

A P P E N D I C E S - I A N D I I

APPENDIX - IOATHS AND ORDEALS AS PRACTISED BY SOME TRIBES
OF INDIA

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Oaths and Ordeals as practised by some tribes of India are collected here which go ~~us~~ to show ^{us} how the Dh. recommendations on these methods had gone down or percolated into the Indian society. It thus reveals the practical aspect, the very important aspect of the methods discussed so far. In collecting this information, I have taken these tribes region-wise i.e. first of all tribes of central India are taken, then come the tribes of Northern, Eastern, Southern and the Western parts of the country. They would thus represent an all India picture as far as the practice of these ordeals is concerned.

(1) BHARIA(-BHUMIA) :- Bharias are well-known thieves. If a Bhumia wishes to detect a thief, he sits clasping hands with a friend, while a pitcher is supported on their hands. An oblation is offered to the deity to guide the ordeal correctly and the names of suspected persons are recited one by one. The name at which the pitcher topples over being that of thief. Before employing this method of detection, Bhumia proclaims his intention of doing so on certain date and meantime places a heap of ashes in some lonely place and invites the thief to deposite the stolen article in the ashes to save himself from e-xposure. By common custom, each person in the village is required to visit the heap and mingle

handful of ashes with it, and not infrequently the thief, frightened at Bhumia's powers of detection takes the stolen article and buries it in the ash-heap where it is duly found, the necessity for resorting to the further method of divination being thus obviated (Russell : Tribes and Castes of Central provinces of India, Vol.II pp.248-249).

(2) KAIKARI :- The delinquent is taken to a river, tank or well and is there clean-shaved. Her tongue is branded with a ring or other article of gold and she is then seated under a wooden shed which is set on fire. She must remain seated until the whole shed is burning and is then allowed to escape by the other door. A young boy of the caste is asked to eat from her hand, and thus purified she is readmitted to social intercourse. Fire is the great purifier, and this ceremony symbolises the immolation of the delinquent and her new birth. A similar ordeal is practised among the Korvas of Bombay. (Ibid Vol.III p.301).

(3) KOLHATI :- When a girl is suspected of unchastity.. she is put to an ordeal. She fasts all-night and next morning is dressed in a white cloth and water is poured over her head from a new earthen pot. A piece of iron is heated red-hot between cow-dung cakes, and she must take up this in her hand and walk five steps with it, also applying it to the tip of her tongue. If she is burnt, her unchastity is considered to be proved, and the idea is therefore apparently that if she is innocent, the deity will intervene to save her. (Ibid Vol. III pp.530-531).

(4) PARDHI - Pardhis still preserve the primitive method of trial by ordeal. If a woman is suspected of misconduct, she is made to pick a piece-coin out of boiling oil or a pipal leaf is placed on her hand and a red-hot axe laid over it, and if her hand is burnt or she refuses to stand the test she is pronounced guilty or, in the case of a man, the accused is made to dive into water, and as he dives an arrow is shot from a bow. A swift runner fetches and brings back the arrow and if the diver can remain under water until the runner has returned he is held to be innocent. In Nimar, if an unmarried girl becomes pregnant, two cakes of dough are prepared, a piece of silver being placed in one and a lump of coal in the other. The girl takes one of the cakes and if it is found to contain the coal she is expelled from the community, while if she chooses the piece of silver, she is pardoned and made over to one of the caste. The idea of the ordeal is apparently to decide the question whether her condition was caused by a Pardhi or an outsider (Ibid Vol IV pp.364-365).

(5) SANSIA :- The following is a description given by a Sansia of their ordeals. If a Jamādār suspects a Sipahi of secreting plunder, a Panchayat is assembled, the members of which receive five rupees from both parties. Seven pipal leaves are laid upon his hand and bound round with thread and upon these a heated iron tawa or plate is set, he is then ordered to walk seven paces and put the plate down upon seven thorns, should he be able to do so, he is pronounced innocent, but if

he is burnt by the plate and throws it down, he is considered guilty. Another ordeal is by fixing arrows, two of which are shot off at once from one bow, one in the name of Bhagwan and the other in the name of the Panchayat. The place being on the bank of the river. The arrow that flies the farthest is stuck upright into the ground upon which a man carrying a long bamboo walks up to his breast in the water and the suspected person is desired to join him. One of the Panchayat then claps his hands seven times and runs off to pick up the arrows. at this instant, the suspected person is obliged to put his head under water and if he can hold his breath until the other returns to the bank with the arrow and has again clapped his hands seven times, he is pronounced innocent. If he cannot do so he is declared guilty and punished. A third form of ordeal was as follows : The Jamadar and the gang assemble under a pipal tree and after knocking off the neck of an earthen pot they kill a goat and collect its blood in the pitcher and put some bangles in it. Four lines are drawn on the pitcher with vermilion (representing blood) and it is placed and $1\frac{1}{4}$ seers of gud(sugar) are tied up in a piece of cloth $1\frac{1}{4}$ cubits in length and hung on to a branch of the tree. The Jamadar then says 'I will forgive any person who has not secreted more than fifteen or twenty rupees, but whoever has stolen more than that sum shall be punished'. The Jamadar dips his fingers in the pitcher of blood and afterwards touches the sugar and calls it loudly 'If I have embezzled any money, may Bhagwan punish me' and each dacoit in turn pronounces the same sentence.

No one who is guilty will do this, but at once makes his confession. The oath pronounced on 1.1/4 seers of Sugar tied in 1.1/4 cubits of cloth was considered the most solemn and binding which a sansia could take(Ibid Vol IV pp.494-495).

(6) Trial by Sogun(Oath of purgation) or ordeal still exists and is occasionally had recourse to in Maroo, as in other parts of Rajaputana...Besides the two common tests, by fire and water, there is a third, that of washing the hands in the boiling oil. It should be stated that in all cases not only the selection but the appeal to any of these ordeals is voluntary act of the litigents, and chiefly after Panchaets or courts of arbitration, have failed. When justice is denied... the sufferer will dare his adversary to the Sogun or submission to the judgment of god and the solemnity of the appeal carries such weight that it brings redress of itself, though the cases do occur where the challenge is accepted and the author has conversed with the individuals who have witnessed the operation of each of the ordeals (Tod,Annals and Antiquities of Rajasthana Vol.II p.130).

Zalim Sinh, the famous regent of Kotah...generally used water ordeal. Zalim sinh used to say that handling balls of hot iron was too slight punishment for such sinners as witches, for it is well-known that they have substances by means of which they are enabled to do this with impunity so he used to throw them into a pond of water, if they sank they were innocent, if they unhappily came to the surface their league with powers of darkness was apparent. A bag of cayenne pepper tied over the

head, if it failed to suffocate, afforded another test. The most humane method employed was rubbing the eye with a well-dried capsicum, and certainly if they could furnish the demonstration of their innocence by withholding tears, they might justly be deemed as witches.

Akin to this is the folktale ordeal by which the culminated heroine bathes in boiling oil to prove her chastity. Forbes gives the test in vogue in his days among the Santals. One of the most noted witch-finders in Bilaspur district of C.P. had two most effectual means of check-mating the witches.since the introduction of the British rule, these cases are becoming year by year rare, but belief itself remains strong and universal and the same class of superstitions pervades everyday life(W.Crook-An introduction to the popular religion and folklore of North India pp.356-358).

(7) AGARIA :- They swear on the head of their son and believe that they die if they forswear themselves. They have no form of ordeal.(W.Crook-Tribes and Castes of North-west Provinces Vol.I.p.11).

(8) ARIWASI :- They swear by Ganges, Jamuna and Bala-deoji (Ibid:Vol.I p.78).

(9) BAHELIYA :- They swear by Ganges, on their own heads and on those of their sons(Ibid Vol.I.p.109).

(10) BAISWAR :- They swear by touching their son's heads, the feet of a Brahmin, the tail of a cow, or by standing in water(Ibid p.130).

(11) BAJGI :- Their chief oath is on the cow, in less serious cases they swear on bamboo. The violation of an oath is believed to cause the death of the eldest son of the perjurer(Ibid p.132).

(12) BANSPHOR :- They swear on the Sun or the heads of their children. Those who break an oath become smitten by leprosy or lose their property(Ibid p.172).

(13) BHANGI :- The common oaths in use are Parameshvara Kasam and Khudā kasam. Lal Begis also swear by their patron saint. They plaster a place with cow-dung and the person swearing faces the Kaba and swears with the book in his hand. (Ibid p.290).

(14) BHAR : They swear on the ganges water, on the head of a son, and standing in water and in phrases Rāma kriyā, Rāma duhāi, Gangāmāi kriyā, Bhavani kriyā(Ibid Vol.II p.10).

(15) DANGI :- Oaths are made in form of Ganges, Tulsi plant, in the name of gods, by holding a lotā full of ganges water, by holding son or grandson in arms, by going to shrine and opening the door at the time of swearing. Taking false oath involves in loss of property disease and death(Ibid p.251).

(16) DHARKAR :- They swear by putting a bamboo on the head. If they forswear they lose children and property.(Ibid VOL.II p.287).

(17) DOM :- Their most solemn oath is celebrated after the following fashion - A piece of ground is cleared and

plastered as if for sacrifice. A piece of iron, a dish of water, some leaves of pippal and particularly kind of Tarai grass with some lighted charcoal are all put separately on the ground. On the top, a piece is placed and oath is taken over it. An oath by Dholi is also particularly binding. (Ibid p.331).

(18) DOM :- Their greatest oath is to place the hand on the head of their son. They also swear by placing their hand on grain mortar(Okhali) flour-mill(chakki) or on a ball. When there is a boundary dispute they write a curse(Bunda) on a piece of paper and holding it on the head of a son recite the words which run as follows : 'If the land in dispute be mine, may I and my children enjoy it, if it be not mine, may Parameshvara prevent me from enjoying it(Ibid p.339).

(19) DUSADH :- They swear by standing in water or on pipal tree or by touching head of one of their sons(Ibid p.357).

(20) GOLPURAB :- They swear in temple, by holding ganges water, touching the idol, by the leaf of pipal tree, by the sacred cord of Brahmin, swearing with son or grandson in arms. The last oath, if taken falsely is supposed to cause death of the child in a few days (Ibid p.428).

(21) HABURA :- The most binding oath is to light a lamp and then blow it out. By this, he means, 'If I lie my family be destroyed as I blow out this lamp. If a Habura can be induced to take this oath, he will never lie. Another method is to cut the pippal tree, the third is swearing by Devi(Ibid p.478).

(22) Iraqi :- They swear by form of Rāmaduhāi, by Vindhyavasini devi, those under the influence of Islam swear on water or Quran(Ibid Vol.III.p.7).

(23) Jat :- They swear on Ganges, some godlings such as Guja, Tejai, Dauji or their sons, or by touching an idol in a Hindu temple (Ibid p.40).

(24) Kahar :- Ordeals, especially that of red-hot iron were in use under the Maratha Government in Jhansi, but since the country was ceded to the British, the custom has been discontinued. They used to swear by Ganges and Tulasi plant. When the water of an ordinary well is used for this purpose, it must be drawn by an unmarried girl and she drops into it a little ganges water and a leaf of Tulsī plant(Ibid p.99).

(25) Kalwar :- They swear by Ganges water by touching idol in temple after bathing, on heads of son, feet of Brahmin, placing the leaf of pipal tree on their heads or standing in running water(Ibid p.113).

(26) Kanjar :- In Etah, when a woman is accused of immorality, she is subjected to the ordeal of holding a hot iron weeding spud in hand. If the skin is not burnt, she is acquitted.(Ibid p.151).

(27) Kharwar :- They swear by taking a piece of hot iron in hand, by Ganges water, by putting hand on the head of son, by touching cow. These oaths are generally sworn in boundary disputes, in caste quarrels and violation of them is believed to lead to poverty and death(Ibid p.251).

(28) Khatik :- Their oaths are - touching the heads of son, taking ganges or swearing by Ramaduhai. (Ibid p.262)

(29) Kol :- They swear by putting hand on the axe or sickle, by religious preceptor, by ganges, or by taking up a shoe of a Brāhmana (Ibid p.313).

(30) Korwa :- Their only oath is to swear by mother and this is the strongest oath that a Korwa can take (Ibid p.333).

(31) Majhwar :- Their tribal oaths are touching a broad sword, touching the feet of Brahmin, holding cow's tail, touching ganges water. For swearing causes loss of children or property. Another form of oath occasionally employed is to stand in a pool of water or to walk through fire. These latter oaths are principally used in enquiries before tribal council. (Ibid p.444).

(32) Nat :- They swear by touching the feet of Brahmin or leaf of Tulasi plant or pipal tree, by holding cow's tail, or a piece of copper (Vol.IV p.75).

(33) Panka :- They swear by putting a piece of fire in drinking vessel of water which is held in hand. No Panka will violate such an oath (Ibid p.117).

(34) Sansia :- They do not pay much regard to an oath on the ganges or on the heads of their sons and daughters. They have three binding forms of oaths (i) They kill a cock and pouring its blood on the ground swear over it (ii) They throw some salt in a cup of spirits and throwing on the ground swear over it. (iii) They crush a pipal leaf in their hands and swear.

When a woman is suspected of infidelity and denies the charge, she is made to undergo the following ordeal. Five leaves of the Pipal tree are placed on the palm of her hand one over other. She has then to take in her hand a red-hot 'Gadila' or spud which is the national implement of the tribe and used by them in digging out vermin etc. With this she has to walk five steps and if her hand shows no signs of burning, she is pronounced innocent. Similarly of Kolhatis and Dakkhins, Gunthorpe writes - 'the ordeals men and women of this race have to pass through to prove their innocence, if they deny an accusation, are curious. For a woman, seven leaves of pipal tree are placed one over the other in open palm on both the hands. A set thread is wound seven times round both hands and leaves. An axe made red-hot is then placed on the leaves and she bears it seven paces forward and throws into a bundle of thorns. Should the metal have penetrated the leaves and burnt her hands, she is guilty, but if not, she is considered innocent. (Ibid p.281).

(35) Tharu : Strongest form of oath is placing hand on the Linga of Mahādeva, or on the shrine of Kālīkā. A less potent oath, and one evidently derived from the Hindoos, is by holding water in the palm of the hand, the water being supposed to have come from Ganges. When two persons accuse each other of some fault and it is known that one or other must be guilty resort is made to the floating test. The two disputants are flung simultaneously into deep water, and the one who rises first is declared guilty. Another kind of ordeal practised by

them consists of throwing a coin into a bowl of boiling water and thrusting in the arm to take it out. If the arm comes out unblistered, the person is declared innocent(Ibid p.404).

(36) Abor (India's North-East frontier) :-

If the thief denies the theft , he is ordered to undergo following ordeal in the presence of the whole village, and thus endeavour to prove his innocence.

A large fire having been kindled, it is fed until the flames reach to the height of two or three feet. A bamboo chungu about one hand long, and not large enough to admit a man's fist easily, is then filled with water, and into it an egg having been dropped, the chungu is placed on the fire. The culprit then sits by the fire in the company of one of his uncle (mother's brother), and carries a fire screen about two feet square, made(by his uncle) from the leaves of a creeper called An Kun yar by the Ssamese(ta-lo by the abors) which contain a large quantity of water sap, and are consequently not inflammable. Just before the water in the chungu commences to boil, he(the culprit) rises to his feet, and repeating : 'Hear me ye heavens, and ye-sun! if I have really stolen this man's -whatever it may be - cause my hand to be burnt, and do not permit the egg to leave this chungu, if however on the other hand, I am not a thief, do not burn my hand, but permit me to take out the egg unscathed', he proceeds to take the egg out of chungu, protecting his face and chest from being burnt by means of his fire screen, and all Abors assert and verily believe that if the experimenter is telling the truth, the egg will appear at the

top of the chungu, as soon as the water boils, but that if he is lying it will not, and he will consequently be unable to secure it. It is of course excessively lucky, that all abors believe in the infallibility of this test, especially that it is possible for an innocent man to take it out for otherwise anyone might, out of spite, accuse his neighbour of thieving and thus mulct him out of a few Mithon without the accused having a chance of proving his innocence. If the accused person succeeds in taking the egg out of chungu, he is at once declared innocent, and his accuser is ordered to make him ample amends in the shape of either 8 or 10 Mithons for all the he has gone through [Elwin : India's North-East Frontier pp.289-290].

(37) The Daflas of the Subansiri region-(NEFA) :

Among the important oaths are the eating of earth, and taking certain article by teeth. Such articles are omyo or poison, adas, a poisonous bamboo, an elephant tusk, a tiger's jaw-bone, or skin and hood of poisonous snake. An ordeal practised over a wide area is to dip the right hand in boiling water contained in a bamboo tube, keep it there some time and pick up a stone from bottom. Before suspected offender does so, the priest recites incantations. (B.K.Shukla : The Daflas of the Subansiri region p.94).

(38) The Kacharis (In Assam Valley) :-

For Woman suspected of having broken the law of chastity- the whole family gathers in the evening around the

sacred Siju tree - at the foot of this revered tree a quantity of rice(uncooked) is solemnly buried and allowed to remain there overnight. Early next morning this rice is carefully disinterred and a certain quantity given to each grown up girl to be masticated. The offender under pressure of fear of imminent detection is unable to masticate her portion of rice the faculty of secreting saliva failing her in her terror of discovery of disgrace. A similar procedure is sometimes resorted to in cases of suspected theft or other like misdemeanours in the family circle[Rev.Sidney Endle-The Kacharis pp.30-31].

(39) Of trial by ordeal, with boiling lead and oil, the following cases are recorded in the Tellicherry Factory diary, 1762. 'The King regent of Colastrias' minister being arrived, the Moorman accused of Tivity this day dipped his fingers three times into boiling lead - after which his hand was sealed up in a bag as customary, to be opened on the third day. Three days later it is recorded that, the Moorman's hand being this day unsealed, no burn or blister appeared upon it, whereon he was released, and the Tivity, his accuser, sentenced to pay him the sum as a retaliation. A nair, being accused of by a Moor of intending to kill him offered to clear himself by dipping his hand in boiling oil, which the Moor was at first willing to abide by. But an entry in the diary states that the Moor, having declined to abide by the decision of the trial of boiling oil, the Nair is released, and the Moor and two witnesses produced by him fined the sum of 50 fanmas each being esteemed agreeable to the custom of the country to have falsely accused him[Thurston:Ethnographic notes in Southern India p.421].

(40) Among the Jogis, as a proof of chastity the ordeal of drinking a pot-ful of cow-dung, or chilly water has to be undergone. In former days, a person accused of adultery in Travancore was permitted to submit to the ordeal of dipping the hands in boiling ghee at the temple of Suchindram. This temple derives its name from Indra, who according to the legend, had illicit intercourse with Ahalya, the wife of Gautama Rishi, and had to undergo this form of ordeal. (Ibid p. 422)

(41) From a collection of reports (1793) from Rajas and other native chiefs of Malabar relative to the system and usages observed by them and their ancestors in the administration of justice, I gather that if any Brahmin was suspected of theft and cohabitation with a woman of low caste, the Raja sent him together with the four principal people of the country, with a letter ~~with~~ to the pagoda of Suggindra where they were to inform the heads of the pagoda of all particulars. After the usual custom had been paid to them, a pot of coconut oil, was boiled, and the suspected person dipped his hand into it. If the hand blistered, he was pronounced guilty. If a Nayar was, in like manner, suspected, he had to submit to the ordeal in the fort of Balipatnam. (Ibid p. 422)

(42) To test the chastity of a Tailangan Paraiyan bride, the following ordeal had to be undergone on the wedding day, immediately after the Tali-tying ceremony. Some cakes were placed in boiling oil in an earthen or iron receptacle. The bride after a bath and clad in wet clothes, had to pick out

the cakes with her hand, after an examination of her hair, nails and clothes to see if she had about her any charm or magical drug. Immediately after taking out the cakes from the oil, she had to husk a small quantity of rice. And, if she did successfully, her chastity was established. One form of punishment inflicted on Paraiyans by their headman is making a man crawl on his hands and knees between the legs of a Paraiyan woman. (*Ibid* p. 423)

(43) Following form of ordeal among the Koravans is described 'Should a Koravan suspect another of having committed a crime, and ~~the~~ denies it, several persons take new pots, put rice and water in them, and place them on fire. Whosoever's rice boils first has not committed the offence, but the owner of which it boils second is deemed the guilty one and he has to pay all the expenses. If two pots boil at the same time, they resort to trial by ordeal. A new pot is filled with boiling ghee with a four-anna piece in it, and the suspected person is told to take it out. If he is innocent, he will at once offer to do so, but if guilty, so great as their superstition, he will atonce confess'. (*Ibid* pp. 423-424)

(44) In Travancore there was judicial ordeal by snake-bite. The accused thrust his hand into mantle, in which a cobra was wrapped up. If it bit him, he was guilty. If not, he was innocent. 'that we have here', Frazer writes, 'a relic of totemism, appears not only from the worship of snakes in the distirct, but also from the fact that, if dead cobra was found by the people, it was burned with the same ceremonies as the body of the man of high caste. (*Ibid* p. 424)

(45) The crocodile ordeal, in which a man swam across a sheet of waters~~x~~ swarming with these beasts was in Vogue in Malbar, to determine the guilt or innocence of criminals. 'The accused', Visscher writes, 'is compelled after a solemn profession of innocence in the presence of Brāhmanas and nobles, and of a great concourse of people to swim across the river and back, or if he cannot do this, he must be dragged through holding on with his hands to a boat. If the crocodile pulls him under, it is a sign of his guilt, if otherwise, he is released as innocent. (Ibid p. 425)

(46) The following method of discovering theft or any kind of concealment by chewing rice is described by Daniel Johnson. 'A~~k~~ brahmin is sent for, who writes down all the names of the people in the house, or who are suspected. Next day he consecrates a piece of ground by covering it with cow-dung or water, over which he says a long prayer. The people then assemble on this ~~p~~ spot in a line facing the brahmin, who has with him some dry rice, or which he delivers to each person, the weight of a four-cornered ruppee, or that quantity weighed with the sacred stone called Salagram, which is deposited in a leaf of the pippal or banyan tree. At the time of delivering it, the brahmin puts his right hand on each person's head and repeats a short prayer, and when finished, he directs them all to chew the rice, which at a given time must be produced on the leaves masticated. The person or the persons whose rice is not thoroughly masticated or exhibits any blood with it, is considered guilty. The faith they all have of the power of brahmin, and a guilt ~~an~~ conscience operating at the same time, supresses

the natural flow of saliva to the mouth, without which the hard particles of the rice bruise and cut the gums causing them to bleed which they themselves are sensible of, and in next instances confess the crime'. (*Ibid* p.425)

The same writer gives three modes of ascertain^{ing} the persons guilty of practising witchcraft.

(i) Branches of the Saul (*Shorea Robusta*) tree marked with the names of all the females of the village, whether married or unmarried, who have attained the age of 12 years, are planted in the water in the morning for the space of 4½ hours, and the withering of any of these branches is the proof of witchcraft against the person whose name is annexed to it.

(ii) Small portions of rice enveloped in clothes, marked as above, are placed in a nest of white ants. The consumption of the rice in any of the bag establishes sorcery against the woman whose name it bears.

(iii) Lamps are lighted. Water is placed in cups made of leaves, and mustard seed and oil are poured, drop by drop into the water, whilst the name of each woman in the village is pronounced. The appearance of the shadow of any woman on the water, during the ceremony proves her witch. (*Ibid* p.426)

(47) A Koraga woman of South Canara, when found guilty of adultery is said to be treated in the following extraordinary way.

If her paramour is of low caste similar to herself, he has to marry her. But in order to purify her for the ceremony he has to build a hut, and put the woman inside. It is then set on fire, and the woman escapes as best as she can to another place where the same process is gone through, and so on until she is burnt seven times. She is then considered once more an honest woman, and fit to be again married.

'Sometimes', a recent writer states 'a big chain hangs suspended from a tree, and the Village Panchayats (tribunals) are held in Aiyandar (or Sangali Karuppan) temple. The accused is made to submit to an ordeal in proof of his innocence. The ordeal consists in his swearing on a chain which he is made to touch. He has such a dread for this procedure that as soon as he touches the chain he comes out with truth, failure to speak the truth being punished by some calamity which he believes will overtake within a week. These chains are also suspended to the trees near the temples of village goddesses, and used by village Panchayats to swear the accused in any trial before the Panchayat'. (*Ibid* p. 427)

(46) If a Tiyan Mappila, or other Kurian was accused of robbery or cohabitation and the charge was not clearly proved, those learned in the Shāstras assembled with a court, and an iron hatchet was made red-hot. The accused, after declaring his innocences had to take the hatchet in his hand, and if the hand was burnt, he was pronounced guilty and punished by amputation of a hand or finger or with death. (*Ibid* p. 430)

(49) Thakurs(of Sahyadri) :-

Although oaths are administered, ordeals are not employed. When I explained what an ordeal meant an aged Thakur took a rationalistic view and expressed surprise at the idea. (L.N. Chapekar : Thakurs of Sahyadri, p.140).

(50) Bhils :- If a Bhil is suspected of any inter-group crime like theft or adultery which he does not confer even after giving him various oaths, he is brought before the Panch and the following tests are given to him.

(a) the ironpoint of the p̄oughshare is heated red before the panch and the suspect is asked to pick it up with his hands. If he is not guilty, it is believed, he will not burn his hands but if his hands are scalded, he is taken to be an offender.

(b) on a Sunday, vessel filled with ghee is put on fire till the ghee boils and a two pice coin dropped in it. The suspect is then asked to take out the coin. They say that he can do it easily if he is not guilty and not otherwise.

(c) The suspect is taken to the shrine of Hanūmān or Gorakhnāth. He is asked to touch the God and say whether he committed the crime in question. If he tells lie, the god becomes angry with him and visits upon his miseries in the form of diseases or causes death. The offender confesses the truth in most cases.

For tracing the sources of inexplicable illness in village- The Sorcerer takes a handful of grains (of Juar) counts them by gours on every family's name in the village. The remainder after this quadruple division suggests the family which he announces

as housing the criminal. Sometimes these juar grains are taken to Badwa who drops them in vessel full of water. He utters the names of the families one by one, that family at whose name the grains settle down at the bottom of the vessel is announced as criminals. To find out whether a woman is a real witch or not people take her out of the village and subject her to various ordeals. (1) She is generally hung by the arms or by the heels to the branch of a tree and rocked this way and that, while she is hanging, if the branch breaks or she sustains some injuries like the dislocation of an arm or the breaking of the leg-bone, she is not considered a witch but a normal mortal being----sometimes the woman is blind-folded and asked the name of the person standing before her. If the name she gives, is correct, she is believed to be a witch. Sometimes she is thrown into a fast running stream, if she is not carried away by the current, but comes safely to the opposite bank without much exertion, she is considered to be a witch. Of course, if she appears to be sinking, the men on the bank jump into the stream and save her(T.B.Naik; Bhils-a study.pp.233-235).

⁵¹
(49) Uchalias (Beggars) :-

Any breach of loyalty, any tale-telling against a brother, Uchalia meets with sharpest punishment....the accused is brought before the meeting and asked what he has done... if the accused denies that he told any one, his innocence is tested by the oil caldron or tel-kadaï. Before the caste-heads agree to refer the dispute to the oil-caldron, they make the accused enter into a written agreement that if the

ordeal proves him a traitor, he will pay fine to be fixed by the head of the caste....they ask a potter to make a Kadai that is large earthen caldron with a bowl shaped body and a broad flat rim....For Kadai the potter is paid Rs.1½. The reason of this high price is that the sacred caldron is to be made with the greatest care...when the Jar has been taken to Uchlias hamlet a quantity of sesamum oil or Til oil is brought and seven married women of good character are called. They are made to bathe, are dressed in new clothes and have their brows marked with red powder and their arms with turmeric powder. They sit in a line and clean the oil seed fasting the whole day. When the seed is clean it is handed to the oil presser. When the oil is crushed, the crusher is taken out, broken into pieces and used as a fire-wood for boiling oil. The caste leaders choose some lonely spot at which to hold the ordeal....when the spot is reached the accused is seated by himself fasting in a tent or booth. A fire is kindled, the caldron is set on the fire and the oil which is never less than ten pounds is poured in. When the oil begins to boil the accused is called. He comes from the tent with music accompanied by ampires. The accused bathes, but worships no god nor is any image of any god put near the caldron. When accused comes close to the boiling caldron a round stone of the size of a pigeon's egg is dropped in the oil.... the accused calls in a loud voice 'If I have spoken the truth may the oil be to me as milk. The accuser answers 'If he has told lie may the boiling oil be to him as fire or

as worse than fire. 'The accused plunges his arm into the oil and draws out the stone. He shows the stone to the head of the caste and throws it behind his own back....After 24 hours the caste leaders call on him to wash his hands with cow's urine, cowdung and sand. When his hand has been washed it is closely examined. If it has taken no harm the accused is acquitted. If the accuser is not satisfied that the hand has escaped unhurt, a goat is killed and the accused is made to use his hand in pulling off the skin. During the time of ordeal which generally lasts ten to fifteen days, the accuser feeds one half of the company and the accused feeds the other half company. At the end the person who wins the ordeal is paid all his expenses by the person who loses it, and at the same time is presented with a lace-bordered shoulder cloth(sāla) and a turban together worth Rs.120-240. The loser pays to the caste council a fine of Rs.60. Oil ordeals come off sometimes twice sometimes as often as ten times in the year according as disputes happen to be many or few. Cases of injury from the boiling are rare. The accused almost always comes off unhurt. (Bombay Gazetteer-(Poona)Vol.18 Part I. pp.468-469).

When a man or a woman is charged with adultery, the men of the caste meet and hear the evidence. If the accused denies the charge in the teeth of good evidence an appeal is made to oil caldron. The tell-tale ordeal and the adultery ordeal differ in some details. In preparing the adultery ordeal, oil-caldron, the oil-mill is washed with water and

rubbed with turmeric powder and vermillion. The bullock which is to drive mill is made to fast and like the mill is rubbed with turmeric powder and vermillion. Fourteen married women, seven for man and seven for woman fast all day and each drops a handful of seasamum into the mill. The oil presser is also obliged to fast. While the oil is being pressed the accused stand near the mill and are asked whether they have committed the crime. They deny, and if their denial is true, oil does not oose from the seed. If what they say is false, oil flows freely. The roller of the mill is split and burnt under a pan and the oil is boiled. When it is boiling a copper coin or a stone is dropped into the oil and the accused is forced to deny the charge brought against him and to pick out the coin or stone. The accused is made to sit in a tent and is fed on rice, milk and maccaroni. If the hand is found unharmed the person is declared innocent and presented with a turban and shouldercloth and the accuser is made to pay the cost of the ordeal which generally amounts to Rs.350/-.

If a married woman is accused of adultery and denies the charge, she has to undergo the boiling oil ordeal. One or two cases of this kind take place every year.(Ibid pp.474-475).

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