by Indrani Chatterjee and Richard Maxwell Eaton, 17–43. Bloomington: Indiana University Press.
- . 2017. "British Abolitionism from the Vantage of Pre-Colonial South Asian Regimes." In *The Cambridge World History of Slavery: Volume 4: AD 1804–AD 2016*, edited by David Eltis, David Richardson, Seymour Drescher, and Stanley L. Engerman, 441–65. Cambridge: Cambridge University Press.
- Chatterjee, Indrani, and Richard Maxwell Eaton, eds. 2006. *Slavery & South Asian History*. Bloomington: Indiana University Press.
- Ḍaṅgola, Balarāmāḍāsa, Śāṅkaramāna Rājavaṃśī, and Pūrṇaratna Vajrācārya, eds. VS 2041. "Amalekha gariekā kamārā kamārīko lagata." *Abhilekha* 2: 115–20.
- Domar, Evsey D. 1970. "The Causes of Slavery or Serfdom: A Hypothesis." *The Journal of Economic History* 30 (1): 18-32.
- Eaton, Richard Maxwell. 2006. "Introduction." In *Slavery & South Asian History*, edited by Indrani Chatterjee and Richard Maxwell Eaton, 1–16. Bloomington: Indiana University Press.
- Edwards, Daniel W. 1975. "Nepal on the Eve of the Rana Ascendancy." *Contributions to Nepalese Studies* 2 (1): 99–118.
- Giri, Birendra R. 2010. "The Bonded Labor System in Nepal: Exploring Halia and Kamaiya Children's Life-Worlds." *Himalaya, the Journal of the Association for Nepal and Himalayan Studies* 29 (1): 29–41.
- Graeber, David. 2011. *Debt: The First 5,000 Years*. Brookly: Melville House.
- Ḡr̥hasthī, Homaprasāda. 1984. "Nepālamā kariyā mocana." *Ancient Nepal* 84: 3–13.
- Guha, Sumit. 2013. *Beyond Caste: Identity and Power in South Asia, Past and Present*. Leiden: Brill.

- Hamilton, Francis. 1819. *An Account of the Kingdom of Nepal and of the Territories Annexed to These Dominion by the House of Gorkha*. Edinburgh: Archibald Constable and Company.
- Hodgson, Brian Houghton. 1874. *Essays on the Languages, Literature and Religion of Nepal and Tibet Together with Further Papers on the Geography, Ethnology and Commerce of Those Countries*. Vol. 2. 2 vols. London: Trübner & co., Ludgate Hill.
- Höfer, András. 2004. *The Caste Hierarchy and the State in Nepal: A Study of the Muluki Ain of 1854*. 2nd ed. Himal Books Classics 4. Lalitpur: Himal Books.
- Jackson, Peter. 2006. “Turkish Slaves on Islam’s Indian Frontier.” In *Slavery & South Asian History*, edited by Indrani Chatterjee and Richard Maxwell Eaton, 63–82. Bloomington: Indiana University Press.
- Khatiwoda, Rajan. Forthcoming. *Formation and Enforcement of the [Mulukī] Ain: Nepal’s First Legal Code*. PhD Dissertation: Heidelberg University.
- Khatiwoda, Rajan, Simon Cubelic, and Axel Michaels. 2021. *The Mulukī Ain of 1854: Nepal’s First Legal Code*. Heidelberg: Heidelberg University Publishing, <https://doi.org/10.17885/heiup.769>.
- Kölver, Bernhard. 1986. “Zwei Nepalische Dokumente zur Schuldknechtschaft (Documents from Nepal. 4).” *Zeitschrift der Deutschen Morgenländischen Gesellschaft* 136 (2): 434–449.
- Kumar, Satish. 1967. *Rana Polity in Nepal: Origin and Growth*. London: Asia Publishing House.
- Landon, Perceval. 1928. *Nepal*. 2 vols. London: Constable and Company.
- Lariviere, Richard W. 2003. *The Nāradaśmṛti*. 1st ed. Sources of Ancient Indian Law. Delhi: Motilal Banarsidass Publishers.
- Lecomte-Tilouine, Marie. 2009. “Ruling Social Groups—From Species to Nations. Reflections on Changing Conceptualizations of Caste and Ethnicity in Nepal.” In *Ethnic Activism and Civil Society in South Asia: Governance, Conflict, and Civic Action*. Volume 2, edited by David N. Gellner, 291–336. Governance, Conflict, and Civic Action. New Delhi: SAGE Publications.
- Lévi, Sylvain. 1905. *Le Népal: Étude historique d’un royaume hindou*. Vol. 1. 3 vols. Paris: Leroux.
- Mainālī, Sujita. VS 2078. *Satī: Itihāsa ra Mīmāṃsā*. Kathmandu: Kitāb Publishers Pvt. Ltd.
- Major, Andrea. 2012. *Slavery, Abolitionism and Empire in India, 1772–1843*. Liverpool: Liverpool University Press.
- Malla, Kamal P., ed. 2000. *A Dictionary of Classical Newari: Compiled from Manuscript Sources*. Kathmandu: Cwasā Pāsā.

- Mann, Michael. 2011. *Sahibs, Sklaven und Soldaten. Geschichte des Menschenhandels rund um den Indischen Ozean*. 1st ed. Darmstadt/Mainz: Verlag Philipp von Zabern.
- . 2015. “Slaving, Slavery and Abolition: A View from the Indian Ocean.” *Südasiens-Chronik*, Band 5, 452–480. <http://dx.doi.org/10.18452/8508>.
- Maskey, Govinda. 1996. *Social Life in Nepal: From Tradition to Modernity*. 1st edition. New Delhi: Anmol Publications.
- Meillassoux, Claude. 1991. *The Anthropology of Slavery: The Womb of Iron and Gold*. Translated by Alide Dasnois. Chicago: University of Chicago Press.
- Michael, Bernardo A. 2012. *Statemaking and Territory in South Asia*. London: Anthem.
- Michaels, Axel. 1984. “Der Verstoßene Sohn. Nepalesische Bālyogis [Kinderasketen] und der Deśāntara-Ritus während der Initiation (Upanayana).” In *Formen kulturellen Wandels und andere Beiträge zur Erforschung des Himalaya-Colloquium des Schwerpunktes Nepal/Heidelberg*, 1.-4. Februar 1984, edited by Bernhard Kölver, 189–224. St. Augustin: VGH Wissenschaftsverlag.
- . 1993. “Widow burning in Nepal.” *Nepal, Past and Present. Proceedings of the Franco-German Conference Art-et-Senans, June 1990*, edited by Gérard Toffin, 21–34. Paris: CNRS Editions.
- . 1994. “The Legislation of Widow Burning in 19th-Century Nepal. Edition and Translation of the Chapter Satijānyāko of the Mulukī Ain.” *Asiatische Studien XLVIII* (4): 1213–40.
- . 2005. *The Price of Purity: The Religious Judge in 19th Century Nepal*. Torino: Comitato Corpus Iuris Sanscriticum et fontes iuris Asiae Meridianae et Centralis.
- . 2018. *Kultur und Geschichte Nepals*. Stuttgart: Kroener Verlag.
- . 2019. „Sklaverei in Nepal“, in: *Heidelberger Akademie der Wissenschaften. Jahrbuch 2018*, Heidelberg: Heidelberger Akademie der Wissenschaften, 38-40.
- Molfenter, Christine. 2013. “Overcoming Bonded Labour and Slavery in South Asia.” *Südasiens-Chronik*, Band 3, 358–382. <http://dx.doi.org/10.18452/8470>.
- Negi, Jaideep. 1995. *The Begār & Beth System in Himachal Pradesh: A Study of Erstwhile Shimla Hill States*. New Delhi: Reliance Publishing House.
- Nepālī, Cittarañjana. VS 2021. “Nepālamā kariyā mocanako itihāsa.” *Nepālī (Traimāsika)* 20: 3–29.
- . VS 2022. *Janarala Bhīmasena Thāpā ra Tatkālīna Nepāla*. 2nd ed. Kathmandu: Ratna Pustak Bhandar.

- Nieboer, H.J. 1900. *Slavery as an Industrial System: Ethnological Researches*. The Hague: Martinus Nijhoff.
- Olivelle, Patrick. 2005. *Manu's Code of Law: A Critical Edition and Translation of the Mānava-Dharmaśāstra*. Oxford, New York: Oxford University Press.
- . 2013. *King, Governance, and Law in Ancient India: Kauṭilya's Arthaśāstra*. New York: Oxford University Press.
- , ed. 2015. *A Sanskrit Dictionary of Law and Statecraft*. Delhi: Primus Books.
- Pant, Dinesh Raj (see also Panta, Dineśārāja). 1997. "The Institution of Slavery in Nepal and Its Analysis Based on the Dharmaśāstras." In *Recht, Staat und Verwaltung im klassischen Indien*, edited by Bernhard Kölver, 135–58. München: R. Oldenbourg Verlag.
- Panta, Dineśārāja. VS 2026. "Svāmīmahārāja Raṇabahādura Śāhako vi. saṃ. 1862 ko bandobasta." *Pūrṇimā* 6 (4): 238–67.
- . VS 2065. *Nyāyavikāsinī*. Kathmandu: Kānūna Vyavasāyī Klaba.
- Pant, Mahesh Raj (see also Pant, Mahes Raj and Panta, Maheśa Rāja). 1996. "A Late-Nineteenth-Century Deed from the Nepalese Part of Tirhut Recording the Purchase of a Slave." *Journal of the Nepal Research Centre* 10: 105–20.
- . 1997. "Six 15th- and 16th-Century Deeds from Tirhut Recording the Purchase of Slaves." In *Recht, Staat und Verwaltung im klassischen Indien*, edited by Bernhard Kölver, 159–94. München: R. Oldenbourg Verlag.
- . 2002. "Documents from the Regmi Research Collection I." *Ādarśa* 2: 61–152.
- Pant, Mahes Raj, and Philip H. Pierce. 1989. *Administrative Documents of the Shah Dynasty Concerning Mustang and Its Periphery (1789-1844 A.D.)*. Bonn: VGH Wissenschaftsverlag.
- Panta, Maheśārāja. VS 2021. "Nepāla-Amgreja yuddhako tayārī." *Pūrṇimā* 1 (2): 68–76.
- Panta, Nayarāja, Devīprasāda Bhaṇḍārī, Gautamavajra Vajrācārya and Dineśārāja Panta. VS 2025. *Śrī 5 Pṛthvīnārāyaṇa Śāhako Upadeśa*. Lalitpur: Jagadambā Prakāśana.
- Patterson, Orlando. 1977. "The Structural Origins of Slavery: A Critique of the Nieboer-Domar Hypothesis from a Comparative Perspective." *Annals of the New York Academy of Sciences* 292 (1): 12-34.
- . 1982. *Slavery and Social death: A Comparative Study*. Cambridge: Harvard University Press.
- Pradhan, Kumar. 2009. *The Gorkha Conquests: The Process and Consequences of the Unification of Nepal, with Particular Reference to Eastern Nepal*. 2nd ed. Kathmandu: Himal Books.

- Pradhānāṅga, Saubhāgya. VS 2075. “Rāṣṭriya Abhilekhālayamā rahekā abhilekhamā dāsaprathā.” *Abhilekha* 36: 106–19.
- Rāṅā, Candra Samśera. VS 1981. *Śrī 3 Mahārājabāṭa Kariyāharulāi Amalekha Garaune Bāremā Bakseko Spīca*. Kathmandu: Śāntiniketana.
- Rana, Chandra Shum Shere. 1925. *Maharaja Chandra Shum Shere Jung Bahadur Rana's Appeal to the People of Nepal for the Emancipation of Slaves and Abolition of Slavery in the Country*. Kathmandu: Suba Pandit Rama Mani.
- Rana, Promode Shamshere. 1995. *Rana Intrigues*. Kathmandu: Self-published.
- Regmi, Mahesh Chandra. 1963. *Land Tenure and Taxation in Nepal: The State as Landlord: Raikar Tenure*. Vol. 1. 4 vols. Berkeley: Institute of International Studies, University of California.
- . 1964. *Land Tenure and Taxation in Nepal: The Land Grant System: Birta Tenure*. Vol. 2. 4 vols. Berkeley: Institute of International Studies, University of California.
- . 1965. *Land Tenure and Taxation in Nepal: The Jagir, Rakam, and Kipat Tenure Systems*. Vol. 3. 4 vols. Berkeley: Institute of International Studies, University of California.
- . 1968. *Land Tenure and Taxation in Nepal: Religious and Charitable Land Endowments: Guthi Tenure*. Vol. 4. 4 vols. Berkeley: Institute of International Studies, University of California.
- . 1971. *A Study in Nepali Economic History, 1768-1846*. New Delhi: Mañjuśrī Publishing House.
- . 1978. *Thatched Huts and Stucco Palaces: Peasants and Landlords in 19th-Century Nepal*. New Delhi: Vikas Publishing House.
- . 1979. “Sale of Slaves.” *Regmi Research Series* 11 (4): 50–52.
- . 1981. “Emancipation of Slaves.” *Regmi Research Series* 13 (4): 63–64.
- . 1984. “Guthi Endowment in Godavari.” *Regmi Research Series* 16 (5): 69–71.
- . 1986. “Regulations for the Dharmathali-Jamuna Region.” *Regmi Research Series* 18 (9): 138–41.
- . 1987. “The Khawas Community.” *Regmi Research Series* 19 (11–12): 166–72.
- . 1988. *An Economic History of Nepal, 1846-1901*. Varanasi: Nath Publishing House.
- . 1995. *Kings and Political Leaders of the Gorkha Empire 1768-1814*. Hyderabad: Orient Longman.
- Regmi Research Series, 1969–1989, 1-21 volumes, edited by Mahesh C. Regmi. Kathmandu: Regmi Research (Private) Ltd.
<http://www.digitalhimalaya.com/collections/journals/regmi/>.

- Riccardi, Theodore, Jr. 1977. "The Royal Edicts of King Rama Shah of Gorkha." *Kailash* 5 (1): 29–65.
- Rupakheti, Sanjog. 2017. "Beyond Dharmashastras and Weberian Modernity: Law and State Making in Nineteenth-Century Nepal." In *Law Addressing Diversity: Pre-Modern Europe and India in Comparison (13th-18th Centuries)*, edited by Thomas Ertl and Gijs Kruijtzter, 169–96. Berlin: De Gruyter.
- Śarmā, Tārānātha. VS 2056. *Nepālī Sāhityako Itihāsa*. Kathmandu: Akṣara Prakāśana.
- Sen, Jahar. 1973. "Slave Trade on the Indo-Nepal Border in the Nineteenth Century." *Kailash* 1 (2): 159–67.
- Shaha, Rishikesh. 1990. *Modern Nepal: A Political History 1769–1955*. Vol. I: 1769-1885, Vol II: 1885-1955. New Delhi: Manohar.
- Sharma, P. R. 1977. "Caste, Social Mobility and Sanskritization: A Study of Nepal's Old Legal Code." *Kailash* 4: 277–99.
- Shrestha, Maheshwor. 2017. "Push and Pull: A Study of International Migration from Nepal." World Bank Group: Social Protection and Labor Global Practice Group. <https://openknowledge.worldbank.org/handle/10986/26024>.
- Shrimali, K.M. 2018. "Slavery." In *Brill's Encyclopedia of Hinduism*, edited by Knut A. Jacobsen, Helene Basu, Angelika Malinar, and Vasudha Narayanan. Accessed November 26, 2019. http://dx.doi.org/10.1163/2212-5019_beh_COM_000318.
- Sinha, Manisha. 2016. *The Slave's Cause: A History of Abolition*. New Haven: Yale University Press.
- Śreṣṭha, Ṭeka Bahādura. 1974. "Paśupatikā Duī Tāmrapatra: Devadāsī Prathāmā Nayā Prakāśa." *Contributions to Nepalese Studies* 1 (2): 103–6.
- Stiller, Ludwig F. 1981. *Letters from Kathmandu: The Kot Massacre*. Kirtipur: CNAS, Tribhuvan University.
- . 2018. *The Silent Cry: The People of Nepal 1816-1839*. Revised edition. Kathmandu: Educational Publishing House.
- Turner, Ralph Lilley. 1931. *A Comparative and Etymological Dictionary of the Nepali Language*. London: K. Paul, Trench, Trubner.
- Unbescheid, Günter. 1986. "Göttliche Könige und königliche Götter. Entwurf zur Organisation von Kulturen in Gorkhā und Jumlā." In *Formen kulturellen Wandels und andere Beiträge zur Erforschung des Himalaya. Colloquium des Schwerpunkts Nepal, Heidelberg, 1.-4. Februar 1984*, edited by Bernhard Kölver and Siegfried Lienhard, 227–47. Sankt Augustin: VGH Wissenschaftsverlag.
- United Nations. n.d. "Slavery Convention: Signed at Geneva on 25 September 1926, entry into force: 9 March 1927, in accordance with article 12."

- Accessed June 30, 2020. <https://www.ohchr.org/EN/ProfessionalInterest/Pages/SlaveryConvention.aspx>.
- Uprefī, Gaṅgāprasāda et al., ed. VS 2075. *Nepālī Bṛhat Śabdakośa*, 10th edition. Kathmandu: Nepāla Prajñā-Pratiṣṭhāna.
- Vaidya, Tulasī Rāma, Vijaya Kumāra Mānandhara, and Premasiṃha Basnyāta. 2009. *Nepālako Sainika Itihāsa*. Vol. 2. Kathmandu: Nepālī Jaṅgī Aḍḍā.
- Vajrācārya, Dhanavajra, and Jñānamaṇi Nepāla. VS 2014. “Śrī 5 Pṛthvinārāyaṇa Śāhale Kariyāmukti Gareko Patra.” *Aitihāsika Patra-Saṃgraha* 1: 27.
- Vajrācārya, Dhanavajra. VS 2030. *Licchavikālakā Abhilekha*. Kathmandu: CNAS, Tribhuvan University.
- Vajrācārya, Dhanavajra and Ṭekabahādura Śreṣṭha. VS 2031. *Dolakhāko Aitihāsika Rūparekhā*. Kathmandu: CNAS, Tribhuvan University.
- . VS 2037. *Śāhakālakā Abhilekha*. Vol. 1. Kathmandu: CNAS, Tribhuvan University.
- Vajrācārya, Śāntahaṛṣa. VS 2044. *Luntabhadra Vajrācāryayā Nyāyavikāsinī*. Kathmandu: Nepālabhāṣā Paṛiṣad.
- Whelpton, John. 2005. *A History of Nepal*. New York: Cambridge University Press.
- Whyte, Timothy. 1998. “The Legacy of Slavery in Nepal.” *Studies in Nepali History and Society* 3 (2): 311–40.
- Wilson, H. H. 1855. *A Glossary of Judicial and Revenue Terms, and of Useful Words Occurring in Official Documents Relating to the Administration of the Government of British India*. London: WM. H. Allen and Co.
- Wright, Daniel, ed. 1877. *History of Nepal*. Cambridge: Cambridge University Press.
- Yogī, Naraharinātha. VS 2022. *Itihāsaprakāśamā Sandhipatrasaṃgraha*. Vol. 1. Gorakṣagranthamālāmā, 85 Puṣpa. Dang: Ādhyātmika Sammelana.
- Zeuske, Michael. 2018. *Sklaverei. Eine Menschheitsgeschichte von der Steinzeit bis heute*. Ditzingen: Reclam.
- Zotter, Christof. 2010. “Notes on the Evolution of an Initiation Ritual: The Vratibandha of the Bāhun and Chetri.” In *Hindu and Buddhist Initiations in India and Nepal*, 17–44. Wiesbaden: Harrassowitz.

3

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