Title: Notes and Queries, Number 72, March 15, 1851

Author: Various
Editor: George Bell

Release date: October 27, 2007 [eBook #23212]

Language: English

Credits: Produced by Charlene Taylor, Jonathan Ingram, Keith Edkins and the Online Distributed Proofreading Team at http://www.pgdp.net (This file was produced from images generously made available by The Internet Library of Early Journals.)

{201}

NOTES AND QUERIES:

A MEDIUM OF INTER-COMMUNICATION FOR LITERARY MEN, ARTISTS, ANTIQUARIES, GENEALOGISTS, ETC.

"When found, make a note of."—CAPTAIN CUTTLE.

No. 72. **SATURDAY, MARCH 15. 1851.** **Price Threepence. Stamped Edition 4d.**

CONTENTS.

Notes.

ILLUSTRATIONS OF CHAUCER.

(Vol. iii., pp. 131. 133.)

I am glad to perceive that some of the correspondents of "Notes and Queries" are turning their attention to the elucidation of Chaucer. The text of our father-poet, having remained as it were in fallow since the time of Tyrwhitt, now presents a rich field for industry; and, in offering free port and entry to all comments and suggestions, to be there sifted and garnered up, the pages of "Notes and Queries" may soon become a depository from which ample materials may be obtained for a new edition of Chaucer, now become an acknowledged desideratum.

One excellent illustration has lately been added, at page 133., in a note without signature upon "Nettle in, dock out." If *confirmed*[1], it will furnish not only a most satisfactory explanation of that hitherto incomprehensible phrase, but also a curious example of the faithful preservation of an exact form of words through centuries of oral tradition.

And if the note which precedes it, at page 131., upon a passage in Palamon and Arcite, is less valuable, it is because it is deficient in one of the most essential conditions which such communications ought to possess—that of originality. No suggestion ought to be offered which had been previously published in connexion with the same subject: at least in any *very obvious* place of reference, such as notes or glossaries already appended to well-known editions of the text.

Now the precise explanation of the planetary distribution of the twenty-four hours of the day, given by ε. in the first portion of his communication, was anticipated seventy or eighty years ago by Tyrwhitt in his note upon the same passage of Palamon and Arcite. And with respect to ε.'s second explanation of the meaning of "houre inequal," that expression also has been commented upon by Tyrwhitt, who attributes it to the well-known expansive duration of ancient hours, the length of which was regulated by that of the natural day at the several seasons of the year: hence an *inequality* always existed; except at the equinoxes, between hours before, and hours after, sunrise. This is undoubtedly the true explanation, since Chaucer was, at the time, referring to hours before and after sunrise upon the same day. On the contrary, ε.'s ecliptic hours, if they ever existed at all (he has cited no authority), would be obviously incompatible with the planetary disposition of the hours first referred to.

{202} I shall now, in my turn, suggest explanations of the two new difficulties in Chaucer's text, to which, at the conclusion of his note, ε. has drawn attention.

The first is, that, "with respect to the time of year at which the tournament takes place, there seems to be an inconsistency." Theseus fixes "this day fifty wekes" from the fourth of May, as the day on which the final contention must come off, and yet the day previous to the final contention is afterwards alluded to as "the lusty seson of that May," which, it is needless to say, would be inconsistent with an interval of fifty *ordinary* weeks.

But fifty weeks, if taken in their literal sense of 350 days, would be a most unmeaning interval for Theseus to fix upon,—it would almost require explanation as much as the difficulty itself: it is therefore much easier to suppose that Chaucer meant to imply the interval of a solar year. Why he should choose to express that interval by fifty, rather than by fifty-two, weeks, may be surmised in two ways: first, because the latter phrase would be unpoetical and unmanageable; and, secondly, because he might fancy that the week of the Pagan Theseus would be more appropriately represented by a lunar quarter than by a Jewish hebdomad.

Chaucer sometimes makes the strangest jumble—mixing up together Pagan matters and Christian, Roman and Grecian, ancient and modern; so that although he names Sunday and Monday as two of the days of the week in Athens, he does so evidently for the purpose of introducing the allocation of the hours, alluded to before, to which the planetary names of the days of the week were absolutely necessary. But in the fifty weeks appointed by Theseus, the very same love of a little display of erudition would lead Chaucer to choose the *hebdomas lunæ*, or lunar quarter, which the Athenian youth were wont to mark out by the celebration of a feast to Apollo on every seventh day of the moon. But after the first twenty-eight days of every lunar month, the weekly reckoning must have been discontinued for about a day and a half (when the new moon was what was called "in coitu," or invisible), after which a new reckoning of sevens would recommence. Hence there could be but four hebdomades in each lunar month; and as there are about twelve and a half lunar months in a solar year, so must there have been fifty lunar weeks in one solar year.

It will explain many anomalies, even in Shakspeare, if we suppose that our early writers were content to show their knowledge of a subject in a few particulars, and were by no means solicitous to preserve, what moderns would call *keeping*, in the whole performance.

The next difficulty, adverted to by ε., is the mention of the THIRD as the morning upon which Palamon "brake his prison," and Arcite went into the woods "to don his observaunce to May."

There is not perhaps in the whole of Chaucer's writings a more exquisite passage than that by which the latter circumstance is introduced; it is well worth transcribing:—

> "The besy larke, the messager of day,
> Salēweth in hire song the morwē gray;
> And firy Phebus riseth up so bright,
> That all the orient laugheth at the sight;
> And with his stremēs drieth in the greves
> The silver dropēs hanging on the leves."

Such is the description of the morning of the "thridde of May;" and perhaps, if no other mention of that date were to be found throughout Chaucer's works, we might be justified in setting it down as a random expression, to which no particular meaning was attached. But when we find it repeated in an entirely different poem, and the same "observaunce to May" again associated with it, the conviction is forced upon us that it cannot be without some definite meaning.

This repetition occurs in the opening of the second book of *Troilus and Creseide*, where "the thridde" has not only "observaunce to May" again attributed to it, but also apparently some peculiar virtue in dreams. No sooner does Creseide behold Pandarus on the morning of the third of May, than "*by the hond on hie, she tooke him fast*," and tells him that she had thrice dreamed of him that night. Pandarus replies in what appears to have been a set form of words suitable to the occasion—

> "Yea, nece, ye shall faren well the bet,
> If God wull, all this yeare."

Now unless the third of May were supposed to possess some unusual virtue, the dreaming on that morning could scarcely confer a whole year's welfare. But, be that as it may, there can at least be no doubt that Chaucer designedly associated *some* celebration of the advent of May with the morning of the third of that month.

Without absolutely asserting that my explanation is the true one, I may nevertheless suggest it until some better may be offered. It is, that the association may have originated in the invocation of the goddess Flora, by Ovid, on that day (*Fasti*, v.), in order that she might inspire him with an explanation of the Floralia, or Floral games, which were celebrated in Rome from the 28th of April to the *third* of May.

These games, if transferred by Chaucer to Athens, would at once explain the "gret feste" and the "lusty seson of that May."

Supposing, then, that Chaucer, in the *Knight's Tale*, meant, as I think he meant, to place the great combat on the anniversary of the fourth of May—that being the day on which Theseus had intercepted the duel,—then the entry into Athens of the rival companies would take place on {203} (Sunday) the second, and the sacrifices and feasting on the *third of May*, the last of the Floralia.

A. E. B.

Leeds, March 4, 1851.

Footnote 1:(return)

[Of which there can be no doubt. See further p. 205. of our present Number.—Ed.]

INEDITED POETRY, NO. II.

CHORUS.

(Harleian MSS., No. 367. fo. 154.)

"Is, is there nothing cann withstand
The hand
Of Time: but that it must
Be shaken into dust?
Then poore, poore Israelites are wee
Who see,
But cannot shunn the Graue's captivitie.

"Alas, good Browne! that Nature hath
No bath,
Or virtuous herbes to strayne,
To boyle[2] thee yong againe;
Yet could she (kind) but back command
Thy brand,
Herself would dye thou should'st be unman'd.

"But (ah!) the golden Ewer by [a] stroke,
Is broke,
And now the Almond Tree
With teares, with teares, we see,
Doth lowly lye, and with its fall
Do all
The daughters dye, that once were musicall.

"Thus yf weake builded man cann saye,
A day
He lives, 'tis all, for why?
He's sure at night to dye,
For fading man in fleshly lome[3]
Doth rome
Till he his graue find, His eternall home.

"Then farewell, farewell, man of men,
Till when
(For us the morners meet
Pal'd visag'd in the street,
To seale up this our britle birth
In earth,)
We meet with thee triumphant in our mirth."

Trinitäll Hall's Exequies.

Now, to what does Hall refer in the third stanza, in his mention of the almond-tree? Is it a classical allusion, as in the preceding stanza, or has it some reference to any botanical fact? I send the ballad, trusting that as an inedited morsel you will receive it.

Kenneth R. H. Mackenzie.

[We do not take *Hall* here to be the name of a man, but Trinity Hall at Cambridge.]

Footnote 2:(return)

The reader will recognise the classical allusion.

Footnote 3:(return)

Loam, earth; roam.

ON A PASSAGE IN MARMION.

I venture for the first time to trespass upon the attention of your readers in making the following remarks upon a passage in *Marmion*, which, as far as I know, has escaped the notice of all the critical writers whose comments upon that celebrated poem have hitherto been published.

It will probably be remembered, that long after the main action of the poem and interest of the story have been brought to a close by the death of the hero on the field of Flodden, the following incident is thus pointedly described:—

Short is my tale:—Fitz-Eustace' care
A pierced and mangled body bare
To moated Lichfield's lofty pile:
And there, beneath the southern aisle,
A tomb, with Gothic sculpture fair
Did long Lord Marmion's image bear,
&c. &c. &c.

"There erst was martial Marmion found,
His feet upon a couchant hound,
His hands to Heaven upraised:
And all around on scutcheon rich,
And tablet carved, and fretted niche,
His arms and feats were blazed.
And yet, though all was carved so fair,
And priest for Marmion breathed the prayer,
The last Lord Marmion lay not there.
From Ettrick woods a peasant swain
Follow'd his lord to Flodden plain,—
&c. &c. &c.

"Sore wounded Sybil's Cross he spied,
And dragg'd him to its foot, and died,
Close by the noble Marmion's side.
The spoilers stripp'd and gash'd the slain,
And thus their corpses were mista'en;
And thus in the proud Baron's tomb,
The lowly woodsman took the room."

Now, I ask, wherefore has the poet dwelt with such minuteness upon this forced and improbable incident? Had it indeed been with no other purpose than to introduce the picturesque description and the moral reflexions contained in the following section, the improbability might well be forgiven. But such is not the real object. The critic of the *Monthly Review* takes the following notice of this passage, which is printed as a note in the last edition of Scott's *Poems* in 1833:—

> "A corpse is afterwards conveyed, as that of Marmion, to the cathedral of Lichfield, where a magnificent tomb is erected to his memory, &c. &c.; but, by an *admirably imagined act of poetical justice*, we are informed that a peasant's body was placed beneath that costly monument, while the haughty Baron himself was buried like a vulgar corpse on the spot where he died."

Had the reviewer attempted to penetrate a little deeper into the workings of the author's mind, he would have seen in this circumstance much more than "an admirably imagined act of poetical
{204} justice." He would have perceived in it the ultimate and literal fulfilment of the whole penalty foreshadowed to the delinquent baron in the two concluding stanzas of that beautiful and touching song sung by Fitz-Eustace in the Hostelrie of Gifford in the third canto of the poem, which I here transcribe:

"Where shall the traitor rest,
He the deceiver,
Who could win maiden's breast,
Ruin, and leave her?
In the lost battle
Borne down by the flying,
Where mingles war's rattle,
With groans of the dying—
There shall he be lying.
Her wing shall the eagle flap
O'er the false-hearted,
His warm blood the wolf shall lap
Ere life be parted.
Shame and dishonour sit
By his grave ever;
Blessing shall hallow it,
Never, O never!"

Then follows the effect produced upon the conscience of the "Traitor," described in these powerful lines:—

"It ceased. the melancholy sound;
And silence sunk on all around.
The air was sad; but sadder still
It fell on Marmion's ear,
And plain'd as if disgrace and ill,
And shameful death, were near."
&c. &c. &c.

And lastly, when the life of the wounded baron is ebbing forth with his blood on the field of battle, when—

"The Monk, with unavailing cares
Exhausted all the Church's prayers—
Ever, he said, that, close and near,
A lady's voice was in his ear,
And that the priest he could not hear—
For that she ever sung,
'*In the lost battle, borne down by the flying,*
Where mingles war's rattle with groans of the dying!'—
So the notes ring."

I am the more disposed to submit these remarks to your readers, because it is highly interesting to trace an irresistible tendency in the genius of this mighty author towards the fulfilment of prophetic legends and visions of second sight: and not to extend this paper to an inconvenient length, I purpose to resume the subject in a future number, and collate some other examples of a similar character from the works of Sir Walter Scott.

I write from the southern slopes of Cheviot, almost within sight of the Hill of Flodden. During the latter years of the great Border Minstrel, I had the happiness to rank myself among the number of his friends and acquaintances, and I revere his memory as much as I prized his friendship.

A Borderer.

GLOUCESTERSHIRE PROVINCIALISMS.

To burl, burling; to shunt, &c.—In the report of the evidence regarding the death of Mrs. Hathway, at Chipping Sodbury, supposed to have been poisoned by her husband, the following dialectical expression occurs, which may deserve notice. One of the witnesses stated that he was invited by Mr. Hathway to go with him into a beer-house in Frampton Cotterell, "and have a tip," but he declined.

> "Mr. H. went in and called for a quart of beer, and then came out again, and I went in. He told me 'to burl out the beer, as he was in a hurry;' and I 'burled' out a glass and gave it to him."—*Times*, Feb. 28.

I am not aware that the use of this verb, as a provincialism, has been noticed; it is not so given by Boucher, Holloway, or Halliwell. In the Cumberland dialect, a *birler*, or *burler*, is the master of the revels, who presides over the feast at a Cumberland bidden-wedding, and takes especial care that the drink be plentifully provided. (*Westmoreland and Cumberland Dialects*, London, 1839.)

Boucher and Jamieson have collected much regarding the obsolete use of the verb *to birle*, to carouse, to pour out liquor. See also Mr. Dyce's notes on *Elynour Rummyng*, v. 269. (*Skelton's Works*, vol. ii. p. 167.). It is a good old Anglo-Saxon word—byrlian, *propinare*, *haurire*. In the Wycliffite versions it occurs repeatedly, signifying to give to drink. See the Glossary to the valuable edition lately completed by Sir F. Madden and Mr. Forshall.

In the *Promptorium Parvulorum*, vol i. p. 51., we find—

> "Bryllare of drynke, or schenkare: Bryllyn, or schenk drynke, *propino*: Bryllynge of drynke," &c.

Whilst on the subject of dialectical expressions, I would mention an obsolete term which has by some singular chance recently been revived, and is actually in daily use throughout England in the railway vocabulary—I mean the verb "to shunt." Nothing is more common than to see announced, that at a certain station the parliamentary "shunts" to let the Express pass; or to hear the order—"shunt that truck," push it aside, off the main line. In the curious ballad put forth in 1550, called "John Nobody" (Strype's *Life of Cranmer*, App. p. 138.), in derision of the Reformed church, the writer describes how, hearing the sound of a "synagogue," namely, a congregation of the new faith, he hid himself in alarm:

"The I drew me down into a dale, wheras the dumb deer
Did shiver for a shower, but I shunted from a freyke,
For I would no wight in this world wist who I were."

{205} In the Townley Mysteries, *Ascensio Domini*, p. 303., the Virgin Mary calls upon St. John to protect her against the Jews,—

"Mi fleshe it qwakes, as lefe on lynde,
To shontt the shrowres sharper than thorne,"—

explained in the Glossary, "sconce or ward off." Sewel, in his *English and Dutch Dictionary*, 1766, gives—"to shunt (a country word for to shove), *schuiven*." I do not find "shunt," however, in the Provincial Glossaries: in some parts of the south, "to shun" is used in this sense. Thus, in an assault case at Reigate, I heard the complainant say of a man who had hustled him, "He kept shunning me along: sometimes he shunt me on the road," that is, pushed me off the footpath on to the highway.

I hope that the Philological Society has not abandoned their project of compiling a complete Provincial Glossary: the difficulties of such an undertaking might be materially aided through the medium of "NOTES AND QUERIES."

ALBERT WAY.

THE CHAPEL OF LORETTO.

Among the aerial migrations of the chapel of Loretto, it is possible that our own country may hereafter be favoured by a visit of that celebrated structure. In the mean time, as I am not aware that the contributions of our countrymen to its history have been hitherto commemorated, the following extract from a note, made by me on the spot some years ago, may not be unsuitable for publication in "NOTES AND QUERIES." As I had neither the time nor the patience which the pious, but rather prolix, Scotchman bestowed upon his composition, I found it necessary to content myself with a mere abstract of the larger portion.

The story of the holy House of Loretto is engraved on brass in several languages upon the walls of the church at Loretto. Among others, there are two tablets with the story in English, headed "The wondrus flittinge of the kirk of our blest Lady of Laureto." It commences by stating that this kirk is the chamber of the house of the Blessed Virgin, in Nazareth, where our Saviour was born; that after the Ascension the Apostles hallowed and made it a kirk, and "S. Luke framed a pictur to har vary liknes thair zit to be seine;" that it was "haunted with muckle devotione by the folke of the land whar it stud, till the people went after the errour of Mahomet," when angels took it to Slavonia, near a place called Flumen: here it was not honoured as it ought to be, and they took it to a wood near Recanati, belonging to a lady named Laureto, whence it took its name. On account of the thieveries here committed, it was again taken up and placed near, on a spot belonging to two brothers, who quarrelled about the possession of the oblations offered there; and again it was removed to the roadside, near where it now stands. It is further stated that it stands without foundations, and that sixteen persons being sent from Recanati to measure the foundations still remaining at Nazareth, they were found exactly to agree:

> "And from that tim fourth it has beine surly ken'd that this kirk was the Cammber of the B. V. whereto Christian begun thare and has ever efter had muckle devotione, for that in it daily she hes dun and dus many and many mirakels. Ane Frier Paule, of Sylva, an eremit of muckle godliness who wond in a cell neir, by this kirk, whar daily he went to mattins, seid that for ten zeirs, one the eighth of September, tweye hours before day, he saw a light descende from heaven upon it, whelk he seyd was the B. V. wha their shawed harselfe one the feest of her birthe."

Then follows the evidence of Paule Renalduci, whose grandsire's grandsire saw the angels bring the house over the sea: also the evidence of Francis Prior, whose grandsire, a hunter, often saw it in the wood, and whose grandsire's grandsire had a house close by. The inscription thus terminates:—

> "I, Robt. Corbington, priest of the Companie of Iesus in the zeir MDCXXXV., have treulie translated the premisses out of the Latin story hanged up in the seid kirk."

S. SMIRKE.

FOLK LORE.

"*Nettle in Dock out*" (Vol. iii., p. 133.).—If your correspondent will refer to *The Literary Gazette*, March 24, 1849, No. 1679., he will find that I gave precisely the same explanation of that obscure passage of Chaucer's *Troilus and Creseide*, lib. iv., in a paper which I contributed to the British Archæological Association.

FRAS. CROSSLEY.

> [We will add two further illustrations of this passage of Chaucer, and the popular rhyme on which it is founded. The first is from Mr. Akerman's *Glossary of Provincial Words and Phrases in Use in Wiltshire*, where we read—
>
> > "When a child is stung, he plucks a dock-leaf, and laying it on the part affected, sings—
> >
> > 'Out 'ettle
> > In dock
> > Dock shall ha a new smock;

'Ettle zhant
Ha' narrun.'"

Then follows a reference by Mr. Akerman to the passage in *Troilus and Creseide*.—Our second illustration is from Chaucer himself, who, in his *Testament of Love* (p. 482 ed. Urry), has the following passage:

> "Ye wete well Ladie eke (quoth I), that I have not plaid raket, Nettle in, Docke out, and with the weathercocke waved."

{206} Mr. Akerman's work was, we believe, published in 1846; and, at all events, attention was called to these passages in the *Athenæum* of the l2th September in that year, No. 985.]

Soul separates from the Body.—In Vol. ii., p. 506., is an allusion to an ancient superstition, that the human soul sometimes leaves the body of a sleeping person and takes another form; allow me to mention that I remember, some forty years ago, hearing a servant from Lincolnshire relate a story of two travellers who laid down by the road-side to rest, and one fell asleep. The other, seeing a bee settle on a neighbouring wall and go into a little hole, put the end of his staff in the hole, and so imprisoned the bee. Wishing to pursue his journey, he endeavoured to awaken his companion, but was unable to do so, till, resuming his stick, the bee flew to the sleeping man and went into his ear. His companion then awoke him, remarking how soundly he had been sleeping, and asked what had he been dreaming of? "Oh!" said he, "I dreamt that you shut me up in a dark cave and I could not awake till you let me out." The person who told me the story firmly believed that the man's soul was in the bee.

F. S.

Lady's Trees.—In some parts of Cornwall, small branches of sea-weed, dried and fastened in turned wooden stands, are set up as ornaments on the chimney-piece, &c. The poor people suppose that they preserve the house from fire, and they are known by the name of "*Lady's trees*," in honour, I presume, of the Virgin Mary.

H. G. T.

Launceston.

Norfolk Folk Lore Rhymes.—I have met with the rhymes following, which may not be uninteresting to some of your readers as *Folk Lore, Norfolk*:—

> "Rising was, Lynn is, and Downham shall be,
> The greatest seaport of the three."

Another version of the same runs thus:

> "Risin was a seaport town,
> And Lynn it was a wash,
> But now Lynn is a seaport Lynn,
> And Rising fares the worst."

Also another satirical tradition in rhyme:

> "That nasty stinking sink-hole of sin,
> Which the map of the county denominates Lynn."

Also:

> "Caistor was a city ere Norwich was none,
> And Norwich was built of Caistor stone."

JOHN NURSE CHADWICK.

King's Lynn.

Minor Notes.

Note for the Topographers of Ancient London, and for the Monasticon.—

> "Walter Grendon, Prior of the hospital of St John of Jerusalem, acknowledges to have received, by the hands of Robert Upgate and Ralph Halstede,—from Margaret, widow of S^{r} John Philippott K^{t},—Thomas Goodlak and their partners,—4 pounds in full payment of arrears of all the rent due to us from their tenement called Jesoreshall in the city of London.
>
> "Dated 1. December, 1406."

From the original in the Surrenden collection.

L. B. L.

Gray and Burns.—

"Authors, before they write, should read."

So thought Matthew Prior; and if that rule had been attended to, neither would Lord Byron have deemed it worth notice that "*the knell of parting day*," in Gray's Elegy, "was adopted from Dante;" nor would Mr. Cary have remarked upon "this plagiarism," if indeed *he* used the term. (I refer to "NOTES AND QUERIES," Vol. iii., p. 35.) The truth is, that in every good edition of Gray's *Works*, there is a note to the line in question, *by the poet himself*, expressly stating that the passage is "*an imitation of the quotation from Dante*" thus brought forward.

I could furnish you with various *notes* on Gray, pointing out remarkable coincidences of sentiment and expression between himself and other writers; but I cannot allow *Gray* to be a plagiary, any more than I can allow *Burns* to be so designated, in the following instances:—

At the end of the poem called *The Vision*, we find—

"And like a passing thought she fled."

In *Hesiod* we have—

"ὁ δ' ἔπτατο ὥστε νόημα."—*Scut. Herc.* 222.

Again, few persons are unacquainted with Burns's lines—

"Her 'prentice han' she tried on man,
An' then she made," &c.

In an old play, *Cupid's Whirligig* (4to. 1607), we read—

"Man was made when Nature was but an apprentice, but woman when she was a skilful mistress of her art."

Pliny, in his *Natural History*, has the pretty notion that

"Nature, in learning to form a lily, turned out a convolvulus."

VARRO.

Richard III., Traditional Notice of.—I have an aunt, now eighty-nine years of age, who in early life knew one who was in the habit of saying:

"I knew a man, who knew a man, who knew a man who danced at court in the days of Richard III."

Thus there have been but three links between one who knew Richard III. and one now alive.

My aunt's acquaintance could name his three predecessors, who were members of his own {207} family: their names have been forgotten, but his name was Harrison, and he was a member of an old Yorkshire family, and late in life settled in Bedfordshire.

Richard died in 1484, and thus five persons have sufficed to chronicle an incident which occurred nearly 370 years since.

Mr. Harrison further stated that there was nothing remarkable about Richard, that he was not the hunchback "lump of foul deformity" so generally believed until of late years.

The foregoing anecdote may be of interest as showing that traditions may come down from remote periods by few links, and thus be but little differing from the actual occurrences.

H. J. B.

66. Hamilton Terrace,
St. John's Wood, March 5. 1851.

Oliver Cromwell.—Echard says that his highness sold himself to the devil, and *that he had seen the solemn compact*. Anthony à Wood, who doubtless credited this account of a furious brother loyalist, in his Journal says:

"Aug. 30, 1658. Monday, a terrible raging wind happened, which did much damage. Dennis Bond, a great Oliverian and anti-monarchist, died on that day, and then the devil took *bond* for Oliver's appearance."

Clarendon, assigning the Protector to eternal perdition, not liking to lose the portent, boldly says the remarkable hurricane occurred on September 3, the day of Oliver's death. Oliver's admirers, on the other hand, represent this wind as ushering him into the other world, but for a very different reason.

Heath, in his *Flagellum* (I have the 4th edit.), says:

It pleased God to usher in his end with a great whale *some three months before*, June 2, that came up as far as Greenwich, and there was killed; and more immediately by a terrible storm of wind: the prognosticks that the great Leviathan of men, that tempest

and overthrow of government, was now going to his own place!"

I have several works concerning Cromwell, but in no other do I find this story very like a whale. Would some reader of better opportunities favour us with a record of these two matters of natural history, not as connected with the death of this remarkable man, but as mere events? Your well-read readers will remember some similar tales relative to the death of Cardinal Mazarine. These exuberances of vulgar minds may partly be attributed to the credulity of the age, but more probably to the same want of philosophy which caused the ancients to deal in exaggeration.

B. B.

Snail-eating.—The practice of *eating*, if not of talking to, snails, seems not to be so unknown in this country as some of your readers might imagine. I was just now interrogating a village child in reference to the addresses to snails quoted under the head of "Folk Lore," Vol. iii., pp. 132. and 179., when she acquainted me with the not very appetising fact, that she and her brothers and sisters had been in the constant habit of indulging this horrible *Limacotrophy*.

> "We hooks them out of the wall (she says) with a stick, in winter time, and not in summer time (so it seems they have their seasons); and we roasts them, and, when they've done spitting, they be a-done; and we takes them out with a fork, and eats them. Sometimes we has a jug heaped up, pretty near my pinafore-full. I loves them dearly."

Surely this little bit of practical cottage economy is worth recording.

C. W. B.

Queries.

BIDDINGS IN WALES.

There is a nursery song beginning—

> "Harry Parry, when will you marry?
> When apples and pears are ripe.
> I'll come to your wedding, without any bidding,
> And," &c. &c. &c.

Does this mean that I will come without an invitation, or without a marriage-present? It will be observed that Parry is a Welsh name, and that bidding is a Welsh custom, as is shown by Mr. Spurrell (Vol. iii., p. 114.). He has anticipated my intention of sending you a bidding-form, which has been lying upon my table for some weeks, but which I have not had time to transcribe; I now send it you, because it somewhat varies from Mr. Spurrell's, and yet so much resembles it as to show that the same formula is preserved. Both show that the presents are considered as debts, transferable or assignable to other parties. Is this the case in all districts of Wales where the custom of bidding prevails? I think I have heard that in some places the gift is to be returned only when the actual donor "enters into the matrimonial state." It will be observed, too, in these forms, relations only transfer to relations. Is it considered that they may assign to persons not relations? Some of your Welsh correspondents may reply to these questions, which may elucidate all the varieties of practice in a custom which contributes much to the comfort of a young couple, and, in many instances, is an incentive to prudence, because they are aware that the debt is a debt of honour, not to be evaded without some loss of character.

"December 26. 1806.

> "As we intend to enter the Matrimonial State on *Tuesday* the 20th of *January*, 1807, we purpose to make a Bidding on the occasion the same day for the young man at his father's house, in the village of *Llansaint*, in the parish of *St. Ishmael*; and for the young {208} woman, at her own house, in the said village of *Llansaint*; at either of which places the favour of your good company on that day will be deemed a peculiar obligation; and whatever donation you may be pleased to confer on either of us then, will be gratefully received, and cheerfully repaid whenever required on a similar occasion, by
>
> Your humble servants,
> Seth Rees,
> Ann Jenkins.
>
> "The young man's father and mother, and also the young woman's father and mother, and sister Amy, desire that all gifts of the above nature due to them, may be returned on the same day; and will be thankful for all favour shown the young couple."

E. H.

Minor Queries.

Lord of Relton (Vol. iii., p. 56.)—Will your correspondent MONKBARNS favour me with the date of the paper from which he copied the paragraph quoted, and whether it was given as being then in use, or as of ancient date?

Can any of your readers inform me from what place the Lord of Relton derived his name? What was his proper name, and who is the present representative of the family?

Is there any family of the name of Relton now existing in the neighbourhood of Langholme, or in Cumberland or Westmoreland?

F. B. RELTON.

Beatrix de Bradney.—In your "NOTES AND QUERIES" for January 25th, 1851, p. 61., you have given Sir Henry Chauncy's Observations on Wilfred Entwysel.

Sir Bertin left a daughter named Lucy, of whom Master Bradene of Northamptonshire is descended. Can F. R. R., or any genealogist, inform me whether this Master Bradene is descended from Simon de Bradney, one of the Knights of the Shire for Somersetshire in the year 1346? In Collins's *Somersetshire*, vol. iii. p. 92., he mentions:

> "In St. Michael's Church, Bawdrip, under a large Gothic arch lies the effigy in armour of Sir Simon de Bradney or Bredenie.
>
> "The Manor of Bradney, in Somersetshire, supposed to have ended in Beatrix de Bradney, an heiress, and passed with her into other families; this Beatrix was living in the forty-sixth year of Edward III."

Can you inform me whom she married? About sixty-five years ago it was purchased by the late Joseph Bradney, Esq., of Ham, near Richmond; and his second son, the Reverend Joseph Bradney, of Greet, near Tenbury, Shropshire, is the present possessor.

JULIA R. BOCKETT.

Southcote Lodge, near Reading.

"*Letters on the British Museum.*"—In the year 1767 was published by Dodsley a work in 12mo. pp. 92., with the above title; and at p. 85. is printed "A Pastoral Dialogue," between *Celia* and *Ebron*, beginning, "As Celia rested in the shade," which the author states he "found among the manuscripts." I wish to know, first, who was the anonymous author of these letters; and, secondly, in what collection of manuscripts this "Dialogue" is to be found.

μ.

Ballad Editing.—The "*Outlandish Knight*" (Vol. iii.,p. 49.).—I was exceedingly glad to see Mr. F. Sheldon's "valuable contribution to our stock of ballad literature" in the hands of Mr. Rimbault, and thought the treatment it received no better than it deserved. *Blackwood*, May, 1847, reviewed Mr. Sheldon's book, and pointed out several instances of his "godfathership;" among others, his ballad of the "Outlandish Knight," which he obtained from "a copy in the possession of a gentleman at Newcastle," was condemned by the reviewer as "a vamped version of the Scotch ballad of 'May Collean.'" It may be as the reviewer states, but the question I would wish answered is one affecting the reviewer himself; for, if I mistake not, the Southron "Outlandish Knight" is the original of "May Collean" itself. I have by me a copy, in black letter, of the "Outlandish Knight," English in every respect, and as such differing considerably from Mr. Sheldon's border edition, and from "May Collean;" and, with some slight alterations, the ballad I have is yet popularly known through the midland counties. If any of your correspondents can oblige me with a reference to the first appearance of "May Collean," sheet or book, I shall esteem it a favour.

EMUN.

Birmingham.

Latin Epigram on the Duchess of Eboli.—In his controversy with Bowles touching the poetry of Pope, Byron states that it was upon the Princess of Eboli, mistress of Philip II. of Spain, and Mangirow, the minion of Henry III. of France, that the famous Latin epigram, so well known to classic readers, was composed, concluding with the couplet:

> "Blande puer lumen quod habes concede parenti,
> Sic tu cæcus Amor, sic erit illa Venus."

Can any contributor to the "NOTES AND QUERIES" suggest what authority his lordship has for his statement? Many years since, a curious paragraph appeared in one of the public journals, extracted apparently from an historical work, specifying the extraordinary political embroglios which the one-eyed duchess occasioned, eliciting from one of the statesmen of her times the complimentary declaration, that if she had had two eyes instead of only one, she would have set the universe on fire. A reference to this work—I fancy one of Roscoe's—would be of material service to an historical inquirer.

C. R. H.

{209} *Engraved Portrait.*—

"All that thou see'st and readest is divine,
Learning thus us'd is water turn'd to wine;
Well may wee then despaire to draw his minde,
View here the case; i'th Booke the Jewell finde."

The above quatrain is placed beneath a portrait characteristically engraved by Cross. Above the head is the following inscription:—

"Ætatis Suæ 50º. Octob. 10. 1649."

Of whom is this a portrait? It is no doubt well known to collectors, and is of course a frontispiece; but having never yet seen it *vis-à-vis* with a title-page, I am at a loss as to the author of whom it is the *vera effigies*. Possibly some of your readers will be kind enough to enlighten me upon the matter, and favour me with the name of the British worthy thus handed down to posterity by Cross's admirable burin.

HENRY CAMPKIN.

Blackstone's Commentaries and Table of Precedence.—The first edition of Blackstone was published at Oxford in 4to., in the year 1765; and the Table of Precedence, in the 12th chapter of the First Book, found in subsequent editions edited by Mr. Christian, does not occur in Blackstone's first edition. Can any of your readers, having access to good legal theories, inform me in which of Blackstone's *own* editions the Table of Precedence was first inserted?

E.

The Two Drs. Abercromby.—In the latter half of the seventeenth century, there were two physicians of the name of Abercromby, who both graduated at the university of Leyden, and were afterwards the authors of various published works. The first work of David Abercromby mentioned in Watt's *Bibliotheca* is dated in 1684, and the first written by Patrick Abercromby in 1707. As it was usual to compose an inaugural dissertation at obtaining the doctorate, and such productions were ordinarily printed (in small quarto), J. K. would feel obliged by the titles and dates of the inaugural dissertations of either or both of the physicians above mentioned.

Witte van Haemstede.—Can any of your readers inform me whether there still exist any descendants of *Witte van Haemstede*, an illegitimate scion of the ancient house of *Holland*? *Willem de Water*, in his *Adelijke Zeeland*, written in the seventeenth century, says that in his youth he knew a *Witte van Haemstede* of this family, one of whose sons became pastor of the Dutch congregation in *London*.—*Navorscher*, Jan. 1851, p. 17.

J. Bruckner—Dutch Church in Norwich.—In the *Gentleman's Magazine* for 1804 is a short memoir of the Rev. J. Bruckner. He was born in the island of Cadsand, completed his studies at Leyden, where he enjoyed the society of Hemsterhuis, Valckenaer, and the elder Schultens. In 1753 he became pastor of the Walloon, and afterwards of the Dutch congregation in Norwich, where he remained till his death in May, 1804. In 1767 he published at Leyden his *Théorie du Système Animal*; in 1790 appeared his *Criticisms on the Diversions of Purley*.

Could your correspondents furnish me with a complete list of Bruckner's works, and direct me to a history of the Dutch church in Norwich, from its origin to the present time?—*Navorscher*, Feb. 1851, p. 28.

Minor Queries Answered.

[Under this heading we propose to give such Minor Queries as we are able to reply to at once, but which are not of a nature to be answered with advantage in our Notices to Correspondents. We hope by this means to economise our space.]

The Hereditary Earl Marshal.—Miss Martineau, in her *History of England*, book iii. ch. 8., speaks (in 1829) of

"three Catholic peers, the *Duke of Norfolk*, Lord Clifford, and Lord Dormer, having obtained entrance *at last* to the legislative assembly, where their fathers sat and ruled when their faith was the law of the land."

In Lord Campbell's *Lives of the Chancellors*, there is an anecdote, vol. vii. p. 695., of the Duke of Norfolk falling asleep and *snoring* in the House of Lords, while Lord Eldon was on the woolsack. Did not the Duke of Norfolk (though Roman Catholic) sit and vote in the House of Lords, either by prescription or special act of parliament, before 1829?

J. H. S.

[The anecdote told by Lord Campbell (but much better by Lord Eldon himself in Twiss's Life of the great Chancellor), does not refer to the *late* Duke of Norfolk, but to his predecessor Charles (the eleventh duke), who was a Protestant. The late duke never sat in parliament till after the Relief Bill passed. In 1824 a Bill was passed to enable him to exercise the office of Earl Marshal without taking certain oaths, but gave him no seat in the House. We may as well add, that Lord Eldon's joke must have been perpetrated—not on the bringing up of the Bill, when the duke was not in the House—but on the occasion of the *Great Snoring Bill being reported* (April 2, 1811), when the duke appears to have

been present.]

The Beggar's Petition.—I shall feel obliged by your informing me who the author is of the lines—

"Pity the sorrows of a poor old man,
Whose trembling limbs have borne him to your door."

S.

[The authorship of this little poem has at times excited a good deal of attention. It has been attributed, on no very sufficient grounds, to Dr. Joshua Webster, M.D.; but from the *Gentleman's Magazine*, vol. lxx., p. 41., it appears that it is the entire production of the {210} Rev. Thomas Moss, minister of Brierly Hill and Trentham, in Staffordshire, who wrote it at about the age of twenty-three. He sold the manuscript of that, and of several others, to Mr. Smart, printer, in Wolverhampton, who, from the dread which Mr. Moss had of criticism, was to publish them on this condition, that only twenty copies should have his name annexed to them, for the purpose of being presented to his relations and friends.]

"*Tiring-irons never to be untied.*"—To what does Lightfoot (vol. vii. p. 214.) refer when, in speaking of the Scriptures, he says—

"They are not unriddleable riddles, and tiring-irons never to be untied"?

J. Eastwood.

Ecclesfield.

[The allusion is to a puzzle for children—often used by grown children—which consists of a series of iron rings, on to or off which a loop of iron wire may be got with some labour by those who know the way, and which is very correctly designated *a tiring-iron*.]

Replies.

THE MEANING OF EISELL.

[This controversy is becoming a little too warm for our pages. But Mr. Causton is entitled to have some portion of the letter he has sent to us inserted. He writes with reference to the communications from Mr. Hickson and Mr. Singer in our 68th number, p. 119., in reply to Mr. C.'s Article, which, although it had been in our hands a considerable time, was not inserted until out 65th Number, p. 66.; a delay which gave to that article the appearance of an attempt to revive a discussion, whereas it really was written only in continuance of one.]

To Mr. Hickson I suggest, that whether the notion of "drinking up a river," or "eating a crocodile," be the more "unmeaning" or "out of place," must after all be a mere matter of opinion, as the latter must remain a question of taste; since it seems to be his settled conviction that it is not "impossible," but only "extravagant." Archdeacon Nares thought it quite the reverse; and I beg to remind your readers that Shakspearian crocodiles are never served *à la Soyer*, but swallowed *au naturel* and entire.

Mr. Hickson is dissatisfied with my terms "mere verbiage" and "extravagant rant." I recommend a careful consideration of the scene over the grave of Ophelia; and then let any one say whether or not the "wag" of tongue between Laertes and Hamlet be not fairly described by the expressions I have used,—a paraphrase indeed, of Hamlet's concluding lines:

"Nay, an thou'lt *mouth*,
I'll *rant* as well as thou."

Doubtless Shakspeare had a purpose in everything he wrote, and his purpose at this time was to work up the scene to the most effective conclusion, and to display the excitement of Hamlet in a series of beautiful images, which, nevertheless, the queen his mother immediately pronounced to be "mere madness," and which one must be as mad as Hamlet himself to adopt as feats literally to be performed.

The offence is rank in the eyes of Mr. Singer that I should have styled Mr. Hickson his friend. The amenities of literature, I now perceive, do not extend to the case, and a new canon is required, to the effect that "when one gentleman is found bolstering up the argument of another, he is not, ever for the nonce, to be taken for his friend." I think the denial to be expressed in rather strong language; but I hasten to make the *amende* suitable to the occasion, by withdrawing the "falsehood and unfounded insinuation."

Mr. Singer has further charged me with "want of truth," in stating that the question remains "substantially where Steevens and Malone had left it." Wherein, I ask, substantially consists the difference?

Mr. Singer has merely substituted his "wormwood wine" for Malone's vinegar; and before he can make it as palatable to common sense, and Shakspeare's "logical correctness and nicety of expression," as it was to Creed and Shepley, he must get over the "stalking-horse," the *drink* up, which stands in his way precisely as it did in that of Malone's more legitimate proposition. Mr.

Singer overleaps the difficulty by a bare assertion that "to *drink* up was commonly used for simply to drink." He has not produced any parallel case of proof, with the exception of one from Mr. Halliwell's *Nursery Rhymes*. I adopt his citation, and shall employ it against him.

Drink up can only be grammatically applied to a determinate total, whether it be the river Yssell or Mr. Hickson's dose of physic. Shakespeare seems to have been well acquainted with, and to have observed, the grammatical rule which Mr. Singer professes not to comprehend. Thus:

> "I will drink,
> *Potions of* eysell."
> Shaksp. *Sonnet* cxi.

and

> "Give me to drink mandragora,"
> *Ant. and Cleop.*, Act I. Sc. 5.

are parallel passages, and imply quantity indeterminate, inasmuch as they admit of more or less.

Now Mr. Singer's obliging quotation from the *Nursery Rhymes*,—

> "Eat up your cake, Jenny,
> *Drink* up your wine"—

certainly implies quite the reverse; for it can be taken to mean neither more nor less than the identical glass of wine that Jenny had standing before her. A parallel passage will be found in Shakspeare's sonnet (cxiv.):

> "*Drink up* the monarch's plague, *this* flattery:"

{211} and in this category, on the rule exponed, since it cannot positively appertain to the other, must, I think, be placed the line of Hamlet,—

> "Woo't *drink up* eisell?"

as a noun implying absolute entirety; which might be a *river*, but could not be grammatically applied to any unexpressed quantity.

Now what is the amount and value of Mr. Singer's proposition? He says:

> "In Thomas's *Italian Dictionary*, 1562, we have 'Assenzio, *Eysell*'[4]; and Florio renders that word [Assenzio, not *Eysell*?] by 'wormwood.' What is meant, however, is *wormwood wine*, a nauseously bitter medicament then much in use."

When pressed by Lord Braybrooke ("Notes and Queries," Vol. ii., p. 286.), who proved, by an extract from *Pepys's Diary*, that wormwood wine, so far from bearing out Mr. Singer's description, was, in fact, a fashionable luxury, probably not more nauseous than the *pale ale* so much in repute at the present day, Mr. Singer very adroitly produced a "corroborative note" from "old Langham" ("Notes and Queries," Vol. ii., p. 315.), which, curiously enough, is castrated of all that Langham wrote pertaining to the question in issue. Treating of the many virtues of the prevailing tonic as an appetiser, and restorer "of a good color" to them that be "leane and evil colored," Langham says:

> ["Make wormwood wine thus: take *aqua vitæ* and malmsey, of each like much, put it in a glasse or bottell with *a few leaves of dried wormwood*, and let it stand certain days,] and strein out a little spoonfull, and drink it with a draught of ale or wine: [it may be long preserved.]"[5]

Thus it will be seen that the reason for "streining out a little spoonfull" as a restorative for a weak stomach was less on account of the infusion being so "atrociously unpalatable," than of the alcohol used in its preparation.

Dr. Venner also recommends as an excellent stomachic,

> "To drink mornings fasting, and sometimes also before dinner, *a draught of wormwood-wine* or beer:"

and we may gather the "atrocious bitterness" of the restorative, by the substitute he proposes: "or, for want of them," he continues:

> "white wine or stale beer, wherein a few branches of wormwood have, for certain hours, been infused."[6]

Dr. Parr, quoting Bergius, describes *Absinthium* as "a grateful stomachic;" and *Absinthites* as "a pleasant form of the wormwood."[7]

Is this therefore the article that Hamlet proposed to *drink* up with his crocodile? So far from

thinking so, I have ventured to coincide with Archdeacon Nares in favour of Steevens; for whether it be Malone's vinegar, or Mr. Singer's more comfortable stomachic, the challenge to drink either "*in such a rant*, is so inconsistent, and even ridiculous, that we must decide for the river, whether its name be exactly found or not."[8]

I am quite unconscious of any purport in my remarks, other than they appear on paper; and I should be sorry indeed to accuse Mr. Singer of being "ignorant" of anything; but I venture to suggest that those young gentlemen of surpassing spirit, who ate crocodiles, *drank* up eisell, and committed other anomalies against nature in honor of their mistresses, belonged decidedly to a period of time anterior to that of Shakspeare, and went quite out with the age of chivalry, of which Shakspeare saw scarcely even the fag end. Your lover of Shakspeare's time was quite another animal. He had begun to take beer. He had become much more subtle and self-satisfied. He did sometimes pen sonnets to his mistress's eye-brow, and sing soft nothings to the gentle sighing of his "Lewte." He sometimes indeed looked "pale and wan;" but, rather than for love, it was more than probably from his immoderate indulgence in the "newe weede," which he *drank*[9], though I never discovered that it was *drank up* by him. He generally wore a doublet and breeches of satin, slashed and lined with coloured taffata; and walked about with a gilliflower in one hand, and his gloves in the other. His veritable portrait is extant, and is engraved in Mr. Knight's *Pictorial Shakspeare*.[10]

It will be time enough to decide which of us has run his head against "a stumbling-block of his own making," when Mr. Singer shall have found a probable solution of his difficulty "by a parallelism in the poet's pages."

H. K. Staple Causton.

Vassall Road, Brixton, Feb. 21. 1851.

Footnote 4:(return)

This deduction is not warranted by the *Vocab. della Crusca*, or any other Ital. Dic. to which I have had the opportunity of reference: and *Somner* and *Lye* are quite distinct on the A.-Sax. words, *Wermod* and *Eisell*.

Footnote 5:(return)

Garden of Health, 4to. London, 1633. The portions within the brackets were omitted by Mr. Singer.

Footnote 6:(return)

Via Recta ad Vitam Longam, by Thomas Venner, M.D. 4to. London, 1660.

Footnote 7:(return)

Med. Dict.

Footnote 8:(return)

A description of the rivers Yssel will be found in *Dict. Géograph. de la Martinière*, v. ix. fo. 1739.

Footnote 9:(return)

As the verb "to drink" was not limited to the act of bibition, but for Mr. Hickson's decision against drinking up the "sea-serpent," it might yet become a question whether Hamlet's *eisell* had not been a misprint for *eosol* (asinus).

Footnote 10:(return)

Merchant of Venice, Introduction.

{212}

Replies to Minor Queries.

William Chilcott (Vol. iii., pp. 38. 73.).—The few notes which follow are very much at the service of your correspondent. William Chilcott, M.A., was rector of St. George's, Exeter, where he died on May 30, 1711, at the age of forty-eight. The coat of arms on the tablet to his memory indicates that he married a Coplestone. His daughter Catherine died in August, 1695. The first edition of the *Practical Treatise concerning Evil Thoughts* was printed at Exeter in 1690, and was dedicated to his parishioners. Robert Chilcott, whom I take to be the brother of William, was rector of St. Mary-Major in Exeter, and died Feb. 7, 1689.

There does not appear to be any evidence that the persons above mentioned, were descended from the Chilcotts of Tiverton, though the identity of the Christian names renders it probable. If the object were to trace their ancestors or their descendants, much might be added to the suggestions of E.A.D. by searching the registers at Tiverton, and by comparing Prince's *Worthies of Devon*, ed. 1810, p. 213., and Polwhele's *Devon*, vol. iii. p. 351., with Harding's *Tiverton*; in various parts of which eight or nine individuals of the name are mentioned; especially vol. i. book ii. p. 114.; vol. ii. book iii. pp. 101, 102. 167. 183., and book iv., p. 20., where the connexion of the

Chilcotts with the families of Blundell, Hooper, Collamore, Crossing, Slee, and Hill, is set forth. Failing these, the object might be attained by reference to the registers at Stogumber, co. Somerset, and of Northam, near Bideford, with the inscribed floorstones in the church there. Something might perhaps be learned of their descendants by reference to the registers at Exeter, and those at Morchard-Bishop, where a John Chilcott resided in 1700; Nympton St. George, where a family of the same name lived about 1740; North Molton, where C. Chilcott was vicar in 1786; and Dean Prior, where Joseph Chilcott was vicar about 1830. A Mr. Thomas Chilcott, who was an organist at Bath, married Ann, daughter of the Rev. Chichester Wrey. This lady died in 1758, and was buried at Tavistock, near Barnstaple. The coat of arms on the tablet to her memory is almost identical with the coat of the Rev. William Chilcott of Exeter first above mentioned.

J. D. S.

Fossil Elk of Ireland (Vol. iii., p. 121.).—In the *Edinburgh Journal of Science*, New Series, vol. ii., 1830, p. 301., is a curious paper by the late Dr. Hibbert Ware, under the title of "Additional Contributions towards the History of the Cervus Euryceros, or Fossil Elk of Ireland." It is illustrated with a copy of an engraving of an animal which Dr. H. W. believes to have been the same as the Irish elk, and which was living in Prussia at the time of the publication of the book from which it is taken, viz. the *Cosmographia Universalis* of Sebastian Munster: Basiliæ, 1550.

Dr. H. W. in this paper refers to a former one in the third volume of the first series of the same journal, in which he advanced proofs that the Cervus was a race which had but very recently become extinct.

W. C. Trevelyan.

Edinburgh, Feb. 19. 1851.

Canes Lesos (Vol. iii. p. 141.).—In a note to Beckwith's edition of Blount's *Jocular Tenures*, 4to. 1815, p. 225., Mr. Allan of Darlington anticipates your correspondent C. W. B., and says, respecting Blount's explanation of "Canes lesos," "I can meet with no such word in this sense: why may it not be dogs that have received some hurt? *læsos* from *lædo*." *Clancturam* should be *clausturam*, and so it is given in the above edition, and explained "a tax for fencing."

S. W. Singer.

"*By Hook or by Crook*" (vol. iii. p. 116.).—However unimaginative the worthy Cit may be for whose explanation of this popular phrase J. D. S. has made himself answerable, the solution sounds so pretty, that to save its obtaining further credence, more than your well-timed note is needed. I with safety can contradict it, for I find that "Tusser," a Norfolk man living in the reign of Henry VIII., in a poem which he wrote as a complete monthly guide and adviser for the farmer through the year, but which was not published till 1590, in the thirty-second year of Queen Elizabeth, has the following advice for March 30:

> "Of mastiues and mongrels, that many we see
> A number of thousands, to many there be:
> Watch therefore in Lent, to thy sheepe go and looke,
> For dogs will have vittels, by hooke and by crooke."

This must be a Norfolk phrase; for in January he advises farmers possessing "Hollands," rich grass lands, to only keep ewes that bear twins, "twinlins."

Blowen.

This appears as a well-known proverbial expression long before the time pointed out by J. D. S. Thus, in *Devout Contemplations*, by Fr. Ch. de Fonseca, Englished by J. M., London, 1629, we read that the Devil

> "Overthroweth monasteries; through sloth and idleness soliciting religious men to be negligent in coming to Church, careless in preaching, and loose in their lives. In the marriage bed he soweth tares, treacheries, and lightness. With worldly men he persuadeth that he is nobody that is not rich, and therefore, *bee it by hooke or by crooke*, by right or wrong, he would have them get to be wealthy."

W. D—n.

Suem.—Allow me to suggest to your correspondents C. W. G. (Vol. iii., p. 7.) and Δ. (Vol. iii., p. 75.), that *suem* is probably a form of the A.-S. word *seam*, a *horse-load*, and generally a *burden*.
{213} For cognates, see Bosworth's *A.-S. Dict.* I may add, that the word is written *swun* in a charter of Edward the Confessor, printed by Hickes in his *Thesaurus*, vol. i. p. 159., as follows:

> "—ic ann þ ðridde treow. ⁊ þ ðridde swun of ævesan ðæs nextan wudes ðe liþ to kyngesbyrig," &c.

Which Hickes thus renders:

> "Dono tertiam quamque arborem, et tertiam quamque sarcinam jumentariam fructuum, qui nascuntur in sylva proxime ad kyngesbyrig sita," &c.

R. M. W.

Sir George Downing (Vol. iii., p. 69.).—The following extract of a letter in Cartes' *Letters*, ii. 319.,

confirms the accuracy of the memorandum as to Sir G. Downing's parentage, sent you by J. P. C. The letter is from T. Howard to Charles II., written April 5, 1660, on the eve of the Restoration. Downing had offered to Howard to serve the King,—

> "alleging to be engaged in a contrary party by his father, who was banished into New England, where he was brought up, and had sucked in principles that since his reason had made him see were erroneous."

CH.

Miching malicho (Vol. iii., p. 3.).—Your correspondent MR. COLLIER is probably not aware that his suggestion respecting the meaning of *Malicho* had been anticipated upwards of twenty years since. In the unpretending edition of Shakspeare by another of your correspondents, MR. SINGER, printed in 1825, I find the following note:—

> "*Miching malicho* is lurking mischief, or evil doing. *To mich*, for to skulk, to lurk, was an old English verb in common use in Shakspeare's time; and *Malicho*, or *Malhecho*, misdeed, he has borrowed from the Spanish. Many stray words of Spanish and Italian were then affectedly used in common conversation, as we have seen French used in more recent times. The Quarto spell the word *Mallicho*. Our ancestors were not particular in orthography, and often spelt according to the ear."

I have since looked at MR. COLLIER'S note to which he refers, and find that he interprets *miching* by *stealing*, which will not suit the context; and abundant examples may be adduced that to *mich* was to *skulk*, to *lurk*, as MR. SINGER has very properly explained it. Thus Minsheu:—

> "To MICHE, or secretly hide himself out of the way, as TRUANTS doe from Schoole, vi. *to hide*, to cover."

and again—

> "A *micher*, vi. *Truant*."

MR. COLLIER'S text, too, is not satisfactory, for he has abandoned the old word *Malicho*, and given *Mallecho*, which is as far from the true form of the Spanish word as the old reading, which he should either have preserved or printed *Malhecho*, as Minsheu gives it.

I am glad to see from your pages that MR. SINGER has not entirely abandoned Shakspearian illustration, for in my difficulties I have rarely consulted his edition in vain; and, in my humble opinion, it is as yet the most practically useful and readable edition we have.

FIAT JUSTITIA.

Cor Linguæ, &c. (Vol. iii., p. 168.).—The lines quoted by J. Bs. occur in the poem "De Palpone et Assentatore," printed in the volume of *Latin Poems*, commonly attributed to Walter Mapes, edited by Mr. T. Wright for the Camden Society, 1841, at p. 112., with a slight variation in expression, as follows:—

> "Cor linguæ fœderat naturæ sanctio,
> Tanquam legitimo quodam connubio;
> Ergo cum dissonant cor et locutio,
> Sermo concipitur ex adulterio."

Mr. Wright's only source quoted for the poem is MS. Cotton, Vespas, E. xii. Of its authority he remarks (Preface, p. xx.), that the writer's name was certainly Walter, but that he appears to have lived at Wimborne, with which place Walter Map is not traced to have had any connexion; and if Mr. Wright's conjecture be correct, that the young king alluded to in it is Henry III., it must of course have been written some years after Walter Map's death.

J. G. N.

Under the Rose (Vol. i., pp. 214. 458.; Vol. ii., pp. 221. 323.).—I am surprised that no one has noticed Sir T. Browne's elucidations of this phrase. (*Vulg. Err.* lib. v. cap. 21. § 7.) Besides the explanation referred to by ARCHÆUS (Vol. i., p. 214.), he says:

> "The expression is commendable, if the rose from any *naturall* propertie may be the symbole of silence, as Nazienzene seems to imply in these translated verses—
>
> > 'Utque latet Rosa verna suo putamine clausa,
> > Sic os vinela ferat, validisque arctetur habenis,
> > Indicatque suis prolixa silentia labris.'"

He explains "the Germane custome, which over the table describeth a rose in the seeling" (Vol. ii., pp. 221. 323.), by making the phrase to refer only to the secrecy to be observed "in society and compotation, from the ancient custome in Symposiacke meetings to wear chapletts of roses about their heads."

ACHE.

"*Impatient to speak and not see*" (Vol. ii., p. 490.).—There is no doubt of the fine interpretation of your correspondent; but it is not illustrated by the Latin. Also, I apprehend, "indocilis pati" is not

put for "indocilis patiendi." It is a common use of *to*—proud to be praised; angry to be so ill-treated.

It illustrates a line in Hotspur, the construction of which Warburton would have altered:

> "I then, all smarting, and my wounds being cold,
> *To be* so pestered," &c., *i.e.* at being.

May I mention a change in *Troilus and Cressida* which I have long entertained, but with doubt:

> "And with an accent tun'd in self-same key,
> Retires to chiding fortune."

{214} Pope reads "returns," Hanmer "replies." My conjecture is "recries."

C. B.

Bishop Frampton (Vol. iii., p. 61.).—See an interesting notice of his preaching in Pepys' *Diary*, Jan. 20, 1666-7; and what is said of him in Lathbury's *Nonjurors*, p. 203. But probably MR. EVANS is already aware of these references to Bishop Frampton, whose life is a desideratum which many will be glad to hear is going to be supplied.

E. H. A.

Old Tract on the Eucharist (Vol. iii., p. 169.).—The author of the tract on the Eucharist, referred to by ABHBA, was the Rev. John Patrick. The title of the tract, as given in the catalogues of Archbishop Wake, No. 22.; of Dr. Gee, No. 73.; and of Peck, No. 286., of the *Discourses against Popery during the Reign of James II.*, is as follows:—

> "A Full View of the Doctrines and Practices of the Ancient Church relating to the Eucharist, wholly different from those of the present *Roman* Church, and inconsistent with the Belief of Transubstantiation; being a sufficient Confutation of *Consensus Veterum*, *Nubes Testium*, and other late Collections of the Fathers pretending the contrary. By *John Patrick, Preacher at the Charter-house*, 1688. 4to."

E. C. HARRINGTON.

Exeter, March 3. 1851.

This tract is in 4to., and contains pp. xv. 202. It is one of the more valuable of the numerous tracts published on the Roman Catholic controversy during the reign of James II. In a collection of more than two hundred of these made at the period of publication, and now in my library, the names of the authors are written upon the titles, and this is attributed to *Mr. Patrick*. In another collection from the library of the late Mr. Walter Wilson, it is stated to be by *Bishop Patrick*. Bishop Gibson reprinted the tract in his *Preservative against Popery*, London, 1738, fol. vol. ii. tit. vii. pp. 176—252.; and in the table of contents says that it was written by "Mr. Patrick, late preacher of the Charter-house." Not Bishop Patrick therefore, but his brother, Dr. John Patrick, who died 1695, aged sixty-three, was the author of this tract.

JOHN J. DREDGE.

Was Hugh Peters ever on the Stage? (Vol. iii., p. 166.).—I possess

> "A Dying Father's last Legacy to an Onely Child, or Hugh Peter's Advice to his Daughter. Written by his own Hand during his late Imprisonment in the Tower of London, and given her a little before his Death. London, 1660:"

which advice he ends, p. 94., with—

> "The Father of our Lord Jesus Christ preserve you to his Heavenly Kingdom, my poor child.
>
> "To ELIZABETH PETERS."

And then, after a poem at p. 97., he commences a short sketch of his life with—

> "I shall give you an account of myself and dealings, that (if possible) you may wipe off some dirt, or be the more content to carry it."

That part of his life which would bear upon this subject reads thus, p. 98.:—

> "When (at Cambridge) I spent some years vainly enough, being but fourteen years old when thither I came, my tutor died, and I was exposed to my shifts. Coming from thence, at London God struck me with the sense of my sinful estate by a sermon I heard under Paul's."

The wonderful success of his lecture at Sepulchre's caused it to be asserted by his enemies, that his enthusiastic style of preaching was but stage buffoonery. (See p. 100.)

> "At this lecture the resort grew so great, that it contracted envie and anger ... There were six or seven thousand hearers ... and I went to Holland:"

thereby leaving his character to be maligned. I do not believe, from the tone of the condemned man's *Legacy*, that he would purposely avoid any mention of the stage, had he appeared on it, and "usually performed the part of a clown;" in fact it appears, that immediately on his coming into London he was awakened by the "sermon under Paul's, which stuck fast:" he almost directly left for Essex, and was converted by "the love and labours of Mr. Thomas Hooker. I there preacht;" so that he was mostly preaching itinerantly in Essex, when it is asserted that he was "a player in Shakespeare's company." That *Legacy* in question, and a book autograph of Hugh Peters, are at the service of Dr. Rimbault.

Blowen.

Miscellaneous.

NOTES ON BOOKS, SALES, CATALOGUES, ETC.

All who take an interest in English philology will join in the wish expressed a few pages back by one of the highest authorities on the subject, Mr. Albert Way—namely, "that the Philological Society has not abandoned their project of compiling a complete Provincial Glossary;" and will greet as a valuable contribution towards that great desideratum, every skilful attempt to record a local dialect. As such, Mr. Sternberg's valuable little book, *The Dialect and Folk Lore of Northamptonshire*, will meet a hearty welcome from our philological friends; and no less hearty a welcome from those who find in "popular superstitions, fairy-lore, and other traces of Teutonic heathenism," materials for profitable speculation on the ancient mythology of these islands. We are bound to speak thus favourably of Mr. Sternberg's researches in this department, since some portion of them were first communicated by him to our Folk-Lore columns.

Books Received.—*Vestiges of the Gael in Gwynedd, by the Rev. William Basil Jones, M.A.* A learned {215} essay on the subject of deep interest to the antiquaries of the Principality, involving, as it does among other questions, that of the claim of the Gael, or the Cymry, to be the aborigines of the country.

The Book of Family Crests, comprising nearly every Family Bearing, properly blazoned and explained, accompanied by upwards of Four Thousand Engravings, with the Surnames of the Bearers, Dictionary of Mottoes, and Glossary of Terms, in 2 Vols., Sixth Edition. The best criticism on this popular work, with its *well blazoned* title-page bearing the words SIXTH EDITION on its *honour point*, is to state, as a proof of its completeness, that it records the Crests of upwards of ninety *Smiths*, and nearly fifty *Smyths* and *Smythes*.

Illustrations of Medieval Costume in England, collected from MSS. in the British Museum, by T. A. Day and J. B. Dines. When before did English antiquaries see four plates of costume, some of them coloured, sold for one shilling? As an attempt at cheapening and so popularising archæological literature, the work deserves encouragement.

Catalogues Received.—William and Norgate's (14. Henrietta Street, Covent Garden) German Book Circular, No. 27.; G. Bumstead's (205. High Holborn) Catalogue Part 49. of Interesting and Rare Books; Cole's (15. Great Turnstile) List No. 33. of very Cheap Books; B. Quaritch's (16. Castle Street, Leicester Square) Catalogue No. 26. of Books in all Languages.

BOOKS AND ODD VOLUMES WANTED TO PURCHASE.

Archæologia. Vol. 3.

Frere's Translations from Aristophanes.

Morrison's Edit. of Burns' Works, 4 Vols., printed at Perth.

Herd's Collection of Ancient and Modern Scottish Songs, Vol. 2. Edin. 1778.

Blind Harry's "Wallace," edited by Dr. Jamieson. 4to. Companion volume to "The Bruce."

Barrow's (Isaac) Works. Vol. 1. 1683; or 8 leaves a—d, "Some Account of the Life," &c.

*** Letters stating particulars and lowest price, *carriage free*, to be sent to Mr. Bell, Publisher of "NOTES AND QUERIES," 186. Fleet Street.

Notices to Correspondents.

R. C. P. "Thal," "Theam," "Thealonia," *in the Charter referred to, are certain rights of toll, of which the peculiarities will be found in any Law Dictionary; and "Infangethe" was the privilege of judging any thief within the fee.*

S. P. Q. R. *We must refer this correspondent also to a Law Dictionary for a full explanation of the terms Sergeant and Sergeantcy. A Deed* Poll *is plain at the top, and is so called to distinguish it*

from a Deed Indented, *which is cut in and out at the top.*

TYRO. *The work quoted as* Gammer Gurton *in the* Arundines Cami, *is the collection of* Nursery Rhymes *first formed by Ritson, and of which an enlarged edition was published by Triphook in 1810, under the title of* Gammer Gurton's Garland, *or* The Nursery Parnassus, &c.

R. C. *The music, &c. of* "The Roast Beef of England," "Britons Strike Home," *and* "The Grenadier's March," *will be found in Mr. Chappell's* Collection of National English Airs. *Webbe's Glee*, "Hail Star of Brunswick," *the words of which are by Young, may doubtless be got at Cramer's. We cannot point out a collection containing the words and music of* "Croppies lie down."

K. R. H. M. *All received.*

A. E. B. *is thanked for his suggested monogram, which shall not be lost sight of: also for his friendly criticism.*

HERMES. *We have received a packet from Holland for our correspondent. Will he inform us how it may be forwarded to him?*

M. or N. *The meaning of these initials in our* Catechism *and* Form of Matrimony *is still involved in great obscurity. See* "NOTES AND QUERIES," Vol. i., pp. 415. 476.; Vol. ii., p. 61.

DE NAVORSCHER. *Mr. Nult is the London Agent for the supply of our Dutch ally, the yearly subscription to which is about Ten Shillings.*

"Conder on Provincial Coins" *has been reported to the Publisher. Will the person who wants this book send his address?*

REPLIES RECEIVED.—*Head of the Saviour—Borrow's Danish Ballads—Mistletoe on Oaks—Lord Howard of Effingham—Passage in Merchant of Venice—Waste-book—Dryden's Absolom—MS. of Bede—Altar Lights—Auriga—Ralph Thoresby's Library—St. John's Bridge Fair—Closing Rooms—North Side of Churchyards—Barons of Hugh Lupus—Tandem D. O. M.—Fronte Capillatâ—Haybands in Seals—Hanger—Countess of Desmond—Aristophanes on Modern Stage—Engimatical Epitaph—Notes on Newspapers—Duncan Campbell—MS. Sermons by J. Taylor—Dr. Dodd—D. O. M. S.—Hooper's Godly Confession—Finkle Street—"She was—but words are wanting"—Umbrella—Conquest—Old Tract on the Eucharist—Prince of Wales's Motto—By Hook or by Crook—Lights on the Altar—Derivation of Fib, &c.—Extradition, Ignore, &c.—Obeahism—Thesaurus Hospitii—Christmas Day—Camden and Curwen Families—Death by Burning—Organ Blower—Thomas May—Friday Weather.*

VOLS. I. and II., *each with very copious Index, may still be had, price 9s. 6d. each.*

NOTES AND QUERIES *may be procured, by order, of all Booksellers and Newsvenders. It is published at noon on Friday, so that our country Subscribers ought not to experience any difficulty in procuring it regularly. Many of the country Booksellers, &c., are, probably, not yet aware of this arrangement, which will enable them to receive* NOTES AND QUERIES *in their Saturday parcels.*

All communications for the Editor of NOTES AND QUERIES *should be addressed to the care of* MR. BELL, No. 186. Fleet Street.

THE LONDON HOMŒOPATHIC HOSPITAL, 32. Golden-square: founded by the British Homœopathic Association, and supported by voluntary contributions.

Patroness—H. R. H. the Duchess of CAMBRIDGE.
Vice-Patron—His Grace the Duke of BEAUFORT, K.G.
Treasurer—John Dean Paul, Esq. (Messrs. Strahan and Co., Strand).

The ANNUAL FESTIVAL in aid of the funds of the Charity, and in commemoration of the opening of this the first Homœopathic Hospital established in London, will be held at the Albion Tavern, Aldersgate-street, on Thursday, the 10th of April next, the anniversary of the birth of Samuel Hahnemann:

The Most Noble the Marquis of WORCESTER, M.P., V.P., in the chair.

STEWARDS.
F. M. the Marquis of Anglesey
Rt. Hon. the Earl of Chesterfield
Rt. Hon. the Earl of Essex
Rt. Hon. Viscount Sydney
Rt. Hon. Lord Gray
The Viscount Maldon
The Lord Francis Gordon
The Lord Clarence Paget, M.P.
The Lord Alfred Paget, M.P.
Culling Charles Smith, Esq.
Marmaduke B. Sampson, Esq.

F. Foster Quin, Esq., M.D.
Nathaniel Barton, Esq.

J. Askew. Esq.
H. Banister, Esq.
H. Batemann, Esq.
Capt. Branford, R.N.
F. Blake, Esq.
H. Cameron, Esq.
Capt. Chapman, R.A. F.R.S.
H. Cholmondeley, Esq.
J. B. Crampern, Esq.
Col. Disbrowe
W. Dutton, Esq.
Ed. Esdaile, Esq.
W. M. Fache, Esq.
Fr. Fuller, Esq.
H. Goez, Esq.
J. Gosnell, Esq.
G. Hallett, Esq.
E. Hamilton, Esq., M.D.
J. Huggins, Esq.
P. Hughes, Esq.
J. P. Knight, Esq., R.A.
J. Kidd, Esq.
T. R. Leadam, Esq.
T. R. Mackern, Esq.
V. Massol, Esq., M.D.
J. Mayne, Esq., M.D.
J. B. Metcalfe, Esq.
C. T. P. Metcalfe, Esq.
S. T. Partridge, Esq., M.D.
T. Piper, Esq.
W. Piper, Esq.
R. Pope, Esq.
H. Reynolds, Esq.
A. Robinson, Esq.
H. Rosher, Esq.
C. J. Sanders, Esq.
W. Scorer, Esq.
Rittson Southall, Esq.
T. Spicer, Esq.
J. Smith, Esq.
C. Snewin, Esq.
C. Trueman, Esq.
T. Uwins, Esq., R.A.
W. Watkins, Esq.
J. Wisewould, Esq.
D. W. Witton, Esq.
S. Yeldham, Esq.
J. G. Young, Esq.

The responsibility of Stewards is limited to the dinner ticket, 21*s.*, and gentlemen who will kindly undertake the office are respectfully requested to forward their names to any of the Stewards; or to the Hon. Secretary at the Hospital.

32. Golden-square. RALPH BUCHAN, Hon. Sec.

{216}

---

brilliant social and intellectual qualities, and his reputation as a wit, a scholar, and a virtuoso, cannot fail, it is hoped, to render his memoirs equally amusing and instructive.

HENRY COLBURN, Publisher, 13. Great Marlborough Street.

Very Choice Books, the remaining Library of the late Charles Hebbert, Esq.; valuable framed Engravings.

PUTTICK AND SIMPSON, Auctioneers of Literary Property, will SELL by AUCTION, at their Great Room, 191. Piccadilly, on THURSDAY, March 20, and Two following Days, the Choice remaining Library of the late CHARLES HEBBERT, Esq., consisting of standard English Authors and Fine Books of Prints, many on large paper, the whole in rich bindings; and (in the Second and Third Days' Sale) numerous Curious Books, English and Foreign, Variorum Classics, Aldines, &c. Catalogues will be sent on application.

Now ready, Second Edition, price 1*s.*, cloth,

THE GREEK CHURCH. A Sketch by the Author of "Proposals for Christian Union."

"Completes what may be justly termed, even in these days, a very cheap, interesting, and unique series of popular and most readable sketches of the main visible features of the Christian world"—*English Churchman.*

The Four preceding Numbers on Sale. Second Edition. 1*s.* each.

London: JAMES DARLING, Great Queen Street, Lincoln's-inn-Fields.

Published this day, in one handsome volume 8vo., with Illustrations, price 9*s.* in cloth.

THE CHRONICLE OF BATTEL ABBEY, in SUSSEX, originally compiled in Latin by a Monk of the Establishment, and now first translated, with Notes and an Abstract of the subsequent History of the Abbey. By MARK ANTONY LOWER, M.A.

MR. LOWER'S OTHER PUBLICATIONS.

ESSAYS ON ENGLISH SURNAMES. The Third Edition, in 2 vols. post 8vo., cloth 12*s.*

CURIOSITIES OF HERALDRY, with numerous Engravings, 8vo., cloth 14*s.*

J. RUSSELL SMITH, 4. Old Compton Street, Soho, London.

Just published, 8vo. price 4*s.* 6*d.*

VESTIGES OF THE GAEL IN GWYNEDD. By the Rev. W. BASIL JONES, M.A., Fellow of Queen's College, Oxford.

WILLIAM PICKERING, 177. Piccadilly, London.
R. MASON, Tenby.

ATHENÆUM, WATERLOO PLACE, LONDON.—The Members of the Athenæum are informed that a SUPPLEMENT to the CATALOGUE of the LIBRARY, with a CLASSIFIED INDEX of SUBJECTS, containing all additions made to the close of the year 1850, may be obtained upon their personal application or written order addressed to the Librarian, Mr. Spencer Hall. The price of the Catalogue and Supplement is Ten Shillings, 2 Volumes, royal 8vo. Members who purchased the first part of the Catalogue printed in 1845 are entitled to the Supplement.

LENT.

Just published, New Edition, fcap 8vo., cloth, large type, price 3*s.* 6*d.*

SHORT MEDITATIONS for EVERY DAY in the YEAR. Edited by WALTER FARQUHAR HOOK, D.D., Vicar of Leeds.

Vol. II—LENT to EASTER.

Also a Cheap Edition, in small type, price 9*d.* cloth.

Leeds: RICHARD SLOCOMBE. London: GEORGE BELL, 186. Fleet Street.

THE DEVOTIONAL LIBRARY. Edited by WALTER FARQUHAR HOOK, D.D., Vicar of Leeds.

Just published,

Printed by THOMAS CLARK SHAW, of No. 8 New Street Square, at No. 5. New Street Square, in the Parish of St. Bride, in the City of London; and published by GEORGE BELL, of No. 186. Fleet Street, in the Parish of St. Dunstan in the West, in the City of London, Publisher, at No. 186. Fleet Street aforesaid.—Saturday, March 15. 1851.

Section 1. General Terms of Use and Redistributing Project Gutenberg™ electronic works

1.A. By reading or using any part of this Project Gutenberg™ electronic work, you indicate that you have read, understand, agree to and accept all the terms of this license and intellectual property (trademark/copyright) agreement. If you do not agree to abide by all the terms of this agreement, you must cease using and return or destroy all copies of Project Gutenberg™ electronic works in your possession. If you paid a fee for obtaining a copy of or access to a Project Gutenberg™ electronic work and you do not agree to be bound by the terms of this agreement, you may obtain a refund from the person or entity to whom you paid the fee as set forth in paragraph 1.E.8.

1.B. “Project Gutenberg” is a registered trademark. It may only be used on or associated in any way with an electronic work by people who agree to be bound by the terms of this agreement. There are a few things that you can do with most Project Gutenberg™ electronic works even without complying with the full terms of this agreement. See paragraph 1.C below. There are a lot of things you can do with Project Gutenberg™ electronic works if you follow the terms of this agreement and help preserve free future access to Project Gutenberg™ electronic works. See paragraph 1.E below.

1.C. The Project Gutenberg Literary Archive Foundation (“the Foundation” or PGLAF), owns a compilation copyright in the collection of Project Gutenberg™ electronic works. Nearly all the individual works in the collection are in the public domain in the United States. If an individual work is unprotected by copyright law in the United States and you are located in the United States, we do not claim a right to prevent you from copying, distributing, performing, displaying or creating derivative works based on the work as long as all references to Project Gutenberg are removed. Of course, we hope that you will support the Project Gutenberg™ mission of promoting free access to electronic works by freely sharing Project Gutenberg™ works in compliance with the terms of this agreement for keeping the Project Gutenberg™ name associated with the work. You can easily comply with the terms of this agreement by keeping this work in the same format with its attached full Project Gutenberg™ License when you share it without charge with others.

1.D. The copyright laws of the place where you are located also govern what you can do with this work. Copyright laws in most countries are in a constant state of change. If you are outside the United States, check the laws of your country in addition to the terms of this agreement before downloading, copying, displaying, performing, distributing or creating derivative works based on this work or any other Project Gutenberg™ work. The Foundation makes no representations concerning the copyright status of any work in any country other than the United States.

1.E. Unless you have removed all references to Project Gutenberg:

1.E.1. The following sentence, with active links to, or other immediate access to, the full Project Gutenberg™ License must appear prominently whenever any copy of a Project Gutenberg™ work (any work on which the phrase “Project Gutenberg” appears, or with which the phrase “Project Gutenberg” is associated) is accessed, displayed, performed, viewed, copied or distributed:

> This eBook is for the use of anyone anywhere in the United States and most other parts of the world at no cost and with almost no restrictions whatsoever. You may copy it, give it away or re-use it under the terms of the Project Gutenberg License included with this eBook or online at www.gutenberg.org. If you are not located in the United States, you will have to check the laws of the country where you are located before using this eBook.

1.E.2. If an individual Project Gutenberg™ electronic work is derived from texts not protected by U.S. copyright law (does not contain a notice indicating that it is posted with permission of the copyright holder), the work can be copied and distributed to anyone in the United States without paying any fees or charges. If you are redistributing or providing access to a work with the phrase “Project Gutenberg” associated with or appearing on the work, you must comply either with the requirements of paragraphs 1.E.1 through 1.E.7 or obtain permission for the use of the work and the Project Gutenberg™ trademark as set forth in paragraphs 1.E.8 or 1.E.9.

1.E.3. If an individual Project Gutenberg™ electronic work is posted with the permission of the copyright holder, your use and distribution must comply with both paragraphs 1.E.1 through 1.E.7 and any additional terms imposed by the copyright holder. Additional terms will be linked to the Project Gutenberg™ License for all works posted with the permission of the copyright holder found at the beginning of this work.

1.E.4. Do not unlink or detach or remove the full Project Gutenberg™ License terms from this work, or any files containing a part of this work or any other work associated with Project Gutenberg™.

1.E.5. Do not copy, display, perform, distribute or redistribute this electronic work, or any

part of this electronic work, without prominently displaying the sentence set forth in paragraph 1.E.1 with active links or immediate access to the full terms of the Project Gutenberg™ License.

1.E.6. You may convert to and distribute this work in any binary, compressed, marked up, nonproprietary or proprietary form, including any word processing or hypertext form. However, if you provide access to or distribute copies of a Project Gutenberg™ work in a format other than “Plain Vanilla ASCII” or other format used in the official version posted on the official Project Gutenberg™ website (www.gutenberg.org), you must, at no additional cost, fee or expense to the user, provide a copy, a means of exporting a copy, or a means of obtaining a copy upon request, of the work in its original “Plain Vanilla ASCII” or other form. Any alternate format must include the full Project Gutenberg™ License as specified in paragraph 1.E.1.

1.E.7. Do not charge a fee for access to, viewing, displaying, performing, copying or distributing any Project Gutenberg™ works unless you comply with paragraph 1.E.8 or 1.E.9.

1.E.8. You may charge a reasonable fee for copies of or providing access to or distributing Project Gutenberg™ electronic works provided that:

- You pay a royalty fee of 20% of the gross profits you derive from the use of Project Gutenberg™ works calculated using the method you already use to calculate your applicable taxes. The fee is owed to the owner of the Project Gutenberg™ trademark, but he has agreed to donate royalties under this paragraph to the Project Gutenberg Literary Archive Foundation. Royalty payments must be paid within 60 days following each date on which you prepare (or are legally required to prepare) your periodic tax returns. Royalty payments should be clearly marked as such and sent to the Project Gutenberg Literary Archive Foundation at the address specified in Section 4, “Information about donations to the Project Gutenberg Literary Archive Foundation.”

- You provide a full refund of any money paid by a user who notifies you in writing (or by e-mail) within 30 days of receipt that s/he does not agree to the terms of the full Project Gutenberg™ License. You must require such a user to return or destroy all copies of the works possessed in a physical medium and discontinue all use of and all access to other copies of Project Gutenberg™ works.

- You provide, in accordance with paragraph 1.F.3, a full refund of any money paid for a work or a replacement copy, if a defect in the electronic work is discovered and reported to you within 90 days of receipt of the work.

- You comply with all other terms of this agreement for free distribution of Project Gutenberg™ works.

1.E.9. If you wish to charge a fee or distribute a Project Gutenberg™ electronic work or group of works on different terms than are set forth in this agreement, you must obtain permission in writing from the Project Gutenberg Literary Archive Foundation, the manager of the Project Gutenberg™ trademark. Contact the Foundation as set forth in Section 3 below.

1.F.

1.F.1. Project Gutenberg volunteers and employees expend considerable effort to identify, do copyright research on, transcribe and proofread works not protected by U.S. copyright law in creating the Project Gutenberg™ collection. Despite these efforts, Project Gutenberg™ electronic works, and the medium on which they may be stored, may contain “Defects,” such as, but not limited to, incomplete, inaccurate or corrupt data, transcription errors, a copyright or other intellectual property infringement, a defective or damaged disk or other medium, a computer virus, or computer codes that damage or cannot be read by your equipment.

1.F.2. LIMITED WARRANTY, DISCLAIMER OF DAMAGES - Except for the “Right of Replacement or Refund” described in paragraph 1.F.3, the Project Gutenberg Literary Archive Foundation, the owner of the Project Gutenberg™ trademark, and any other party distributing a Project Gutenberg™ electronic work under this agreement, disclaim all liability to you for damages, costs and expenses, including legal fees. YOU AGREE THAT YOU HAVE NO REMEDIES FOR NEGLIGENCE, STRICT LIABILITY, BREACH OF WARRANTY OR BREACH OF CONTRACT EXCEPT THOSE PROVIDED IN PARAGRAPH 1.F.3. YOU AGREE THAT THE FOUNDATION, THE TRADEMARK OWNER, AND ANY DISTRIBUTOR UNDER THIS AGREEMENT WILL NOT BE LIABLE TO YOU FOR ACTUAL, DIRECT, INDIRECT, CONSEQUENTIAL, PUNITIVE OR INCIDENTAL DAMAGES EVEN IF YOU GIVE NOTICE OF THE POSSIBILITY OF SUCH DAMAGE.

1.F.3. LIMITED RIGHT OF REPLACEMENT OR REFUND - If you discover a defect in this electronic work within 90 days of receiving it, you can receive a refund of the money (if any) you paid for it by sending a written explanation to the person you received the work from. If you received the work on a physical medium, you must return the medium with your written

explanation. The person or entity that provided you with the defective work may elect to provide a replacement copy in lieu of a refund. If you received the work electronically, the person or entity providing it to you may choose to give you a second opportunity to receive the work electronically in lieu of a refund. If the second copy is also defective, you may demand a refund in writing without further opportunities to fix the problem.

1.F.4. Except for the limited right of replacement or refund set forth in paragraph 1.F.3, this work is provided to you 'AS-IS', WITH NO OTHER WARRANTIES OF ANY KIND, EXPRESS OR IMPLIED, INCLUDING BUT NOT LIMITED TO WARRANTIES OF MERCHANTABILITY OR FITNESS FOR ANY PURPOSE.

1.F.5. Some states do not allow disclaimers of certain implied warranties or the exclusion or limitation of certain types of damages. If any disclaimer or limitation set forth in this agreement violates the law of the state applicable to this agreement, the agreement shall be interpreted to make the maximum disclaimer or limitation permitted by the applicable state law. The invalidity or unenforceability of any provision of this agreement shall not void the remaining provisions.

1.F.6. INDEMNITY - You agree to indemnify and hold the Foundation, the trademark owner, any agent or employee of the Foundation, anyone providing copies of Project Gutenberg™ electronic works in accordance with this agreement, and any volunteers associated with the production, promotion and distribution of Project Gutenberg™ electronic works, harmless from all liability, costs and expenses, including legal fees, that arise directly or indirectly from any of the following which you do or cause to occur: (a) distribution of this or any Project Gutenberg™ work, (b) alteration, modification, or additions or deletions to any Project Gutenberg™ work, and (c) any Defect you cause.

Section 2. Information about the Mission of Project Gutenberg™

Project Gutenberg™ is synonymous with the free distribution of electronic works in formats readable by the widest variety of computers including obsolete, old, middle-aged and new computers. It exists because of the efforts of hundreds of volunteers and donations from people in all walks of life.

Volunteers and financial support to provide volunteers with the assistance they need are critical to reaching Project Gutenberg™'s goals and ensuring that the Project Gutenberg™ collection will remain freely available for generations to come. In 2001, the Project Gutenberg Literary Archive Foundation was created to provide a secure and permanent future for Project Gutenberg™ and future generations. To learn more about the Project Gutenberg Literary Archive Foundation and how your efforts and donations can help, see Sections 3 and 4 and the Foundation information page at www.gutenberg.org.

Section 3. Information about the Project Gutenberg Literary Archive Foundation

The Project Gutenberg Literary Archive Foundation is a non-profit 501(c)(3) educational corporation organized under the laws of the state of Mississippi and granted tax exempt status by the Internal Revenue Service. The Foundation's EIN or federal tax identification number is 64-6221541. Contributions to the Project Gutenberg Literary Archive Foundation are tax deductible to the full extent permitted by U.S. federal laws and your state's laws.

The Foundation's business office is located at 809 North 1500 West, Salt Lake City, UT 84116, (801) 596-1887. Email contact links and up to date contact information can be found at the Foundation's website and official page at www.gutenberg.org/contact

Section 4. Information about Donations to the Project Gutenberg Literary Archive Foundation

Project Gutenberg™ depends upon and cannot survive without widespread public support and donations to carry out its mission of increasing the number of public domain and licensed works that can be freely distributed in machine-readable form accessible by the widest array of equipment including outdated equipment. Many small donations ($1 to $5,000) are particularly important to maintaining tax exempt status with the IRS.

The Foundation is committed to complying with the laws regulating charities and charitable donations in all 50 states of the United States. Compliance requirements are not uniform and it takes a considerable effort, much paperwork and many fees to meet and keep up with these requirements. We do not solicit donations in locations where we have not received written confirmation of compliance. To SEND DONATIONS or determine the status of compliance for any particular state visit www.gutenberg.org/donate.

While we cannot and do not solicit contributions from states where we have not met the solicitation requirements, we know of no prohibition against accepting unsolicited donations from donors in such states who approach us with offers to donate.

International donations are gratefully accepted, but we cannot make any statements concerning tax treatment of donations received from outside the United States. U.S. laws alone swamp our small staff.

Please check the Project Gutenberg web pages for current donation methods and addresses. Donations are accepted in a number of other ways including checks, online payments and credit card donations. To donate, please visit: www.gutenberg.org/donate

Section 5. General Information About Project Gutenberg™ electronic works

Professor Michael S. Hart was the originator of the Project Gutenberg™ concept of a library of electronic works that could be freely shared with anyone. For forty years, he produced and distributed Project Gutenberg™ eBooks with only a loose network of volunteer support.

Project Gutenberg™ eBooks are often created from several printed editions, all of which are confirmed as not protected by copyright in the U.S. unless a copyright notice is included. Thus, we do not necessarily keep eBooks in compliance with any particular paper edition.

Most people start at our website which has the main PG search facility: www.gutenberg.org.

This website includes information about Project Gutenberg™, including how to make donations to the Project Gutenberg Literary Archive Foundation, how to help produce our new eBooks, and how to subscribe to our email newsletter to hear about new eBooks.