

connexion as children,¹¹ and the conquest of fields (*kṣetrāṇi samu-jī*) is often referred to in the Saṃhitās.¹² Very probably, as suggested by Pischel,¹³ the ploughland was bounded by grass land (perhaps denoted by *Khila, Khilya*) which in all likelihood would be joint property on the analogy of property elsewhere. There is no trace in Vedic literature of communal property in the sense of ownership by a community of any sort,¹⁴ nor is there mention of communal cultivation. Individual property in land seems also presumed later on. In the Chāndogya Upaniṣad¹⁵ the things given as examples of wealth include fields and houses (*āyatanāni*). The Greek evidence¹⁶ also points to individual ownership. The precise nature of the ownership is of course not determined by the expression 'individual ownership.' The legal relationship of the head of a family and its members is nowhere explained, and can only be conjectured (see *Pitṛ*). Very often a family may have lived together with undivided shares in the land. The rules about the inheritance of landed property do not occur before the Sūtras.¹⁷ In the Śatapatha Brāhmaṇa¹⁸ the giving of land as a fee to priests is mentioned, but with reproof: land was no doubt even then a very special kind of property, not lightly to be given away or parted with.¹⁹

¹¹ Rv. iv. 41, 6, etc.

¹² Taittirīya Saṃhitā, iii. 2, 8, 5; Kāthaka Saṃhitā, v. 2; Maitrāyaṇi Saṃhitā, iv. 12, 3.

¹³ *Vedische Studien*, 2, 204-207.

¹⁴ Cf. Baden Powell, *Indian Village Community* (1899); Zimmer, *Altindisches Leben*, 236; Mrs. Rhys Davids, *Journal of the Royal Asiatic Society*, 1901, 86o.

¹⁵ vii. 24, 2.

¹⁶ Cf. Diodorus, ii. 40; Arrian, *Indica*, 11; Strabo, p. 703; Hopkins, *Journal of the American Oriental Society*, 13, 87 et seq. Cf. *ibid.*, 20, 22, 23.

¹⁷ Cf. Gautama Dharma Sūtra, xviii. 5 et seq.; Baudhāyana Dharma Sūtra, ii. 2, 3; Āpastamba Dharma Sūtra, ii. 6, 14. Of course, the rules probably go back to the earlier period, but how far it is impossible to say. With the settlement of the country, however, inheritance of

land and its partition must have become inevitable.

¹⁸ xiii. 6, 2, 18; 7, 1, 13, 15.

¹⁹ It is significant that in the famous episode (Taittirīya Saṃhitā, iii. 1, 9, 4) of Manu's division of his property, from which Nābhānediṣṭha was excluded, this exclusion is made good by the son's obtaining cattle (*paśavaḥ*). It is clear that cattle, not land, was the real foundation of wealth, just as in Ireland, Italy (cf. *pecunia*), Greece, etc. Cattle could be, and were, used individually, but land was not open to a man's free disposal; no doubt, at any rate, the consent of the family or the community might be required, but we are reduced to reliance on analogy in view of the silence of the texts. Cf. Schrader, *Prehistoric Antiquities*, 289; Jolly, *Recht und Sitte*, 94-96; Rhys Davids, *Buddhist India*, 48 et seq.