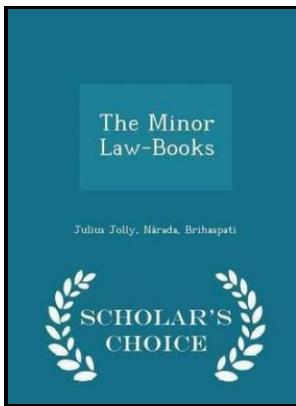


Minor law-books

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The Minor Law Books (SBE33): Eleventh Title of Law. Boundary Disputes

The curious disquisition on impotency is quoted in such an early compilation as Aparârka's Commentary of the Yâ gñavalkya-smriti twelfth century , which goes far to prove its genuineness. It would be sinful intercourse otherwise.

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An analogous text is quoted from the Smriti of Kâtyâyana.

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Fourteen species of impotent men are distinguished by the sages, according to the rules of science, including both the curable and incurable.

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He must be examined in public as a witness, though he has been mentioned as an incompetent witness. In default of all these, by the mother, in case she is competent to act as guardian ; if she be wanting in competence, the distant connexions shall give a maiden in marriage.

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If no such person be in existence, let the maiden have recourse to the king, and let her, with his permission, betake herself to a bridegroom of her own choice, 23. The erection of a dike in the middle of another man's field is not a prohibited act, as it may be productive of considerable advantage, whereas the loss is trifling. Nor a slave, nor an impostor, nor one not admitted to Srâddhas, nor a superannuated man, nor a woman, nor a child, nor an oil-maker, nor one intoxicated, nor a madman, nor a careless man, nor one distressed, nor a gamester, nor one who sacrifices for a whole village.

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Should a more respectable suitor, who appears eligible in point of religious merit, fortune, and amiability, present himself, when the nuptial gift has already been presented to the parents by the first suitor , the verbal engagement previously made shall be annulled.

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Thus the ceremony of marriage is twofold. That which has not been under cultivation for three years is called Khila waste.

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