

2. Ahura Mazda answered: 'There are five such sins, O holy Zarathushtra!

It is the first of these sins that men commit when a man teaches one of the faithful another faith, another law², a lower doctrine, and he leads him astray with a full knowledge and conscience of the sin: the man who has done the deed becomes a Peshotanu.

2. The Commentary has, 'that is, a creed that is not ours.'

3. 'It is the second of these sins when a man gives bones too hard or food too hot to a shepherd's dog or to a house-dog;

4. 'If the bones stick in the dog's teeth or stop in his throat; or if the food too hot burn his mouth or his tongue, he may come to grief thereby; if he come to grief thereby, the man who has done the deed becomes a Peshotanu³.

3. He who gives too hot food to a dog so as to burn his throat is margarzan (guilty of death); he who gives bones to a dog so as to tear his throat is margarzan (Gr. Riv. 639).

5. 'It is the third of these sins when a man smites a bitch big with young or affrights her by running after her, or shouting or clapping with the hands;

6. 'If the bitch fall into a hole, or a well, or a precipice, or a river, or a canal, she may come to grief thereby; if she come to grief thereby, the man who has done the deed becomes a Peshotanu⁴.

4. If a bitch is big with young [pregnant -JHP] and a man shouts or throws stones at her, so that the whelps come to mischief and die, he is margarzan (Gr. Riv. 639).

7. 'It is the fourth of these sins when a man has intercourse with a woman who has the whites or sees the blood, the man that has done the deed becomes a Peshotanu⁵.

5. [i.e. during menstruation. -JHP]
See Vd16.14 seq.

8. 'It is the fifth of these sins when a man has intercourse with a woman quick with child⁶, whether the milk has already come to her breasts or has not yet come: she may come to grief thereby; if she come to grief thereby⁷, the man who has done the deed becomes a Peshotanu.

6. When she has been pregnant for four months and ten days, as it is then that the child is formed and a soul is added to its body (Anquetil II, 563).

7. Or better; 'if the child die.' 'If a man come to his wife [during her pregnancy] so that she is injured and bring forth a still-born

child, he is margarzan' (Old Riv. 115 b).

IIa.

9. 'If a man come near unto a damsel, either dependent on the chief of the family or not dependent, either delivered [unto a husband] or not delivered⁸, and she conceives by him, let her not, being ashamed of the people, produce in herself the menses, against the course of nature, by means of water and plants⁹.

8. 'Whether she has a husband in the house of her own parents or has none; whether she has entered from the house of her own parents into the house of a husband [depending on another chief of family] or as not' (Comm.)

9. By means of drugs. [i.e. abortion -JHP]

10. 'And if the damsel, being ashamed of the people, shall produce in herself the menses gainst the course of nature, by means of water and plants, it is a fresh sin as heavy [as the first]¹⁰.

10. 'It is a tanapuhr sin for her: it is sin on sin' (the first sin being to have allowed herself to be seduced), Comm. 'If there has been no sin in her (if she has been forced), and if a man, knowing her shame, wants to take it off her, he shall call together her father, mother, sisters, brothers, husband, the servants, the menials, and the master and the mistress of the house, and he shall say, "This woman is with child by me, and I rejoice in it;" and they shall answer, "We know it, and we are glad that her shame is taken off her;" and he shall support her as a husband does' (Comm.)

11. 'If a man come near unto a damsel, either dependent on the chief of the family or not dependent, either delivered [unto a husband] or not delivered, and she conceives by him, let her not, being ashamed of the people, destroy the fruit in her womb.

12. 'And if the damsel, being ashamed of the people, shall destroy the fruit in her womb, the sin is on both the father and herself, the murder is on both the father and herself; both the father and herself shall pay the penalty for wilful murder¹¹.

11. For baodhô-varshta; see Vd7.38.

IIb.

13. 'If a man come near unto a damsel, either dependent on the chief of the family or not dependent, either delivered [unto a husband] or not delivered, and she conceives by him, and she says, "I have conceived by thee;" and he replies, "Go then to the old woman¹² and apply to her for one of her drugs, that she may procure thee miscarriage;"

12. The nurse (Framji) or the midwife.

14. 'And the damsel goes to the old woman and applies to her for one of her drugs, that she may procure her miscarriage; and the old woman brings her some Banga, or Shaeta, a drug that kills in the womb or one that expels out of the womb¹³, or some other of the drugs that produce miscarriage and [the man says], "Cause thy fruit to perish!" and she causes her fruit to perish; the sin is on the head of all three, the man, the damsel, and the old woman.

13. Banga is bang or mang, a narcotic made from hempseed, and shaeta is another sort of narcotic.

15. 'If a man come near unto a damsel, either dependent on the chief of the family or not dependent, either delivered [unto a husband] or not delivered, and she conceives by him, so long shall he support her, until the child be born.

16. 'If he shall not support her, so that the child comes to grief¹⁴, for want of proper support, he shall pay for it the penalty for wilful murder.'

14. And dies.

17. O Maker of the material world, thou Holy One! If she be near her time, which is the worshipper of Mazda that shall support her?

18. Ahura Mazda answered: 'If a man come near unto a damsel, either dependent on the chief of the family or not dependent, either delivered [unto a husband] or not delivered, and she conceives by him, so long shall he support her, until the child be born¹⁵.

15. §18 = § 15.

19. 'If he shall not support her¹⁶ ...

'It lies with the faithful to look in the same way after every pregnant female, either two-footed or four-footed, two-footed woman or four-footed bitch.'

16. The sentence is left unfinished: Framji fills it with the words in § 16, 'so that the child,' &c. It seems as if §§

17, 18 were not part of the original text, and as if § 17 were a mere repetition of § 20, which being wrongly interpreted as referring to a woman would have brought about the repetition of § 15 as an answer. See § 20.

III.

20. O Maker of the material world, thou Holy One! If (a bitch¹⁷) be near her time, which is the worshipper of Mazda that shall

support her?

17. The subject is wanting in the text: it is supplied from the Commentary and from the sense. [i.e. in heat -JHP]

21. Ahura Mazda answered: 'He whose house stands nearest, the care of supporting her is his¹⁸; so long shall he support her, until the whelps be born.

18. The bitch is lying on the high road: the man whose house has its door nearest shall take care of her. If she dies, he shall carry her off [to dispose of the body according to the law]. One must support her for at least three nights: if one cannot support her any longer, one entrusts her to a richer man' (Comm. and Framji).

22. 'If he shall not support her, so that the whelps come to grief, for want of proper support; he shall pay for it the penalty for wilful murder.'

23. O Maker of the material world, thou Holy One! If a bitch be near her time and be lying in a stable for camels, which is the worshipper of Mazda that shall support her?

24. Ahura Mazda answered: 'He who built the stable for camels or whoso holds it¹⁹, the care of supporting her is his; so long shall he support her, until the whelps be born.

19. 'In pledge or for rent' (Framji).

25. 'If he shall not support her, so that the whelps come to grief, for want of proper support, he shall pay for it the penalty for wilful murder.'

26. O Maker of the material world, thou Holy One! If a bitch be near her time and be lying in a stable for horses, which is the worshipper of Mazda that shall support her?

27. Ahura Mazda answered: 'He who built the stable for horses or whoso holds it, the care of supporting her is his; so long shall he support her, until the whelps be born.

28. 'If he shall not support her, so that the whelps come to grief, for want of proper support, he shall pay for it the penalty for wilful murder.'

29. O Maker of the material world, thou Holy One! If a bitch be near her time and be lying in a stable for oxen, which is the worshipper of Mazda that shall support her?

30. Ahura Mazda answered: 'He who built the stable for oxen or whoso holds it, the care of supporting her is his; so long shall he support her, until the whelps be born.

31. 'If he shall not support her, so that the whelps come to grief,

for want of proper support, he shall pay for it the penalty for wilful murder.'

32. O Maker of the material world, thou Holy One! If a bitch be near her time and be lying in a sheep-fold, which is the worshipper of Mazda that shall support her?

33. Ahura Mazda answered: 'He who built the sheepfold or whoso holds it, the care of supporting her is his; so long shall he support her, until the whelps be born.

34. 'If he shall not support her so that the whelps come to grief, for want of proper support, he shall pay for it the penalty for wilful murder.'

35. O Maker of the material world, thou Holy One! If a bitch be near her time and be lying on the earth-wall²⁰, which is the worshipper of Mazda that shall support her?

20. The wall around the house.

36. Ahura Mazda answered: 'He who erected the wall or whoso holds it, the care of supporting her is his; so long shall he support her, until the whelps be born.

37. 'If he shall not support her, so that the whelps come to grief, for want of proper support, he shall pay for it the penalty for wilful murder.'

38. O Maker of the material world, thou Holy One! If a bitch be near her time and be lying in the moat²¹, which is the worshipper of Mazda that shall support her?

21. The moat before the earth-wall.

39. Ahura Mazda answered: 'He who dug the moat or whoso holds it, the care of supporting her is his; so long shall he support her, until the whelps be born.

40. 'If he shall not support her, so that the whelps come to grief, for want of proper support, he shall pay for it the penalty for wilful murder.'

41. O Maker of the material world, thou Holy One! If a bitch be near her time and be lying in the middle of a pasture-field, which is the worshipper of Mazda that shall support her?

42. Ahura Mazda answered: 'He who sowed the pasture-field or whoso holds it, the care of supporting her is his; [so long shall he support her, until the whelps be bo If he shall not support her, so that the whelps come to grief, for want of proper support, he shall pay for it the penalty for wilful murder.]

43. 'He shall take her to rest upon a litter of nemovanta or of

any foliage fit for a litter; so long shall he support her, until the young dogs are capable of self-defence and self-subsistence.'

44. O Maker of the material world, thou Holy One! When are the dogs capable of self-defence and self-subsistence?

45. Ahura Mazda answered: 'When they are able to run about in a circuit of twice seven houses around²². Then they may be let loose, whether it be winter or summer.

'Young dogs ought to be supported for six months²³, children for seven years²⁴.

'Atar²⁵, the son of Ahura Mazda, watches as well (over a pregnant bitch) as he does over a woman.'

22. Probably the distance of one yujyeshti; see Vd8.17.

23. *Catulos sex mensibus primis dum corrohorentur emitti non oportet...* (Columella, *De re agraria*, VII, 12).

24. The age when they are invested with the kusti and sudre, and become members of the Zoroastrian community.

25. 'When a woman becomes pregnant in a house, it is necessary to make an endeavor so that there may be a continual fire in that house, and to maintain a good watch over it. And, when the child becomes separate from the mother, it is necessary to burn a lamp for three nights and days -- if they burn a fire it would be better -- so that the demons and fiends may not be able to do any damage and harm; because, when a child is born, it is exceedingly delicate for those three days'
(Saddar 16; West, *Pahlavi Texts*, III, 277).

IV.

46. O Maker of the material world, thou Holy One! If worshippers of Mazda want to have a bitch so covered that the offspring shall be one of a strong nature, what shall they do?

47. Ahura Mazda answered: 'They shall dig a hole in the earth, in the middle of the fold half a foot deep if the earth be hard, half the height of a man if the earth be soft.

48. 'They shall first tie up [the bitch] there, far from children and from the Fire, the son of Ahura Mazda²⁶, and they shall watch by her until a dog comes there from anywhere; then another again, and then a third again²⁷, each being kept apart from the former, lest they should assail one another.

26. 'From children, lest she shall bite them; from the fire, lest

it shall hurt her' (Comm.)

27. Cf. Justinus III, 4: *maturiorem futuram conceptionem rati, si eam singulae per plures viros experirentur.*

49.28 'The bitch being thus covered by three dogs, grows big with young, and the milk comes to her teats and she brings forth a young one that is born from several dogs.'

28. The text of this and the following clause is corrupt, and the meaning is doubtful.

50. If a man smite a bitch who has been covered by three dogs, and who has already milk, and who shall bring forth a young one born from several dogs, what is the penalty that he shall pay?

51. Ahura Mazda answered: 'Seven hundred stripes with the Aspahe-astra, seven hundred stripes with the Sraosho-charana.'

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