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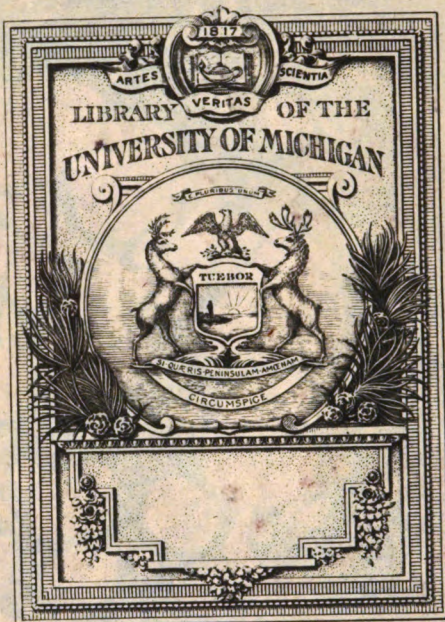
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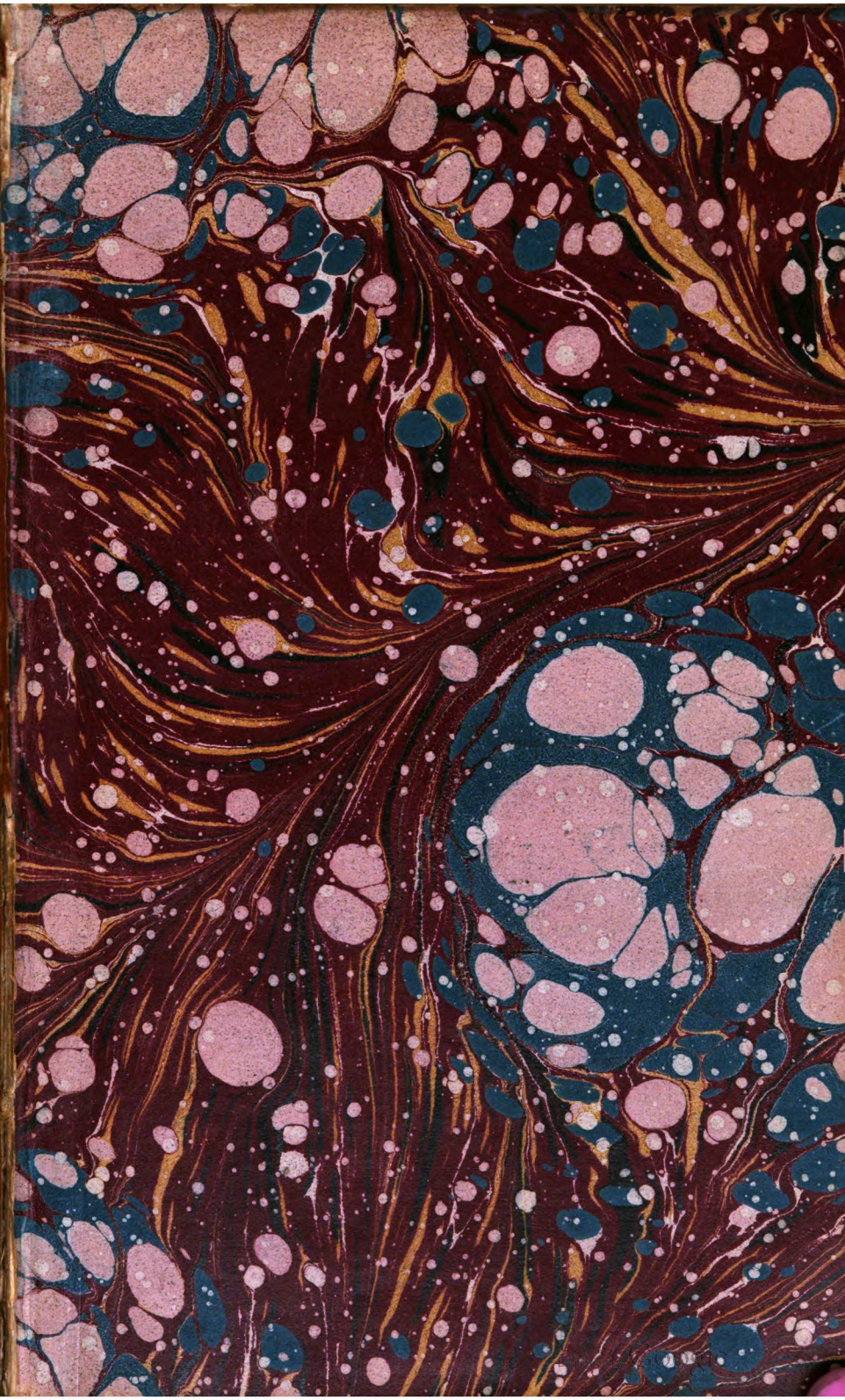
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Ignoramus

George Ruggle, John Sidney Hawkins





#200

822.8
R93
1787



Fingit, scelus, fingit, & tu fingis; at ego personam ut
deponat faciam.

ACT.V. SC.6.

Ruggle, George

IGNORAMUS,

COMŒDIA;

SCRIPTORE

GEORGIO RUGGLE, A.M.

AULÆ CLARENSIS, APUD CANTABRIGIENSES,
OLIM SOCIO;

NUNC DENUO
IN LUCEM EDITA

CUM

NOTIS HISTORICIS ET CRITICIS:

QUIBUS INSUPER

PRÆPONITUR VITA AUCTORIS,

ET

SUBJICITUR GLOSSARIUM

VOCABULA FORENSIA

DILUCIDE EXPONENS:

ACCURANTE

JOHANNE SIDNEIO HAWKINS, ARM.

L O N D I N I:

PROSTAT VENALIS APUD T. PAYNE
ET FILIUM, BIBLIOPOLAS:
NEC NON GUL. GINGER JUXTA SCHOLAM
REGIAM WESTMONASTERIENSEM.

M.DCC.LXXXVII.

VIRO REVERENDO,
SAMUELI BERDMORE, S.T.P.

ET
SCHOLÆ CARTHUSIANÆ
ARCHIDIDASCALO,

H O C,
QUALECUNQUE SIT,
GRATI ANIMI
MONUMENTUM,
PRO
PRIMA IN LITERIS HUMANIORIBUS
INSTITUTIONE,
SUB
TAM PERITO ET EXIMIO PRÆCEPTORE,
D. D. D.

JOHANNES SIDNEIUS HAWKINS.

Librarian - Stacks
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ADVERTISEMENT.

THE following Comedy, written by an eminent scholar and celebrated wit of the last century, having never been committed to the press by its Author, has suffered so greatly in the publication by others, that few have ever been able either to discern the force of his ridicule, or in many instances to comprehend even his meaning.

The obscurity which has hitherto clouded the text, and the failure of nine successive Editors in their attempts to remove it, is in some degree to be attributed to the inaccuracy of the first transcript, taken, as there is good reason to suppose, from the mouths of the actors; but, in a greater, to the want of skill in forensic phraseology, the barbarisms of law Latin, and the colloquial jargon of common lawyers. The want of this kind of erudition, it is true, is not in general to be regretted; but to render intelligible the work here presented to view, it is so necessary, that, without a due portion thereof, it could neither be published with accuracy, nor read with pleasure.

These considerations, and the delight I have found in the perusal of it, have been my inducements to the re-publication of this excellent drama; in which endeavours have been made, first, to establish a text free from corruption; secondly, to explain law-terms and phrases; and lastly, to point out allusions to persons and facts perhaps never generally known, or at least now forgotten.

To effect the first of these purposes, not only all the various editions of Ignoramus extant in print, but also all the manuscript copies thereof at this time known to be existing, have been sought out and carefully collated. For the explication of

law-terms, recourse has been had to those writers, more especially lexicographers, whom the Author himself appears to have consulted; and an attentive perusal of a great number of historical tracts and letters, as well manuscript as in print, (the result of an inquisitive and laborious research,) has furnished the means of information relating to a variety of persons, historical occurrences, and the manners of the Court peculiar to the time when the Comedy was first exhibited; the sum of this intelligence, authenticated by references to those documents from whence it is extracted, is contained in the notes, and is so distributed as to form a perpetual commentary.

Besides the species of notes above-mentioned, it has been thought necessary to subjoin to the text such as are usually termed *Stage-directions*; in which respect the former editions are miserably defective, but without which the Comedy is not easily to be understood: these are placed in a station by themselves towards the bottom of the page, between the text and the other notes; some of them are taken from the former impressions, but the greater part are now for the first time inserted, and are sufficiently justified by the text.

For the farther explication of law-terms, it has been thought proper to add a glossary of such only as occur in the Comedy; and, farther to gratify a curiosity which it is probable the reader will feel in the perusal of his work, prefixed to the whole is a *Life of the Author*.

The last of the above articles, whatever its defects may be, has a well-grounded claim to the merit of an original composition; for surely that may be so called, which is the first essay towards a life of a person whose history or character no biographer has ever yet undertaken to record or delineate, and is compiled from materials hitherto unsought for, and consequently hitherto undiscovered; in a word, from university archives, from college and parochial registers, from private letters, and the oral information of a descendant of him whom it celebrates. In the narration of events, occasion has been taken to relate from authorities there cited, several particulars respecting many of the Author's friends, and other persons incidentally mentioned: these it was judged proper to insert, as they were most, if not all of them, though now little known,

known, men of singular learning and worth in their times, and of some of them no account is any where else to be found.

A liberty has also been taken of departing from the usual custom, by inserting the above-mentioned life, the glossary of law-terms, and the notes throughout the work, in English, the original text being in Latin. This deviation from the customary practice, by giving the text in one language, and the notes and prefatory and suppletory papers in another, is not unprecedented among the learned, as well of other countries as our own. Henry Stephens published an edition of Xenophon, (a second impression whereof was printed by him in 1581,) with a Greek text and Latin annotations, and a Latin preface and dedication. The Abbé Banier, in his edition of Ovid's *Metamorphoses*, has given the text in Latin, and his notes in French; and, from his, one was afterwards published in octavo at London, in 1747, with the Latin text also, but with his notes translated into English. Hearne's edition of Roper's Life of Sir Thomas More is a still more remarkable example; for there the text is in English, but the preface and title-page to the book are in Latin. To produce, however, instances more exactly suited to the present case, Dr. Rofs, the now Bishop of Exeter, gave to the world some few years since an edition of Cicero's Epistles; and Dr. Hurd, the now Bishop of Worcester, one of Horace's Epistles to the Pisones and Augustus, both with a Latin text and English notes; and lastly, Mr. Warton's notes on the Latin poems of Milton, inserted in his edition of Milton's poems, are also in English, the text still being in Latin. This latter gentleman has in his preface sufficiently vindicated the variation in question, by declaring, that he knows not 'any satisfactory reason why books in 'a learned or unfamiliar language, should be always explained 'in a language equally difficult.' But in the present work the contrary method could not have been pursued; for authors who wrote in English, and in English only, were to be the principal sources of intelligence, and it has frequently been found necessary to give passages from them verbatim, and at length. To have given them in English, and the rest in Latin, would have been to introduce an heterogeneous mixture of the two languages; and to have translated them into Latin, would

would have been wholly to destroy their authority; besides the almost certainty that an explication of law-terms, so obscure in themselves, could never have been rendered in Latin sufficiently intelligible to the reader.

While the reader is however contemplating the humour and pleasantry of this singular satire on ignorance, fraud, and knavery, it is hoped he will restrain his mirth to its intended objects, which, to speak of them precisely, were the pedantry of the common lawyers of the Author's time, and the craft and selfish cunning of the lower order of them, particularly of one whose malevolence and intriguing spirit had provoked the resentment of a whole university. It was never Mr. Ruggle's design to ridicule a profession so necessary to the peace and happiness of the community as that of the common law; nor have we any ground for suspicion that he was wanting in a due respect to its sages, many of whom, as well in their private as judicial capacity, have been illustrious exemplars of wisdom, of learning, integrity, and piety.

To those many gentlemen whose liberal communications of papers and other materials in their possession, have much enlarged the sources of information on this occasion, the Editor's most grateful thanks are due, which, as no permission has been obtained to disclose their names, they are here requested thus to accept. But it would be an injury to the present publication to conceal, that the Editor is indebted to the Reverend Dr. Farmer, Master of Emanuel College, Cambridge, for the knowledge of many facts which no one but himself could have furnished; to Thomas Ruggles, of Clare, in the county of Suffolk, Esquire, the now representative of the family, for many particulars concerning his ancestor; and to Francis Douce, of Gray's Inn, Esquire, for many judicious hints and useful communications.

J. S. H.

Great Sanctuary, Westminster,
24th March, 1787.

T H E

T H E
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O F
T H E A U T H O R.

HAVING undertaken a republication of this once celebrated comedy, I shall no otherwise apologize for prefixing to it the life of the author, than by saying, that none of those writers who have professed to give the lives of the *English* dramatic or other poets, have done aught worthy of thanks towards saving me the labour, so that it was not without a deep investigation, that the place of his birth, and even his baptismal name, could, with any degree of satisfaction, be ascertained; and so far as respects the particulars of his life, a late author informs us, that all he can discover of Mr. *Ruggle*, or *Ruggles*, as he terms him, is, that he was a master of arts of *Clare* hall, *Cambridge*, and author of the celebrated and humorous comedy of *Ignoramus*^a.

^a The editor of the *Biographia Dramatica*. See that work, art. *Ruggles*. It does not appear that the compiler of the *Anecdotes of British Topography*, Mr. *Gough*, was at all apprized of this comedy; for in Vol. I. of that work, p. 224, he mentions and gives the title of *Melanthé*, a *Latin* pastoral performed before king *James* at *Cambridge*, but does not in the least notice either the comedy of *Ignoramus*, or that of *Albumazar*, both which were also acted on the same occasion.

I mean not here to aggravate the charge of inattention against those who have suffered to sink almost into oblivion the memory of a person who might rank with the best scholars and dramatic poets of his time; but, from authentic evidences, shall proceed to relate such facts concerning him as may serve to gratify that curiosity which the perusal of his comedy may be naturally supposed to excite.

The place of his nativity was *Lavenham*, or, as it is usually called, *Lanham*, in the county of *Suffolk*; his christian name *George*, and not *Ralph*, as some have related^a; and he was,

^a For this blunder it is very difficult to account: the first and second editions of *Ignoramus* are published without any author's name at all; and the subsequent ones have only in the title page, 'Autore Mro. Ruggles, Aulæ Clarenfis, A. M.' and do not mention his christian name. *Robert Codrington*, the author of a translation of this comedy, printed in 1662, is the first who asserts, and without any apparent authority, that it was originally written in *Latin* by *R. Ruggles*; and from him *Langbaine*, in his *Account of the English Dramatic Poets*, p. 420, 518, likewise styles the author of *Ignoramus* *R. Ruggles*: and hence, as it should seem, the compiler of *The Companion to the Play-House*, in art. *Ruggle*, and *Mr. Granger*, in his *Biographical History of England*, edit. 8vo. Vol. II. p. 17, have inferred, but why we know not, that his name was *Ralph*. *Dr. Birch*, in a manuscript note on a written copy of a letter of *Mr. Chamberlain's*, hereafter inserted, says, but without citing any authority, that *Ignoramus* was written by *Thomas Ruggles*, M. A. of *Clare hall*: the fact however is, that no such person as *Ralph Ruggle*, of *Clare hall*, or *Thomas Ruggles*, of *Clare hall*, ever appears to have existed, but *George Ruggle* was a fellow of that endowment and a master of arts in degree, in both which particulars he corresponds with the author of *Ignoramus*, as described in the title-page to all the editions subsequent to the second; and in a poem, existing in the *Museum* among the *Harleian* collection, No. 5191, written, as it appears to have been, a very short time after the first performance of the comedy, and entitled *The Soldier's Counterbuff to the Cambridge Interludians of Ignoramus*, the comedy of *Ignoramus* is termed *George Rugler's interlude*. And if any further evidence be necessary, in a copy of an *Italian* comedy, called *La Trappolaria*, formerly belonging to *Mr. Ruggle*, but now existing at *Clare hall, Cambridge*, is an *Italian* memorandum, in the handwriting of one *J. J.* (but who that is, we know not) which contains, among others, the following words: '—la comedia intitolata' [*intitolata*] '*Ignoramo*, composta dal ingegniosissimo huomini' [*ingeniosissimo huomo*] '*Maestro Georgio Ruggle*, socio del collegio di *Clar.*' which, together with the concurrent tradition still received at *Cambridge*, that *George Ruggle* was the author of it, sufficiently demonstrates the ignorance of *Codrington* in calling him *R. Ruggles*, and the error of those who have thence inferred that his christian name was *Ralph*.

as may be collected from the entries respecting the births and interments of his father's other children, as they appear in the register for that parish, the eighth child and fifth and youngest son of *Thomas Ruggle* and *Margery* his wife. His father, who, as well from his residence at this place as from other circumstances, is imagined to have followed the occupation of a clothier, was descended from an ancient and reputable family of the name of *Ruggeley*, though since gradually corrupted to *Ryggeley*, *Rygzele*, *Rugle*, and lastly to *Ruggle*, who were originally of *Staffordshire*, and were, as it appears, says Sir *William Dugdale*, gentlemen of good note; for so early as the 26th year of the reign of king *Edward I.* viz. A. D. 1298, I find *William de Ryggele*, de comitatu *Staffordie*, recorded, with an encomium, for having performed faithful service to the king in his army then in *Flanders*; and in the 10th, 13th, and 14th of *Edward III.* mention is made of *Simon de Ruggely*, who was then sheriff of the counties of *Salop* and *Stafford*, with the addition of *valetus regis*, 'which shews,' says my author, 'that he was 'a servant to the king in an honourable condition'.' The earliest information I have been able to obtain touching the place of their first settlement, is, that in the 10th year of *Henry V.* and perhaps for some time before, they resided at *Hawkbeard*, in *Staffordshire*; but am inclined to think, that they were not only originally settled at, but that they even received their surname from, a market town named *Ruggeley*, or *Rugely*, in *Staffordshire*, which in the maps is laid down as situated a few miles beyond *Lichfield*, on the road from *London* to *Chester*, and that from this place it was that they removed to *Hawkbeard*.

To support the conjecture here advanced, little more will be necessary than to observe, that the two earliest persons of this family, whose names have any where been found, are both described with the *Latin* preposition *De* prefixed to their surnames, in the records in which their names respectively occur: the former of the two is styled '*William de Ryggele*, de comitatu *Staffordie*;' the latter, *Simon de Rug-*

* *Dugdale's Antiquities of Warwickshire*, edit. 1656, p. 683.

geley. Now *Camden*, speaking of the etymology of surnames, says, that from places in *England* and *Scotland* came an infinite number of surnames, for that every town, village, or hamlet, has afforded names to families; and in support of this his assertion, has produced a long list of instances, at the end of which he further remarks, that all which in *Latin* old evidences have had *De* prefixed to them, were borrowed from places, and that this distinction of local names with *De* was uniformly observed in records till about the time of king *Edward IV.*: ‘neither,’ adds he, ‘was there, as I said before, or is there, any town, village, hamlet, or place in *England*, but hath made names to families; so that many names are local, which do not seem so, because the places are unknown to most men, and all known to no one man^a.’ It seems therefore certain, according to these observations of *Camden*’s, that the surname *Ruggeley* was derived from some place; and as one of that name is to be found in the county in which their earliest residence is known to have been, it is submitted to the reader whether the supposition that the family were originally inhabitants of *Ruggeley* is not more than probable^b.

From *Hawksbeard*, in consequence of a purchase of an estate which he had made in this latter county, and to gratify, as it is imagined, a love of field recreations, particularly hunting, *Nicholas Ruggeley*, of *Hawksbeard*, esquire, who appears to have been appointed, in the 2d of *Henry IV.* ranger of *Sutton* chace in *Warwickshire*, and to have held the rangerhip till the 10th of *Henry VI.* removed, about the 10th of *Henry V.* viz. A. D. 1423, to *Dunton*, in *War-*

^a *Camden*’s *Remains*, edit. 8vo. 1674, p. 142, 150.

^b The name *Ruggeley*, as applied to a place, though the time of its assumption is much too distant to enable us to decide with certainty, is most probably of *Anglo-Saxon* original, *Rug* or *Þruhze*, in that language, signifying rough or rugged. See *Lye*’s *Dict. Saxonico-Gothico-Lat.* art. *Rug*, and also, art. *Þruh*; and *Leý* denoting, among other significations, a ley of land, terra inculta, novale. It. ut *leag* & *lega*, campus, locus. See *Lye*’s *Dict.* before cited, art. *Leý*. So that *Þruhze* & *leý* or *Rugzeleý*, or, as it has been since spelt, *Ruggeley*, would mean rough or rugged field or place, and might very properly refer to the rude and uncultivated state in which that town, at the time when it was thus named, may reasonably be supposed to have been.

wickshire^a, where he became the founder of a new family. In the 8th year of king *Henry VI.* he appears to have been sheriff of the counties of *Leicester* and *Warwick*^b, and in the 12th of that king's reign his name occurs among the gentry of *Warwickshire*, who made oath for the observance of the articles concluded on in the parliament then held^c. But about the beginning of the sixteenth century, as there is good reason to believe, a younger branch of the family, removing first into some part of *Lincolnshire*, though to what place is not certainly known^d, and very shortly afterwards to *Lavenham*, or, as it is now usually, though corruptly, called, *Lanham*, in *Suffolk*, a market-town then of considerable note for the cloathing trade, not far distant from *St. Edmundsbury*,

^a *Dugdale*, ubi supra. It should seem that the family were either desirous of preserving the name of the place at which, if our conjecture above advanced shall be thought well supported, they were originally settled, and from which they derived their name, and therefore transferred it to *Dunton* also, in addition to its former appellation; or else that they were anxious that, besides its own, it should also bear the name of their family: for it is observable, that in an old pedigree (from this *Nicholas Ruggeley* down to 1640, but without noticing that at *Lavenham*) now remaining in the Heralds office, the family is thus described, '*Ruggeley*, of *Downton Ruggeley*, in *Warwickshire*,' and they are there said to bear the following arms: 'Field argent, a chevron, inter three roses, gules; crest, on a wreath of the colours, a tower, or, flaming at the top, proper, against four arrows in saltier, argent;' and these are the arms borne by the present representative of the family. Sir *William Dugdale*, in his *Antiquities of Warwickshire*, edit. 1656, p. 647, and again, p. 674, remarks, that anciently it was a frequent practice, if any thing could be hit on which sounded near or like the name, to bear that in the arms; I am therefore inclined to think that the above-mentioned arms were, at least in their colour, intended to allude to the first syllable of the name, rouge, in heraldical language, as well as gules, signifying the colour red.

^b *Fuller's Worthies, Leicestershire*, p. 139.

^c *Dugdale*, in loco supra cit. *Fuller's Worthies, Warwickshire*, p. 131.

^d Among the records of the court of Chancery, now in the Tower, is a bill, filed in the year 1674 by *John Ruggeley* and others, against *John Thory* and others, in which the plaintiff describes himself as '*John Ruggeley*, of *Holton Holgate*, com. *Lincoln*, gent.' From this circumstance it is more than probable, that the place in *Lincolnshire* to which the family removed was *Holton Holgate*, and that the above-mentioned *John Ruggeley* was a descendant of the family.

became

became ultimately settled at this latter place; and from this younger branch it was that the person of whom we are about to speak derived his descent.

Of the elder Mr. *Ruggle*, or the others of his children, no further particulars are known, than that he himself died before the year 1612, (for it appears that his wife was buried at *Lavenham* the 22d of *February* 1612, and is described in the register for that parish by the name and addition of *Margery Ruggle*, widow^a;) that one of his daughters died in 1568, and one of his sons in 1570, both infants^b; and that two others of his daughters, who were living in 1621, were married and settled at *Chester*^c; but *George*, the subject of our present enquiry, was born, as he himself informs us in his will, hereafter inserted, at *Lavenham*, and most probably about the month of *November* 1575, for on the 13th of that month we find that he was baptized^d. At a competent age he was sent for grammatical instruction to the free grammar-school at *Lavenham*, where his industry in the prosecution of his studies, and the modesty and sobriety of his behaviour, soon attracted the notice and conciliated the affection of Mr. *William Greenhall*, the then master, and produced between them a friendship which was terminated only by the death of Mr. *Ruggle*^e. The progress which he had here made in grammatical erudition, affording a good ground for expectation that in time he would attain to a distinguished eminence for literature, induced his father (who appears to have arrived to a considerable degree of opulence, since we find that, besides maintaining a numerous family, he was enabled to carry such a design into execution) still further to encourage his propensity to learning, by superadding to the instruction which he had already received, the additional advantage of an university education; and the vicinity of *Cam-*

^a See the extracts from the parish register of *Lavenham*, inserted in the appendix hereto.

^b *Ibid*.

^c *George Ruggle* in his will, hereafter inserted, gives legacies to each of them.

^d See the extracts from *Lavenham* register, before referred to.

^e See Mr. *Ruggle*'s will, in which he mentions Mr. *Greenhall* by the appellation of his kind friend Mr. *William Greenhall*, some time his school-master.

bridge

bridge to the place of his residence naturally pointing that out for the purpose in preference to *Oxford*, it was resolved to send him to *Cambridge*.

In pursuance of this resolution, and with a view, as it is conceived, that he should enter into holy orders, the younger Mr. *Ruggle* was, in the year 1589, and in the 14th of his age, placed in St. *John's* college, *Cambridge*, (of which foundation the Rev. Mr. *Coppinger*, then rector of *Lavenham*, had himself been a fellow^a); and entered in the matriculation book of the university, in the rank of a pensioner, as it is called, on the 20th of *June* in that year^b: but not having here the good fortune to obtain any scholarship or other provision, he removed to *Trinity* college, and was there admitted to a scholarship on the 11th of *May* 1593^c. In this year, 1593, or the subsequent one, young *Ruggle* is imagined to have taken the degree of bachelor of arts, for it appears that in 1597^d he took that of master, being at that time still of *Trinity* college, and soon after entered into holy orders^e; but from *Trinity* college he, in the next year, 1598, removed to *Clare* hall^f, and was there elected to a fellowship.

The

^a Fuller's *Church History*, Book X. p. 101.

^b The entry in the matriculation book is this: '*June* 20th, 1589,

^c *George Ruggle*, St. *John's*, pensioner.'

^d Dr. *Richardson's* papers, penes the Rev. Dr. *Farmer*.

^e Ibid.

^f In his will he styles himself simply a member of the university of *Cambridge*; but that he was in orders may be inferred from the following lines in a manuscript poem in the *Harleian* collection, No. 5191, entitled *The Soldier's Counterbuff to the Cambridge Interludians of Ignoramus*:

- 'Where, among news, some of more plain import,
- 'Some of more danger, under shew of sport,
- 'I heard of two occurrents, strange to tell,
- 'Both touching *Cambridge* preachers of God's spell:
- 'First, that *Paul Tomson* clipped the king's coin;
- 'Next, that *George Rugler's* interlude did join
- 'Our laws with ignorance, with mere intent
- 'To tax our king and happy government.'

^f *Morris Drake Morris*, of *Mount Morris*, in the county of *Kent*, esq. late fellow-commoner of *Trinity* college in *Cambridge*, the compiler of a work now remaining in manuscript among the *Harleian* collection,

The natural bent of his inclination seems to have led him to the study of polite literature; in the prosecution whereof he set himself to acquire a competent knowledge of the *French* and *Italian* languages, in the latter of which he has left behind him evidence of his skill, as will hereafter appear, and to form an intimate acquaintance with the writings of the several *Greek* and *Roman* poets, historians, and orators. Of the *Roman* poets, he seems to have been more especially conversant with the works of *Virgil*, *Ovid*, *Lucan*, *Terence*, *Plautus*, *Catullus*, *Juvenal*, *Persius*, and *Martial*^a; and among the *Italian* writers, the productions of *Giambattista Porta*, a *Neapolitan* philologist, and particularly his comedies, are found to have attracted his notice and engaged his attention^b.

His reputation for learning and skill in all polite literature was not confined to his own college, nor indeed to the university of *Cambridge*, but became so general, that it was an inducement with many parents and guardians for placing young men at *Clare* hall, in preference to any other seminary^c; and it was doubtless owing to the same circumstance that

collection, No. 7177, entitled *The Lives of the illustrious Men that have been educated in the most ancient and famous University of Cambridge, from the Foundation thereof unto the Year 1715, as collected out of Bale, Pitts, Fuller, Lloyd, Wood, Calamy, Walker, &c.* has given, p. 229, a brief account of our author; in which he says, '*George Ruggle*, master of arts, was educated in, and some time fellow of, *Clare* hall;' but in the former part of this assertion, as appears above, he is most evidently mistaken. The date in the text is supported by an entry among the few remaining papers at *Clare* hall.

^a From all these authors passages are to be found inserted in the comedy of *Ignoramus*, more especially from *Martial*, the quotations from whom are very numerous; and as to *Juvenal* and *Persius*, a copy of their writings, printed at *Paris* in small 8vo. by *Robert Stephens*, in 1544, which appears to have been collated by *Mr. Ruggle* with other printed editions, and even with some manuscripts, and in which the various readings, and also allusions to other classic authors, are noted in *Mr. Ruggle's* hand-writing, is now existing among his other books at *Clare* hall.

^b Of this person see an account in a subsequent note.

^c In *The Christian Magazine* for July 1761, p. 356, is inserted a life of *Mr. Nicholas Ferrar*, a fellow of *Clare* hall, *Cambridge*, (and one of those

that the two sons of *Pallavicini*, knight of *Baberham* in *Cambridgeshire**, were committed to his tuition.

To

those of his friends whom Mr. *Ruggle* has thought fit to notice in his will) which professes to be abridged and altered, in some very trifling respects, from one written by Dr. *Turner*, bishop of *Ely*, and in which, after relating that Mr. *Ferrar*, before he was eight years old, was sent to school to one Mr. *Brooks*, near *Newbury*, in *Berkshire*, is the following passage: 'In his 13th year, Mr. *Brooks* himself would needs carry his young scholar to settle him in the university, declaring that he was more than ripe for it, and alledging his loss of time if he staid any longer at school. He placed him in *Cambridge*, at *Clare* hall, famous for a set of the most eminent men of their times in their several faculties; Dr. *Butler* for physick; Mr. *Lake*, who was after advanced to be secretary of state; Mr. *Ruggle**, for his exquisite skill in all polite learning; *Dutch Thomson*, as we quote him still at *Cambridge*; Mr. *Parkinson*, and Dr. *Austin Linsell*, afterwards lord bishop of *Peterborough*; and at last of *Hereford*, for their profound knowledge in divinity: the last of these, who was the general scholar, was pleased to receive a youth of such great hopes into his own tuition.' Mr. *Ferrar* appears, from this life, to have been born on the first of *February* 1591; his settlement at *Cambridge*, as above related, must therefore have been prior to the first of *February* 1604, as on this latter day his thirteenth year was completed, and he then entered into his fourteenth.

It is very remarkable, that of the six eminent men here mentioned, three were concerned in the production and representation of *Ignoramus*. Mr. *Ruggle* was its author; and Mr. *Lake* played the part of *Trico*, and Mr. *Parkinson* that of *Ignoramus*, on its first performance, vide infra; and two of the six, viz. Mr. *Parkinson* and Dr. *Austin Linsell*, occur among the names of those friends whom Mr. *Ruggle* has mentioned in his will with particular marks of affection.

a These are the words in which a gentleman of *Cambridge* related to a friend the success of an application, which he made in 1773 to the late Dr. *Goddard*, the then master of *Clare* hall, for information respecting Mr. *Ruggle*, the author of *Ignoramus*; adding, that in consequence of this appointment, an annuity of one hundred pounds per annum for his life was settled on Mr. *Ruggle*, which, when the family afterwards fell into decay, he voluntarily gave up to his pupils. This, and the fact mentioned in the text, the same person further said were believed in the college on tradition; but the words in the text are unfortunately so vague, as to render it doubtful which of the *Pallavicinis* is the person here meant. In order, however, that the reader may be acquainted with the history of a family, which for more reasons than one it will be hereafter necessary that he should understand, we shall here insert the following particulars:

* 'The celebrated author of *Ignoramus*.'

C

Sir

To these testimonies in favour of his literary merit, his college themselves added theirs with respect to his justice and integrity,

Sir *Horatio Pallavicini*, the founder of the family here in *England*, was by birth a *Genoese*, and in his youth being in the *Low Countries*, he there privately married a woman of mean condition, after whose death, and that of his father, he came over into *England*, and became, in queen *Mary's* time, the collector of the pope's taxes in this kingdom; but on the death of *Mary* he embezzled the money which he had thus received, and settling here, married a second wife. Having obtained, in 1586, a patent of naturalization, he purchased several estates, and, as it has been said by some, built, at *Little Shelford* and *Baberham*, in *Cambridgeshire*, two houses (though others affirm, that the house at *Baberham* was built by *Robert Taylor*, esquire, and altered by Sir *Toby Pallavicini*, as they call him, by whom also that at *Shelford* was built), both of which have, within these few years, been pulled down. Sir *Horatio's* residence in town appears, from his will, to have been in the parish of *St. Botolph* without *Bishopsgate*, and is fixed by *Stow*, in his *Chronicle*, edit. 1631, p. 825, to have been near the spot where the hospital of *St. Mary Spittle* (hence now called *Spitalfields*) formerly stood; and in the country, as we are informed, he resided either at one or other of the places before mentioned, but especially at *Baberham*, of which place he is in his will described to be. In 1588 he was one of the commanders against the *Spanish* armada, for which service, as it is conceived, he was knighted; and in 1590 he was sent by queen *Elizabeth*, to whom he had from time to time himself lent, and procured others to lend, very large sums of money, ambassador into *Germany*, and dying on 6th *July* 1600, he was buried, according to the desire expressed in his will, at *Baberham*. By his first wife he left one son, named *Edward*, and by his second (who in a year and a day after his death, viz. 7th *July* 1601, married Sir *Oliver Cromwell*, uncle to the protector) two sons, named *Henry* and *Tobias*, or, as he is more usually called, *Toby*, and one daughter named *Battina*.

Edward, his son by his first wife, whom Sir *Horatio* does not even name in his will, presented to king *James*, soon after Sir *Horatio's* death, a petition against his half-brother *Toby*, charging both him and his father with having defrauded queen *Elizabeth* and king *James* of enormous sums of money. The petition was referred by the king to Sir *Henry Spelman*, and some others, to enquire into the facts; but *Edward* and *Toby* afterwards agreeing to a compromise, the reference was not prosecuted.

Henry, who appears, from a passage in the *Sydney* papers, Vol. II. p. 206, to have been, at his father's death, under age, married, in *April* 1606, *Catherine Cromwell*, probably a daughter or some other near relation to Sir *Oliver Cromwell* before mentioned, and was afterwards knighted, and died without issue 14th *October* 1615, as appears by an inquisition.

integrity, by nominating him to the office of one of the two

inquisition post mortem, taken at *Cambridge* 21st *December*, 13 *Ja. I.* viz. 1615, and by which his brother *Toby*, who is described as '*Tobias Pallavicini*, esquire,' is found to be his heir.

Toby was an intimate friend of *Mr. Ruggle's*, in whose will he is appointed executor and residuary legatee; but being extravagant, he contrived to dissipate all that vast fortune which his father had amassed, as well as what descended to him as the heir of his brother *Sir Henry*, and what he acquired as the residuary legatee of *Mr. Ruggle*, and was, in the year 1637, as *Sir Henry Spelman*, in his *History of Sacrilege*, p. 255, notices, confined in the *Fleet* for debt, if not then lately released. He married on the day of his brother *Sir Henry's* marriage, viz. 24th *April* 1606, *Jane Cromwell*, a daughter of *Sir Oliver Cromwell*, and sister, as it is supposed, of *Sir Henry Pallavicini's* wife, by whom he had children, who are legatees also in *Mr. Ruggle's* will. *Jane*, *Toby's* wife, died 23d *March* 1637, in the 43d year of her age, as appears by an inscription for her, a few years since remaining in the parish church of *Chipping Ongar*, in *Essex*. In the same church was also remaining, a few years since, an inscription for *Horatio Pallavicini*, esquire, who died *May* 6, 1648, aged 36, and whom I conceive to have been one of *Toby's* children.

Battina became the wife of *Henry Cromwell*, esquire, eldest son of *Sir Oliver Cromwell* before-mentioned, and was buried in *All Saints* church, *Huntingdon*, on 10th *April* 1618, as appears from the register.

To this account, which is principally compiled from *Spelman's History of Sacrilege*, *Stow's Survey of London*, *Stow's Chronicle*, *Baker's Chronicle*, *Rymer's Fœdera*, *Mr. Walpole's Anecdotes of Painting*, and other authorities, long as it is, I must yet make an addition, with a view to discover which of those mentioned in this note is the person intended in the passage in the text. For this purpose I shall first observe, that neither *Sir Horatio* nor *Sir Henry* have in their wills at all noticed *Mr. Ruggle*, which, if he had in one instance been tutor to *Sir Horatio's* sons, or in the other to *Sir Henry* himself, would scarcely have been the case, and that no evidence has yet been found to prove that *Mr. Ruggle* had even the least acquaintance with either *Sir Horatio* or *Sir Henry*; on the contrary it appears, from *Mr. Ruggle's* own will, that *Toby Pallavicini* was his intimate friend, and he has accordingly in it bequeathed legacies to *Toby*, to *Toby's* wife, and to *Toby's* children: it is much more probable therefore, that it was to *Toby's* sons, and not to *Sir Horatio's*, that he was tutor, and the correspondence of dates, as will be observed in a subsequent note, is such as to induce a very strong suspicion that this last was the fact. To this conjecture I know but of one objection, which is, that the person mentioned in the text is there said to have been a knight in degree, which, though some persons have very erroneously styled him *Sir Toby*, it is pretty certain that *Toby* was not; for it is observable, that on the tomb-stone for his wife in *Chipping Ongar* church, she is described as the wife of *Toby Pallavicini*, esquire: and as his affairs were

two taxers in the university for the year 1604^a, the duty of which office Fuller, in his *History of Cambridge*, p. 11, informs us was, originally, to assess, tax, or rate the rents at which the houses or lodgings belonging to the townsmen should be let out to the scholars of the university, the number of colleges being at that time insufficient to lodge them; but in later times the bounty of founders having provided for scholars habitations and abodes rent-free, the duty of the taxers was made to consist in the examination of the weights and measures by which all sorts of food are sold in *Cambridge*, but especially such sorts as are furnished to the members of the university: nevertheless, his success in the university does not, on the whole, seem to have been adequate to his merit, nor does it appear that his deserts were of sufficient avail, to raise him to any considerable rank; for the only emolument which they ever procured him, excepting indeed the before-mentioned annuity, was a fellowship in *Clare hall*, and this of taxer was the only public office to which we find that he was ever elected; but, in addition to his academical honours in his own university, it is found that, when king *James*, in *August* 1605, visited *Oxford*, Mr. *Ruggle* being then a master of arts of *Cambridge*, was admitted to the same degree in this latter^b.

About the beginning of the year 1611 the university of *Cambridge* became engaged in a contest with the mayor of the town and the corporation, on the question, which of the two, the vice-chancellor of the university, or the mayor of the town, was entitled to precedence of the other. The incident which gave immediate rise to this contest, which was at

so much involved, and his circumstances so bad, that we find, as has been before mentioned, that he was in 1637, the year of her death, a prisoner in the *Fleet* for debt, it can hardly be imagined that the honour of knighthood was afterwards conferred on him. But to this it may be answered, that the description in the text is not sufficiently definite to exclude a supposition, that as the christian name is not given, the rank of the person may be mistaken; and that as Sir *Horatio* and Sir *Henry* were both knights, it was taken for granted, without further enquiry, that *Toby* was one also.

^a *Le Neve's Fasti Ecclesiæ Anglicanæ*, fol. edit. 1716, p. 414.

^b *Wood's Fasti Oxonienses*, edit. 1691, Vol. I. col. 794.

length

length terminated in 1612, by a decision of the privy council, in favour of the vice-chancellor, was this, that the then mayor, *Thomas Smart*, had, at the Guildhall of the town, in the presence of the vice-chancellor, claimed, and accordingly seated himself in, the superior place, as his due, which it was contended belonged of right to the vice-chancellor, but which, notwithstanding, *Smart* continued to occupy, till he was forcibly removed from it by the vice-chancellor's attendants^a. In the conduct of the dispute on behalf of the mayor and corporation, one *Brakyn*, a common lawyer, the then recorder of *Cambridge*^b, had shewn himself very active, and might probably, if he did not at first set it on foot, at least contribute to keep it alive. This latter circumstance, as it is imagined, first introduced to Mr. *Ruggle*'s notice and acquaintance the professional character of the practisers of the common law; so far however is certain, that it suggest-

^a In Mr. *Baker*'s manuscript collections, now in the *British Museum*, Vol. VI. p. 289, is inserted, from a manuscript in the library, as it seems, of *Jesus college, Cambridge*, a list of the mayors of *Cambridge*; and in this list is contained the following passage: '11' [i. e. 1611] '*Tho. Smart*. Hic, in prætorio Guild-hall, locum supremum procancellario debitum præoccupavit, a quo inde deturbatus fuit.'

^b *Francis Brakin, Brakyn, Brackin, or Brackyn*, esquire, for in all these ways I find his name spelt, the person here mentioned, was a barrister at law, of the society of *Gray's inn*, and, as appears from *Dugdale's Origines Juridicales*, edit. 1671, p. 295, the autumn reader to that society for the 38th year of queen *Elizabeth's* reign, viz. 1596. In the reign of king *James*, though the time of his appointment we have not yet been able to discover, he was elected recorder of *Cambridge*, which office he held till 1624, when, as we find from the following memorandum, copied from the town book, and inserted in Mr. *Baker*'s manuscript collections before referred to, Vol. XXII. p. 465, he resigned it. 'This year, 1624, Mr. *Francis Brakin* yielded up his recorder's place, and Mr. *Talbot Peeps* was chosen in his room, but not by patent, 1624.' From *Willis's Notitia Parliamentaria*, edit. 1730, Vol. I. p. 191, it appears, that *Brakin* in the same year, 1624, was elected one of the representatives in parliament for the town of *Cambridge*, which probably might be his motive for resigning his office of recorder; and from *Dugdale's Origines Juridicales*, before cited, we learn, p. 298, that in the same year he was also elected treasurer of the society of *Gray's inn*, in consequence of which his arms were painted in one of the hall windows, and Sir *William Dugdale* has, in p. 306, inserted an engraving of them.

ed to him the thought, and induced him to form a resolution of exposing it to ridicule, in a representation on the stage before king *James*, who had long been, and still was, expected to pay a visit to *Cambridge*^a, and to whose prejudices against lawyers such a subject was peculiarly suited.

For the execution of this his design, Mr. *Ruggle* appears to have been much better qualified and prepared than could have been expected, considering how suddenly he conceived this intention. He had before this time acquired a sufficient degree of skill in the *Italian* language, and was become well acquainted with the writings of *Giambattista Porta*^b above-mentioned,

^a A person named *Chamberlain* (of whom there will be occasion to speak hereafter) in a letter to Mr. afterwards Sir *Ralph Winwood*, inserted in the *Winwood* state papers, Vol. II. p. 140, dated *Lond.* 12th *October* 1605, after giving a very brief account of the king's entertainment at *Oxford* in the month of *August* preceding, uses these words: "The lord treasurer kept open house a whole week at New college, and 'was every way so bountiful, that men doubt the chancellor of *Cambridge* will scant follow his example when it comes to his turn;" from which it appears, that at least so early as 1605 such an expectation had been formed.

^b *Giambattista Porta*, a *Neapolitan* gentleman, flourished, as *Moreri* relates, towards the close of the sixteenth and beginning of the seventeenth century; and, according to *Hoffman*, in his *Lexicon*, art. *Johannes Bapt. Porta*, in the year 1580. He studied and became well versed in philosophy, the mathematics, physic, judicial astrology, and natural magic; and besides contributing to the establishment of the *Accademia de gli oziosi*, at *Bologna*, instituted in his own house another, which he styled *Accademia di secreti*, because that no one could be admitted a member of it who had not signalized himself by some new discovery, by some instance of experimental knowledge, or by some secret which he possessed: but the court of *Rome* forbid him any longer to hold such assemblies, or to apply himself to the study of such prohibited sciences. This injunction he obeyed, but his house still continued to be, what it had before been, the retreat of men of letters, as well foreigners as those of his own country. He wrote and published several works, the titles of some of which are given in *Moreri*; but the only ones of them now generally known are a treatise on natural magic, and another on physiognomy. *Moreri*, from whose Dictionary, art. *Porta* (*Jean Baptiste*), the substance of this note is taken, in enumerating the works of *Porta*, says, that he was author also of several comedies, without mentioning their number, or the name of any one of them, and adds, that he died in 1615. To supply this defect, therefore, we here inform our readers, that they are in number fourteen, and shall, on the

mentioned, who, besides other works, had written sundry comedies in *Italian*, and, among others, one entitled *La Trappolaria*, one of the principal characters in which, viz. *Filefia*, the author acknowledges in the prologue, is borrowed from that of *Phœnicium* in *Plautus*, and indeed the whole comedy will be found to bear a very strong resemblance, especially in some of the incidents in the plot, to the *Pseudolus* of that author, in which alone the character of *Phœnicium* occurs. The *Trappolaria* had been first published in 1596, at *Bergamo*, in *Sicily*, and was reprinted at *Venice* in the following year, 1597. A copy of this latter edition, formerly Mr. *Ruggle's*, I have now before me; from whence it appears, that he had not only attentively read it, but had in some places corrected it, and in others had noted in what manner some particular words and phrases were to be rendered into *English*: the plot therefore of this he determined to adopt as the fable of his intended comedy; subject, nevertheless, to such variations of incidents, characters, and sentiments, as his inclination should suggest and his judgment approve.

It is scarcely to be imagined that Mr. *Ruggle's* knowledge of *Brakyn* could alone enable him to carry into execution a resolution he had formed of exposing both him and his profession to contempt; but it was his fortune to become acquainted with a member of the corporation of *Cambridge*, Mr. *Miles Gouldsborough*^a, who was master of all the secrets thereof,

the authority of *Fontanini's Biblioteca della Eloquenza Italiana*, edit. 4to. *Venezia*, 1753, Vol. I. p. 375, here also insert a list of them, with the dates, as it should seem, of their original publication: *La Trappolaria*, 1596; *L'Olimpia*, 1597; *La Sorella*, 1604; *I due fratelli rivali*, 1606; *La Carbonaria*, 1606; *La Cintia*, 1606; *La Turca*, 1606; *L'Astrologo*, 1606; *Il Moro*, 1607; *La Chiappinaria*, 1609; *La Fantefca*, 1610; *I due fratelli simili*, 1614; *La Tabernaria*, 1616; *La Furiosa*, 1618.

^a This person had, it appears, on a former occasion, furnished similar intelligence; for *Fuller*, in his *History of Cambridge*, p. 156, relates, that the scholars of *Cambridge*, conceiving themselves injured by the townsmen, the particulars whereof, says *Fuller*, I know not, betook themselves for revenge to their wits, and having procured a discovery of some town privacies from *Miles Gouldsborough*, one of their own corporation, composed in *English* a merry but abusive comedy, which they called *Club-law*, and which was acted at *Clare hall* in 1597-8, as

Fuller

thereof, and who gave him such information touching the characters, the views, and designs of the several individuals of that body, as was more than sufficient for his purpose. It was nevertheless necessary that the satire he intended should be conveyed in technical terms, and for these he would have been greatly at a loss but for the publication of two law books, both even at this day well known, which contributed very much to make him acquainted with the nature of deeds and conveyances of various kinds, and law proceedings in general, to furnish him with many of the corrupt *Latin* and other barbarous phrases of which they consisted, to supply him with law-terms, and to explain to him the strict legal sense of such words and phrases as in the prosecution of his design he should have occasion to make use of. The former of these books is entitled *Symbolography, which may be termed the Art or Descriptions of Instruments and Presidents, collected by William West, of the Inner Temple, esquire*, and had made its appearance in small quarto in the year 1590, and been reprinted several times afterwards: the latter was first published in 1607, in a small quarto volume also, with the title of *The Interpreter, or Book containing the Signification of Words; wherein is set forth the true Meaning of all, or the most Part of, such Words and Terms as are mentioned in the Law Writers or*

Fuller affirms, but, according to other authorities, in 1599. The mayor and his brethren, and their wives, were invited to see it, or rather, says *Fuller*, to see themselves abused in it; for the scholars had not only enabled themselves to imitate and ridicule the habits, gestures, language, jests, and expressions of the townsmen, but had even borrowed the townsmen's own best cloaths to perform their respective parts in. At the performance it was so contrived, as that the townsmen, being rivetted in on both sides by scholars, should have no opportunity of departing till the play was over, and should therefore be compelled to sit out the whole performance. The mayor and townsmen complained of the insult thus offered them to the lords of the privy council, but obtained no further redress than a promise from some of them, that they would shortly come to *Cambridge*, and, in order the better to judge of the subject of complaint, and to proportion the punishment to the nature and degree of the offence, would direct the comedy to be again performed before themselves, and in the presence of the townsmen. Rather, however, than submit to a second representation, the townsmen thought it prudent to drop all further thoughts of redress.

Statutes of this victorious and renowned Kingdom, requiring any Exposition or Interpretation: A Work not only profitable but necessary for such as desire thoroughly to be instructed in the Knowledge of our Laws, Statutes, or other Antiquities. Collected by John Cowel, Doctor, and the King's Majesty's Professor of the Civil Law in the University of Cambridge. In legum obscuritate captio. At Cambridge, printed by John Legate, Anno 1607.

With these materials, and such a stock of extraneous knowledge as he was besides possessed of, Mr. Ruggle began his intended comedy, which, for many reasons, he had resolved should be in *Latin*; and completed his design by the production of the present comedy of *Ignoramus*, in which he has so far deviated from the original author, as that though the plot in part, and the conduct of some of the scenes, is borrowed from the *Trappolaria*, yet the whole comedy of *Ignoramus* cannot, in any sense, be deemed a translation. Instead of *Naples*, where the transactions represented in the *Trappolaria* are supposed to pass, Mr. Ruggle has laid the scene of his comedy at *Bourdeaux* in *France*, and has changed the names of the characters almost throughout, by substituting for *Callifrone*, *Theodore*; for *Arsenio*, *Antonius*; for *Filefia*, *Rosabella*; for *Trappola*, *Trico*; for *Lucrino*, *Torcol*; for *Fagone* and *Gabrina* his wife, *Cupes* and *Polla* his wife; for *Poleone*, *Pyropus*; for *Cuoco*, *Caupo*; and lastly, for *Heleonora*, *Dorothea*. For *Dentifrangolo* and *Leonetto*, two servants of *Dragoleone* a captain, he has introduced the new characters of *Dulman* and *Pecus*, two clerks of *Ignoramus* a lawyer; and for *Dragoleone* himself, the original one of *Ignoramus*, drawn from the before-mentioned *Brakyn*, the then recorder of *Cambridge*; but those of *Musæus*, *Surda*, *Bannacar*, *Cola*, *Vince*, *Nell*, and *Richardus*, are entirely of his own invention, and have no correspondent ones in the *Italian*^a. Of the scenes, twenty.

^a It may perhaps be necessary just to point out the etymology of such of those names in the above dramatis personæ, as altered by Mr. Ruggle, as refer to the character of the persons who respectively bear them. *Rosabella*, *Pecus*, and *Dulman*, are sufficiently obvious; *Trico* is borrowed from the *Latin* *Trico*, a trickster; *Torcol*, a torto collo, from his wry neck; *Cupes*, from the *Latin* *Cupes*, a glutton; *Polla*, from the corrupt

twenty-one are in their conduct borrowed from the original *Italian*; sixteen more are but partial imitations of it; and the remaining eighteen are entirely original^a.

Of the *Italian* comedy it is to be remarked, that though it is not wanting in pleasantry, and is interspersed with scenes of humour, it is nevertheless of that serious species of drama, of which the comedies of *Terence* have ever been deemed the most perfect model: one of the most conspicuous characters in it is that of *Dragoleone*, a captain of a galley, and a swaggerer; who, in his pretensions to *Filefia*, a lady of great discretion and virtue, and who was betrothed to a lover of great merit, is defeated and exposed to ridicule.

In planning the comedy of *Ignoramus*, Mr. *Ruggle's* humour took a different direction: instead of a *Thraconical* captain, a character too often iterated in the *Roman* comedy, his invention suggested to him the introduction of a new and original personage, an *English* common lawyer, whom, that he might excite in the spectators both mirth and indignation, he has represented as a pedant, a dunce, and a rogue.

What might be Mr. *Ruggle's* reason for thus venting his resentment is no where expressly declared: to justify it, we may suppose *Brakyn* to have been a pedant in his profession; busy, active,

corrupt *Latin* Polla, which is explained in *Du Cange's* Glossary to signify 'pullastra, gallinula, poulette, Leg. f. pulla'; *Pyropus*, from the *Latin* *Pyropus*, a carbuncle, in allusion to the deception put on him in Act II. Sc. 5; *Ignoramus*, from the law term *Ignoramus*, which is explained in the glossary hereto; *Museus*, from the *Latin* *Museus*, or rather the *Greek* *Μουσεος*, proceeding from the Muses; *Surda*, from the *Latin* adjective *Surdus*, deaf, alluding to her deafness; and *Cola*, from the corrupt *Latin* *Cola*, which *Du Cange*, in his Glossary, renders, '1. Genus pigmenti, quod *Græci* accidam dicunt; 2. Cervisia.

^a Among the *Harleian* collection, now in the *British* Museum, is a manuscript in the hand-writing, as the printed catalogue informs us, of one *Thomas Gybbons*, esquire, but of whom I can find no account. This manuscript is numbered 980, and contains, p. 161, a memorandum in the following words: 'The comedy of *Ignoramus*, so abusive against lawyers, and supposed to be made by Mr. *Ruggell*, of *Clare* hall, in *Cambridge*, is but a translation of a comedy in *Baptist Porta*, out of *Italian*, intituled *Trapulario*, as may be seen by the comedy itself extant in *Clare* hall library, with notes of Mr. *Ruggell's* thereon, of his

active, and crafty, in his management of the business of the corporation, caballing with the members thereof, and turning the contentions among them to his own advantage; and, if to these particulars we add, that he began and encouraged the contests between the town of *Cambridge* and the university, we have something like a reason for the severity with which Mr. *Ruggle* has chastised him.

How long a time was spent in composing this comedy we are no where informed; but it is probable, that one inducement to his writing it was the prospect of a visit to the university by king *James*, which had been for some time hoped for, and the certain assurance that it would afford him delight^a.

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‘his contriving and altering thereof.’ It is very evident that Mr. *Gybbons* had never seen the original book in *Clare* hall library, though he refers to it, otherwise he would never have said that Mr. *Ruggle*’s notes at all relate to his contriving and altering of the *Trappolaria*. I have now Mr. *Ruggle*’s identical copy of the *Trappolaria* before me, and, upon carefully inspecting it, am enabled to say, that Mr. *Ruggle*’s notes are eleven, and no more, in number; that one of them tells us, that un cavalluchio signifies a coin; another corrects the *Italian* word barrette to berette; and another pittima to pittmee, which is there rendered into *English* phytic; and that the other eight, excepting only one, which contains a reference to the *Pseudelus* of *Plautus*, in these words, ‘Ps. Act 4. sc. 7. pa. 581,’ are mere translations of single words, or expressions, into *English*. The evidence contained in the copy of the *Trappolaria*, at *Clare* hall, to which Mr. *Gybbons* refers, to prove *Ignoramus* a mere translation, consists of the following manuscript note, written on the leaf immediately preceding the title-page, in an hand nearly co-eval with Mr. *Ruggle*’s time, and signed J. J. but who this J. J. was, we are unable to discover.

‘Comedia multo’ [molto] ‘piena di *Trappolaria*, da chi fu tradotta da comedia, intitolata’ [intitolata] ‘*Ignoramo*, composta dal ingegniosimo huomini’ [ingeniosissimo huomo] ‘Mastro *Georgio Ruggle*, socio del collegio di *Clar*, &c.
J. J.’

But the state of the variations, as given in the text, and on the accuracy of which the reader may rely, sufficiently demonstrates the injustice of terming *Ignoramus* a mere translation from the *Trappolaria*.

^a Mr. *Ruggle* has, in the first scene of his comedy, ascertained the date of a fact, by its having happened not more than six months after a peace with *France* was concluded. This treaty of peace we find to have been dated 19th August 1610; and in a note on the passage we

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have

The hopes of the university, that the king would make them a visit, had so often been frustrated, that they began now to fear, that without some exertions on their part to procure it, such an event would never take place; and therefore, to prevent the consequences of a total disappointment, they resolved to endeavour to obtain that by intreaty, which they, trusting to the king's well-known prepossession in favour of literature, and *Latin* literature especially, had before hoped to have received as a voluntary favour. With this view, they, in the month of *August*, in the year 1614, applied to their chancellor, *Thomas Howard* earl of *Suffolk*, then also lord treasurer of *England*, and prevailed on him to invite the king to *Cambridge*, and to entertain him during his stay there: the invitation was accepted by the king, and a promise obtained from him, that between *Christmas* then next and *Shrove-tide* he would gratify them by a visit^a.

In

have been led to infer, that the comedy of *Ignoramus* was begun within six months from the day of the date of this treaty, viz. from the 19th of *August* 1610. We have since discovered, that this treaty was sworn to by the *French* queen regent on the 13th of *September* 1610, O. S. See *Winwood's State Papers*, Vol. III. p. 217; but not by king *James* till *Sunday* after the 20th of *January* following. See *Howes's Abridgment of Stow's Chronicle*, edit. 8vo. 1618, p. 526; and it is therefore not impossible, or even improbable, that the six months, in the passage of the comedy before referred to, might be computed from the day on which it was sworn to by king *James*, rather than from that on which the treaty bears date. But in all likelihood the comedy was not completed till a very short time before the king's arrival at *Cambridge*.

^a In Mr. *Baker's* manuscript collections, before cited, Vol. XII. p. 159 b. is the following extract from a letter to Sir *Thomas Puckering*, in which this fact is noticed.

‘ To the Hon. Sir *Thomas Puckering*, Knt. and Bart. at *Tours*.

‘ —There is an intention of erecting a new public library in *Cambridge*, in imitation of that of *Oxon*: the heads of the houses are the
 ‘ primi motores, who are already about to buy the soil and to provide
 ‘ the materials. They promise themselves whatsoever furtherance my
 ‘ lord treasurer may give them, either by his authority or countenance,
 ‘ having lately made choice of him to be their chancellor. Upon *Tuesday*
 ‘ day last the body of the university went to *Audley End* to present him
 ‘ with his patent: twenty doctors in their formalities and upon their
 ‘ foot-cloths, and four-score other of a second and inferior rank. They
 ‘ were

In conformity to the practice on similar occasions, which appears to have prevailed equally in both universities, the king's entertainment on this also was to consist of public acts and academical exercises in the several faculties, and of the representation of comedies; and it is but reasonable to conclude, that far the greater part of the interval between the making of this promise and its actual performance was spent by the vice-chancellor, and the other members of the university, in providing for the king's reception at *Cambridge*, and for his entertainment during his continuance there. They had doubtless been informed of Mr. *Ruggle's* comedy, and

' were very honourably entertained, and richly feasted: after dinner the vice-chancellor made a speech in *Latin*, which was seconded by another from the university orator. His lordship answered them in *English*; the effect of his speech being to assure them of his endeavour to maintain their privileges and dignity of the university; and that though he came short of his uncle, his predecessor, in learning, yet he would make good that want by his affection and good will; and when he mentioned his uncle, he added a speech to this purpose: Who, said he, though he was reputed over superstitious in some opinions, yet it was the more to be borne withal in a man of his learning. To shew how sensible he is of this honour, he hath already moved his majesty to grace the university with his royal presence, who hath yielded the suit, and promiseth to make it a winter journey, which he limits between *Christmas* next and *Shrove-tide*. And thus much of domestic news.

' Your most humbly devoted servant,

' *Lond. Aug. 20, 1614.*

THO. LORKIN.'

Fuller in his *Worthies, Essex*, 329, says, that it was on the earl's first coming to *Cambridge*, after he was elected chancellor, that the request that he would invite the king was made to him; but there does not seem to be any authentic foundation for this assertion. Sir *Fulke Greville*, afterwards lord *Brook*, in his *Five Years of King James*, edit. 4to. 1643, p. 60, attributes the king's visit to *Cambridge* to the intreaty of *Carr* earl of *Somerſet*, which may be easily reconciled both with the facts, as related in the above letter, and with so much of the account given by *Fuller*, as assigns the request of the earl of *Suffolk* as the motive to the king's journey, by imagining that the earl of *Suffolk*, fearing either that an application from himself, unsupported by some one of greater weight with the king, might fail of effect, or that the earl of *Somerſet*, the then favourite, might, if not first applied to respecting it, prevail on the king to refuse his request, might hence be induced to communicate it to *Somerſet*, and to make use of his mediation to obtain it from the king.

of

of his motive for writing it, and having determined that it should be one of those comedies performed during his stay, Mr. *Ruggle* was induced to write the first of the two prologues prefixed thereto; and as the time to prepare it must necessarily have been short, he has modestly subjoined to it the following apology from *Martial* :

‘ Da veniam subitis ; non displicuisse meretur,
 ‘ Festinat, *Cæsar*, qui placuisse tibi.’

The characters in the comedy itself were, we find, thus distributed :

THEODORUS, mercator, senex, Mr. *Hutchinson*, *Clare hall*.
 ANTONIUS, filius *Theodori*, juvenis, Mr. afterwards lord
Hollis, *Christ college*^a.

IGNORAMUS, *Anglus* caufidicus, Mr. *Parkinson*, *Clare hall*^b.

DULMAN,

^a Mr. *Granger*, who from Mr. *Baker*'s manuscript collections, Vol. XV. p. 479, has inserted this list in his *Biographical History of England*, 8vo. edit. 1779, Vol. II. p. 17, has erroneously styled this person of *Clare hall*, mistaking, I suppose, Mr. *Baker*'s hand-writing for *Clare coll.* instead of *CHRI coll.* as it there stands ; but Mr. *Baker*'s entry, if carefully inspected, is *CHRI coll.* and is supported by archbishop *San-croft*'s copy of the first printed edition now in *Emanuel college library*, in which the names of the actors are put in with a pen against their respective characters in the *dramatis personæ*, and from which Mr. *Baker*'s list professes to be, as it is really, transcribed.

^b *Walker*, in his *Sufferings of the Clergy*, Part II. p. 226, mentioning *John Crofts*, D. D. who was ejected by the earl of *Manchester*, 8th July 1644, from the rectory of *Barnham* in *Norfolk*, and also from such other church preferments as he held, but restored to them again in 1660, relates, that he was succeeded at *Barnham* by one *Legate*, of whom he gives an account in the following words : ‘ His successor at *Barnham* was one *Legate*, who had personated *Ignoramus* in *Cambridge*, when that play was acted there before his majesty-king *James I.* and continued ever after a perfect comedian in the pulpit, several stories of which kind I could let the reader know, were it worth the while. Though he had never paid Dr. *Crofts* the fifths any more than once, yet the Doctor generously proffered him 50 l. a year, after he was repossessed of his living in 1660, on condition he would continue there and serve the cure ; but having been instrumental in bringing king *Charles I.* to the block,

he

DULMAN, }
 MUSÆUS, } clerici Ig- { Mr. Towers, Queen's coll. after-
 PECUS, } noram, { wards bishop of Peterborough.
 TORCOL, *Portugallus*, leno, Mr. Bargeave, Clare hall, after-
 wards dean of Canterbury.
 ROSABELLA, virgo, Mr. Morgan, Queen's college^a.

‘ he was forced to fly beyond the seas, and settled in *Maryland*, the
 ‘ governor of which place told Dr. *Crofts*, who met him one day by
 ‘ chance and enquired after Mr. *Legate*, that he had taken him into cus-
 ‘ tody the very morning he came away, for heading a faction, and,
 ‘ as it seems, endangering a tumult there.’

From the list given in the text, which is certainly genuine, and is confirmed by all such manuscripts of this comedy as have the dramatis personæ and actors names, which the greater part of them have, it appears, that the part of *Ignoramus* was, on the first representation of this comedy, played by Mr. *Parkinson*; and in the passage just now inserted, it is said to have been performed by *Legate* when *Ignoramus* was acted at *Cambridge* before king *James*. This contradiction we know not how to reconcile: *Ignoramus* was performed but twice before king *James*, viz. on 8th *March* 1614-15, and 13th *May* 1615, and both times by the same actors. See an account of king *James*'s second visit, inserted in the appendix hereto. Perhaps we may be told, that as the character of *Ignoramus* is also to be found in the second prologue, that might possibly be the part which *Legate* performed; a supposition, if possible, even more improbable than to imagine he, on the second representation, might have performed the character of *Ignoramus*: for if Mr. *Parkinson* acted that of *Ignoramus* in the comedy, why might he not, as being surely the fittest person for that purpose, also play the same part in the prologue? or what inducement could there possibly be to appoint Mr. *Parkinson* to act the former, and any one else to play the latter?

^a *Ball*, in his *Life of Dr. Preston*, second master of *Emanuel college*, *Cambridge*, inserted in *The Lives of two and twenty English Divines*, by *Samuel Clarke*, Pastor of *Bennet-Fink*, *London*, (for so he styles himself in the titles to all or most of his works) fo. *London*. 1660, relates, p. 103, that the persons to whose care the providing actors in this comedy was entrusted, being of opinion that Mr. *Morgan*, whose person was handsome, would well become a woman's dress, sent to Dr. *Preston* his tutor, who, by the way, was a rigid Puritan, for his assistance in preparing him for this part, which the Doctor declined, not conceiving, as he said, that his friends intended Mr. *Morgan* for a player. Mr. *Morgan*'s guardians, however, on being applied to, not seeing, as may be more than presumed, any reasonable ground for refusal, gave their consent to his playing the part, which he accordingly did.

SURDA,

SURDA, nana, ancilla, Mr. Compton, Queen's college, afterwards earl of Northampton^a.

TRICO, Theodori servus, Mr. Lake (afterwards secretary of state) Clare hall.

BANNACAR, Theodori servus, Maurus, Dominus Love, Clare hall^b.

CUPES, bibliopola, parasitus, Mr. Mason, Pembroke hall.

POLLA, Cupis uxor, Dominus Chesham, Clare hall.

COLA, monachus, frater, Mr. Wake, Gonville and Caius college^c.

DOROTHEA, uxor Theodori, matrona, Norfolk, Queen's college.

VINCE, a page, Dorotheæ puer, Mr. Compton, Queen's college.

NELL, Angla, Dorotheæ ancilla, Turner, Clare hall.

RICHARDUS, Theodori servus, Grame, Clare hall^d.

PYROPUS,

^a The part of *Surda* in this comedy, as we are informed by the same Samuel Clarke, in another work of his, entitled *The Lives of sundry eminent Persons in this latter Age*, fo. Lond. 1683, p. 156, was at first intended to have been performed by Samuel Fairclough, another Puritan also, and sub-tutor to the Mr. Compton who actually played the part. Fairclough, it seems, was chosen for this part on account of his low stature, but objected to acting it (or indeed any other, for so far did he carry his refusal) because it required him to be dressed in women's apparel, which, though not worn to deceive in the worst sense, he thought had an appearance of evil in it, and was therefore, according to the apostle's rule, to be avoided. In consequence of this opinion, he went to the vice-chancellor, and desired to be excused from playing any part at all in the comedy, giving as his reason for this request, that he judged it unlawful for a man to wear women's apparel even in a comedy. The vice-chancellor at first endeavoured to laugh him out of this reason; but finding him firm in it, he desisted, and the lord Compton, as Clarke styles him, or Mr. Compton, as he is here termed, voluntarily offering, besides his own part of *Vince*, to perform that of *Surda*, the same was given to him.

^b Afterwards master of *Corpus Christi*, or *Bennet* college, Cambridge, temp. Car. I. and dean of *Ely*, temp. Car. II. See Mr. Baker's manuscript collections, Vol. XX. p. 273.

^c This person, it is conceived, is the same with Mr. Wake, of Cambridge, whom Mr. Ruggle notices in his will. Vide infra.

^d Rowland Grame, B. A. occurs in Scott's tables, 1619, as one of the fellows on the *Exeter* foundation, being then in possession of one of the

PYROPUS, vestiarius, Mr. *Wake*, *Gonville* and *Caius* college.

FIDICEN, or TIBIGEN, *Rinnarde*, *Clare* hall.

NAUTA, { GALLICUS, *Thorogood*, *Clare* hall.
 { ANGLICUS, Mr. *Mason*, *Pembroke* hall.

CAUPO, Mr. *Thorogood*, *Clare* hall^a.

The parts in the first prologue, viz. that spoken on occasion of the first performance of this comedy, appear to have been thus disposed of :

CURSOR, Mr. *Compton*.

EQUISO, Mr. *Mason*.

MUSARUM CABALLUS, viz. DAVUS DROMO, Mr. *Lake*^b.

All of whom, as the foregoing list informs us, had also parts assigned them in the comedy itself.

The necessary dispositions and arrangements having been previously made, the king, on the 7th of *March* 1614-15^c, accompanied by the prince of *Wales*, afterwards king *Charles* the first, arrived at *Cambridge*. The particulars of his entry and reception, as also a copious relation of the transactions during his stay at the university, are contained in the following letter, written by one who was an actual spectator of all that passed,

the three fellowships founded by *Thomas Cecil* earl of *Exeter*, and *Dorothy* his wife. See Mr. *Baker*'s collections, Vol. X. p. 156, where a copy of *Scott*'s tables is inserted, for the former fact, and *Fuller*'s *History of Cambridge*, p. 37, for the latter.

^a This list, which is taken from archbishop *Saunders*'s copy before-mentioned, has been transcribed from that copy also, by Mr. *Baker*, in the fifteenth volume of his manuscript collections, p. 479 : Mr. *Baker* adds, that he had compared the list, or catalogue of names, with a manuscript copy at *Clare* hall, possibly Mr. *Ruggle*'s copy, as he says, but which was not in his hand-writing, nor was the rank of the actors expressed in it.

^b See a note on the first prologue, hereafter inserted.

^c It is observable, that the king's visit to *Cambridge* is by some authors placed in *March* 1614, and by others in *March* 1615, the former considering the year as beginning on the 25th of *March*, the latter on the 1st day of *January*; but the king's visit was in fact (to speak accurately and in conformity to both) made in the month of *March* 1614-15.

and

and lately published from the original in the paper office, in a collection, entitled *Miscellaneous State Papers, from 1501 to 1726*, 4to. Lond. 1778, Vol. I. p. 394; to which letter, as curious as it is authentic, I have found means to add, by way of note, a number of facts, that may serve to explain and illustrate it.

‘ Mr. Chamberlain to Sir Dudley Carleton, at Turin.

‘ My very good lord,

‘ I am newly returned from Cambridge, whither I went
‘ some two days after I wrote you my last^a. The king
‘ made his entry there the 7th of this present, with as much
‘ solemnity and concourse of gallants and great men, as the
‘ hard weather and extreme foul ways would permit^b. The
‘ prince came along with him, but not the queen, by reason,
‘ as it is said, that she was not invited; which error is ra-

^a In the *British Museum*, among the late Dr. Birch’s manuscripts, Birch MSS. No. 4173, is a collection of letters from Mr. Chamberlain to several persons, in the doctor’s own hand-writing, containing, amongst others, this in the text, which, in Dr. Birch’s collection, is preceded by one dated 2d March 1614. To the latter of these there is no direction, but from its contents I have no doubt that it was, as well as that in the text, written to Sir Dudley Carleton.

^b *Howes*, in his *Abridgment of Stow’s Chronicle*, edit. 8vo. 1618, gives the following account, which is here adduced in support of the passage in the text: ‘ The 17 of January 1614, it began to freeze in
‘ ordinary manner, and the 23 of January it began to snow, and continued freezing and snowing many days; and upon Sunday the twelfth
‘ of February it began to snow most extremely, and continued until the
‘ fourteenth of February at noon, and then it abated; and from that
‘ time, for many days after, it continued freezing and snowing, much or
‘ little, until the sixth or seventh of March, by means whereof much
‘ cattle perished, as calves and lambs, deer and conies, &c. by reason
‘ the earth lay long covered with deep snow, to the great hurt of all
‘ manner of cattle, and many were forced to use new devices to fodder:
‘ this snow brought extreme danger to all travellers. After this snow
‘ thawed, there followed inundations great and violent, which did gear
‘ spoils and damages.’ p. 544. In his continuation, at the end of *Stow’s Chronicle*, edit. 1631, p. 1023, *Howes* has given an account to the same effect, though not quite so particular as the above, and concludes it with these words: ‘ This snow was very dangerous to all
‘ travellers.’

‘ ther

‘ther imputed to their chancellor^a than to the scholars, that
 ‘understand not these courses. Another defect was that
 ‘there were no ambassadors, which, no doubt, was upon
 ‘the same reason; but the absence of women may be the
 ‘better excused for default of language, there being few
 ‘or none present but of the *Howards*, or that alliance; as
 ‘the countess of *Arundel*^b, with her sister the lady *Elizabeth*
 ‘*Grey*^c; the countess of *Suffolk*^d, with her daughters of
 ‘*Salisbury*^e and *Somerset*^f; the lady *Walden*^g, and *Henry*
 ‘*Howard*’s wife^h; which were all that I remember. The
 ‘lord treasurer kept there a very great port and magnificent
 ‘table, with the expence of a thousand pounds a dayⁱ, as is
 ‘said, but that seems too large an allowance; but sure his

^a *Thomas Howard*, earl of *Suffolk*, lord treasurer. He was elected chancellor of the university of *Cambridge*, 8th July 1614, on the death of *Henry Howard*, earl of *Northampton*, and held that office till his own death, on 28th of May 1626. See a *Catalogus Cancellariorum Universitatis Cant.* inserted in Mr. *Baker*’s collections, Vol. X. p. 133.

^b *Alathea*, youngest daughter and co-heir of *Gilbert Talbot*, earl of *Shrewsbury*, married to *Thomas Howard*, earl of *Arundel*, temp. *Jac. I.* *Brooke’s Catalogue of Nobility*, p. 10.

^c *Elizabeth*, second daughter and co-heir of *Gilbert Talbot*, earl of *Shrewsbury*, married to Sir *Henry Grey*, lord of *Rutbin*, son of *Charles Grey*, earl of *Kent*. *Ibid.* p. 120.

^d *Catherine*, eldest daughter and co-heir of Sir *Henry Knyvett*, of *Chorlton*, in *Wiltshire*, knt. married to *Henry Howard*, earl of *Suffolk*, and lord treasurer, temp. *Jac. I.* *Ibid.* p. 213.

^e *Catherine*, third daughter of the above-mentioned earl and countess of *Suffolk*, married to *William Cecil*, earl of *Salisbury*. *Ibid.* p. 213.

^f *Frances*, second daughter of the above-mentioned earl and countess of *Suffolk*, married to *Robert Carr*, earl of *Somerset*, *ibid.* p. 213, after having been before divorced from *Robert Devereux*, earl of *Essex*. *New Peerage*, Vol. I. p. 143, edit. 1785.

^g *Elizabeth*, daughter and co-heir to *George* lord *Hume*, earl of *Dunbar*. *Ibid.* p. 144.

^h *Elizabeth*, daughter and sole heir of *William Bassett*, esq. married to *Henry Howard*, third son of the above lord treasurer. After his death she was married to *William Cavendish*, duke of *Newcastle*. *Ibid.* p. 143.

ⁱ *Fuller*, in his *Worthies, Essex*, 329, relates, that the king’s entertainment at *Cambridge* cost the earl of *Suffolk* five thousand pounds and upwards.

‘ provisions were very great, besides plenty of presents, and
 ‘ may be in some sort estimated by his proportion of wine,
 ‘ whereof he spent twenty-six tun in five days. He lodged
 ‘ and kept his table at St. *John’s* college, but his lady and
 ‘ her retinue at *Magdalen* college, whereof his grand-father
 ‘ *Audley* was founder^a. The king and prince lay at *Tri-*
 ‘ *nity* college, where the plays were represented; and the hall
 ‘ so well ordered for room, that above 2000 persons were
 ‘ conveniently placed. The first night’s entertainment was
 ‘ a comedy, and acted by St. *John’s* men, the chief part con-
 ‘ sisting of a counterfeit Sir *Edward Ratcliffe*, a foolish tutor
 ‘ of physic^b, which proved but a lean argument; and though
 ‘ it were larded with pretty shews at the beginning and end,
 ‘ and with somewhat too broad speech for such a presence,

^a *Magdalen* college, *Cambridge*, was originally founded, in 1519, by *Edward Stafford*, third duke of *Buckingham*, from whom it was denominated *Buckingham* hall. *Thomas* lord *Audley*, lord chancellor temp. *Hen. VIII.* considerably augmented its endowment, and in allusion to his own name called it *Magdalen*, or rather *Maudlin* college, which as *Parker*, in his *Συλλογος Cantabrigienfis*, remarks, contains his own name, with the addition only of one letter at the beginning and another at the end, thus, *M-Audley-N*. See a copy of *Parker’s* tract in *Mr. Baker’s* collections, Vol. X. p. 48. In a tract in the same collection, Vol. XXII. entitled *A Description of the Foundation and the Privileges of the University of Cambridge, and of every of the Colleges, together with the Founders and Benefactors of the same*, the following passage occurs, p. 538: ‘ At length one *T. Audley*, a nobleman, and chancellor of
 ‘ *England*, by king *Henry* the eight, and by act of parliament, and in
 ‘ the xxxiii year of his reign, he was made the founder of the said col-
 ‘ lege.’ The pedigree of the earl of *Suffolk* from lord *Audley* is thus stated in *Parker’s* *Συλλογος Cantabrigienfis*, before cited, p. 49: ‘ *Mar-*
 ‘ *gareta* ducissa *Norfolciæ*, filia & hæres præfati *Thomæ* baronis *Aud-*
 ‘ *ley de Walden*, uxor 2da illustrissimi principis *Thomæ Howard*, 4ti ducis
 ‘ *Norfolciæ*, illi pepererit inclytiss. illum heroem *Thomam* comitem *Suf-*
 ‘ *folciæ*, &c.’

^b This person I presume to be the same with Sir *Edward Ratcliffe*, of *Hitchin*, mentioned by *Wood* in his *Athenæ Oxonienses*, Vol. I. col. 89. edit. 1721, as living in the time of king *James I.* and being one of the descendants of *Ralph Radcliffe*, a celebrated schoolmaster of *Hitchin*, in *Hertfordshire*, temp. *Edw. VI.*; and the same person with *Edward Ratcliffe*, doctor of physic, of *Cambridge*, incorporated at *Oxford* 11 July 1600. See *Wood’s Fasti Oxonienses*, edit. 1721, Vol. I. col. 159.

‘ yet

‘ yet it was still dry. The second night was a comedy of
 ‘ *Clare* hall, with the help of two or three good actors from
 ‘ other houses, wherein *David Drummond*, in a hobby-horse,
 ‘ and *Brakin*, the recorder of the town, under the name of
 ‘ *Ignoramus*, a common lawyer, bare great parts ^a. The
 ‘ thing was full of mirth and variety, with many excellent
 ‘ actors (among whom the lord *Compton*’s son ^b, though least,
 ‘ was not worst) but more than half marred with extreme
 ‘ length ^c. The third night was an *English* comedy, called
 ‘ *Albumazar*, of *Trinity* college’s action and invention; but

^a The manner in which Mr. *Chamberlain* has here expressed himself is so ambiguous, as at first sight to suggest a doubt whether the characters of the hobby-horse and *Ignoramus* were performed by *David Drummona* and *Brakyn* respectively, or whether *David Drummond* and *Brakyn* were the persons intended to be ridiculed in those characters; but, from a passage in the first prologue to this comedy of *Ignoramus*, it evidently appears, that in this latter sense only it is to be understood with respect to *Davia Drummond*. See a note on the first prologue, p. 13; and as *Brakyn* did not, on any occasion, play either the part of *Ignoramus*, or any other in the comedy, or either of the prologues, it is equally manifest that the passage in the text is to be understood in the same sense with relation to him also.

In the manuscript collection of Mr. *Chamberlain*’s letters, in Dr. *Birch*’s hand-writing, before referred to, Dr. *Birch* has asserted, in a note on this passage, that *Ignoramus* was written by *Thomas Ruggles*, M. A. of *Clare* hall, but he is mistaken in calling the author *Thomas Ruggles*.

^b ‘ *Spencer Compton*, born in May 1601, one of the knights of the Bath, and in June 1630 succeeded his father as earl of *Northampton*. He was killed March 17, 1642-3, in an engagement at *Hopton Heath*, *Staffordshire*.’ This note is given by Dr. *Birch*, in the collection before cited. ‘Lord *Clarendon*, in his *History of the Rebellion*, Vol. II. p. 45, folio edit. has inserted a most noble character of this brave and loyal nobleman, to which, though of no great length in itself, yet, as being too long to be here given, we must refer the reader. In the comedy of *Ignoramus* he played the parts of *Surda* and *Vince*. See the list of actors before inserted.

^c In a poem, inserted in the appendix hereto, entitled *A grave Poem, as it was presented in Latin, by certain Divines, before his Majesty in Cambridge, by way of Interlude, filed Liber novus de adventu regis ad Cantabrigiam*, it is said to have held six hours; and on its second representation, in May 1615, it began at eight in the evening and lasted till one the next morning. See an account of king *James*’s second visit, in the appendix hereto.

‘ there

‘ there was no great matter in it more than one good clown’s
 ‘ part. The last night was a *Latin* pastoral, of the same
 ‘ house, excellently written, and as well acted; which gave
 ‘ great contentment, as well to the king as to the rest.
 ‘ Now

* As Mr. *Chamberlain* has in the above letter omitted to mention what were the other plays, besides *Albumazar*, which were performed during the king’s stay, the reader is referred to a letter signed *P. Gemsege*, in the *Gentleman’s Magazine* for May 1756, p. 223. In this letter Mr. *Pegge*, its author, gives a copy, in the following words, of a minute of what passed at *Cambridge* for the five days the king stayed there, the original of which, he informs us, he found in manuscript in the library of Sir *Edward Deering*:

‘ On *Tuesday*, the 7th of *March* 1614, was acted before the king in
 ‘ *Trinity* college hall,

‘ 1. *Æmilia*, a *Latin* comedy, made by Mr. *Cecill*, *Johannis*.

‘ On *Wednesday* night,

‘ 2. *Ignoramus*, the lawyer, *Latine*, and part *Englisb*, composed by
 ‘ Mr. *Ruggle*, *Clarensis*.

‘ On *Thursday*,

‘ 3. *Albumazar*, the astronomer, in *Englisb*, by Mr. *Tomkis*,
 ‘ *Trinit*.

‘ On *Friday*,

‘ 4. *McIanthe*, a *Latin* pastoral, made by Mr. *Brookes* (mox doc-
 ‘ tor) *Trinitatis*.

‘ On the next *Monday*,

‘ 5. *The Piscatory*, an *Englisb* comedy, was acted before the univer-
 ‘ sity in King’s coll. which master *Fletcher*, of that coll. had
 ‘ provided, if the king should have tarried another night.’

Of the plays above-mentioned, *Æmilia* was never printed. See *Biographia Dramatica*, art. *Æmilia*, among the list of *Latin* plays written by *Englisb* authors, at the end of Vol. II. *Ignoramus* was not published till 1630, *Albumazar* in 1615, and *Melanthe* in the same year. Of these two latter, the writer of the letter above referred to has given the titles at length; and remarks, that his copy of *Melanthe* belonged to *Matthew Hutton*, and that the names of the performers in it are written against their respective characters in the enumeration of the dramatis personæ. *The Piscatory* above-mentioned was written by *Phineas Fletcher*, the author of an allegorical poem, entitled *The Purple Island*, and was printed in 4to. in 1631, with the title of *Sicelides*. I cannot here omit to observe, that Dr. *Birch*, in the manuscript collection of Mr. *Chamberlain*’s letters before referred to, has, in a note on this, informed us that *Albumazar* was taken from an *Italian* comedy; and Mr. *Steevens*, in a note on *Timon of Athens*, says, that the original of *Albumazar* was an *Italian* comedy, called *Lo Astralogo*,

‘ Now this being the state of their plays, their acts and disputations fell out much after the same manner; for the divinity act was performed reasonably well, but not answerable to the expectation; the law and physic acts stark naught; but the philosophy act made amends, and indeed was very excellent^a, inasmuch that the same day the bishop of

logo, written by *Battista Porta*, the famous physiognomist of *Naples*, and printed at *Venice* in 1606. See *Johnson and Steevens's Shakespeare*, edit. 1778, Vol. VII. p. 434. It is something singular, that of the four plays acted on this occasion, two, viz. *Ignoramus* and *Albumazar*, should have been taken from the *Italian*, and from the same author, *Giambattista Porta*.

^a Mr. *Chamberlain* has, in the text, so very briefly noticed these acts, as to make it necessary here to give some further account of them, especially as he commends the philosophy act. We find then that the divinity act was kept by Dr. *Davenant*, for in a tract inserted in Mr. *Baker's* manuscript collections, Vol. XI. p. 33, entitled *Catalogus Procan. Procur. Doctorum, &c. una cum Notis quibusdam Historicis, ex Mss. Tenisoniano, aucto ex Collect. Ms. Guil. Dillingham, S. T. P.* p. 90, sub anno 1615, is the following memorandum: ‘ *Mens. Mart. 7, 1614-15, Dre. Davenant, cum tribus quæstionibus. Nulla est temporalis papæ potestas supra reges, in ordine ad bonum spirituale. Infallibilis fidei determinatio non est annexa cathedræ papali. Cæca obedientia est illicita.*’ *Fuller*, in his *Worthies, Cambridgeshire*, p. 162, says, that in this act Dr. *John Davenant* was answerer, and Dr. *Richardson*, among others, opposer; that the question was maintained in the negative concerning the excommunicating of kings; that Dr. *Richardson* vigorously pressed the practice of St. *Ambrose*, who excommunicated the emperor *Theodosius*; that the king in some passion replied, ‘ *Profecto fuit hoc ab Ambrosio insolentissime factum;*’ and that Dr. *Richardson* answered, ‘ *Responsum vere regium, & Alexandro dignum;*’ ‘ *hoc non est argumenta dissolvere, sed difficere:*’ and sitting down, desisted from any further dispute. And from the letter of Mr. *Chamberlain's*, in the text, we learn that Dr. *Harsenet*, bishop of *Chichester*, the then vice-chancellor, was the moderator in it. The law act, as appears by the following entry, in *An Extract out of Hatcher's MS. Catalogue of the Provosts, Fellows, and Scholars of King's College*, inserted in Mr. *Baker's* collections, Vol. XIX. but which is not paged, was moderated by Dr. *Henry Moutlow*, first *Greyham* professor of civil law. 1571, *Hen. Moutlow*, twice proctor of the university, 1589 and 1593, and a burgess of parliament, many years orator, first reader of the law lecture at *Greyham* college in *London*, LL. D. moderator of the law act before k. *James* at *Cambridge*, an. 1614, died 1634, buried

‘ at

‘ of *Ely* sent the moderator, the answerer, the varier or prevai-
 ‘ cator, and one of the repliers, that were all of his house, twenty
 ‘ angels a piece ^a. Now for orations and concios ad clerum,
 ‘ I heard not many, but those I did were extraordinary, and
 ‘ the better for that they were short. The university orator,
 ‘ *Netherfole* ^b, though he be a proper man and think well of
 ‘ himself,

‘ at St. Mary’s, aged 80 years.’ And from a poem, hereafter inserted
 in the appendix, entitled *A grave Poem, as it was presented in Latin, by*
certain Divines, before his Majesty in Cambridge, by way of Interlude,
filed Liber novus de adventu regis ad Cantabrigiam, it seems, that the
 physic act was kept by Sir Edward Ratcliffe, whom Mr. Chamberlain
 has before mentioned in this letter, by the appellation of a foolish tutor
 of physic, and who, as the before-cited poem informs us,

‘ —Was, by the king’s own appointment,
 ‘ To speak of spells and magic ointment.’

Of the philosophy act, an account much too long to be here inserted is
 to be found in *Ball’s Life of Dr. Preston*, before referred to, from which
 it appears, that Dr. *Wren*, of *Pembroke hall* (afterwards bishop of *Ely*)
 was answerer, or respondent, in it; Dr. *Preston*, of *Queen’s college*, first
 opponent; and Dr. *Reade*, of *Pembroke hall*, moderator; and the ques-
 tion in it was, whether dogs could make syllogisms, a question very
 well suited to the king’s love for hunting, and perhaps suggested, either
 by a passage from *Chrysippus*, in Sir *Walter Raleigh’s Sceptic* (in which
 the position is affirmed) or by *Montaigne’s Apology for Raimond de Se-*
donde, where he takes occasion to mention this passage in *Chrysippus*.
 See *Montaigne’s Essays*, *Cotton’s translation*, edit. 8vo. 1711, Vol. II.
 p. 194.

^a The bishop of *Ely*, here mentioned, was Dr. *Andrews*, who had
 formerly been also master of *Pembroke hall*; the moderator was Dr.
Reade, the same person, I conceive, with *Alexander Reade*, bachelor of
 arts, who was chosen fellow of *Pembroke hall*, Nov. 5, 1605, and who
 was afterwards minister of *Yeatley*, in *Hampshire*, and died about 1628.
 See *Atwood’s Continuation of the Masters and Fellows of Pembroke Hall*,
 in Mr. *Baker’s MSS.* Vol. VI. p. 301. The answerer or respondent
 was the Dr. *Wren* mentioned in the preceding note, who was likewise of
Pembroke hall; and by the words, ‘ his house’, is to be understood *Pem-*
broke hall.

^b *Francis Netherfole*, afterwards knighted, and secretary to the queen
 of *Bohemia*, *Birch’s MS.* He was elected and admitted public orator in
 1611, as appears from a list, entitled *Oratores Cantabrig. ex Libro Ora-*
toris, in Mr. *Baker’s manuscript collections*, Vol. X. p. 147, in which
 is the following entry respecting this person: ‘ *Franciscus Netherfole*,
 ‘ electus & admittus 19 Decembr. an. 1611.’ The election and ad-
 mission

‘ himself, yet he is taxed for calling the prince *Jacobissime* *Carole*; and some will needs add, that he called him *Jacobule* too, which neither pleased the king nor any body else. But sure the king was exceedingly pleased many times both at the plays and disputations (for I had the hap to be for most part within hearing) and often at his meals he would expresse as much. He visited all the colleges, save two or three, and commends them beyond *Oxford*; yet I am not so partial, but therein I must crave pardon not to be of his opinion. Though I endured a great deal of penance by the way for this little pleasure, yet I would not have missed it, for that I see thereby the partiality of both sides; the *Cambridge* men pleasing and applauding themselves in all, and the *Oxford* men as fast condemning and detracting all that was done; wherein yet I commended *Corbet*’s ^a modesty, whilst he was there; who being seriously dealt withal by some friends to say what he thought, answered, that he had left his malice and judgment at home, and came thither only to commend.

‘ *Paul Tompson* ^b, the gold-clipper, hath his pardon; and not only so, but is absolved a *pœna et culpa*; whereby he keeps his livings, and never came to trial; and I heard he had the face to appear in the town whilst the king was there.

‘ Sir *Arthur Ingram* is in a sort *desurranné*; for Sir *Marmaduke Dorrell* is appointed to keep the table, and dispatch the business of the cofferer, and he only to retain the name till

mission of *George Herbert*, his successor, is, in the above-mentioned list, dated 21 *Januar.* an. 1619; and in a list, entitled *Oratores Acad. Cant.* inserted in the same collections, Vol. XI. p. 27, I find the following: 1611, *Franc. Netherföle*, Coll. *Trin.* socius, regius legatus fuit ad regem *Bohemiae*, vixit *Polesworthæ* in agro *Warwicensi*. V. *Dugdale’s Antiq. Warwick’s*. p. 803, 4, &c.

^a ‘ *Richard Corbet*, afterwards dean of *Christ-church*, and successively bishop of *Oxford* and *Norwich*.’ *Birch MS.*

^b Of this person I know nothing farther, than that from some lines already inserted (p. vii.) from a manuscript poem in the *Harleian* collection, No. 5191, entitled *The Soldier’s Counterbuff to the Cambridge Interludians of Ignoramus*, it appears that he was a clergyman.

f

‘ *Michaelmas*,

‘ *Michalmas*, that the accompts may be made up, and in the mean time order taken, that he may be reimbursed of such monies as he hath lawfully laid out, or can challenge, in this cause.

‘ Old Sir *John Cutts* is lately dead, and here is such a speech of the lord *Roffe*; but there is no great credit given to it, because it comes only out of the *Low Countries*. Your nephew *Carleton*^a is arrested with the small-pox, which hindered his journey to *Cambridge*.

‘ I had almost forgotten, that almost all the courtiers went forth masters of arts at the king’s being there; but few or no doctors, save only *Younge*^b; which was done by a mandate, being son to Sir *Peter*, the king’s school-master. The vice-chancellor and university were exceeding strict in that point, and refused many importunities of great men; among whom was Mr. Secretary^c, that made great means for Mr. *Westfield*^d; but it would not be: neither the king’s intreaty
‘ for

‘ The following brief account is given of this person in a tract, entitled *A Catalogue of all the Provosts, Fellows, and Scholars of King’s College, Cambridge, since the Foundation, 1441*, inserted in Mr. *Baker’s* collections; Vol. XI. p. 204, sub anno 1614: ‘ *Dudley Charleton*, nephew to Sir *Dudley Carlton*, whose secretary he was when ambassador in the *Low Countries*, afterwards knighted, and made one of the clerks of the council 1637.’ *Wood*, in his *Athenæ Oxonienses*, edit. 1691, Vol. I. col. 483, gives an account of Sir *Dudley Charleton*, which he closes with these words: ‘ He left behind him a nephew of both his names, who was admitted scholar of King’s college, in *Cambridge*, 1614, and had the degree of master of arts of that university conferred upon him during his absence in the *Low Countries*, being then secretary to his uncle while he was ambassador there. In 1629, March 1, he received the honour of knighthood from his majesty, at *New-market*, and in 1637 he was made one of the clerks of the council.’

‘ *Patrick Younge*, afterwards library-keeper to the king.’ Dr. *Birch’s* copy of this letter, ubi supra.

‘ Mr. Secretary, in this letter, means Sir *Ralph Winwood*, who was at that time secretary of state, to which office he was appointed and sworn in on 29th March 1614, *Stow’s Chronicle*, edit. 1631, p. 1011, and which became vacant by his death on 27th October 1617, *Rapin’s Hist. of England*, Vol. II. p. 192, *Tindal’s* translation, on the authority of *Camden’s Annals*.

‘ Dr. *Birch*, in his copy of this letter in the collection so often before referred

‘ for *John Dun* would prevail: yet they are threatened with
 ‘ a mandate, which, if it come, it is like they will obey; but
 ‘ they are resolved to give him such a blow withal, that he
 ‘ were better be without it. Indeed the bishop of *Chichester*,
 ‘ vice-chancellor, hath been very stiff, and carried himself
 ‘ very peremptory that way; wherein he is not much to be
 ‘ blamed, being a matter of more consequence than at first
 ‘ was imagined’. He did his part every way, as well in mode-
 ‘ rating

referred to, has this note on this passage: ‘ *Tbo. Westfield*, B. D. who
 ‘ became rector of Great St. *Bartholomew’s*, 18 Decem. 1605, and was
 ‘ afterwards rector of *Hornsey*, and archdeacon of St. *Albans*, and in
 ‘ 1641 made bishop of *Bristol*.’

‘ *Walton*, in his life of Dr. *Donne*, p. 41, edit. 1675, says, ‘ that
 ‘ summer, in the very same month in which he entered into sacred or-
 ‘ ders, and was made the king’s chaplain, his majesty then going his
 ‘ progress was entreated to receive an entertainment in the university
 ‘ of *Cambridge*; and Mr. *Donne* attending his majesty at that time, his
 ‘ majesty was pleased to recommend him to the university to be made doc-
 ‘ tor in divinity. Dr. *Harsenet*, after archbishop of *York*, was then vice-
 ‘ chancellor; who knowing him to be the author of that learned book,
 ‘ the *Pseudo-Martyr*, required no other proof of his abilities, but pro-
 ‘ posed it to the university; who presently assented, and expressed a glad-
 ‘ ness that they had such an occasion to entitle him to be theirs.’ In
 this assertion *Walton* is certainly mistaken; for it appears, from the pas-
 sage in the text, that the university refused the king’s request; and we
 learn from a letter of Mr. *Chamberlain’s* to Sir *Dudley Carleton*, am-
 bassador at *Turin*, dated only 1615 (but which, in Dr. *Birch’s* collection
 before referred to, immediately follows that which is here given in the
 text, and is marked by Dr. *Birch* 1615, *March*) that it was not without
 difficulty, and such a reproof as is little short of an express declaration
 of his unworthiness to receive it, that Dr. *Donne* at last obtained the
 degree of doctor in divinity by virtue of the king’s mandate. Mr. *Cham-*
berlain’s words are these: ‘ *John Donne* and one *Cheke* went out doctors
 ‘ at *Cambridge*, with much ado, after our coming away, by the king’s
 ‘ express mandate; though the vice-chancellor and some of the heads
 ‘ called them openly filios nostris & tenebriones, that sought thus to come
 ‘ in at the window when there was a fair gate open. But the worst is,
 ‘ that *Donne* had gotten a reversion of the deanery of *Canterbury*, if such
 ‘ grants could be lawful; whereby he hath purchased himself a great
 ‘ deal of envy, that a man of his sort should seek, per saltum, to inter-
 ‘ cept such a place from so many more worthy and ancient divines.’

‘ *Camden*, in his *Annales ab anno 1603 ad annum 1623* (at the
 end of his letters, published by Dr. *Smith*, 4to. *Lond.* 1691) sub anno

‘ raising the divinity act as in taking great pains in all other things, and keeping exceeding great cheer.

‘ I have here sent you the questions in brief, for otherwise they would bear too great a bulk. And so I commend you to the protection of the Almighty. From London, the 16th of March 1614.

‘ Your lordship’s to command,

‘ JOHN CHAMBERLAIN.’

1615, March, has the following article: ‘ 7. Rex invisit academiam Cantabrigiam, ubi gradus academici indoctis prostituti;’ and Mr. Baker, in an account of St. John’s college, Cambridge, which occupies the whole of the first volume of his manuscript collections, speaking, p. 238, of king James’s visit in March 1614-15, and again in May following, says, that ‘ at his departure degrees were vilely prostituted to mean persons, such as apothecaries and barbers, and that in so scandalous a manner, that some of them were afterwards degraded by a grace of the house; though, to soften the matter, it was pretended that some of these degrees were surreptitiously obtained;’ and in Vol. XXIII. among *Gratie concessæ* is the grace itself, but with an erroneous date of Mar. 4, 1614, in which the names of the persons are mentioned.

‘ Miscellaneous State Papers from 1501 to 1726, 4to. Lond. 1778, Vol. I. p. 394. It is very singular, that although the name of this person occurs in most of the state papers of the time, and he seems to have been acquainted, and to have corresponded, with some of the first men then living, no account respecting him is any where to be found. Dr. Birch, in a manuscript now in the British Museum, Birch MSS. No. 4173, had made an attempt towards recovering some particulars of his history; and what he had thus collected, is here given in his own words: ‘ Mr. John Chamberlain was a gentleman well accomplished in learning and languages, both ancient and modern, and by the advantages of travelling, and an intimacy with some of the most considerable men of his time, though I can find few circumstances relating to the personal history of him. One indeed of both his names was member for Clithero, in Lancashire, in the parliament which met at Westminster, Nov. 19, 1592, Willis’s Notitia Parliamentaria, p. 130, edit. Lond. 1750; and for St. Germans, in Cornwall, in the parliament of 1597, ibid. p. 138; but I cannot determine whether this was the friend of Sir Thomas Bodley and Sir Ralph Winwood, as well as the correspondent of Sir Dudley Carleton. The last of these he accompanied to Venice when Sir Dudley was sent thither ambassador, in September 1610, Winwood’s Memorials, Vol. III. p. 213; but he returned to London, 3 Novem. 1611, ibid. p. 384, his letter of the 6th.’

Besides

Besides these compositions which were immediately intended for his entertainment, or for representation before him, the king's visit had given occasion to several poems, containing narratives of the transactions during his stay; and among others, some of which will be noticed hereafter, to the following, in which a comparison is drawn between his reception at *Oxford* in 1605, and his subsequent entertainment at *Cambridge*:

Cambridge is a merry town, and *Oxford* is another;
The king was welcome to the one, and fared well at t'other:
So that I know not unto which the king is most a debtor,
Though *Oxford* made him dainty cheer, yet *Cambridge* score
is greater.

In gay array the *Oxford* men receiv'd him man by man-a,
And *Cambridge* spent, in butter'd beer, three pounds to sing
Hofanna.

Oxford had good pleasant songs, and some of them were
witty;
And so had *Cambridge*, by my faith, an 'twere not for their
ditty.

Oxford had good comedies, but not such benefactors;
For *Cambridge* bishops whiffers * had, and preachers for
their actors.

Oxford

* *Miege*, in his *French Dictionary*, art. *Whiffler*, thus explains it:
'Whiffler, one that goes with a pipe before a company of soldiers;' and translates it into *French* by the substantive, *Un Fluteur*. *Phillips*, in his *Dictionary*, likewise says, that, among other senses, '*Whiffler* is also taken for a piper that plays on a fife in a company of soldiers.' In the passage in the text, it signifies the musical performers on occasion of the acting of these comedies before the king; in which sense it is also used by bishop *Corbet* in the following lines of his poem *On Christ-church play at Woodstock*:

'If we at *Woodstock* have not pleased those
'Whose clamorous judgments lie in urging noes,
'And, for the want of whiffers, have destroy'd
'Th' applause which we with vizards had enjoy'd,
'We are not sorry.'

Poetica Stromata, edit. 1648, p. 83.

The *Christ-church* play was *Ταμνυαμία*, or, *The Marriage of the Arts*, a comedy,

Oxford cry'd, 'God save the king!'—'and bleſs him too!'
cry'd ſome :

But *Cambridge* cry'd, more learnedly, 'Behold the king
'doth come'.

Cambridge is a witty town, and *Oxford* is a wiſe,
But neither's logic could diſcern ſpectators from the ſpies.
Oxford ſhe a *Chriſt-church* had to entertain the king;
And *Cambridge* had a *Trinity*, but ſcarce one wiſe therein.
'Moſt *Jacob Charles* b,' did *Cambridge* cry, 'you welcome
'are to us':

An *Oxford* boy muſt have untruſs'd, if he had cried thus.
Oxford her vice-chancellor exceeding in a muſſ,
But *Cambridge* in a jacket blue for an a fringed ruſſ c.
Oxford her vice-chancellor did take his uſual place,
But *Cambridge* lay upon the ſtage, as pleading for his grace d.

medy, by *Barten Holiday*: it was performed in *Chriſt-church* hall, *Oxford*, 13 February 1617, and before king *James I.* at *Woodſtock*, on 26th Auguſt 1621, by the ſtudents of *Chriſt-church, Oxford*. See *Wood's Athenæ Oxoniæſes*, edit. 1692, Vol. II. col. 170.

a The vice-chancellor, in his ſpeech on the king's arrival, is ſaid frequently to have uſed the words, 'En & ecce venit rex.' See the poem, entitled *A grave Poem, as it was preſented in Latin, by certain Divines, before his Maſteſty in Cambridge, by way of Interlude, ſtiled Liber novus de Adventu Regis ad Cantabrigiam*, in the appendix hereto.

b The public orator, in his ſpeech on the ſame occaſion, is reported to have ſtyled the prince *Jacobiffime Carole*. See Mr. *Chamberlain's* letter before Inſerted.

c This paſſage, which ſtands exactly as it is here in the manuſcript from which this poem is given, is undoubtedly corrupt. Perhaps we ſhould read :

'But *Cambridge* in a jacket blue wore on a fringed ruſſ.'

d A grace, in the language of the univerſity of *Cambridge*, means a petition for any purpoſe to the vice-chancellor and caput ſenatus. In Mr. *Baker's* manuſcript collections, ſo often cited, Vol. XXIII. not pag'd; among other entries which have no regular title, is a decree, as I conceive it, beginning with theſe words :

'Junii 18, 1578.

'Cum ſæpenumero petitiones, quas gratias nuncupamus, pro gradibus ſcholæſticis & aliis beneficiis academice conſequendis, in ſenatu proponuntur,' &c.

Oxford

Oxford an oration had, which made the commons weep;
Cambridge, a wholesome physic act, which brought the king
 asleep.

The comedy of *Ignoramus*, from the account already given of it by Mr. *Chamberlain*, may well be supposed to have fully answered, on its representation, the author's hopes of its success. The king was highly delighted with it, not only for the novelty and singularity of its subject, and its general tendency to render ridiculous a profession which he is known to have little affected^a, but also for the wit and learning with which

^a *Rapin's Hist. of England, Tindal's Translation, Vol. II. p. 186, Rapin says, that 'the king was wont twice a year to take a journey into some part of the kingdom. These journies were called progresses; one whereof was made in winter, the other in summer. In his winter progress, in the year 1615, he passed through Cambridge, where the scholars entertained him with a comedy, called Ignoramus, which ridiculed the common law. Nothing could be more diverting to the king. The civil law, or the laws made by the supreme authority of the Roman emperors, appeared to him of much greater value than the common or statute law; and he could not forbear now and then to speak of these last with contempt: wherefore he was so delighted with this play, that he caused it to be acted twice in his presence during his short stay at Cambridge. At this play it was' (adds Rapin) 'that the king was struck with a new object, which made the same impression upon his mind as Robert Carr did the first time he saw him. This was George Villiers; &c. Rapin cites in the margin the authority of Coke. The passage in Coke is in the following words: 'The king this year, about the beginning of March 1614-15, according to his usual methods, went to take his hunting pleasures at Newmarket; and the scholars, as they called them, of Cambridge, who knew the king's humour, invited him to a play called Ignoramus, to ridicule at least the practice of the common law. Never did any thing so hit the king's humour as this play did, so that he would have it acted and acted again; which was increased with several additions, which yet more pleased the king. At this play it was so contrived that George Villiers should appear with all the advantages his mother could set him forth; and the king, so soon as he had seen him, fell into admiration of him, so as he became confounded between his admiration of Villiers and the pleasure of the play; which the king did not conceal, but gave both vent upon several occasions.' Coke's Detection of the Court and State of England, 3d edit. 8vo. 1697, Vol. I. p. 74. Coke's account, so far as respects Villiers (afterwards duke of Buckingham) and Rapin's, as being found-*

which it is so abundantly fraught. On the minds of the rest of its auditors it produced an effect somewhat similar to that of *Hudibras*, written many years after, and gave occasion for allusions to it in common discourse, and citations from it in the writings of the time^a: some few of the graver sort, indeed, were sorry to see the common law, and its professors, rendered the objects of contempt and ridicule. 'If gowns be- gin once to abase gowns,' says my author, 'cloaks will carry away all. Besides, of all wood, the pleader's bar is the worst to make a stage of; for, once in an age, all professions must be beholden to their patronage^b'. And we are told, that between the scholars of the university and the common lawyers it occasioned so great a disturbance, that the insults of the former became intolerable; and to such a height had these tumults risen, as to require the interposition of the lord chancellor to quell them; which, by explaining the author's intention, was at length effected^c.

Finding his endeavours had been attended with so great success, and conceiving his materials not yet exhausted, Mr. *Ruggle*, on the king's departure from *Cambridge*, set himself to revise his comedy, and in the course of this revision made, as we are informed, considerable additions to it^d; but the particular passages it is impossible to discriminate.

The

ed on him, are both erroneous, and are corrected by Mr. *Tindal* in a note in his translation of *Rapin*, in loco supra cit. on the authority of *Dugdale's Baronage*, Vol. II. p. 429; for it was not at *Cambridge*, but at *Apethorpe* in *Northamptonshire*, that the king first saw *Villiers*. *Rapin* is also mistaken in asserting, as he does, that *Ignoramus* was twice played during the king's stay; for, though it was twice performed before him, it was on two different visits.

^a An instance of this is given in a note on a passage of the comedy itself, p. 94; in addition to which it may be observed, that *Walton*, in his *Complete Angler*, edit. 1653, Chap. I. says: 'And as for any scoffer, qui mockat, mockabitur;' evidently alluding to a speech of *Cupes's* in this comedy, Act III. sc. 6. *Walton* has, however, omitted this passage in the second, and all subsequent editions of his book.

^b *Fuller's Church History*, Book X. p. 71.

^c Sir *Fulke Greville's Five Years of King James*, 4to. 1643, p. 60.

^d *Coke's Detection of the Court and State of England*, edit. 8vo. 1697, Vol. I. p. 74. The passage has been inserted at length in a former note,

The delight which the comedy of *Ignoramus* had afforded the king was so great, that the month of *March*, in which it was acted, was not elapsed before he began to wish for a repetition of it. For this purpose, and to save himself the trouble of a journey to them, he endeavoured to prevail on the performers in it to come to *London*, and act it there; but failing in this attempt, he resolved on a second visit to *Cambridge*. That the members of the university had an early intimation of his design, is certain; as also that they availed themselves of the intelligence, by preparing to receive him: the use Mr. *Ruggle* appears to have made of it, was, to write a new prologue to be spoken on this occasion, and which has usually, in the printed editions, accompanied the comedy itself, under the title of *Prologus posterior, ad secundum Regis adventum habitus*.

At first the king had appointed the 27th of *April* for this his journey, but he did not actually arrive at *Cambridge* till the 13th of *May*; and on that day the comedy of *Ignoramus* was again performed before him^b, with the addition of such passages

note. See also the account of king *James*'s second visit, inserted in the appendix hereto.

^a In a letter of Mr. *Chamberlain*'s (among the rest in Dr. *Birch*'s collection before cited) dated only 1615, but which Dr. *Birch* has marked 1615, *March*, is the following passage: 'The king hath a meaning, and speaks much of it, to go again privately to *Cambridge*, to see two of the plays, and hath appointed the 27th of the next month; but it is not likely he will continue in that mind; for of late he hath made a motion to have the actors come hither, which will be a difficult thing to persuade some of them, being preachers and bachelors of divinity, to become players any where but in the university, which was incongruity enough, and whereto the *Oxford* men took just exception. They have offered at two or three bald ballads, which are such poor stuff they be not worth the looking after. But I hear they have it better in a *Freshman*'s letter to his mother, wherein he relates, somewhat handsomely, all that passed. If I can come by it; and that it be worth the sending, you shall hear of it.' It does not appear from the subsequent letters, in the collection where this occurs, that the *Freshman*'s letter was ever sent.

^b The date usually assigned for the second representation, and which has also, in almost all the editions, been printed at the head of the second prologue to *Ignoramus*, is the 6th of *May* 1615; and on this

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authority

passages as had been inserted in it by its author subsequent to the first representation; and on this occasion the above-mentioned new prologue was also spoken. The names of the performers in this second prologue are no where disclosed: but those in the comedy itself were doubtless the same as in the former representation; and it should seem, from the many passages in them particularly addressed to the king in person, that the following lines, besides the before-mentioned prologue, were at the same time also spoken, as a kind of introductory prologue.

DE REPETITA CANTABRIGIA :

SIVE, DE ADVENTU REGIS AD MUSAS SECUNDO.

LIBER LICENTIATUS.

DAVUS DROMO in Laudem Autoris.

Vides ingenium mire profundum,
Adventum pariens Regis secundum.

VENISTI, *Cantabrigia*,
Ad gloriæ fastigia.
Jam jube fileat tuum propellum;
Haud magnificum suum sacellum,
Sed content Regem *Martio* hinc profectum,
Et *Maio* mense denuo revectum.
Venit rex, non sicut ante,
Magna turba comitante;

authority of those editions, and of archbishop *Sanicroft's* copy before mentioned, in which that date is put in with a pen, we have also been misled into the same mistake. Some authorities have fixed the 15th of *May* for the date of its second representation; but the fact is, it was performed for the second time, not on the 6th or 15th, but on the 13th of *May*: and this latter date is proved by an authentic account of the king's second visit, inserted in the appendix hereto; and which, as having been drawn up by Mr. *Tabor*, the then public register of *Cambridge*, is of more authority than any other that can be cited.

Sine

Sine pompa nunc intrabat,
 Rarus eques pererrabat.
 Non deerant tamen nobiles,
 Nobiliumque magna soboles;
 Nec viri robusti et fortes,
 Prætorianæ cohortes.
 Locum episcopi *Ciceſtrienſis*,
 Procancellarii *Cantabrigienſis*,
 Malo fato tunc abſentis,
 Alter ^a forte tum ſupplebat,
 Qui vices ejus bene gerebat;
 Fecit namque congregari,
 Et in uno loco ſtare,
 Scholaſticorum totum gregem,
 Ad videndum noſtrum Regem.
 Stabant primo loco gentes
 Quos vulg. pop. vocat recentes ^b;
 Illos ſubſequentur iſti
 Qui vocantur hic ſophiſtæ;
 Et poſt illos alter ſtatus,
 Ordo baccalaureatus;
 Proximas tenebant partes
 Hi qui ſciunt omnes artes;
 Ubi illi definebant,
 Non-regentes apparebant:
 Pone, gentium dii majorum,
 Turba gravis ſtat doctorum:

^a This was Dr. *Owen Gwynne*, maſter of St. *John's* college, who ſucceeded Dr. *Harſenet*, biſhop of *Chicheſter*, as vice-chancellor. Mr. *Baker*, in his manuſcript collections, Vol. I. p. 239, ſpeaking of king *James's* viſit to *Cambridge*, ſays, ‘ Dr. *Harſenet*, maſter of *Pembroke*, and biſhop of *Chicheſter*, was then vice-chancellor, who received all the marks of his maſteſty's bounty and favour. That any great notice was taken of Dr. *Gwyn*, I have not read; but he made his court ſo well to the vice-chancellor, that he was employed by him in his abſence, wherein he acquitted himſelf to that advantage, that he was choſen vice-chancellor the year after.’

i. e. *Freſh-men*.

Hi, repente tum perlato
 Regem adesse signo dato,
 Academicorum more,
 Clamant omnes uno ore,
 'Jubet te salvere, Rex,
 'Scholasticorum totus grex;
 'Salutat te, *Britanniæ* Pater,
 'Academiæ alma mater.'
 Hisce verbis compellatus,
 Ad collegium *Trinitatis*,
 Suum hospitium, est delatus. }
 Hic cum paulum requieverat,
 Famemque cibo expleverat,
 Occurrit ei *Ignoramus*,
 Fabula quam nunc actitamus;
 Quam si nos facimus malam agendo,
 Hanc, Rex, tu facis bonam videndo*.

Among other poetical compositions, to which, as we have before noticed, the king's first journey to *Cambridge* had given occasion, one in *Latin* had appeared, entitled *Liber novus de Adventu Regis ad Cantabrigiam*; in which an account, not much in favour of the university of *Cambridge*, was given of the several incidents which happened during his stay. This poem, which was also termed the *Oxford* Ballad, as being conceived to be written by some person of that university, was translated into *English* (whoever was the author of the original *Latin*) by bishop *Corbet*^b; and produced from some member of *Cambridge*, as it is supposed, an answer, vindicating those of *Cambridge* from the aspersions contained in the former. The original *Latin* poem is with good reason supposed to be lost; but

* From a manuscript in the library of *Trinity* college, *Cambridge*, B. 14. 22. For the first intelligence of this poem, and for the favour of a copy, from which the above was printed, I am obliged to the Rev. Mr. *Davies*, one of the fellows of *Trinity* college.

b The translation is inserted as his in *Corbet's* Poems, edit. 1648, p. 29, and in the subsequent editions; and from some of these it has been reprinted, in *Dryden's Miscellany*, Vol. VI. p. 325. It is also given in the appendix hereto.

it appears that the original *Latin*, and the *English* answer to it, were set to music; and sung before the king, as part of his entertainment, instead of interlude music, on the second representation of *Ignoramus*^a: and further, that the translation of the former was contrived to be sung to the tune of *Bonny Nell*^b, which we may suppose was some well-known song or ballad at that time. The words, however, of both the translation of the former poem, and the original *English* of the answer to it, as containing some curious facts, are, with the addition of such notes as were necessary to render them at this time intelligible, given in the appendix hereto^c.

As

^a See the latter poem itself, in the appendix hereto.

^b See it, and particularly its title, in the appendix.

^c The following particulars, respecting the king's second visit in May 1615, are related in a letter of Mr. *Chamberlain's*, without any direction, but dated *London*, the 20th of May 1615, and which is to be found in the before-mentioned collection by Dr. *Birch*: 'On Saturday last the king went again to *Cambridge*, to see the play *Ignoramus*, which hath so nettled the lawyers, that they are almost out of all patience; and the lord chief justice*, both openly at the King's Bench, and divers other places, hath galled and glanced at scholars with much bitterness; and there be divers inns of court men have made rhymes and ballads against them, which they have answered sharply enough: and, to say truth, it was a scandal rather taken than given; for what profession is there wherein some particular persons may not be justly taxed without imputation to the whole? But it is the old saying, *consciens ipse sibi*; and they are too partial to think themselves so *sancro-sancti* that they may not be touched. The king had a *Latin* sermon on Sunday, and disputations on Monday, before his coming away.' To this we may add, that in a *Catalogus Procur. Procur. Doctorum, &c. una cum notis quibusdam historicis, ex Mss. Tenisoniano, aucto ex collect. Ms. Guil. Dillingham, S. T. P.* inserted in Mr. *Baker's* collections, Vol. XI. p. 33, is the following memorandum, p. 90, sub anno 1615: '1615, mense Mai: 13, Resp. Mr. *Gul. Roberts*, col. *Trin.* soc. in facello col. *Trin.* Romana ecclesia non est vera ecclesia. Oppon. Mr. *Chappell*, col. *Chr.* Mr. *Bigland*, C. *Regin.* Mod. Mr. *Cecill*, col. *Job.*'
Howes, in his *Abridgment of Stow's Chronicle*, edit. 8vo, 1618, relates, p. 545, the following particulars respecting the king's two visits:

* 'Sir Edward Coke.'

'Tuesday,

As it was the intention of Mr. *Ruggle* to ridicule the pedantry of the common law forms, and the cant and barbarous phraseology

‘ *Tuesday*, the seventh of *March* 1614, the king was royally received into *Cambridge*, where he stayed until *Saturday* following; in which space the university entertained his majesty with learned disputations in divinity, philosophy, &c. and with comedies in *Latin* and *English*; with great feasting of the king, his nobility, and train. The king in most gracious manner came to them again in *May* next following. What is more to be said touching his majesty’s being at *Cambridge*, I could never learn, notwithstanding my letters and mediation to the vice-chancellor, therefore I cannot promise any more in my large book.’ In his large book, however, viz. an edition of *Stow’s Chronicle*, which he published in folio in 1631, he gives the following account: ‘ *Tuesday*, the 7. of *March*, the king was royally received into the university of *Cambridge*, and stayed there until *Saturday*; and being much delighted with their entertainments, he came to them again the 25. of the same month.’ See *Howes’s* Continuation at the end of *Stow’s Chronicle*, p. 1023, edit. 1631. *Howes* is mistaken in affirming that the king went again to *Cambridge* the 25th of the same month, i. e. of *March*. It is true that Mr. *Chamberlain*, in a letter dated 1615, and which Dr. *Birch* mentions to have been written in the month of *March* in that year, relates that the king had appointed the 27th of the next month for his visit (see an extract from it before inserted); but he does not appear to have actually gone till the 13th of *May*. For further particulars of his second visit, see an account inserted in the appendix hereto.

Having now no further occasion to notice either of the king’s visits, we cannot better conclude our account of them than by inserting the following extracts. Mr. *Baker*, in his manuscript collections, Vol. I. p. 237, in an account of St. *John’s* college, *Cambridge*, which occupies the whole volume, says, speaking of king *James*, and his visits in *March* 1614-15, and again in *May* 1615, ‘ He too was entertained by the college, for which 500 lib. is placed to account, besides their proportion to the public charge;’ citing for this Comput. Fin. viz. the college account of the disposition of their fine-money: and in Vol. XII. p. 153, he gives from the same authority the following entries:

‘ The king’s entertainment, an.

	l.	s.	d.
‘ Paid Mr. Vice-chan. for entertainment of his maj.			
‘ at his first coming - - - - -	30	0	0
‘ Paid for his entertainment at 2d coming - - -	19	16	0
‘ Paid of the fine money for charges at his majesty’s			
‘ coming, per billam - - - - -	499	7	2
Ex Libro. Fin.			

‘ Ann. 1614, 1615.’

In

phraeology of lawyers in their common discourse, it was necessary that he should make himself acquainted with that dialect, in which almost the best among them were wont to write, and even to converse; a jargon which could not but be grating and offensive to a classical ear: he therefore took more than ordinary

In an extract from the accounts of the church-wardens of St. Mary's parish, Cambridge, inserted in the same collection, Vol. XVII. p. 175, and entitled *Collectanea e Rationario, five Libro Censuali Ecclesiæ B. Mariæ, juxta Forum Cantabr. in Custodia Gardianorum ejusdem Ecclesiæ*, p. 191, sub anno 1614, are the following charges of payments:

	l.	s.	d.
' For gravelling the church-yard at the king's coming -	0	17	2
' To labourers for six days work, when the king was at ' Cambridge - - - - -	0	6	0
' For whitening the porch, the belfry, and mending the ' church walks, when the king was here, &c. - - -	0	13	4
' For the ringers when the king came - - - - -	0	2	0

In a *Computus Academiæ, made by the Vice-chancellors and the several Professors, as follows: Extract from the University Audit Book*, inserted in the same collection, Vol. XIX. but not paged, sub anno 1614, is the following charge:

' Pro nocturno scrutinio extraord. ratione adventus Regis,	l.	s.	d.
' &c. - - - - -	0	26	8

And in the same account, and at the bottom of the same page, are the following articles:

' [An. 1616, my ld. of <i>Chichester</i> , then vice-chan. received of the several ' colleges for the king's entertainment]	l.	s.	d.
' Received - - - - -	571	13	4
' Whereof his lordship disbursed in that service - - -	446	4	10
' So remains - - - - -	125	8	6
' Item, received of <i>Jesus</i> coll. the remainder of their rate	15	0	0
' In toto remanet - - - - -	140	8	6
' Whereof paid to Mr. <i>Lindsell</i> , for <i>Clare</i> l. s. d.			
' hall comedy - - - - -	72	7	8
' To the Bedel - - - - -	7	18	5
' In toto paid - - - - -	80	6	1
' The receipt from Dr. <i>Gwyn</i> is - - - - -	60	2	5
' Whereof paid to <i>Trinity</i> college - - - - -	21	0	0

In

ordinary pains to become acquainted with the technical terms of the profession, and to mark the abuse of them.

Of all the intelligence of this kind, which he was by reading, and conversation with lawyers, able to acquire, he has with admirable dexterity availed himself in the character of *Ignoramus*, who not only transacts business in *Latin*, that is to say, law *Latin*, but

‘Woos in language of the pleas and bench’.

And where words for his purpose have failed him, and fail him they necessarily must, he supplies the deficiency by con-

In an account of expences relating to St. *John's* college, but without any title, *Baker's MSS.* Vol. XX. p. 254, these entries occur sub anno 1613, *Jac.* 11,

	<i>l.</i>	<i>s.</i>	<i>d.</i>
‘For wood for the college, at the king’s coming - - -	4	0	0
Ibid. sub anno 1614, <i>Jac.</i> 12.			
‘Gloves for Mr. <i>Spencer</i> , and the young lord <i>Mountjoy</i> -	0	58	0
‘Item for wine for them - - - - -	0	5	0
‘Bestowed upon the countess of <i>Shrewsbury's</i> man, that			
‘brought the cloth for the hall - - - - -	0	33	0
‘Gloves for the judges - - - - -	0	18	0
‘For tapes and loops for the hangings in the hall, and for			
‘setting them on - - - - -	0	0	18

² The above is a line in the second of Dr. *Donne's* Satires, in which is a specimen of a lawyer’s courtship, in language so truly characteristic, that the insertion of the whole passage in this place will scarcely be thought to need an apology.

‘I have been
 ‘In love ever since *tricesimo* of the queen.
 ‘Continual claims I have made, *injunctions* got
 ‘To stay my rival’s suit that he should not
 ‘Proceed, spare me; in *Hilary term* I went,
 ‘You said, If I return’d next *size* in *Lent*,
 ‘I should be in *remitter* of your grace;
 ‘In th’ interim my letters should take place
 ‘Of *affidavits*.’

It is highly probable that the original hint of these lines was taken from the representation of this comedy, it being certain that *Donne* was at *Cambridge* at the time. Vide Mr. *Chamberlain's* letter ante.

verting

verting usual *English* words into *Latin*, by altering their terminations; and for this practice he appears to have had sufficient warrant.

The author of a well-known book, entitled *A Preparative to Pleading*^a, remarks, in p. 15 of that work, that ‘there is not a sufficient number of *Latin* words to express *English* words, there having been inventions of many things, whereof not a few proper to this nation, since the *Latin* tongue flourished in *Italy*. And every art and profession,’ adds he, ‘have many coined words proper and peculiar thereunto; and so lawyers have necessarily framed to themselves words of law *Latin*, for the more significant expression of things; as murder, for murder; manerium, a manor; acra, an acre.’ He further observes, p. 18, that ‘for want of fit *Latin* words, our predecessors have used some somewhat gross *Latin* words, as tot. virgat.’ [i. e. totidem virgatas, so many yards] ‘velvetti, or de velvet, for velvet; curta, a curtain; and *English* words only with de le, les, or lez before them.’ In p. 86, he informs us, that ‘there are four sort of *Latin* words: 1. Good *Latin*, allowed by grammarians. 2. Words significant and known by the sages of the law. 3. False, or ill *Latin*, or no *Latin* words, and yet having the countenance of *Latin*. 4. Words insensible and of no signification, and ‘which have no countenance of *Latin*.’ And in the page last above referred to, he gives the following direction for the use of *Latin* in pleadings: ‘Where are not elegant and proper *Latin* words to express things, we must use barbarous words, if they be known; and where are no such, we may coin *Latin* words, adding an *Anglice*.’ From these several passages it appears, that in drawing instruments or pleadings in *Latin*, in the first place, classical words were to be sought; and if none for the purpose could be found, in the next place, those known by the sages of the law; and if these also failed, the clerk was at liberty to coin *Latin* words, adding an *Anglice*.

From the time of the *Norman* conquest to the 36th year of

^a *George Tortwinesend*, second prothonotary of the court of Common Pleas. The book was printed in small 8vo, in 1675.

Edward III. viz. A. D. 1363, our law proceedings were in *French*; but by a statute passed in that year it was enacted, that for the future all pleas should be pleaded, defended, debated, and adjudged in the *English*, but that they should be entered and enrolled in the *Latin* language; and this prevailed till the usurpation under *Cromwell*, when the language of our records was altered, and *Latin* was wholly discarded, and *English* was employed in its stead. On the restoration of *Charles II.* the old practice was resumed, and continued to be observed till the 4th year of *George II.* viz. 1730, in which year, under the specious pretence that it was fit that the common people should be enabled to understand what was alledged for or against them in the process and pleadings, and what was decided in any cause or suit severally respecting them, an act of parliament passed, by which it was enacted, that the proceedings at law should be in *English*; but it being found that the several law terms were incapable of a translation into *English*, another act of parliament was, two years after, viz. 6th *George II.* passed, enacting that all technical terms should continue to be used in their original languages, viz. either *Latin* or *French*^a.

It is more than probable that *Latin* is indebted to the clergy for its introduction into the profession of the law. Mr. *Barrington*, in his *Observations on the Statutes*, edit. 1775, p. 65, after a very attentive perusal of, and examination into, the ancient statutes, remarks, that such statutes as affect the interests of the clergy are generally in *Latin*; whence it should seem that *Latin* was at least better understood by the clergy than the *Norman French*, in which the other statutes are written. Now we find, from incontestable evidence, that most of the great offices of the law have been filled by the clergy^b; and

^a *Blackstone's Commentaries*, edit. 8vo. Vol. III. p. 218. 322, 323.

^b In the *Chronica Series*, at the end of *Dugdale's Origines Juridicales*, numberless instances occur of lord chancellors, lord treasurers, judges, masters of the rolls, and attornies general, all clergymen; and in the 40th of *Edward III.* but four years subsequent to the passing of the act by which *Latin* was introduced, one *Thomas de Shardlow*, clericus, was attorney general. See the *Chronica Series*, ubi supra, sub anno 1367.

and this preference in their favour was probably owing to the circumstance, that the clergy were at that time the only persons possessed of any learning at all. Sir *William Dugdale*, in his *Origines Juridicales*, p. 21, edit. 1671, speaking of lawyers, says, ‘It is believed by some, that we had not many persons, other than of the clergy, who were learned in the laws before the *Norman* conquest; those ages being so illiterate by reason of the several inroads made upon them by the barbarous *Northern* nations, which necessitated the nobility and gentry to exercise themselves in martial feats: and from this their ignorance of letters probable it is, that the decision of most controversies and trials, in cases civil, was so much by combat; and in criminal, by fire and water ordeal.’

The same ignorance which is above noticed by Sir *William Dugdale* to have prevailed among the laity before the conquest, and by him is attributed to the inroads made upon them by the barbarous *Northern* nations, may well be supposed to have equally prevailed for a considerable period subsequent to it, during which it appears that the before-mentioned offices were frequently executed by the clergy; and this general want of learning among the laity may be accounted for in the following manner:—By the feudal system, which prevailed almost wholly over *Europe*, but two distinctions among the

Sir *George Buck*, in his *Account of the third University of England*, subjoined to *Stow's Chronicle*, edit. 1615, speaking, cap. 26, of the six clerks inn, or *Kedermister's* inn, says, that the six clerks were at first priests, and thereupon called clerks, for so anciently all churchmen were called; and in chap. 27 of the same work, speaking of *Bacon's* inn, or the cursitors inn, he remarks, that anciently all, or most part, of the officers or ministers of the court of chancery were church-men, divines, and canonists, of which he produces these instances: the chancellor was a bishop; the master of the rolls was an ecclesiastical person, either a dean, or warden, or provost of some cathedral or collegiate church; the masters in chancery were doctors of divinity and of canon law; the six clerks were secular priests; and the examiners in chancery, as men aptest by their function for such a charge and employment, were confessaries or ghostly fathers. The same author, in the margin of this latter chapter, against the place where he mentions the six clerks, says ‘These six clerks could not lawfully take wives until it was permitted by an act of parliament, made anno 14 *Henry VIII.*’

laity were admitted, viz. those of lord and vassal. The nobility held their estates of the king, in many instances, by military services; and the lower sort, in many instances, held theirs from the nobility by military services likewise^a: so that he who was lord over some persons, as being his tenants, was himself a vassal to the crown. The uniform dependence of the vassal on his lord, which this system of subordination established; and the military services due from the one, and so frequently exacted by the other, had given a natural direction to the pursuits of the laity, and had rendered it indispensibly necessary that every man, both lord and vassal, should be a soldier; and should, exclusive of the care of providing for himself and his family an immediate subsistence by the culture of that portion of land, which, though the property of the lord, was, in consideration of those services, occupied and enjoyed by the vassal, betake himself to the profession of arms; leaving him, perhaps, neither liberty, leisure, nor inclination

^a See many instances of this in *Blount's Feudal Tenures*, 8vo. Lond. 1679; such, for example, as finding two soldiers in the king's army at his own cost for forty days, p. 14; finding thirty soldiers for the guard of *Newcastle upon Tyne*, p. 14; finding a knight armed with plate armour in the king's army, when it should be in the territory of *Kidwelly*, in *Wales*, p. 14; finding two soldiers in the king's army in *Wales*, p. 14; finding ten men at arms, and twenty archers, to serve the king, or his lieutenant, during his wars in *France*, p. 20. And the earl of *Chester's* barons were antiently bound, in time of war with *Wales*, to find for every knight's fee one horse with caparison and furniture, or two without, within the divisions of *Cheeshire*; and their knights and freeholders to find corslets and haubergeons, and defend their fees with their own bodies. Ibid. p. 23. One man held his estate 'per serjantiam & iaveniendi domino regi, in exercitu suo per totam *Angliam*, sumptibus propriis, unum hominem equitem armatum, & duos homines pedites.' Ib. p. 45. Another held an estate 'per serjantiam iaveniendi quendam servientem armatum, cum guerra evenierit, per quadraginta dies.' p. 47. The tenure by which another held his was, 'quod inveniet unum servientem ad custodiam castri *Ebor.* tempore guerræ, per xl. dies, ad cultum proprium.' p. 48. Another held 'per serjantiam & iaveniendi quinque soldarios ad vada *Gayte* castri de *Lanceveton.*' p. 55. Another 'per serjantiam quod debet sequi dom. regem in exercitu suo, in *Anglia*, cum arcu & sagittis, ad cultum suum proprium per xl. dies, & postea ad cultum domini regis.' p. 56.

to cultivate the study of literature, nor any other of the arts of peace. So far is certain, that the laity in general could neither write nor read; for which reason, as it is imagined, the law required from them, on the execution of a deed, not that it should be signed by them, but that they should bite the wax of the seal^a: and so late as the year 1525 an earl and his countess appear to have been unable to write; and therefore executed a deed by subscribing their names to it, a notary-public guiding their hands^b. And that the laity in general were thus illiterate, may be inferred from this, that the ancient test of a claim to the benefit of the clergy, was the claimant's ability to read.

And here it may not be amiss to note the error of those writers, who, in their descriptions of the manners of regular clergy, are ever inveighing against their laziness and their ignorance. A monastic, and even a collegiate life, comparatively speaking, must ever be a life of indolence; yet are there

^a This sufficiently appears from the following verses inserted in *Cocuel's Interpreter*, art. *Wang*, and which appear to have been part of the form of executing a deed:

‘ And in witness that this is sooth,
‘ I bite the wax with my wang tooth.’

Cocuel, in loco supra cit. says, that wang, in the Saxon tongue, signifies a field; but that we use it also for the cheek or jaw-teeth, which *Chaucer* calls wangs and wang-teeth.

In the *Termes de la Ley*, a law book written by *William Russell*, one of the judges of the common pleas, temp. *Elix.* mention is made of a deed by which *Edward III.* gave to *Norman* the hunter,

‘ The hop and the hop-town,
‘ With all the bounds upside down;
‘ And in witness that it was sooth,
‘ He bit the wax with his fore-tooth.’

As to the antiquity of sealing, the same author informs us that at first the king only, or a few other of the nobility, used to seal; then the noblemen for the most part, and none other: and in another part he adds, that about the time of king *Edward III.* seals became very common. See the *Termes de la Ley*, art. *Fait*, where the reader will find a very curious account of the origin of sealing.

^b *Barrington's Observations on ancient Statutes*, edit. 1775, p. 382.

employments

employments and occupations suited to it, which, if they are followed with any degree of assiduity, must ever exempt such as are devoted to it from the charge of laziness, and hardly fail to retort the censure of ignorance on those that make it. This will appear by a reflection on that period of our history when religious houses flourished, and the many accounts extant that describe their various employments; from which we learn, that much of their time was spent in the celebration of divine offices, and that their vacant hours were taken up in literary pursuits and manual occupations*; that is to say, in compiling, in *Latin*, chronicles and histories of the events of their time; in writing in *Latin* also commentaries on the scriptures, and other works, some in prose and some in verse;

* *Strype*, in his *Memorials*, Vol. I. p. 255, sub anno 1536, after speaking of the dissolution of religious houses, temp. Hen. VIII. and of the vices to which the monks in some of them were addicted, uses these words: 'But among these herds of sinners in the convents, covering their wickedness under their religious professions, the visitors met with one house that had another character sent up to the lord *Crumwel*, and an earnest petition on that account for their continuance. It was the house of *Wolstroppe*, in the behalf of which one *Gifford*, a visitor, writ after this manner: 'The governor thereof is a very good husband for the house, and well-beloved of all the inhabitants thereunto adjoining; a right honest man, having right religious persons, being priests of right good conversation, and living religiously, having such qualities of virtue as we have not found the like in no place; for there is not one religious person there but that he can and doth use either embrothering, writing books with very fair hand, making their own garments, carving, painting, or graving; the house without any slander or ill fame, and standing in a wet ground, very solitary, keeping such hospitality, that, except singular good provision, it could not be maintained with half so much land more as they may spend. Such a number of the poor inhabitants nigh thereunto daily relieved, that we have not seen the like, having no more lands than they have. God be even my judge as I do write unto you the truth, and none otherwise to my knowledge, which very pity alone causeth me to write. The premises considered, I beseech you to be a mean unto the king's majesty for the standing of the said *Wolstropp*. From *Garradon*, the xix day of *June*.

"Your bounden bedeman at commandment,

"GEORGE GYFFARD."

in

in studying the classics, allusions to many of which are to be found in their writings^a; and in transcribing the classics, and other

^a *Radulfus de Diceto*, in his *Imagines Historiarum*, among the *Decem Scriptores Historie Anglicane*, published by Sir Roger Twysden, edit. 1652, col. 673, inserts from *Claudian*, *De quarto consulatu Honorii Augusti*, v. 301, but without citing or referring to him, the following line:

‘ Mobile mutatur semper cum principe vulgus.’

And, col. 674, he expresses himself in the following terms: ‘Recolere poterant, si literas nossent, illud a *Lucano* poeta metricè scriptum:

‘ Dignum te *Cæsar*is ira
Nullus honor faciet——’

John Bromton, another author whose work makes a part of the above collection, in his *Chronicon*, col. 981, says, ‘ut illud de eis vere dici posset,

‘ Unde habeas nemo quærit, sed oportet habere.’

Which line, with the transposition only of the word *nemo*, is to be found in *Juvenal*, Sat. XIV. v. 207. The same person, col. 1020, inserts also, but without any reference, the following verse from *Ovid*, *Amorum* Lib. Eleg. IV. v. 17, ‘secundum quod dicitur:

‘ Nitimur in vetitum semper, cupimusque negata.’

Gervasius Dorobernensis, another of the authors in the same collection, gives in his *Chronica*, col. 1420, but without citing his authority, the following line from *Horace*, *Epist.* Lib. I. *Epist.* II. v. 27:

‘ Cælum, non animum, mutant, qui trans mare currunt.’

And in the following passage, ‘Sed quid non faciat auri sacra fames?’ col. 1433, alludes, though without referring to it, to this line in *Virgil*, *Æneid*, Lib. III. v. 57:

—— ‘ Quid non mortalia pectora cogis,
‘ Auri sacra fames?’

And lastly, the same author, col. 1433, gives, though with a variation in the first word, this:

‘ Debile principium melior fortuna sequetur;’

which

other books of value, for the use of their library^a: besides which, by means of a school kept in almost all the greater monasteries,

which was undoubtedly borrowed from *Ovid, Met. Lib. VII. v. 518*:

‘*Flebile principium melior fortuna sequetur.*’

The above instances abundantly prove that they were well acquainted with the writings of *Claudian, Lucan, Juvenal, Ovid, Horace, and Virgil.*

^a Mr. *Tanner*, in his preface to bishop *Tanner’s Notitia Monastica*, after enumerating the principal officers belonging to abbeys in general, adds, p. xxx, that in every abbey there was a large room, called the scriptorium, where several writers made it their whole business to transcribe books for the use of the library; and that besides the bigger books of the house, and the missals, and other books used in divine service, they were employed in transcribing the fathers, classics, histories, &c. He further says, that in all great abbeys there were also persons appointed to take notice of the principal occurrences of the kingdom, and at the end of every year to digest them into annals; and observes, that after the conquest acts of parliament were sent to the abbeys to be recorded; and then proceeds to give several instances in which records, to substantiate very important claims, have been furnished from their repositories. And *Fuller*, in his *Church History*, Book VI. p. 298, speaking of the monks, remarks that they were the sole historians in writing to preserve the remarkable passages of church and commonwealth. ‘I confess,’ says *Fuller*, ‘I had rather any than monks had written the histories of our land; yet, rather than the same should be unwritten, I am heartily glad the monks undertook the performance thereof. Indeed, in all their chronicles, one may feel a rag of a monk’s cowl; I mean, they are partial to their own interest. But in that age there was a choiceless choice, that monks, or none at all, should write our English histories; swordmen lacked learning, statesmen leisure, to do it: it was therefore devolved to monks and friars, who had store of time, and no want of intelligence, to take that task upon them.’ The same author, Book VI. p. 334, in a chapter entitled, *That many precious Books were embroiled at the Dissolution of Abbeys, to the irreparable Loss of Learning*, uses these words: ‘The English monks were bookish of themselves, and much inclined to hoard up monuments of learning. Britain, we know, is styled another world; and in this contradistinction, though incomparably less in quantity, acquits itself well in proportion of famous writers, producing almost as many classical schoolmen for her natives as all Europe besides. Other excellent books of foreign authors were brought hither, purchased at dear rates; if we consider that the press, which now runs so incredibly fast, was in that age in her infancy, newly able to go alone, there being then few printed books in comparison of the many manuscripts. These, if carefully collected,

monasteries, the principles of grammar and music were taught to the neighbouring children^a.

Few

collected, and methodically compiled, would have amounted to a library exceeding that of *Ptolemy's* for plenty, or many *Vaticans* for choice-ness and rarity. Yea, had they been transported beyond the seas, sent over and sold entire to such who knew their value, and would preserve them, *England's* loss had been *Europe's* gain, and the detriment the less to learning in general; yea, many years after the *English* might have repurchased for pounds what their grandfathers sold for fewer pence into foreign parts.* And *Bale*, in his *Declaration upon Leland's Journal*, anno 1549, as cited by *Fuller* ubi supra, p. 335, says, 'I know a merchant-man, which shall at this time be nameless, that bought the contents of two noble libraries for forty shillings price, a shame it is to be spoken! This stuff hath he occupied instead of grey paper, by the space of more than these ten years, and yet he hath store enough for as many years to come.'

^a *Fuller*, in his *Church History*, referred to in the preceding note, Book VI, p. 297, speaking of the monks, and the civil advantages and temporal conveniences accruing to the state by the continuance of abbeys, further says, 'they' [i. e. the monks] 'were tolerable tutors for the education of youth, there being a great penury of other grammar schools in that age; and every convent had one or more therein, who, generally gratis, taught the children thereabouts. Grammar was here taught, and music, which in some sort sung her own dirge, as to the general use thereof, at the dissolution of abbeys.' Mr. *Tanner*, in his preface to bishop *Tanner's Notitia Monastica*, before cited, notices, in page xxxii. that the abbeys were schools of learning and education, for that every convent had one person or more appointed for this purpose, and all the neighbours that desired it, might have their children taught grammar and church-music without any expence to them; and that in the nunneries also, young women were taught to work and to read *English*, and sometimes *Latin* also. 'So that,' adds he, 'not only the lower rank of people, who could not pay for their learning, but most of the noblemen and gentlemen's daughters, were educated in those places.' Grammar and music were, in all probability, not the only liberal arts taught in schools of this kind; for from the following passage I am led to suspect, that logic also made a part of the education of the children there. *Ingulphus*, abbot of *Croyland* (who was himself educated in the school belonging to the abbey of *Westminster*. See *Tanner's Bibliotheca Britannica*, art. *Ingulphus*) in his history, speaking of *Edward the Confessor*, and his accession to the throne, says, that he was crowned on *Easter-day* 1043, and reigned almost twenty-four years, and then proceeds in the following words: 'Cui data est in uxorem filia *Godwini* comitis puelle pulcherrima, literis apprime erudita, moribus autem & cætera vita virgo castissima, & humilitate sanctissima, nomine *Egitha*, in nullo pa-

Few readers, it is imagined, need be reminded, and still fewer informed, that after the destruction of the *Roman* empire, though the *Latin* language was received in most kingdoms of *Europe*, it yet was received in a very corrupt state, and bad as it was at that time, it is well known that it still further degenerated^a; we mean not therefore here to contend, that the *Latin* written by the monks was in general pure classical *Latin*, but only such as was at that time current: the position we intended to establish is, that the monks were not so ignorant as some persons would have us imagine, and that they, and the rest of the clergy, were the only persons who at that time had any learning at all.

To judge impartially and correctly of the pretensions of any one to a character for learning, it is previously necessary to know what opportunities he had of acquiring knowledge, and what portion was possessed by the generality of his contemporaries, since a character of this kind does not so much depend on that portion of knowledge which any one is actually possessed of, as on what portion he possesses beyond any other person: if the monks therefore were barbarous and unlearned, in comparison with the clergy of more modern

‘ tris aut fratrum barbariem sapiens, sed mitis & modesta, fidelis & honesta, & nulli unquam infesta; unde de illa dicebatur illud elegiacum:

‘ Sicut spina rosam, genuit *Godwinus Egitham*.

‘ Vidi ego illam multotiens, cum patrem meum in regis curia morantem
 ‘ adhuc puer inviserem, & sæpius mihi de scholis venienti de literis ac
 ‘ versu meo apponebat, cum occurrerem, & libentissime de grammatica
 ‘ soliditate ad logicam levitatem, qua callebat, declinans, cum argumen-
 ‘ torum subtili ligamine me conclusisset, semper tribus aut quatuor
 ‘ nummis per ancillulam numeratis ad regium penu transmisit, & refec-
 ‘ tum dimisit.’ *Ingulphi Historia inter Scriptores post Bedam*, edit.
 1596, p. 509 a.

^a How far it had been corrupted may be easily ascertained, by attending to the style of the vulgate *Latin* Bible, and of which we shall here give one, and but one, instance: The first verse of Psalm XL. which in the translation, inserted in *The Book of Common Prayer*, is expressed in the following words: ‘ Blessed is he that considereth the poor and needy, the Lord shall deliver him in the time of trouble;’ in the vulgate translation stands thus: ‘ Beatus vir qui intelligit super egenum & pauperem, in die mala liberabit eum Dominus.’

times,

times, they were yet the only persons who had any literature at all; and those who had by industry acquired more information than, and surpassed in learning the generality of, their contemporaries, cannot surely with justice be deemed ignorant or barbarous, and the rather, as though perhaps the works of some of them might be written in corrupt *Latin*, there were yet others among them who were both learned themselves, and encouragers of learning in others^a, and whose writings, in the opinion of very good judges, are very little, if any thing, inferior, even in style, to the works of the authors of the *Augustan* age^b. In short, whatever may be said of the ignorance

^a See the preface to *Tanner's Notitia Monastica*, p. xli. where the reader will find a great deal of curious information in proof of the learning of the monks.

^b Although many instances might be adduced in support of the assertion in the text, we shall here content ourselves with mentioning only two. *Josephus Iscanus*, or, to give his name in *English*, *Joseph of Exeter*, the first of these, lived in the reigns of *Henry II.* king *Richard I.* king *John*, and king *Henry III.*: he translated from the *Greek* into *Latin* verse, *Dares Phrygius De bello Trojano*, and was author of a poem, *De Bello Antiocheno*, in *Latin* verse also, which he did not live to complete. Bishop *Tanner*, in an article for him in his *Bibliotheca Britannico-Hibernica*, speaks of him in the following terms: '*Josephus Iscanus*, omnium poetarum sui temporis, absit invidia dicto, facile primus, tantæ eloquentiæ, majestatis, eruditionis homo fuit, ut nunquam satis admirari possim, unde illi in tam barbara & rudi ætate facundia accreverit usque adeo omnibus numeris tersa, elegans, rotunda.' Of his poem *De Bello Antiocheno*, *Tanner* gives the following account: '*De Bello Antiocheno* amplius nihil novi, nisi quod ex eo cluceat *Josephum* fuisse natum *Isca Domnitorum*, quam urbem tam exquisitè, tam dextere, tam denique magnifice vel ad æthera tollit, ut facile credas *Musas* ipsas, cum profluenti *Helicone* toto, vati ea concinenti præsentissimas adfuisse;' and of his translation of *Dares Phrygius De bello Trojano*, the following particulars: '*Hæc cum scripsissem, prodiit Josephi opus interpretis De Bello Trojano*, typis excusum *Germanicis*, sed tam corrupte, ut si pater ipse in prolem redivivus oculos converteret tam informem, cognosceret plane nunquam. Utque fucus edito præfigeretur libro, *Cornelii Nepotis, Romani*, nomine inscriptus est.'

Alexander Neckam, the other example whom we mean here to produce, was an *Augustine* monk; he was the author of several works, which bishop *Tanner*, in his *Bibliotheca Britannico-Hibernica*, art. *Neckam, Alexander*, enumerates, and died in the year 1227. Of this per-

ignorance of the monks, we who live in this latter age are under the highest obligations to them; for the revival of learning in *Europe*, towards the close of the fifteenth century, by *Erasmus*, *Linacer*, *Ascham*, *Peter Martyr*, *Colet*, *Grocyn*, *Lupset*, *Sir Thomas More*, *Bucer*, *Sir John Cheke*, and the rest of those great men to whom learning has eternal obligations, could never have been effected, but for the pains which the monks had previously taken to procure erudition, to preserve and increase it from time to time, and to communicate, by means of their writings, such learning as they had acquired. Without their assistance we must ever have remained utterly ignorant of the early history of this country; and to their industry we may perhaps in a great measure owe it (as printing is an invention of comparatively but modern date, and even that was promoted and encouraged by the monks²) that we are at this time in possession of the very scriptures themselves.

Further

son bishop *Tanner*, in loco supra cit. gives the following character: '*Nechamus*, *Alexander*, inter suæ ætatis scriptores locum poscit plane honorificum, quem & per me modo accipiet, quanquam, quæ ejus fuit in nullo non eruditionis genere peritia, magnæ eloquentiæ laudatorem jure quodam optimo videtur expectare;' and in another part of the same article he uses the following words, still speaking of *Necham*: 'Porro quod literis suum decus asseruerit, abunde testantur ejus libri magno labore, at majore fructu in lucem editi. Quis crederet tantum reconditæ eruditionis, illo præsertim sæculo, penes unum fuisse? Ego vero, ne fucum lectori faciam, ingenue fateor me ejus opera aliquando incredibili cum admiratione legisse; non quod nostri felicitatem temporis æquaverit, sed quod suæ ætatis plerisque omnes diligentia, acumine, eloquentia etiam præcesserit. Usus est autem *Asiatico* quodam dicendi genere, nempe copioso, luculento, & florido. Nec unius tantum scientiæ cognitioni strenuam navavit operam, per omnes doctas artes evagatus est. Atque his quidem modis in clarum oratorem, in philosophum, in theologum tandem evasit. Quid, quod & poesim summe dilexerit? Certe, cum in multis libris, tum præcipue in opere *De laude sapientiæ*, in quo seipsum plane vicit, & in libello *De officio monachorum*, qui tamen ab aliquibus *Anselmo*, sed falso, ascribitur, se facilem juxta ac dulcem poetam ostendit. Nihil ibi impoliturum, nihil inconcinnum, nihil denique invenustum: ut nihil interim dicam de materia ex ipso virtutis fonte limpidissimo ubertim scaturiente.' The substance of both these articles *Tanner* confesses is taken from *Leland*.

² *Stow*, in his *Chronicle*, edit. 1631, p. 404, under the year 1459, says, 'The noble science of printing was about this time found in Germany many

Further it may be observed, that many of the barbarous words which occur in law proceedings may also be found in the writings of our ancient historians^a, who writing in *Latin*, could

* many, at *Magunce*, by one *Jo. Cuthemburgus*, a knight: *one Conradus*, an *Almain*, brought it into *Rome*; *William Caxton*, of *London*, mercer, brought it into *England* about the year 1471, and first practised the same in the abbey of *S. Peter*, at *Westminster*; after which time it was likewise practised in the abbeyes of *S. August*, at *Canterbury*, *S. Albans*, and other monasteries of *England*.* The same author, in his *Survey of London*, edit. *Mundy*, 4to. 1618, p. 895, speaking of an old chapel of *St. Ann*, formerly standing in the *Ambry* (as it is called) *Westminster*, near *Westminster* abbey, and the alms-houses founded there by the countess of *Richmond*, mother to king *Henry VII.* says, 'The place wherein this chapel and alms-house standeth, was called the *Eleemosynary*, or *Almory*, now corruptly the *Ambry*, for that the alms of the abbey there were distributed to the poor; and therein *Isip*, abbot of *Westminster*, erected the first press of book-printing that ever was in *England*, about the year of Christ 1471. *W. Caxton*, citizen of *London*, mercer, brought it into *England*, and was the first that practised it in the said abbey; after which time the like was practised in the abbeyes of *S. Augustine*, at *Cant.* *S. Albans*, and other monasteries.* *Widmore*, in his *History of Westminster Abbey*, p. 118, says, that *Stow* is mistaken in making *Isip Caxton's* patron; his words are these, speaking of abbot *Esfney*: 'He was the person who is said to have greatly favoured *William Caxton* exercising the art of printing here. It could not be *Isip*, as *Stow* and others from him report, for he was not the abbot, nor even the prior here, till some years after *Caxton's* death, nor again was it *Millyng Esfney's* predecessor, unless it appears that books were printed here as soon as 1474, which I suppose cannot be shewn.'

^a Such, for instance, as 'appellare,' to appeal; 'attachiamentum,' an attachment; 'bladum,' corn; 'boscus,' wood; 'breve,' a writ; 'bona & catalla,' goods and chattels; 'catalla,' chattels; 'disseisire,' to disseise, to dispossess; 'homagium,' homage; 'implacitare,' to implead; 'ligantia,' allegiance; 'loquela,' a complaint; 'manerium,' a manor; 'parcenarius,' a partner; 'placitare,' to plead; 'placitum,' a plea; 'posse,' a concourse of people; 'prisona,' a prison; 'quieta clamantia,' a quitting claim; 'seisire,' to put in possession; 'tenementum,' a tenement; 'tenens,' a tenant. All these words are actually to be found in the writings of authors who lived anterior to the time when *Latin* was introduced into the law; particularly in those of *Simeon of Durham*, and his continuators; *Alured Rivallensis*; *Radulphus de Diceto*; and *Johannes Brompton*; among the *Decem Scriptores Historie Anglicane*, published by Sir Roger Twysden: and the passages in which these words originally occur, may be found by referring to the glossary

could no otherwise denominate subjects that did not before exist, nor give names to recent inventions otherwise than by forming new words according to the genius of that language. But with all its barbarities, let us not forget that it is at this time much less obscure than *Norman French* or even *English* would have been, considering the changes which both *French* and *English*, as being living languages, have undergone since the time of *Edward III.* when law *Latin* was first introduced, and that a record in *Latin*, even of the reign of *Edward III.* is at this time much more intelligible than the writings of *Chaucer*, who flourished in that very reign.

But to return from this digression: That the professors of the law should acquiesce in the censure of ignorance and illiterateness, to which the comedy of *Ignoramus* had exposed and rendered them liable, or silently and patiently submit to the contempt and insults which it had occasioned them, was not to be expected; more especially, as the first representation of that comedy had caused a disturbance between them and the members of the university, and in proportion as they found themselves less able to avoid the ridicule, it became of greater importance to the lawyers that they should in some way or other be vindicated from it. One method, which they or their advocates chose for this purpose, was the publication of several poems mentioned in the note^a, in some of which
examples

sary at the end of that work. It may be further observed (if any additional evidence of the fact is necessary) that in all probability all the law terms were invented by the clergy; for *Corwel*, in his *Interpreter*, art. *Action on the Case*, informs us, that when any man had a cause of suit, and no fit form of action could be found for it, the ancient custom was to refer it to the clerks of the chancery to invent and settle a form for the purpose. By the clerks of the chancery, *Corwel* unquestionably means the masters in chancery, who were (as the rest of the officers of that court formerly were) anciently clergymen, and doctors of divinity and canon law. See Sir *George Buck's* tract *Of the third University of England*, at the end of *Stow's Chronicle*, before referred to in a former note, cap. 27; and *Legal Judicature in Chancery stated*, p. 66.

^a The first of these poems is entitled, *To the Comedians of Cambridge, who in 3 Acts before the King, abused the Lawyers with an imposed Ignoramus, in two ridiculous Persons, Ignoramus the Master, and Dulman the Clerk; John a Stile, Student in the Common Law, wisheth a more sound Judgment*

examples were produced, from among the then professors of the law, of men of singular endowments and learning : but this was not the only expedient to which they had recourse ; for so much do they appear to have been galled by it, that the lapse of near two years, from the last representation of the comedy, was not sufficient to eradicate the remembrance of the supposed injury ; and one of their own body, at that distance of time, thought proper, in the course of his profession, to notice, with a proportionable degree of asperity, both the comedy and the university. This person was *Robert Callis*, of *Grays inn*, esquire, afterwards serjeant at law, but then *Lent* reader at *Staples inn*, who in one of his readings, in the 14th year of king *James's* reign, viz. A. D. 1617, stating a supposititious law case, in order to determine in which of six persons the right existed of presentation to a church on a vacancy which he

Judgment and more reverent Opinion of their Betters. It seems to have been written between the first and second representation of *Ignoramus*, as it is noticed in the epilogue, and the reader will accordingly find it inserted in the notes on the epilogue. This was followed by one now existing in the *British Museum*, among the *Harleian* collection, No. 5191, entitled *The Soldier's Counterbuff to the Cambridge Interludians of Ignoramus*. After this came out a poetical vindication of the lawyers, under the title of *A modest and temperate Reproof of the Scholars of Cambridge for slandering Lawyers with that barbarous and gross Title Ignoramus*. The only copy of this, which I ever saw, is in my own possession, and the object of it is to refute the charge of ignorance, and want of learning, by the production of instances, from among the profession of the law, of men eminent for learning. From the mention of *Sir Francis Bacon* in it, by the description of the king's attorney, it must have been written between the 8th of *March* 1614-15 and the 7th of *March* 1616 ; for it appears, that on the former of those days *Ignoramus* was first performed, and that on the latter *Sir Francis Bacon* quitted the office of attorney general on being appointed lord chancellor. See the *Chronica Series* at the end of *Dugdale's Origines Juridicales*, sub anno 1616. To this list must be added a poem, entitled *A grave Poem, as it was presented in Latin, by certain Divines, before his Majesty in Cambridge, by way of Interlude, filed Liber novus de Adventu Regis ad Cantabrigiam, faithfully done into English, with some liberal Advantage, made rather to be sung than read, to the Tune of Bonny Nell* ; and also one with the title of *A Cambridge Madrigal, in answer to the Oxford Ballad, as it was sung before the King, instead of Interlude Musics in Ignoramus, the second Time acted before his Majesty in Trinity College, Mai 15, 1615*, both of which are inserted in the appendix.

feigns

feigns to have happened, in the argument thereof introduces Sir *Ignoramus*, a clerk, presented to it by the university of *Cambridge*, and describes him, p. 3, as being 'egregiæ illiteratus,' informing us at the same time, in more than one place, that the character of Sir *Ignoramus*, whom he has described as above, was intended in return for, and as a resemblance of, that character in the comedy^a; nay, so far does the resentment of the lawyers of the time appear to have extended, that Sir *Edward Coke* himself, then chief justice of the court of king's bench, is known, in consequence of it, both openly at the king's bench, and divers other places, to have glanced and glanced at scholars and university men with much bit-

^a The tract here alluded to is thus entitled, *The Case and Argument against Sir Ignoramus of Cambridge*, by Robert Callis, of Gray's-Inn, Esquire, afterward Serjeant at Law, in his Reading at Staples-Inn in Lent, 14 Ja. R. 4to. Lond. 1648. In the *Intentio nominum & interpretatio eorum*, prefixed to this case, are these words: '5. Sir *Ignoramus*, intended for the university's catacoustichon, a general noted coxcomb, a resemblance of the actor which they bestowed on the inns of court, *Ignoramus*.' And in the case itself, p. 22, the author proceeds in the following terms: 'And herewithal I end these distinctions; and will now proceed to the title of the university of *Cambridge*, and of their inglorious clerk, Sir *Ignoramus*, which is the fifth point of my case. No inn of court or chancery man need wonder wherefore I stiled the university's clerk by the name of Sir *Ignoramus*; for it is to be conceived, that he had commenced bachelor of art in ignorance, and the late skirmish he made with *Ignoramus* of the inns of court, being both of one blood and kindred, may put us all in perfect remembrance of him; yet both these kinsmen in ignorance wanted not their favouring friends to help the one of them into practice, and the other of them to a benefice, when many a learned and a studious gentleman, wanting help of friends, might sit without both. So much is this froward age we live in to be condemned; the more we see ignorance preferred before learning and virtuous qualities, and dull-pated jobber-noles unworthily advanced to places of profit and dignity, when many a learned Muse sits in his study, destitute of either. Herein I taxed only the time of partiality, that preferred an ignorant ass before a learned schoolman, a fault too common in the university, and not without blame in the inns of court and chancery.' Fuller, in his *Church History*, Book VI. p. 352, remarks, that such priests as have the addition of Sir before their christian names were men not graduated in the university, being in orders but not in degrees, whilst others, entitled masters, had commenced in the arts.

terness^a. And indeed the comedy itself has been esteemed so very severe a satire on the profession, that some persons have been induced to think that Mr. *Selden's* motive for writing and publishing, in 1617, his *History of Tithes*, in which he historically proves that they were payable jure humano, and not jure divino, was principally, if not solely, a view to revenge for this comedy^b, by an attack, in return for it, on the clergy, of which profession Mr. *Ruggle*, its author, appears to have been.

These replies, or vindications, on the part of the lawyers, or attacks on the author or the university by way of retaliation, were, it is to be observed, solely the effect of the two representations of the comedy before the king; for as yet it had not made its appearance in print. But the endeavours of the lawyers and their friends to justify the profession against its censure, are in fact so many testimonies to its merit; for had it been an ill-founded or ill-executed attempt, or had it failed on its representation, it would have been despised as a toothless, though a malevolent satire, and must have sunk into oblivion.

It will be needless here to enumerate the several commendations which have been uniformly bestowed on it by all such authors as have, since its publication, taken occasion to mention this most facetious drama: some few of them it may, however, not be amiss to notice; and they are accordingly mentioned in the note^c. The same
of

^a See a letter of Mr. *Chamberlain's*, dated the 20th of May 1615, an extract from which, containing the above passage, has been inserted in a former note.

^b *Fuller's Church History*, Book X. p. 71. *Fuller* cites as his authority the author of Dr. *Preston's* life, but the fact is no where to be found in that book. *Fuller* might however have had the fact by oral communication; but he does not give much credit to it; for he says he 'cannot suspect so high a soul guilty of so low reflections, that his book related at all to this occasion; but only that the latitude of his mind, tracing all paths of learning, did casually light on the road of this subject.'

^c In the following lines prefixed to a *Latin* comedy, entitled *Pedantius*, which the reader will find mentioned in a note, p. 249, on the following comedy, and which seem intended as examples of the several figures in rhetoric, placed at the beginning of each verse, a comparison is drawn between the merits of that and those of the comedy of *Ignoramus*; and though the preference is, as might be expected, given to the
k former,

of it, even in the author's time, had, as we learn, reached
Germany :

former, yet the commendations bestowed on *Pedantius* are founded in a great measure on the received opinion of the excellence of *Ignoramus*.

* *Pedantius* de se.

- * Indignatio. Scilicet haud solus dominabitur *Ignoramus*.
- * Battismus. *Roscius* alter ero : sed eram quoque *Roscius* ante,
- * Chronographia. Ante quater decenos vixi *Pedantius* annos,
- * Paronomasia. Vixi, & *Cantabrico* dixi plaudente theatro.
- * Confessio. Jam mihi (nam lepidis & adhuc ludibria *Musis*
- * Paronomasia. Debeo) pressa typis pro scena scheda paratur :
- * Apostrophe. Prodeo : lectorem pro spectatore saluto.
- * Comparatio. Major inest nostræ verborum copia linguae.
- * Metaphora. Quin & barbarico *Dramadotus* turbine si non
- * Mimefis. Aequet, at in punctis formalibus anteit istum.
- * Comparatio. *Lydia* nostra quidem *Rosabella* est pulchrior : & me
- * Decorum. Præceptore suam novus *Ignoramus* amicam
- * Rhythmus. Suaviter affari, & versu roboante procari,
- * Polyfyndeton. Et falli, & ludi, & protrudi in retia discit.
- * Aureum. Lex *Pedanteam* decernit scenica laurum.

* Idem explicans, & applicans.

- * Paronomasia. Dum ludor, non ludo graves, non lædo scholarchas,
- * Synathroismus. Quales, quot, quantos habet insula nostra : sed, usquam
- * Aporia. Si fuerint, vanos, nasutos grammaticastros,
- * Compositio. Blennos, floccilegas, phrasimimos, quisquiliendas.
- * Ingeminatio. Si quis erit, si quis, (non fallit regula) mecum
- * Appositio. In numero, genere, & casu ponetur eodem.

Milton, in one of his elegies to *Carlo Deodate*, *Elegiarum* lib. Eleg. I. v. 27, & seqq. has the following passage :

- * Excipit hinc festum sinuosi pompa theatri,
- * Et vocat ad plausus garrula scena suos.
- * Seu catus auditur senior, seu prodigus hæres,
- * Seu procus, aut posita casside miles adest ;
- * Sive decennali fœcundus lite patrenus
- * Detonat inculto-barbara verba foro ;
- * Sæpe vaser gnato succurrit servus amanti,
- * Et nasum rigidi fallit ubique patris ;
- * Sæpe novos illic virgo mirata calores,
- * Quid sit amor nescit, dum quoque nescit, amat.

Mr. *Warton*, in a note on the lines 'Sive decennali fœcundus,' &c. inserted in his edition of *Milton's* poems, says that *Milton* probably means the play *Ignoramus*; and that in the expression 'decennali fœcundus lite,' there is both elegance and humour.

Mr.

Germany: and it is surely no mean evidence of its worth, that this comedy alone has preserved from oblivion the name of its author; and that but for this memorial of his wit and learning, we might have remained ignorant that such a man as Mr. *Ruggle* had ever existed.

It is to be remarked, however, that these, and all the other commendations bestowed on it, seem principally, if not wholly, confined to its merit as a satire: nevertheless it is worthy of high estimation in respect of the fable, the manners, and the sentiments, and also the characters; of which latter there are two, viz. *Antonius*, a young man, the lover of *Rosabella*, and *Rosabella* herself, that deserve particular notice.

Between the first of these persons and *Ignoramus*, the author has drawn a very strong and judicious contrast. *Ignoramus* is represented as both crafty and illiterate, totally void of urbanity, and in principle a rascal; of which last particular he

Mr. *Cowley* seems to have regarded this comedy of *Ignoramus* as a very severe satire on the common lawyers, and to have thought that they had felt the effects of it in an eminent degree; for, speaking of the lawyers, he says:

- Grant this, ye gods that favour poetry,
- That all these never-ceasing tongues may be
- Brought into reformation, and not dare
- To quarrel with a thread-bare black, but spare
- Them who bear scholars names, lest some one take
- Spleen, and another *Ignoramus* make.

Cowley's Works, edit. 8vo, 1708, Vol. III. p. 47.

And lastly, the author of *A Discourse concerning Ridicule and Irony in Writing*, in a Letter to the reverend Dr. Nathanael Marshall, printed in 8vo, Lond. 1729, justifying the use of those methods, produces, amongst many other examples in which they have been both successfully and commendably employed, those of *Erasmus* in his *Colloquies* and *Praise of Folly*, Mr. *Selden* in his *History of Tithes*, and this comedy of *Ignoramus*, which he says, p. 14, is a clergy-banter upon the law, and is usually said to have been a designed return for Mr. *Selden's History of Tithes*. This latter part of his assertion is however a mistake; for *Ignoramus* was acted in March 1614-15, and Mr. *Selden's* book did not appear till 1617. See *Fuller's Church History*, Book X. p. 71.

^a *Schioppius*, a celebrated German author, who lived in the time of king James I. has noticed it, though not by name, in his *Pædia humanarum literarum*. See the notes on the second prologue.

gives a remarkable instance in the fifth scene of the first act, where he declares that his intention is first to obtain *Rosabella* for his mistress, and next to marry in *England* a wife with a large fortune. *Antonius*, on the contrary, is represented as a person of integrity and honour, and adorned with the qualities and propensities of a gentleman. Of his justice and humanity we have a proof in act IV. scene 12, where he regrets his being obliged to abandon *Trico* to the mercy of *Pyropus*, and returns with an intention to rescue him. Throughout the play he expresses great uneasiness at the necessity he is under of practising a fraud, by assuming the character of his twin-brother *Antoninus*, in order to deceive *Theodorus*, his father; to whom however, on all other occasions, he shews himself a dutiful, affectionate, and obedient son. His passion for *Rosabella* is honourable and manly, and founded in a due sense of her worth. When he conceives himself in danger of failing in his endeavours to obtain her for his wife from *Toreol*, he very pathetically laments his own misfortune, and his inability to deliver her from the hazardous and precarious situation in which she is placed. In the difficulties which he encounters, his principal attention is still fixed upon her; and he very deeply and feelingly regrets that the sincere affection which he entertains for her should at any time expose her, in the least degree, to uneasiness or inconvenience^a.

In delineating the character of *Rosabella*, besides a very singular share of natural good-sense, sufficiently improved and cultivated, the author has endowed her with the more valuable and amiable qualities of modesty, simplicity, and innocence; patience and resignation under her misfortunes; and, in addition to these, a very high sense of *Antonius*'s worth.

It is much to the commendation of our author's skill, that living, as he appears to have done, almost the whole of his life in a college retirement, he was yet enabled so to delineate and heighten his principal female character, as to make it surpass, as it unquestionably does, that of *Filefia* in *Porta*'s comedy, from whence it apparently is taken^b. But it is still
more

^a See his behaviour in act V. sc. 7.

^b That ignorance of the world, or more especially of the female character,

more to the credit of his judgment, as also of his morality, that the style of conversation between her and *Antanius*, and the same may be observed of their discourses when separate, is perfectly and uniformly chaste and elegant; a recommendation that seems to be wanting in the conversations of the polite and courtly *Hamlet* with the modest and artless *Ophelia*^a.

To the latter part of the above observation, and the argument founded upon it in favour of Mr. *Ruggle's* judgment, it may probably be objected, that though the principal characters, particularly those of *Rosabella* and *Antoni*, are entirely free from any tincture of that licentiousness, yet that the subordinate parts of *Polla*, the wife of *Cupes*, *Cola*, a monk, *Cupes* himself, and sometimes even *Ignoramus*, are liable to the censure from which the above observation tends to exculpate the author. But, in answer to this objection, it is to be remarked, that it is the office of comedy not only accurately to represent such characters as are worthy of affection, respect, or imitation; but also, with equal truth, such as merit dislike, contempt, or aversion and detestation^b.

acter, is not a necessary consequence of learning, might be proved by examples of men who have been equally conspicuous for their learning, for their skill and address in the management of the affairs of the world, and for their gallantry and politeness towards women. We mean, however, to produce but one instance, and that is *Erasmus*; who in his *Colloquies* has exhibited some of the most amiable, as well as most accurate, delineations of the female character, that are any where to be found; and who in his colloquy, entitled *Proci & Puella*, has given a specimen of such polite and elegant conversation and courtship as is scarcely to be equalled.

^a See particularly his conversation with *Ophelia* during the representation of the play before the king and queen. *Hamlet*, act III. sc. 2.

^b Of the first of these three classes are the characters of *Volpone*, *Mosca*, *Voltere*, *Corbaccio*, and *Corvino*, in Ben Jonson's comedy of *Volpone*; and that of Sir *Epicure Mammon*, in his comedy of *The Alchemist*. Of the second are that of *Parolles*, in Shakespeare's *All's well that ends well*; and those of Sir *John Daw*, and Sir *Amorous La Fool*, in Ben Jonson's *Epicene*. And of the third and last are those of Don *John*, in Shakespeare's *Much ado about Nothing*; and of Lady *Brompton*, in Sir Richard Steele's comedy of *The Funeral*.

From

From these observations on the decorum observed by the author in the composition of this elegant and instructive drama, I return to a narration of such historical facts as tend to illustrate it, and of such particulars of him as serve to mark the future course of his life.

It has been reported that, besides the *Ignoramus*, Mr. Ruggle was the author of another comedy of the sarcastic kind, entitled *Loiola*, which, being acted before king James, gave him great delight. The ground of this report might possibly be, a general resemblance of one to the other; and an opinion, which however was erroneous, that an imperfect manuscript copy of the latter was existing in the library of his college^a. But this evidence is so inconclusive, that few have given credit to the assertion; and, in fact, it was written by another.

The editor of the *Biographia Dramatica*, both in an article for this comedy of *Loiola*, and also in another for the author of it, founding his account on an entry in the Stationers' books, which it is true gives the name in that manner, affirms it to have been written by Dr. Locket, of whom he tells us, art. *Locket*, no particulars can at present be discovered: and concludes by saying that it was an university play; but that whether it was performed at Oxford or Cambridge is not certain^b. The *Catalogus librorum impressorum Bibliothecæ Bodleianæ*, art. *Loiola*, ascribes it to Dr. John Hacket, bishop of Lichfield; and Wood also, in his *Fasti Oxo-*

^a Dr. Goddard, then master of Clare hall, in 1773 informed a gentleman, on the application we have mentioned in a former note, that Mr. Ruggle was author of *Ignoramus* and of *Loyalita* (as he called it) another comedy of the same kind; an imperfect copy of which was then, as he said, in Clare hall library. But this information is much to be questioned; for by *Loiolita* he must be understood to mean the comedy of *Loiola*, which, as will appear hereafter, was certainly not written by Mr. Ruggle; and in the library of Clare hall there neither is, nor ever appears to have been, such a manuscript as that which Dr. Goddard spoke of. It is true that in that library is an imperfect manuscript copy of *Ignoramus*, which we shall notice more at large in a subsequent page; and it is therefore highly probable that he mistook the one comedy for the other.

^b *Biographia Dramatica*, in the list of Latin plays written by English authors, art. *Loila*.

nices,

nienſes, edit. 1691, Vol. I. col. 824, mentioning, under the year 1616, this ſame perſon, Dr. *Hacket*, ſays that about this time he wrote a *Latin* comedy, called *Loiola*, printed at *London*, 1648, in octavo. And finally Dr. *Plume*, in his life of Dr. *Hacket*, prefixed to *Hacket's* Sermons, Lond. 1675, gives, p. 3, the following account of the production of this comedy, which has been adopted by the author of the article *Hacket, John*, in the *Biographia Britannica*, edit. 1757: ‘One month in the long vacation, retiring with his pupil, afterwards lord *Byron*, into *Nottinghamſhire*, for freſh air, there, in abſence from all books, and having no other more ferious ſtudies, he made *Loiola*, which needs no other commendation than to remember that it was twice acted before king *James*, and what an ingenious pen ſays in a prologue :

‘ You muſt not here expect to-day,
‘ *Leander, Labyrinth, or Loyola* *.’

Two other comedies have alſo been attributed to Mr.

* In a tract entitled *Catalogus Procan. Procur. Doctorum, &c. una cum Notis quibuſdam hiſtoricis, ex Mſo. Teniſoniano, auſto ex collect. MS. Guil. Dillingham, S. T. P.* inſerted in Mr. *Baker's* manuſcript collections, Vol. XI. p. 90, & ſeqq. is the following entry reſpecting the comedy of *Loiola*, ſub anno 1623: ‘*Menſe Martio, rex Jacobus Cantabrigiam venit a Novo-Mercatu, coram quo comœdia dicta Loyola acta eſt: eodem die rex revertitur.*’ At the bottom of the ſame page is the following memorandum: ‘[Comœdia [*Loyola*] acta eſt coram rege, *Martii 12, 1622, excuſa 1648.*];’ and an account of its ſucceſs is given in theſe words by Mr. *Joſeph Mede*, in a letter copied from the *Harleian* collection, and inſerted in Mr. *Baker's* collections, Vol. XXI. p. 107: ‘*March 15, 1622, Xts. Coll.* The king heard our comedy on *Wednesday*, but expreſſed no remarkable mirth thereat; he laughed once, or twice towards the end.’ I am very much inclined to ſuſpect that a paſſage in the comedy of *Ignoramus*, act V. ſc. 8, where *Trico* ſays, ‘*Agetur, ſi placet, comœdia in nuptiis mea, nomen ei Equivocus;*’ and is answered by *Theoderus* in the following words: ‘*At Loiolita tantum venit in tragediam,*’ or, as it ſtands in ſome copies, ‘*At Loiola tantum venit in tragediam,*’ might afford Dr. *Hacket* the hint for his comedy of *Loiola*; in corroboration of which ſuſpicion I ſhall only further obſerve, that *Ignoramus* was played in *March 1614-15*, and again in *May 1615*; and that it appears from *Wood's* account, in the text, that Dr. *Hacket* wrote his comedy of *Loiola* about the year 1616.

Ruggle, the one entitled *Revera or Verily*, and the other *Club Law*; which were written, as it is said, to expose the puritans, but have never been printed. The evidence on which Mr. *Ruggle*'s claim to the above comedies is founded, is a memorandum which I find inserted in manuscript in a copy of *Ignoramus*, which, in 1741, belonged to Mr. *John Hayward*, a master of arts in *Clare hall*, *Cambridge*. In this copy Mr. *Hayward* has inserted, from a manuscript copy at *Clare hall* (as he expressly notices), and from archbishop *Sancroft*'s printed copy, the names of the original performers, after which follow these words:

‘ N. B. Mr. *Geo. Ruggle* wrote besides two other comedies, *Revera or Verily*, and *Club Law*, to expose the puritans, not yet printed. MS.’

By the letters MS. at the end, it is imagined Mr. *Hayward* intended to express that he derived this intelligence from some manuscript authority; but, as he has not mentioned where it was to be then found, there does not seem sufficient evidence to support his assertion^a.

But to return to our author, Mr. *Ruggle*. In the year 1619 we find that he had arrived to be third in order and seniority among the fellows of his college, on the original foundation^b; and that in the following year his fellowship became vacant, appears by some papers there remaining. To what cause this latter occurrence is to be attributed, we have not been able to learn; but it is supposed to have been occasioned by his succeeding, on the death of some relation, to the greater part, if not the whole, of that fortune of which

^a The comedy of *Club Law* has been mentioned in a former note, as having been performed in the year 1597-8 or 1599. Dr. *Farmer* is in possession of a manuscript play, without a title, which, from its tendency to expose the mayor and corporation of *Cambridge*, has been supposed to be *Club Law*; but as it is wholly founded on the expectation of a visit from king *James*, and refers to events which happened in his reign, it does not seem probable that it can be the *Club Law* which was performed in the reign of his predecessor queen *Elizabeth*. It is much to be doubted whether *Revera or Verily* is at this time existing.

^b *Scott*'s tables before referred to.

by his will he appears to have been possessed, the statutes of the college rendering such a provision void whenever the object of it shall be enabled, either by patrimony or a benefice, or any other method, to expend annually the sum of ten marks during his life^a: and this supposition may perhaps receive additional confirmation, when we are told, as was the fact, that in 1620, and in all likelihood on quitting his fellowship, he became a benefactor to the college, in money

^a Mr. Baker, in his manuscript collections before cited, Vol. V. p. 323, has inserted a copy of the statutes of *Clare* hall, which he says, p. 360, he transcribed from one which he had from the Rev. Mr. Jennings, some time fellow of that college; that Mr. Jennings's copy was taken from Dr. Dillingham's, late master of the same college; and that Mr. Jennings assured him they had none more perfect there. In these statutes is a chapter, entitled *De causis deferendi collegium*, in which is this clause, referring to the fellows and scholars, for both are mentioned in the former part: 'Si vero quisquam eorum, sive per patrimonium, sive per beneficium, aut aliqua alia ratione, poterit expendere ad summam decem marcarum per annum, durante vita sua naturalis, tunc post unius anni curriculum a tempore sue promotionis, vacabit societas ejus, & alius in locum suum, juxta statuta antea præscripta, surrogetur & collocetur.' Mr. Baker has inserted, in Vol. XIV. p. 48, another copy of these statutes, which, in this latter place, are entitled *Regula Aulæ de Clare*, 1359. This copy has no chapter *De causis deferendi collegium*; but instead is the following, which occurs p. 53, and is entitled *De promotis in spiritualibus vel temporalibus*: 'Item ordinamus, quod cum aliquis socius dictæ domus bona temporalia ad valorem annum decem marcarum ad vitam suam, vel beneficium ecclesiasticum, quodcumque curatum pacifice de cætero fuerit affectus, quod post lapsum anni integri a tempore pacificæ affectationis, hujusmodi bonorum, vel beneficii numerandi (per quem si voluerit in dicta societate stipendia, ut socius percepturas, & onera obiturus poterit permanere) a societate dictæ domus, & omni commodò quod in ea, & ex ea fuerat habiturus eo ipso penitus sit privatus.' And, in consequence of one or other of the above passages, it was, on a question as to the legality and regularity of Mr. Paske's election to the mastership of *Clare* hall in 1620, objected against the vote of one of the fellows, that he had been possessed of a benefice of above ten marks yearly value, above a year before September last, and was thereupon, ipso facto, non socius by the statutes of the college. See Mr. Baker's manuscript collections, Vol. II. p. 138, in Mr. Paske's case.

and plate, to the amount of four hundred pounds and upwards^a.

About this time also I conceive it was that, as we have before noticed, he was appointed tutor to *Pallavicini's* children; and, for the reasons assigned in a former note, wherein an account is given of that family, am led to conclude that these were the children of *Toby Pallavicini*^b, whom, as well as their father and mother, he has mentioned in his will; and that, on his quitting his fellowship, he left *Cambridge*, and retired to *Babraham* to superintend their education. However, he did not long survive the quitting his fellowship; for though the precise day of his death, and the place of his interment, are equally unknown, it is certain that he must have died between the 6th of *September*, 1621, and the 3d of *November*, 1622, as on the former of those days his will bears date, and on the latter it was proved by the executor^c.

The comedy of *Ignoramus* had never made its appearance in print during the life of its author; and from the direction inserted in his will, that all his papers and paper-books should be burnt, it seems clearly to have been his intention that it never should be printed. So far as the destruction of his own manuscript could effectuate this design, we may reasonably conclude it was fulfilled^d. Nevertheless, a copy thereof got abroad,

^a List of college benefactors at *Clare* hall. See also *Fuller's History of Cambridge*, p. 37.

^b Vide *supra*, p. ix. In addition to the authorities there cited, and the conclusions drawn from them, we shall only here remark, that, as we have there noticed, in the parish church of *Chipping Ongar* in *Essex*, an inscription was a few years since remaining for *Horatio Pallavicini*, esquire, who died, *May* 6, 1648, aged 36, and whom I am inclined to suspect to have been one of the children of *Toby Pallavicini*. According to the date of his death, and his age, as given in the before-mentioned inscription, he must have been, in 1620, in the eighth year of his age; a proper time for him to begin to receive those instructions, as a pupil, which *Mr. Ruggle*, as a tutor, was very well qualified to give.

^c See his will, hereafter inserted.

^d In *Clare* hall library is a manuscript copy of the comedy of *Ignoramus*, which is at present believed at *Clare* hall to be the author's original

abroad, by means of which his intention of suppressing it was happily defeated. It must be supposed that this copy was stolen, that is to say, that it was taken down in short-hand by one of the auditors at the performance; a practice, as it seems, not uncommon at the time, as may be collected from the following passage in *Heywood's* preface to his *Rape of Lucrece*, fourth impression, 1630. 'Though some have used a double sale of their labours, first to the stage, and after to the press, for my own part, I here proclaim myself ever faithful to the first, and never guilty of the last; yet, since some of my plays have, unknown to me, and without any of my direction, accidentally come into the printer's hands, and therefore so corrupt and mangled, copied only by the ear, that I have been as unable to know them, as ashamed to challenge them. This therefore I was the willing, &c. And the same person, *Thomas Heywood*, in the prologue to a play of his, entitled *If you know not me, you know nobody*, 1623, has the following lines:

'Twas ill nurst,
 ' And yet receiv'd as well perform'd at first,
 ' Grac'd and frequented; for the cradle-age
 ' Did throng the seats, the boxes, and the stage,
 ' So much, that some by stenography drew
 ' The plot, put it in print, scarce one word true:
 ' And in that lameness it has limp'd so long,
 ' The author now, to vindicate that wrong,

original copy. That it is not so, is evident from the following circumstances: that, in the first place, it is not in his hand-writing; and, in the second place, it is far from being correct; besides which, the comedy is throughout written as prose, and no notice is taken that any of the passages, not even those borrowed from the classics, are in verse. This, though supposed to be the copy which Mr. *Baker*, in his manuscript collections, Vol. XV. p. 479, mentions he had seen at *Clare hall*, and with which he had examined a list of the original actors in *Ignoramus*, is now manifestly imperfect, as wanting the second prologue, the dramatis personæ, the whole of the first act, part of the eleventh and the whole of the twelfth scenes of the fourth act, and the five first scenes of the fifth.

‘ Hath took the pains upright upon its feet
 ‘ To teach it walk, so please you sit and see it *.’

If it should be asked, what person could be supposed willing to forego the delight which the representation of this drama, and before such an audience, must have afforded, and engage in a task so laborious as watching the utterance of every single word, and committing it to writing; I answer, some scholar of the university, who perhaps had been present at the rehearsal thereof, and had become sensible of the merit of the composition, and preferred the delight of reading it in his chamber as often as he chose, to the transient pleasure of seeing it performed on the stage. It was not however till after the lapse of fifteen years from the time of its first representation, and eight after the decease of the author, that this comedy found its way to the press, which it did in consequence of an assignment of the copy-right, thus recorded in the books of the stationers company:

‘ 30 June, 1630,

‘ John Spencer, assigned over unto him by Mrs. Bur, by
 ‘ a note under her hand, and consent of Mr. Purfoot, was-
 ‘ den, the copies following :

‘ *Narcissus, the Fountain of Love.*
 ‘ *A mad World my Masters.*
 ‘ *The Alchemist.*
 ‘ *The Preacher’s Travels.*

* Dr. Johnson, from their being so apparently imperfect and mutilated, was inclined to believe the old copies of the two latter parts of Shakespeare’s *Henry VI.* and of his *Henry V.* copies taken by some auditor, who wrote down during the representation what the time would permit, then perhaps filled up some of his omissions at a second or third hearing, and, when he had by this method formed something like a play, sent it to the printer. See Johnson and Steevens’s *Shakespeare*, edit. 1778, Vol. VI. p. 564. The two passages above, cited from Heywood, are both adduced in support of this conjecture of Dr. Johnson’s, the former by Mr. Collins, and the latter by Mr. Malone, in Johnson and Steevens’s *Shakespeare*, in loco supra cit.

‘ *Silent*



‘ *Silent Woman.*

‘ *Odcombe’s Complaint.*

‘ *Ignoramus.*’

The above-mentioned Mrs. *Bur* I take to have been the widow of *Walter Burre*, a *London* bookseller, for whom the first edition of the comedy of *Albumazar*, before noticed, was printed.

Having thus, as I conceive, accounted for the existence of a manuscript copy of *Ignoramus* other than that of the author, and fixed the copy-right, if it may be so called, in the above-named *John Spencer*, I proceed to relate its first appearance in print, and to trace its progress through the several subsequent impressions.

The first edition of this play was in that small-sized volume which the printers call eighteens; and had in the title-page, ‘*Londini, impensis J. S.*’ [doubtless *John Spencer*] ‘1630.’ Prefixed to it was an engraving, a fac simile whereof is here given, which some have conceived to be a portrait of the author².

² Mr. *Granger*, in his *Biographical History of England*, 8vo. edit. Vol. II. p. 17, says, that it has been conjectured that the print before *Ignoramus* was done for *Ralph Ruggle*, as he calls him, the author of it; but that he saw no foundation for that conjecture. Of the books in the background it may be necessary here to take some notice, as they appear to have been law-books well known at the time, though their titles are so briefly given on their edges. That which has on its edge ‘*Ar. Academy*,’ was undoubtedly meant for a book which, in 1623, had been published in small quarto, by one *Thomas Powell*, with the title of *The Attourney’s Academy, or The Manner and Form of proceeding practically upon any Suit, Plaint, or Action whatsoever, in any Court of Record whatsoever within this Kingdom.* 4to. *London*. 1623. That which has likewise on its edge ‘*W. Presidents*,’ is intended for one entitled *Symbolography, which may be termed the Art or Description of Instruments and Presidents*, and which was first published in quarto, in 1590, by *William West*, of the Inner Temple, esq. And that with ‘*Lawy. Light*’ was designed for one which had been published in 1629, in small quarto, and which was entitled *The Lawyer’s Light, or a due Direction for the Study of the Law, for Method, Choice of Books modern, Selection of Authors of more Antiquity, Application of either, Accommodation of divers other useful Requisites; written by the reverend and learned Professor thereof, J. D.* *London*. 4to. 1629.

This notion is founded on a tradition that the principal character in this comedy was, in the representation thereof before king *James*, performed by Mr. *Ruggle* himself; but to refute it, it is enough to say that at both times Mr. *Parkinson*, of *Clare hall*, personated *Ignoramus*^a. It may therefore be supposed that the print was nothing more than an ideal resemblance of a lawyer of the time, in such a garb, and with such symbols, as were proper to his character.

It will readily be believed, considering the circumstances of its publication, that this first impression of the comedy was far from correct; but the errors therein deserve remark, as they are of a singular kind, and serve to prove what is above asserted, viz. that it was taken from the mouths of the actors; for they consist, in most instances, of words similar in sound to those which it must be supposed to have been spoken, as may be seen in the underwritten note^b.

The manifold errors in this first edition of the play, is the best reason that can be assigned for the publication of a second after so short an interval as eight months at most; for such is the fact^c. In this very many of the errors in the former

^a See the list of actors, before inserted.

^b Such, for instance, as 'querrino,' for guerrino; 'arranatus,' for arraiatus; 'aviata,' for waviata; 'te tua,' for re tua; 'numeravi,' for numerati; 'deprehenfus sis,' for deprehenfus scis; 'caupones,' for capones; 'nominis,' for nominibus; 'While I am in heart,' for, Well, I am in haste; 'simne ego?' for scivin' ego? 'yea,' for ye; 'tac toc,' for sac soc; 'O tempora! foris,' for O tempora, O mores! 'nil,' for vel; 'eam,' for jam; 'facies,' for faces; 'nunc,' for tunc; 'supplicavi,' for suppilavi: all of which, besides others that might be pointed out, actually are to be found in the edition mentioned in the text.

^c In the books of the Stationers company is the following entry relating to the copy-right of this second edition:

'20 July, 1630,

'Godf. Emondson, John Spencer, entered for their copy, under the hands of Sir Henry Herbert, and Mr. Harrison, warden, and consent of the said John Spencer, the comedy called *Ignoramus*.'

The first edition of *Ignoramus* was printed, 'Londini, impenfis J. S. 1630'; the second, 'Impensis J. S. & G. E. 1630'; and it therefore appears, from the entry before inserted respecting the copy-right of the first,

former are corrected; and farther it is improved, by the insertion of arguments that unfold the subject-matter of each scene, and enable the reader to trace, with the greatest ease, the conduct of the plot, and the succession of events, throughout the whole drama.

But the endeavours of the editor of this second edition; whoever he might be, were not sufficient to correct all the mistakes, by a very great number, which occurred in the former; and a third edition was therefore published in the year 1658, which professes, and, as it is believed, with great truth, to be corrected in six hundred places^a: a fourth appeared in 1659, and another fourth, as it is styled by mistake, in 1668; a fifth in 1707^b; in 1731 a

first, and the above relating to that of the second, that the former edition must have been published between the 30th of *June*, 1630, and the 20th of *July* in that year, and the latter between the 20th of *July*, 1630, and the end of the same year, which proves the fact above-mentioned.

^a It is worthy of remark, that this edition professes, in the title-page, to contain a supplement or addition not before published; the words are these: ‘Cum eorum supplemento, quæ, causidicorum municipalium reverentia, hæstenus desiderabantur.’ The same passage is continued also in the title-pages to the editions of 1659 and 1668; but neither of them has any such supplement or addition, nor are the few passages which they contain more than the former editions, either so numerous, or of such a kind, as at all to answer the above description: and we can therefore only conclude, that these words were intended to inform the reader that these three editions (and so indeed do the preceding ones, though no notice is taken of it in their respective titles) contain as well the additions made to this comedy, subsequent to the first and prior to the second representation, as the rest of the comedy, and consequently, that in all three instances they are complete editions.

^b To this edition two title-pages were originally printed; one of which had to it, as a motto, the ænigma proposed by *Museus* to *Trico* in the sixth scene of the second act, but no date of the year in which it was printed; the other title was without the above-mentioned motto, but with the date 1707. I once had in my possession a copy with both titles, which is the only one I ever saw that had both, or indeed that had the title with the date; for the binder, in all other instances, appears to have cancelled the title with the date, and to have retained the other.

sixth^a; and in 1737 the seventh and last edition was printed; exclusive of one which, in 1736, was published at *Dublin*, with the denomination of editio septima, from that of 1658.

These, it is to be observed, were all in the original language, that is to say, in *Latin*; but in the year 1662 a version of it into *English* was published in quarto, with the following title: *Ignoramus, a Comedy, as it was several Times acted, with extraordinary Applause, before the Majesty of King James; with a Supplement, which, out of Respect to the Students of the Common Law, was hitherto wanting. Written in Latin by R. Ruggles, sometimes Master of Arts in Clare College in Cambridge; and translated into English by R. C. sometimes Master of Arts in Magdalen College in Oxford. Lond. 1662^b.*

In

^a Some persons have taken it into their heads that the frontispiece to this edition, though it has no name to it, was designed at least, if not engraven, by Mr. *Hogarth*; but this is scarcely probable: the difference between this and the former frontispieces consists only in introducing into the back-ground of this a larger number of books than were in the former ones. The design originally had nothing in it of that wit which distinguishes the designs of Mr. *Hogarth*; and the print in question differs so little from those to the former editions, that it does not deserve the name of a new design: Mr. *Hogarth* would never have submitted to be so servile a copyist.

This edition of 1731 appears, from a dedication in *Latin* to lord *Oxford*, prefixed to the large-paper copies, but to no others, to have been published by one *Robert Prior*, of whom I know nothing, but conceive him to have been one of the ushers or under-masters of *Westminster* school, and the same person who, in 1730, compiled and published a collection of exercises in verse of the scholars there, under the title of *Lusus Westmonasteriensis*; and it is highly probable, though I have not been able to obtain certain intelligence either to confirm or refute the conjecture, that this person was also the editor of that edition of *Ignoramus* which appeared in 1737.

^b The author of this translation, who is only pointed out by the initial letters of his name, R. C. was undoubtedly *Robert Codrington*, of whom *Wood*, in his *Athenæ Oxonienses*, has given an account to the following effect: *Robert Codrington* was born of an ancient and genteel family in *Gloucestershire*; and on the 29th of *July*, 1619, being then seventeen years of age, and of some months standing in that house, was elected

In 1678 another *English* translation, far less perfect than the former, as being mutilated in sundry instances, and fraudulently bearing the appearance of an original, was published in quarto, with the title of *The English Lawyer, a Comedy, acted at the Royal Theatre; written by Edward Ravenscroft, Gent.* Lond. 1678*.

Of

electd demi-fellow of *Magdalen college, Oxford*, and took, in regular succession, the degrees of bachelor and master of arts, that of master being completed in 1626 : he afterwards went abroad, and, on his return from his travels, settled in *Norfolk*, where he married, and lived for several years in the quality of a gentleman; but at length retiring to *London*, he died there of the plague, in 1665. Of the place of his interment *Wood* professes himself ignorant; but gives a catalogue of his works, among which he reckons the above translation, and adds, that he was always accounted a puritan, and that in a tract, entitled *The Life and Death of Robert Earl of Essex*, Lond. 1646, of which *Codrington* was the author, he has shewn himself a rank parliamenteer. See *Wood's Athenæ Oxonienses*, edit. 1692, Vol. II. col. 243. In the *Biographia Dramatica*, art. *Codrington, Robert*, it is said that *Codrington* was born in *Gloucestershire*, in 1601.

* *Edward Ravenscroft* was descended from the family of the *Ravenscrofts of Flintshire*; a family, as he himself in a dedication asserts, so ancient, that when *William the Conqueror* came into *England*, one of his nobles married into it. *Ravenscroft* was some time a member of the *Middle Temple*; but quitted the study of the law for that of poetry, and produced twelve dramatic compositions, the last of which was published in 1698. See the *Biographia Dramatica*, art. *Ravenscroft, Edward*, where he is also styled an arrant plagiarist. *Langbaine*, in his *Account of English Dramatic Poets*, edit. 1691, p. 417, & seqq. gives an account of his plays, and not only styles him a politic plagiarist, but has detected and pointed out many instances in support of that assertion. Of his translation of *Ignoramus*, under the title of *The English Lawyer*, *Langbaine* speaks in the following terms : ‘ *English Lawyer*, a comedy, acted at the Theatre Royal, and printed, 4to. Lond. 1678. This play was written originally in *Latin*, by *R. Ruggles*, sometime master of arts in *Clare hall in Cambridge*, and was acted several times, with extraordinary applause, before king *James the first*, by the gentlemen of that university. There was a version, done by a master of arts of *Magdalen college in Oxford*, printed near thirty years ago, though translated some years before, and I believe Mr. *Ravenscroft* made more use of that than of the original; at leastwise they who understand not the *Latin*, and yet would see a true copy (this of our author being drawn in miniature) may read it under the

Of the authors of these translations, an account is given in the note next preceding, and it remains to speak of the merits of their respective translations, and the rather, as the former is at this time little known, and very difficult to be met with. It will however be previously necessary to remark, that as the law terms in this comedy cannot be rendered into *English* without losing of their effect, nor be permitted to remain in the original *Latin* without occasioning an awkward mixture of the two languages, and without not only the hazard, but almost certainty, of being unintelligible to those for whose assistance such a version is intended, this comedy must inevitably suffer by every attempt to translate it at all. Notwithstanding however this disadvantage, and that, in some few instances, he has, without giving the reader any notice, very disingenuously omitted passages of the original which he seems not to have understood ^a, and in others has mistaken Mr. *Ruggle's* meaning ^b, it is but justice to declare
of

^a title of *Ignoramus*.' We have before remarked, p. ii. that both *Cardington* and *Langbaine* are mistaken in terming the author of *Ignoramus* *R. Ruggles*, for that his name was *George Ruggle*.

^a The following passage, in act II. sc. 8.

IGNO. Per deos, si unquam posthac, tollite *Hispanicos* companions,'
he thus translates,

IGNO. I swear most solemnly, if ever you find me here again'—
in which the reader will observe, that 'tollite *Hispanicos* companions' is wholly omitted.

^b As where, for instance, in act I. sc. 5, he renders the following passage,

Quam crucior
'*Antonium* me non amare nunc vel fingero!
'Fingendum est, tamen, ut suspicione libera ad illum aufugiam
'Facilius, si ad *Ignorandum* ducar,'

in these words:

'How much am I tormented that *Antonio* doth not love me! that he
'makes not so much as any shew of love unto me, although it were
'but

of the author of the former of these translations, that he has preserved more of the satire, and even of the wit and humour of the original, than could well be expected; and that he who should again undertake to translate it, would find great difficulty to render some passages, particularly those mentioned in the margin, with a greater degree of accuracy than he has shewn, or into so good *English* as the translator has made use of for the purpose^a.

The

‘ but mere dissimulation: but I for my part must play the counterfeit,
 ‘ that so being free from all eyes of suspicion, I may then more oppor-
 ‘ tunely fly unto him, when I am to be led a wretched bride to *Igu-
 ‘ ramus*’ bed.’

And in the same scene, where he translates the following words,

‘ SUR. Bene facis,
 ‘ Ille tibi dabit—
 ‘ ROSA. Malum !’

(which surely should be thus translated,

‘ SUR. You do well; he will give you—
 ‘ ROSA. Yes, with a mischief !’)

in terms too gross to be repeated, were it not for the purpose of censuring them. His words are these,

‘ SUR. You do well to love him, he will give you—
 ‘ ROSA. The POX.’

Against the translation of this passage too much cannot be said; and, to aggravate his offence, he has printed the exceptionable word in capitals, as, in conformity to him, we have been obliged to do above.

^a The lines at the end of the first prologue *Codrington* thus renders :

‘ Pardon, dread liege, such sudden things as these;
 ‘ He merits not t’ offend who strives to please.’

Those at the end of the second prologue he translates thus :

‘ For which bold malice her loud throat doth strain,
 ‘ And her black nails begins to bite again;
 ‘ Vouchsafe then, *Cæsar*, she may so relent,
 ‘ So swell with grief, that all, in the event,
 ‘ Whom envy rives may be asunder rent.’

The

The merit of *Ravenscroft's* translation is by no means equal to that of *Codrington's*; it does not profess in the title-page to be a translation^a, and in fact it is an abridgment of *Ignoramus*, with some alterations, and, in those parts which correspond with the original *Latin*, the writer is suspected to have made more use of the former version than of the original *Latin*^b. In the alterations which he has made, he has
not

The following are the words in which he has translated the verses,

- ‘ Operas qui volet utiles, usque exerceat opere.
- ‘ Corpus item & animum corrumpit otium,

at the end of act II. sc. 1.

- ‘ He that will thrive must be to work inclin’d;
- ‘ For sloth corrupts the body and the mind.

And lastly, the song sung by *Cupes*, *Caupo*, and *Fidicen*, in act III. sc. 10, he thus gives in *English*:

- ‘ May *Polla*, wife to *Cupes*, break,
- ‘ By some happy fall, her neck;
- ‘ And may all wives that like her be,
- ‘ Perish so as well as she.’

^a *Ravenscroft*, however, confesses in the prologue, that it was a *Cambridge*, and was originally a *Latin* play; and, in the epilogue, he says that it passed the censure of king *James*.

^b That *Ravenscroft* has made use of *Codrington's* translation is beyond a doubt; for in act III. sc. 12, the verses,

- ‘ Multa vini virtus animo, multusque recurvat
- ‘ Dentis honos: hærent caponis pectore vultus,

which are thus rendered in *Codrington's* translation,

- ‘ The generous virtue of the wine I find
- ‘ And the tooth’s valour running in my mind,
- ‘ My eyes still dwell upon the capon’s breast:’

And the following line,

- ‘ O mihi post nullos, perdix, memorande sodales!’

which *Codrington* thus translates,

‘ O well-

not solely contented himself with shortening the scenes, or omitting such as he thought unnecessary to bring about the catastrophe, but has struck out from the dramatis personæ the characters of *Museus*, *Cola*, *Vince*, *Nell*, *Richardus*, and *Nautæ*. Farther, he has altered many of the scenes, and added others that degenerate into farce; particularly one at the end, in which he introduces *Polla* with a kettle of hot water, threatening to scald all that oppose *Rosabella* or her interest. But, notwithstanding these and other objections to which it is liable, and of which indelicacy and indecency are not the least ^a, several editions of this latter version have been printed ^b, while of the former there has been only

‘ O well-fed partridge ! that art still to be
 ‘ Bove all thy fellows, to be prais’d by me :’

And also the following,

‘ Sed quid fecerunt optima vina mali ?’

which in *Codrington*’s translation stands thus,

‘ What evil hath been done or meant
 ‘ By sack so good and excellent :’

And, lastly, these,

‘ Convivæ meruere tui fortasse perire,
 ‘ Amphora non meruit tam pretiosa mori,’

which *Codrington* thus gives in *English*,

‘ The drunken guests perchance deserv’d to fall,
 ‘ But these so precious vessels not at all :’

Are all, in *Ravenscroft*’s, rendered in the very same words.

^a In support of this assertion I shall not need, nor do I mean, to produce many instances, though many might be produced; but shall content myself with observing, that in this version by *Ravenscroft* the terms of coarsest abuse occur so frequently, more especially in the speeches of *Cupes* and *Polla*, that they suit with the character of *Obloquy* in Mr. *Pope*’s imitation of *Spenser*, of whom he says, that

‘ Bitch and rogue her answer was to all.’

^b The last was published in duodecimo, in the year 1736.

one impresson. This circumstance, however, is not to be attributed to the excellence of the one, but to the scarcity of the other, and the frequent demand for a translation.

It will add but little to the celebrity of this excellent comedy, which was twice performed by the scholars of an university, for the entertainment of a learned monarch, to say, that it has since been represented before audiences less numerous and splendid: nevertheless it is worthy of note, that it has at sundry times been acted, just before the commencement of their *Christmas* vacation, by the scholars of *Westminster*, particularly in the years 1712, 1713, 1730^a, and 1747; on the last of which occasions a poem was addressed to the actors in *The Gentleman's Magazine*^b. Since that time the representation of it there has been discontinued; which is the more to be regretted, as, from the manner in which

^a See the dates to the prologues and epilogues at the end of the editions of 1731 and 1737; that of 1731 contains those spoken in 1712 and 1713, and that of 1737 those spoken in 1712, 1713, and 1730. For the purpose of its being acted by the king's scholars, and to obviate any objection which might be made to the comedy on account of its length, it was considerably shortened, and the fifth act, which also was much altered, was brought into a narrower compass. In the former part the variations consisted solely in omitting passages; but in the fifth act insertions of new passages have been made, and indeed the whole of this fifth act differs so essentially from the original one, as to entitle it in some degree to the appellation of a new one. Those passages of the four first acts, which were omitted in the representation at *Westminster* School, are, in the editions of 1731 and 1737, distinguished by inverted commas; and to both those editions is subjoined the new fifth act, which is there entitled *Actus quintus, ut habitus est ab alumnis regis Westmonasteriensibus*. This fifth act, as not being any part of the comedy as written by its author, is in the present edition omitted, as are also, for the very same reason, the prologues and epilogues on occasion of its several performances at *Westminster*. The prologue and epilogue, spoken in 1712, appear to have been written by the well-known Mr. *Vincent Bourne*, one of the ushers or under-masters of the school; for they are inserted, with some few variations, in the quarto edition of his poems, printed in 1772.

^b See it in *The Gentleman's Magazine* for March, 1748, p. 133; and in that for January, 1748, p. 56, the prologue and epilogue spoken on that occasion are to be found.

which the comedies of *Terence* have been usually represented there, every sincere admirer of this cannot but wish for the gratification of seeing *Ignoramus* so ably performed.

Although Mr. *Ruggle* appears, from his will, to have spent his life in a state of celibacy, and consequently left no lineal descendant

The names of the actors in *Ignoramus* at *Westminster*, in 1730 and 1747, are as under:

	1730.	1747.
IGNORAMUS.	G. Lewis, afterwards vicar of <i>Westerham</i> in <i>Kent</i> , and of <i>Etchingham</i> in <i>Suffolk</i> .	H. Boyle, afterwards earl of <i>Corke</i> and <i>Orrery</i> .
DÜLMAN.	G. Affleck, afterwards rector of <i>Lydgate</i> in <i>Suffolk</i> .	M. Lewis, afterwards vicar of <i>East Garston</i> , <i>Bucks</i> .
MUSEUS.	J. White.	P. Gould, afterwards lieutenant col. in the army.
PECUS.	H. Hatch.	T. Buck.
THEODORUS.	E. Williamson.	R. Barnes, afterwards a canon residentiary of <i>Exeter</i> .
DOROTHEA.	P. Keith.	W. Schwyn, now one of his majesty's council learned in the law.
ANTONIUS.	J. Freind, second son of Dr. Freind one of the masters of <i>Westminster</i> school.	T. Lock, afterwards brother in law to lord <i>Courtenay</i> , and usher of <i>Westminster</i> school.
TRICO.	W. Tayleur.	J. Warren, afterwards archdeacon of <i>Worcester</i> .
BANNACAR.	P. Desbordes.	R. James, afterwards vicar of <i>Kinton Magna</i> , <i>Wilts</i> .
CUPES.	W. Freind, afterwards dean of <i>Canterbury</i> .	W. Waller, afterwards a barrister at law, now lately deceased.
POLLA.	A. Bisset, afterwards chancellor of <i>Armagh</i> in <i>Ireland</i> .	P. Furse, afterwards a clerk in the pay office.
COLA.	T. Salter.	W. Sellon, now minister of <i>St. James</i> , <i>Clerkenwell</i> .
TORCOL.	E. Raynes.	J. Marsden, now a prebendary of <i>York</i> .
ROSABELLA.	W. Hemmington, afterwards a canon of <i>Christ</i> church.	G. Hobart, brother to the earl of <i>Buckinghamshire</i> .

descendant at his death, the reader's curiosity may perhaps be excited to enquire after the subsequent history of the family; but very little can with certainty be traced respecting them: so far however may be depended on, that they became, and were till very lately, dissenters from the church of England, and, in the grand rebellion in the reign of king Charles I. sided with *Cromwell*; both which circumstances, as there is good reason to think, are more to be attributed to their connection with the family of *Pallavicini*, who were related by marriage to the *Cromwells*^a, than to any radical dislike of the doctrines or practice of the established church on the one hand, or any personal affection for *Cromwell*, or an approbation of his actions and principles, on the other. From *Lavenham* in *Suffolk* they removed to *Becking* in *Essex*, where some of the name were remaining so low as 1768^b, and

SURDA.	<i>H. Yonge</i> , afterwards vicar of <i>Torrington</i> in <i>Devonshire</i> .	<i>P. Duval</i> ; afterwards a prebendary of <i>Worcester</i> , and a canon of <i>Windsor</i> .
PYROPIUS.	<i>E. Rumsey</i> .	<i>J. Hinchcliffe</i> , now lord bishop of <i>Peterborough</i> .
NAUTA.		<i>D. Shipton</i> , afterwards vicar of <i>Willen, Bucks</i> .
CAUPO.		<i>R. James</i> , above-mentioned.

On both these occasions it was so admirably acted that, at the request of the audience, it was played four instead of three times, the usual number in other instances. The part of *Ignoramus* was, in 1730, so admirably sustained by Mr. *Lewis*, that he was ever after known to his acquaintance by the designation of *Ignoramus Lewis*. The days of performance, in 1747, happening too near the *Christmas* vacation to permit a fourth representation before *Christmas*, the scenes were left standing during the holidays, and in the *January* following it was acted for the fourth time.

In the year 1763 this comedy was abridged into two acts, and was acted at Merchant Taylors School; and I have been informed that in the month of *December*, 1731, it was also performed at *St. Edmund's Bury* in *Suffolk*, by the scholars of the school there.

^a Vide *supra*, p. xi, in nota.

^b *Morant*, in his *History of Essex*, printed in 1768, Vol. II. p. 305, mentioning the manor of *Goddington*, says, 'it belongs now to Samuel Ruggles, of *Becking*, esq.'

where some relations of the family, by the female line, are at this time existing; but the present lineal representative of the family is *Thomas Ruggles*, late of *Cobham* in the county of *Surry*, but now of *Clare* in the county of *Suffolk*, and of *Finchingfield* in the county of *Essex*, esq; who is descended, as it is conceived, from one of Mr. *Ruggle's* brothers, and to whom the reader and myself are indebted for the communication of several particulars in the foregoing account, relative to his ancestor.

After what has been already said of Mr. *Ruggle*, and such a perusal of his comedy as it amply merits, it would be here almost superfluous to remark, that his mental endowments were very considerable, that his learning was very deep and extensive, and his knowledge of the world, as it is called, correct. With these talents for conversation, it was natural that he should attract first the notice, and next the friendship, of many persons who were eminently distinguished for parts and learning, in short, of all such as had sufficient discernment to be sensible of his worth; and it is much to the honour of both the one and the other, that this friendship subsisted uninterruptedly between them till it became dissolved by the death of Mr. *Ruggle*.

Of these persons, some of whose names may be found in Mr. *Ruggle's* will (for to many, if not most of them, he has therein bequeathed some token of his affection), we mean not here to insert an account, referring the reader, for such facts respecting them as it will be necessary he should be acquainted with, to the notes on that part of the will, hereafter inserted, in which they are respectively named; it will however be here incumbent on us to notice, that they were equally conspicuous for abilities, learning, and piety, and, as these qualities afforded them the means of selecting for their intimates, from the whole university, those only who were virtuously inclined, and whose natural and acquired endowments were considerable; and freed them from the necessity of soliciting or cherishing a friendship with the illiterate or the unlearned, the profligate or the immoral, or even with those of suspicious character, it is not to be imagined that they either made, or could be disposed or induced to make, choice of any for friends but the most worthy and deserving;

and since Mr. *Ruggle* appears to have enjoyed their friendship for many years, and till either his own or their deaths put an end to it, it is but reasonable to conclude that he also must have been of this latter class. And indeed his gratitude to the family of *Pallavicini*, which, besides relinquishing the before-mentioned annuity, he testified in his will by giving legacies to the wife and children of his benefactor, and by constituting his benefactor himself sole executor of his will, and his residuary legatee, and that in so modest and unostentatious a manner, that none but the testator Mr. *Ruggle*, and the residuary legatee *Pallavicini*, knew, or could know, what the one bestowed or the other received; the very great affection with which he speaks of his friends, some of whom, particularly the Rev. Mr. *Coppinger* of *Lavenham*, and Mr. *Greenhall*, his schoolmaster, appear to have been thus attached to him for nearly the whole of his life; and lastly, the internal evidence of his comedy itself, one principal object of which is to represent the progress and effects of virtuous love, and in which virtue is uniformly attended with correspondent and peculiar marks of approbation, and vice is as constantly delineated in its true colours, and with equal indications of abhorrence; all lead to a conjecture, perhaps little less forcible than positive proof, that he must have been a moral and thoroughly good man. In short, it appears to be but justice to declare of him, that he was generous and liberal without ostentation, learned without pedantry, and pious without enthusiasm or superstition; and of this last particular, if any doubt can remain, he has given a sufficient testimony in his will, of which an authentic copy is here inserted; and besides that common charity forbids a bare supposition or surmise, and for which indeed there is not the least shadow or pretence of ground, that on an occasion like this he could be guilty of such solemn hypocrisy as to profess sentiments which he did not entertain, the disposition which he has made of some parts of his effects evidently demonstrates that these were his genuine feelings, and that they had also a very powerful influence over his actions.

COPY

C O P Y
O F T H E
LAST WILL AND TESTAMENT
O F
MR. GEORGE RUGGLE.

Extracted from the Registry of the Prerogative
Court of *Canterbury*.

In the name of God, Amen. The sixth day of *September*, Anno Domini 1621, and in the nineteenth year of the reign of our sovereign lord *James*, by the grace of God, of *England, France, and Ireland*, king, defender of the faith, &c. and of *Scotland* the five-and-fiftieth, I, *George Ruggle*, of the university of *Cambridge*, in the town and county of *Cambridge*, master of arts, being of good and perfect health and memory, thanks be given to God for the same; yet considering with myself the frailty and uncertainty of this natural life, do make, publish, and declare this my present last will and testament, in manner and form following; that is to say, First, I commend my soul into the hands of Almighty God my maker, and of *Jesus Christ*, his dear and well-beloved son, my redeemer and blessed saviour, by whose merits, death, and passion, I hope to attain eternal life and the kingdom of heaven; and my body I commit unto the earth, whereof it was first formed, to be buried in *Christian* burial at the discretion of my executor, not doubting but at the great day of the general resurrection this corruptible body of mine shall rise and become incorruptible, to which my soul being reunited, shall be made partaker of immortality and everlasting glory and happiness. And for the ordering and disposing of all my worldly

worldly goods wherewith it hath pleased God of his great goodness to bless me his unworthy servant, my will and mind is as followeth: viz. Imprimis, I give and bequeath unto the poor of the town of *Lavenham* in the county of *Suffolk*, where I was born, twenty marks, to be paid within three months next after my decease. Item I give to the poor of the parish where I shall be buried five pounds, to be paid on the day of my burial. Item I give to him that shall preach at my burial five pounds, to be paid the same day. Item I give to the two prisons in *Cambridge* five pounds, to be divided equally between them. Item I give and bequeath unto the chapel of *Clare* hall twenty marks, to buy a silver bason to be used there at the communion for the collection of the poor^a. Item I further give and bequeath unto *Clare* hall in *Cambridge* aforesaid one hundred pounds, to be paid within one year next after my decease, to the intent that it may always remain in part of their stock, to be employed for the better making of provision at the best hand for the benefit of the said college and the students in it, and that at their audit or account, once a year, I will that the one hundred pounds be always brought in, and titled by the name of *George Ruggle's* one hundred pounds, for a perpetual stock to be used for *Clare* hall as aforesaid, and this to be brought in entire every year, and then in like sort to be used again for the benefit of

^a That the bason here mentioned should not now be existing is easily to be accounted for; for it is well known that in the grand rebellion, temp. *Car. I.* the plate belonging to both universities was sent to the king: that belonging to *Cambridge* was conveyed to him about the beginning of *August*, 1642, and very narrowly escaped falling into the hands of *Cromwell*. Next to the use for which it was first intended, Mr. *Ruggle*, had he been then living, would probably have preferred that to which it was actually applied, and have been glad to have thus joined the rest of the university in this testimony of their loyalty to their king, their gratitude to him as their most gracious and bountiful protector and benefactor, and their charity to him as a *Christian* then in extreme want and necessity, who was even in want of sustenance for his very household, and who, while they themselves had bread on their table, was himself almost in danger of starving. See *Querela Cantabrigiensis*, at the end of *Mercurius Rusticus*, p. 3.

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the said college; but if the said *Clare* hall shall make default in bringing in this money once yearly at their account as aforesaid, before the master and fellows, or some of the fellows of the said college, then I will that my executor and his heirs, and their heirs for ever, shall have power, right, and interest to have, receive, and recover the before said one hundred pounds from *Clare* hall, to his or any of their use and uses for ever: wherefore I desire that my executor, and his heirs after him, enquire and inform themselves of the college, to see whether the said one hundred pounds be employed accordingly, and brought in entire in ready money, and then titled and set down in their account-book every year, at the account as aforesaid; and if the master or fellows shall deny my executor, or his heirs, to shew their account made in this behalf, or otherwise shall deny to give an account of it, at such convenient times as he or any of them shall demand it, whereby he or they may be hindered to take notice whether my will be performed in this sort or no, or shall fail in performance of my will in any part in this behalf specified, then also my will is, that my said executor and his heirs, and their heirs for ever, shall have power, right, and interest to have, receive, and recover the said one hundred pounds to his and their proper uses for ever. Item I give to *Clare* hall library all my books whatsoever the master and fellows shall think fitting, desiring my executor to cause my name to be set upon them all, and so to see them strung and decently fitted for them; the rest of my said books I give to the children of Mr. *Toby Pallavicini*^a: and further I will that all my papers

^a By the register of the parish of *Baberham* it appears that *Toby Pallavicini* had four children, two of whom died young before the making of this will:

Horatio, baptised 1 September, 1611 (the same person who has been mentioned in a former note. See p. xi. and p. lxxiv.)

Tobias, baptised 14 July, 1612; buried 6 November, in the same year.

Elizabeth, baptised 28 September, 1618; buried 23 May, 1620.

James, baptised 3 December, 1620.

and

and paper-books shall be burned; and my will is, that a pair of inventories shall be taken, between the said college and my executor, of all such books of mine as shall be delivered into their said library, and that once in every year it shall be lawful for my executor and his heirs, and their deputies, at convenient times, to come and see whether my said books be safely kept in the said library or no, and if they shall find any missing, to give warning to have them speedily brought in again, which if the said college shall not perform, my will is, that my executor or his heirs shall at their pleasure take from them all my said books again, and have and employ them to the use of them and their heirs for ever, any thing aforesaid to the contrary notwithstanding. Item I give and bequeath unto my sisters, *Mary Dardes*, and *Sarah Lynmall*, both now dwelling in the city of *West Chester*, one hundred pounds a-piece, to be paid within seven months next after my decease; but so as first, and before payment thereof be made to either of my said sisters, if at that time they have husbands alive, their husbands put in security to my executor to leave my said sisters, and their children, if they have any, this one hundred pounds a-piece, in case their husbands happen to die before them. Item I give and bequeath unto all my sister's children ten pounds a-piece, to be paid into their own hands when they shall come to one-and-twenty years of age, or be married, which shall first happen. Item I give and bequeath one hundred pounds towards the bringing up of the infidels children in *Virginia* in *Christian* religion, which my will is shall be disposed of by the *Virginia* company accordingly², desiring almighty God to stir up the charitable hearts
of

² The *Virginia* company was a number of persons associated together, and incorporated, for the purpose of peopling *Virginia*, and planting a colony there, in consequence of its discovery by Sir *Walter Raleigh* in 1584. *Stow*, in his *Chronicle*, p. 1018, edit. 1631, gives an account of some of the transactions of this company; and from a life of Mr. *Ferrar*, written by Dr. *Turner*, bishop of *Ely*, and inserted in *The Christian's Magazine* for July, 1761, we learn, p. 367, that above twenty peers of the realm, among whom was the lord *Southampton*, were engaged in
this

of many to be benefactors in this kind, principally for the increasing of the kingdom of our lord and saviour *Jesus Christ*.
Item I give and bequeath unto Mrs. *Jane Pallavicini**,

this undertaking; that Sir *Edwyn Sandys* was the principal manager of their concerns, and their treasurer; and that their meetings, which were weekly, were held at *London*, in the house of Mr. *Ferrar*, a rich *East India* merchant, who lent his parlour and hall for that purpose. In p. 366 of this latter work the objects which this company had in view are minutely stated in the following words: ‘ Old Mr. *Ferrar* having been intimate with those brave men and gallant sailors Sir *Walter Rawleigh*, Sir *John Hawkins*, and Sir *Francis Drake*, was a great lover and encourager of plantations, himself being one of the most early adventurers in that of *Virginia* and the *Summer-Islands*: a design, it must be acknowledged, the greatest and the most honourable in its kind that ever was so generally embraced and undertaken by our *English* nobility, gentry, clergy, and the city of *London*. It was a project for the common good, for the employment of unsettled people, for estates to younger brothers, and for a supply of those commodities which we were obliged to fetch from other countries at intolerable rates; but above all, for the conversion of the rude and miserable savages to the *Christian* faith. Many of the bishops and dignified clergy engaged in this affair, with an extraordinary zeal for the propagation of the gospel, to wipe off that aspersions, however unjustly thrown upon the church of *England* by the church of *Rome*, that we convert no unbelievers abroad; whereas indeed our clergy, who are but a handful of men in comparison of theirs, have enough to do at home, while theirs are so busy to pervert the souls committed to our charge: but though the *Jesuits* have had great trading on that vast continent of *Mexico*, yet *Virginia* was safe enough from any such charitable attempt of those merchants; for where there are no mines of gold or silver, there we seldom hear that they have compassed the sea and land to make their proselytes.’ Old Mr. *Ferrar*, as he is termed above, was the father of Mr. *Nicholas Ferrar*, one of those friends whom Mr. *Ruggle* has noticed in his will, and of whom an account is therefore given in a subsequent note. The younger Mr. *Ferrar* was, as well as his father, one of the adventurers in this project; and himself executed in fact the office of secretary to the company, though the emoluments of that employment were received by another. See the Life of Mr. *Ferrar* before cited, p. 366. And it is more than probable, from these circumstances, that Mr. *Ruggle*’s friendship for Mr. *Ferrar* might occasion the bequest here inserted.

* All that we know of this person is given in a former note, p. xi, where an account of the family of *Pallavicini* in general is to be found.

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wife

wife of the said Mr. *Toby Pallavicini*, a piece of plate of the value of ten pounds. Item I give and bequeath to my loving aunt, Mrs. *Alice Vigoris*, of *Ipswich*; to my worthy friends, Mr. *Henry Coppinger* the elder, of *Lavenham*^a; and to my kind friend, Mr. *William Greenhall*, some time my school-master; every of them fifty shillings a-piece, to make them rings. Item. I give and bequeath unto my worthy friends of *Clare hall* aforesaid, namely, *Augustine Linsell*, doctor of divinity^b; *Thomas Winston*, doctor of physic^c; *Thomas*

^a Mr. *Henry Coppinger* the elder, here mentioned, was, at the time when Mr. *Ruggle* made his will, and for many years before, rector of the parish of *Lavenham* in *Suffolk*. He had formerly been a fellow of *St. John's college, Cambridge*; and afterwards entering into holy orders was promoted to a prebend in the cathedral of *York*. By a mandate from queen *Elizabeth* he was elected master of *Magdalen college, Cambridge*, which, at her request, and to avoid a forcible removal, he afterwards resigned; but, soon after this, he was presented by the earl of *Oxford*, the then patron, to the rectory of *Lavenham*. He died in the year 1622, at the age of seventy-two, and is buried in the church there, where a handsome monument for him is still remaining. *Fuller*, from whom the above account is taken, says, that at that time *Lavenham* contained nine hundred communicants; and that, during the time that Mr. *Coppinger* continued rector, no difference arose among or between any of his parishioners which was not by his means amicably adjusted. See *Fuller's Church History*, Book X. p. 102.

^b *Augustine Linsell*, doctor of divinity, was, at the date of the above will, fellow of *Clare hall*; but he afterwards was promoted successively to the bishopricks of *Peterborough* and *Hereford*; and died at *Hereford*, on the 6th of November, 1634, and was interred in the cathedral there. See *Wood's Fasti Oxonienses*, edit. 1691, Vol. I. col. 819. *Wood* says of him that he was a man of very great learning; of which he gave sufficient evidence to the church, by setting forth that excellent edition of *Theophylact* upon *St. Paul's Epistles*.

^c *Thomas Winston*, doctor of physic, another fellow of *Clare hall*, is also mentioned as such in *Scott's tables* before referred to. From a manuscript in the *British Museum, Sloane MSS. No. 2149*, p. 66, we learn, that Dr. *Winston* was afterwards *Gresham* professor of physic, and that he died in the year 1655, at the age of eighty; and from the mention of him in the manuscript above-cited, which was written by a fellow of the college of physicians, and contains the lives of some of the members, it should seem, that Dr. *Winston* was also a fellow of the college of physicians.

Paske,

Paske, doctor of divinity ^a; *Mr. William Lake* ^b; *Mr. Thomas Parkinson* ^c; *Mr. Nicholas Ferrar* ^d; *Mr. Samuel Lin-*
sell;

^a *Thomas Paske* was at this time a fellow of *Clare* hall, of which he afterwards became master. *Walker* says he was elected to the mastership against his will; and it seems, adds he, that he once had the tender of a bishopric, which he refused. In the time of the usurpation he was ejected from the mastership of *Clare* hall, and his other preferments; but in 1660 was restored, upon the resignation of the then master. He died some time before the 22d of *September*, 1662; and was, as the *Querela Cantabrigiensis*, cited by *Walker*, gives his character, a man eminent for learning, prudence, judgment, and piety; and bore his sufferings, under some of which he lay eighteen years, with great cheerfulness. And it will perchance, says *Walker*, be thought no contemptible evidence of his great worth, that three bishops, four privy-counsellors, two judges, and three doctors of physic, all of which had been his pupils in the university, came in one day to pay him a visit. *Walker's Sufferings of the Clergy*, Part II. p. 141.

^b *Mr. William Lake* was, as appears from *Scott's* tables (as they are called), inserted in *Mr. Baker's* manuscript collections, Vol. X. p. 156, a fellow of *Clare* hall in 1619 (and is there styled A. M.), and no doubt continued so at the time of *Mr. Ruggie's* making this will; but I know nothing further of him.

^c *Mr. Thomas Parkinson* appears, from the authority cited in the preceding note, to have been fellow of *Clare* hall also in 1619, and A. M. In 1614-15 he played the part of *Ignoramus*, when that comedy was performed before king *James*. See the list of actors, before inserted. In 1621 he was elected one of the proctors of the university, but died before the expiration of his office, and was buried in the parish church of *St. Edward*, in *Cambridge*, as is evident from an extract inserted in *Mr. Baker's* collections, Vol. XI. not paged, 'Ex Regro. Eccles. Sti Edwardi tit. Burials;' in these words: 'Mr. Thomas Parkinson, M. A. fellow of *Clare* hall, and proctor, buried Feb. 22, 1621.'

^d *Mr. Nicholas Ferrar* was also one of the fellows of *Clare* hall; but the air of *Cambridge* not suiting his constitution, which was very tender, he, in the train of the princess *Elizabeth*, then lately married to the elector palatine, quitted *England*, and attended her highness in her journey to the palatinate, as far as *Amsterdam*; after which he travelled through *Germany* and *Italy* into *Spain*; and, returning into *England*, was, by the interest of some lords of the *Virginia* company, an institution which we have described in a former note, elected in 1624 a member of the house of commons, and was one of the three who conducted the accusation against the lord treasurer *Cranfield*, which terminated in that nobleman's impeachment. In 1625, the plague raging in *London*, he removed his mother, and the rest of her household, to *Bourn* in *Cambridge-*
shire;

sell^a; and Mr. *James Halfey*^b; to every of them a ring of gold, of the value of forty shillings a-piece. Item I give unto my kind friends, Mr. *Edward Mannefty*; Mr. *John Sherman* the elder of *Cambridge*, and *Clement* his wife; and to their sons, Mr. *John Sherman* the younger, and to Mr. *Thomas Sherman* the elder; to every of them forty shillings a-piece, to make them rings also in remembrance of me. And I likewise give unto my loving friends, Mr. *John Crane*^c,
and

shire; and his mother having soon after purchased the manor of *Little Gidding* in *Huntingdonshire*, she and the rest of her family removed thither, as did also Mr. *Ferrar* from *London* (where he had till that time continued), and having previously entered into holy orders, he there instituted a religious society, so singular as to attract the notice of archbishop *Williams*, and the curiosity of king *Charles I.* himself, who honoured them with a visit. Of this institution, extraordinary as it is, it would too far exceed the bounds prescribed to us to give here a complete account, and to insert an imperfect one would be doing it injustice, we shall therefore content ourselves with referring the reader for information respecting it to a Life of Mr. *Ferrar*, compiled by bishop *Turner*, which is to be found in *The Christian's Magazine* for *July*, *August*, and *September*, 1761, and from which the above particulars are principally extracted; and to an account of Mr. *Ferrar*, in the Life of *Walton* prefixed to *The Complete Angler*, edit. 1784. Mr. *Ferrar* died in 1639; and is celebrated by all who have mentioned him, both for his piety and learning.

^a Mr. *Samuel Linsell* appears, from *Scott's* tables before cited, to have been in 1619 one of the fellows of *Clare hall*; and in a tract which occurs in Mr. *Baker's* manuscript collections, Vol. XVIII. entitled *Genealogies, Interments, &c. of several Bishops and other learned Men of this University, taken from the Heralds Office by Mr. Worthington*, p. 4, is the following entry, from which it appears that he was a relation of Dr. *Linsell* mentioned in a former note: 'The right rev. Father in God *Augustyn Lindfell*, late bp. of *Hereford*, departed this mortal life, being translated from the see of *Peterborough* to the see of *Hereford*, departed this mortal life at his palace at *Hereford* aforesaid, the 6th day of *Nov.* 1634, and in the cathedral church there his body lies interred. He died unmarried, and made *Samuel Lindfell*, his kinsman, bach. in div. and parson of *Stratford* in the county of *Suff.* the sole executor of his last will and testament.'

^b Mr. *James Halfey* was, in 1619, another of the fellows of *Clare hall*. See *Scott's* tables before cited.

^c Mr. *John Crane* was bred an apothecary in *Cambridge*; but being a diligent lad many persons took notice of him, and prognosticated that
he

and Mr. *Thomas Wake*^a, both of *Cambridge*; to Mr. *William Parker*^b, of *Sproughton*, near *Ipswich*; and to Mr. *Thomas Lake*^c, of *London*; to every of them forty shillings a-piece, to make them rings: And to Mr. *William Bryarte*, of *London*, merchant, I give forty shillings, to make him a ring. Item I give and bequeath unto my loving friend *Miles Gouly*-

he would become rich; and amongst these was Mr. *Butler*, the most celebrated physician of his time, who is usually styled Dr. *Butler*, though erroneously; for Mr. *Baker* asserts, in his manuscript collections, Vol. XXII. p. 40, that he never was Doctor. This person contracted so great a friendship with Mr. *Crane*, that he not only lived and died in Mr. *Crane*'s family, but appointed him his executor, and bequeathed to him the greater part of his large fortune. Mr. *Crane* died in the month of *May*, 1650, and is buried in Great St. *Mary*'s church in *Cambridge*, close to his benefactor Mr. *Butler*. See *Fuller's Worthies, Cambridgeshire*, 160. *Fuller* relates, that at his death he gave by his will no less than three thousand pounds to pious and charitable uses, and mentions particularly some others of his benefactions; adding that, besides these and his concealed charities, his hand was always open for the relief of distressed royalists.

^a Mr. *Thomas Wake*, mentioned above, I conceive to be the same with Mr. *Wake* of *Gonville* and *Caius* college, who performed the parts of *Cola* and *Pyropus* on the original representation of *Ignoramus*. See the list of actors before inserted. His name occurs in *Scott's* tables, 1619, among the fellows of *Gonville* and *Caius* college; and he is there described as being M. A. See a copy of *Scott's* tables, in Mr. *Baker's* MSS. Vol. X. p. 156.

^b One Mr. *Parker*, then of *Clare* hall, played the part of *Pecus*, on the original performance of *Ignoramus*. Whether this was he or not, I have not been enabled to discover, but think it at least possible, and not improbable, that it might be the same person.

^c It is by no means certain who Mr. *Ruggle* intended by the above designation of 'Mr. *Thomas Lake* of *London*.' It could hardly be Sir *Thomas Lake*, who was secretary of state, temp. *Jac. I.*; for though he was at one time of *Clare* hall, and performed the part of *Trico* on the original representation of *Ignoramus* (see the list of actors before inserted) and consequently could not but be well known to Mr. *Ruggle*, yet he had been knighted on the 20th of *May*, 1603 (see *Stow's Chronicle*, edit. 1615, p. 824), and the styling him Mr. would have been therefore improper, notwithstanding which, he is, in the list of actors in *Ignoramus*, termed simply 'Mr. *Lake*, afterwards secretary of state, *Clare* hall.'

orough,

borough^a, and his heirs, twenty nobles; and to *John Briggs*, some time my poor scholar^b, three pounds. Item I give

^a *Miles Goulfborough* was in 1597-8, or 1599, one of the corporation of Cambridge; and was instrumental in the production of an event which we have mentioned in a former note, p. xv.

^b Of *John Briggs*, who is named in the text, no account has been any where found; all that we have therefore to say is, that in the statutes of *Clare hall* is a chapter, entitled *De servitoribus & ministris ac pauperibus scholaribus sive discipulis*, in which the following clause occurs: 'Et ordinamus, quod in dicta domo moraturi semper sint scholares, sive discipuli, quatuor idonei & honesti, quos assumi volumus de pauperibus, qui poterint inveniri, & maxime de parochiis ecclesiarum quarum dicti magister & socii sunt rectores, & quod illi ad secundam mensam dictæ domus secundum ordinem magistri congrue sustentur, & dictorum singulorum scholarium sive discipulorum communia pro singulis septimanis sit octo denariorum.' See a copy of *Clare hall* statutes inserted in Mr. *Baker's* collections, Vol. V. p. 341. In another copy of them in the same collection, Vol. XIV. p. 57, the above-mentioned chapter is entitled *De servitoribus & ministris ac pauperibus scholaribus*; and in this latter copy the above clause is given in the following words: 'Item ordinamus, quod in dicta domo, in aliqua domo ejusdem, seorsum moraturi semper sint decem pueri dociles, idonei, & honesti, quos assumi volumus de pauperioribus, qui poterint inveniri, & maxime de parochiis ecclesiarum quarum dicti magister & socii sunt rectores, & quod illi ad secundam mensam dictæ domus, secundum ordinationem magistri ejusdem congrue sustententur. Et dictorum singulorum puerorum communia pro singulis septimanis singulos septem denarios sterlingorum nolumus quod excedat.' Both copies have also, in another part of the chapters respectively above-cited, the following injunction respecting these poor scholars, with the variation only of vel in one copy, and aut in the other: 'Nec etiam mittantur frequenter in villam per magistrum aut socios dictæ domus, ut per hoc occasionem habeant a scholis suis citius evagandi, & se absentandi'; and both copies likewise contain, in another part of the same chapters respectively, the following words: 'Nullus vero sociorum proprium, nisi sumptibus propriis, habeat servitorem.' These passages it has been thought necessary thus to state, in order to ascertain the meaning of the words 'some time my poor scholar,' which are used in the text; and from these authorities it is but reasonable to conclude, that *John Briggs*, described in the text, was one of the poor scholars mentioned in the statutes, and had been retained by Mr. *Ruggle* as his servant, in conformity to that permission which the clause last above inserted implies and recognizes.

and

and bequeath unto Sir *Edmond Varney*, knight^a; dwelling in *Buckinghamshire*, an especial friend to Mr. *Toby Pallavicini*, a piece of plate of the value of five pounds. And lastly, all the rest and residue of my goods, chattels, implements, and other things whatsoever, the former legacies and all my debts being paid and discharged, I do give and bequeath the same; and every part thereof, unto my aforefaid most loving and especial good friend Mr. *Toby Pallavicini*, of *Babram*, in the county of *Cambridge*, esquire. And I do make and ordain the said *Toby Pallavicini* sole executor of this my present last will and testament, in whose approved love and integrity I put all the certain confidence that may or can be had in any man: but for that we are all mortal, and that it may so fall out that the said *Toby Pallavicini* may happen to die before or about the time of my decease, which God forbid! and that thereby I may be prevented of the due execution of this my will by his decease; for avoiding of which doubts, and in such case happening, I do make and ordain the said Sir *Edmond Varney*, knight, executor of this my last will and testament, and for his pains and care herein to be taken, I give unto him moreover, besides the legacy before-mentioned, the sum of fifteen pounds only, desiring him to accept thereof; and in such case I give and bequeath all the rest and residue of my said goods and chattels, which before I have given to the said Mr. *Toby Pallavicini*, to and amongst the children of the said Mr. *Toby Pallavicini*, equally to be divided amongst them. And I humbly intreat the said Sir *Edmond Varney* not to refuse this my request herein, especially for his good friend's sake Mr. *Toby Pallavicini*, who, in case of his mortality, commended you unto me in this trust. And for the

^a The Sir *Edmond Varney* here mentioned I conceive to be the same person with Sir *Edmond Varney*, knight-marshal of the king's horse, and standard-bearer to king *Charles I.* at the battle of *Edgehill*; in which action he was killed. See Lord *Clarendon's History of the Rebellion*, folio edit. Vol. II. p. 35, 37, & 40. The same noble historian says, p. 41, that Sir *Edmond Varney* was a person of great honour and courage.

further ease of the said Sir *Edmond Varney*, if he happen to be executor of this my will by the decease of the said Mr. *Toby Pallavicini*, and not otherwise, I do constitute and appoint my dear and loving friends, Mr. Doctor *Winston*, and Mr. *Nicholas Ferrar*, to be supervisors and overseers of this my last will and testament, desiring them to be an aid and ease to Sir *Edmond Varney* in what they may; and I give and bequeath unto either of them five pounds a-piece, over and above the former legacies which by this my will I have bequeathed unto them^a. And I do for sake and utterly renounce

^a Dr. *Johnson*, in a note, on *The Merry Wives of Windsor*, inserted in his and Mr. *Steevens*'s edition of *Shakespeare*, Vol. I. p. 316. edit. 1778, remarks, that 'some light may be given to those who shall endeavour to calculate the increase of *English* wealth, by observing that *Lady Mer*, in the time of *Edward VI.* mentions it as a proof of his father's prosperity, that, though but a common yeoman, he gave his daughters five pounds each for her portion. At the latter end of *Elizabeth*,' adds Dr. *Johnson*, 'seven hundred pounds were such a temptation to courtship as made all other motives suspected. *Congreve* makes twelve thousand pounds more than a counterbalance to the affectation of *Belinda*; no poet would now fly his favourite character at less than fifty thousand.' The same author, in his *Life of Dryden*, relating the appointment of *Dryden* to the office of poet-laureat, says, the salary had been raised in favour of *Jonson*, by *Charles* the first, from an hundred marks, to one hundred pounds a year, and a tierce of wine; a revenue, in those days, not inadequate to the conveniencies of life. And in his *Life of Waller*, he notices, that 'his' [i. e. *Waller*'s] 'father died while he was yet an infant, but left him an yearly income of three thousand five hundred pounds; which, rating together the value of money and the customs of life, we may reckon,' says he, 'more than equivalent to ten thousand at the present time.'

The sums bequeathed in this will, either in specific bequests, such as rings or plate, and pecuniary legacies, exclusive of the contingent ones in case of *Pallavicini*'s dying before Mr. *Ruggle*, and exclusive of the residue expressly given to *Pallavicini*, (the amount of which no where appears, though in all probability it was considerable,) amount to between five hundred and six hundred pounds; a sum which, as the reader will see from the foregoing authorities, cannot be estimated, at this time, at less than one thousand seven hundred or one thousand eight hundred pounds: besides which, Mr. *Ruggle* had in 1620 given to *Clare hall*, in money and plate, upwards of four hundred pounds, *Vide ante*, which may be reckoned at one thousand two hundred pounds more.

all

all former wills by me either made or spoken. In witness whereof, I, the said *George Ruggle*, to this my present last will and testament have set my hand and seal. Dated the day and year first above-written.

GEORGE RUGGLE. *

Memorandum, that this will of the said *George Ruggle*, containing only four sheets of paper, written only on the one side thereof, and to every leaf his hand and seal is set, was sealed, published, and delivered by the said *George Ruggle*, the day and year above-said, in the presence of me,

THO. ABBOTT, scrivener, dwelling in *East Smithfield*, in the county of *Middlesex*.

By me, JOHN JOHNSON, } servants unto the
And me, THO. BODEN, } said scrivener.

Probatum fuit testamentum superscriptum apud *London*, coram venerabili viro domino *Willielmo Bird*, milite, legum doctore,

* The original will of Mr. *Ruggle* is not now existing in the prerogative office, but only an authentic copy examined with the original, from which the entry of the will in the books there was made. The original appears, by a memorandum upon the copy, in the following words, to have been, after it was proved, delivered out again for the use of the executor :

19 *Novembris*, 1622.

* Memorandum, that I received the original will of the above-named * Mr. *Ruggle*, to the use of the executor.

* NI. CURWEN.*

As this is the fact, we cannot here present our readers, as we meant to have done, with a fac-simile of Mr. *Ruggle*'s signature to his will ; but, in its stead, shall here insert two specimens of his hand-writing, taken

p

ken

doctore, curiæ prerogativæ *Cantuariensis* magistro, custode, five commissario, legitime constituto, tertio die mensis *Novembris*, anno Domini millesimo sexcentesimo vicesimo secundo, juramento *Tobiæ Palavicino*, executoris in hujusmodi testamento nominati, cui commissâ fuit administratio bonorum, jurium, & creditorum dicti defuncti, de bene & fideliter administrand. &c. ad sancta Dei evangelia jurati.

ken from some of his books at *Clare* hall. The former of these is from a copy of *Juvenal* and *Perfius*, printed in small 8vo, by *Robert Stephens*, 1544, which is interleaved, and appears to have been collated by Mr. *Ruggle* with other printed editions, and even with some manuscripts; and in it he has likewise noted such similar passages as were to be found in other authors. In this book, and on the leaf immediately preceding the title, was his name written several times by himself, one of which is here exactly copied:



The latter of these is taken from Mr. *Ruggle*'s copy of the *Trappolaria*, in the title-page of which he had written his name, in characters exactly resembling the following:



That the names in both the above-mentioned books are actually of Mr. *Ruggle*'s own hand-writing cannot be doubted, for they exactly correspond with the characters in which the notes and other observations are made by him in both; and the difference between the two specimens above inserted may be easily accounted for, by concluding, as apparently was the case, that in one instance he wrote with a pen almost new, and in the other with one that had been much used.

APPENDIX.

APPENDIX.

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APPENDIX.

Extracts, respecting Mr. *Ruggle's* Family, from the Register of Marriages, Baptisms, and Burials, kept for the Parish of *Lavenham* in the County of *Suffolk* ^a.

MARRIAGES.

- 1558, December 22. *Roger Rugle* and *Alice Buzzwell*.
- 1564, June 11. *Thomas Rugle* and *Margery Whatlocke*.
- 1565, September 30. *John Rugle* and *Joan Grome*.
- 1573, February 3. *Roger Rugle* and *Margery Dandye*.
- 1575, June 7. *George Rugle* and *Alice Dawndye*.
- 1577, October 6. *William Rugle* and *Mary Braundisb*.
- 1583, October 11. *William Rugle* and *Lucy Grome*.
- 1584, January 19. *John Drurye* and *Margery Rugle*.

BAPTISMS.

- 1564, October 28. *Philip*, son of *Thomas Rugle*.
- 1566, February 25. *Alice*, daughter of *Thomas Rugle*.
- 1567, April 20. *Mary*, daughter of *Thomas Rugle* ^b.
- 1568, June 8. *Anne*, daughter of *Thomas Rugle*.
- 1568, July 11. *Barbara*, daughter of *John Rugle*.
- 1570, January 25. *Thomas*, son of *Thomas Rugle*.

^a The earliest register at *Lavenham* begins 17 November, 1558.
^b This was probably Mr. *Ruggle's* sister *Mary Darter*, whom he mentions in his will.

- 1572, *December 19.* Roger, son of Thomas Rugle.
 1575, *November 13.* George, son of Thomas Rugle.
 1577, *March 5.* Elizabeth, daughter of Thomas Rugle.
 1579, *February last day.* Alice, daughter of William Rugle.
 1581, *November the first day.* Sarah, daughter of Thomas Rugle^a,
 1582, *November 11.* Susan, daughter of William Rugle.
 1590, *November 8.* Philip, son of William Rugle.
 1594, *July 17.* George, son of William Rugle.
 1595, *November 23.* Alice, daughter of Robert Rugle.
 1596, *April 4.* Alice, daughter of Roger Rugle.
 1599, *March 4.* George, son of Roger Rugle.
 1600, *June 13.* Anne, daughter of William Rugle.
 1602, *April 23.* Roger, son of Roger Rugle.
 1605, *July 21.* Susan, daughter of William Rugle.
 1606, *May 11.* Anne, daughter of John Rugle.

B U R I A L S.

- 1568, *November 11.* Anne, daughter of Thomas Rugle.
 1570, *November 9.* George, son of Thomas Rugle.
 1570, *October 21.* Philip Rugle.
 1573, *December 4.* Alice, wife of Roger Rugle.
 1581, *March 3.* Widow Rugle.
 1582, *November 24.* Mary, wife of William Rugle.
 1582, *November 24.* Susan, daughter of William Rugle.
 1584, *August 30.* Roger Rugle.
 1589, *September 12.* Lucy, wife of William Rugle.
 1597, *September 3.* Roger, son of Robert Rugle.
 1601, *April 4.* Joan, wife of John Rugle.
 1603, *August 24.* Roger Rugle.
 1605, *June 21.* Robert Rugle.
 1606, *May 28.* Owen Rugle.
 1612, *February 22.* Margery Rugle, widow.

^a Probably Mr. Ruggle's sister Sarah Lynmall, whom he also notices in his will.

A grave Poem, as it was presented in *Latin*, by certain Divines before his Majesty in *Cambridge*, by Way of Interlude, stiled *Liber novus de Adventu Regis ad Cantabrigiam*. Faithfully done into *English*, with some liberal Advantage; made rather to be sung than read. To the Tune of *Bonny Nell*^a.

IT is not yet a fortnight, since
Lutetia entertain'd our prince,
 And vented hath a studied toy
 As long as was the siege of *Troy*,
 And spent herself for full five days
 In speeches, exercise, and plays.

To trim the town great care before
 Was ta'en by th' lord vice-chancellor,
 Both morn and ev'n he cleans'd the way,
 The streets he gravell'd thrice a day^b;

End

^a This title, which is given from a manuscript copy of this poem formerly in my possession, differs in some particulars from that inserted in bishop *Corbet's* poems; the title there is as follows, *A certain Poem, as it was presented in Latin by Divines and others before his Majesty in Cambridge, by Way of Interlude, stiled Liber Novus de Adventu Regis ad Cantabrigiam, faithfully done into English, with some liberal Additions*. That in the text was here preferred, because, in a subsequent poem, this poem is referred to by the name of *Bonny Nell*, which description does not at all answer to it as it stands in *Corbet's* poems.

^b The streets of *Cambridge* were also gravelled when queen *Elizabeth* was at *Cambridge* in 1564; for in Mr. *Baker's* collections, Vol. VI. p. 113, is a copy of Sir *W. Cecil's* letter, giving notice of the queen's intention to visit *Cambridge*, dated 12 July, 1564: then follow, as it seems from their contents, orders for the scholars' behaviour on her reception; and in the same page are these words, '[In margine] The way to be gravelled, strewed with sedge, rushes, bowes, &c.' And in a tract in the same collection, Vol. X. p. 109, entitled *Queen Elizabeth's coming to Cambridge, 1564*, the following passage occurs, p. 110: 'During this time provision of beer, ale, and wine was sent to the King's college, and divers officers of the court repaired to the town, to take up the queen's lodging, and to know when any died of the plague, with

One strike of *March-dust* for to see,
No proverb would give more than he.

Their colleges were new be-painted,
Their founders eke were new be-fainted;
Nothing escap'd, nor post, nor door,
Nor gate, nor rail, nor bawd, nor whore;
You could not know, o strange mishap!
Whether you saw the town or map.

But th' pure house of *Emanuel*
Would not be like proud *Jesabel*,

* with certain information that the queen's majesty would be at *Cambridge* upon *Saturday* the 5th of *August*; whereupon the vice-chancellor and the mayor took order for the well-paving of all the town, and that every inhabitant should provide sufficient sand to cover the streets at the coming of the Q. Majesty.' In the accounts of the churchwardens of *St. Mary's* parish, *Cambridge*, sub anno 1614, the sum of seventeen shillings and two-pence is charged for gravelling the church-yard at the king's coming.' Vide supra, p. xlvii. in a note.

a Alluding to the proverb, 'A bushel of *March-dust* is worth a king's ransom,' which occurs in Mr. *Ray's* collection, edit. 1678, p. 44. *Bailey*, in his Dictionary, says, that a *Strike* is a measure containing four bushels.

b In the tract cited in a foregoing note, as occurring in Mr. *Baker's* collection, Vol. XVII. p. 201, is the following passage, p. 203, respecting the preparation for the king's entertainment at *Oxford* in 1605: 'Against the king's coming to *Oxford*, it was provided that all rails, posts, bars of windows, casements, and pumps were newly painted, and all arms were newly tricked; the like was done also in the streets of the city, and at the several gates of the city, with dials and such like, the streets were very finely paved, and clean swept.'

c The reason for the epithet 'pure,' as applied to *Emanuel* college, is not here sufficiently evident; the reader is therefore to know, that it was always accounted a puritanical foundation. *Fuller*, in his *History of Cambridge*, p. 147, relates, that Sir *Walter Mildmay*, the founder of *Emanuel* college, being at court soon after founding it, viz. in the year 1584, was addressed in this manner by queen *Elizabeth*, 'Sir *Walter*, I hear you have erected a Puritan foundation:' To which he replied, 'No, madam, far be it from me to countenance any thing contrary to your established laws; but I have set an acorn, which, when it becomes an oak, God alone knows what will be the fruit thereof.'

Bishop Corbet, in his poem entitled *The distracted Puritan*, mentions *Emanuel* college in the following terms:

'In the house of pure *Emanuel*
'I had my education,
'Where my friends surmise
'I dazled mine eyes
'With the light of revelation.'

Poetica Siromata, edit. 1643, p. 71.

Nor shew herself before the king
 An hypocrite, or painted thing;
 But, that the ways might all prove fair,
 Conceiv'd a tedious mile of prayer^a.

Upon the look'd for seventh of *March*,
 Out went the townsmen, all in starch,
 Both band and beard, into the field,
 Where one a speech could hardly wield,
 For needs he would begin his stile,
 The king being from him half a mile.

They gave the king a piece of plate,
 Which they hop'd never came too late,
 But cry'd, ' O look not in, great king,
 ' For there is in it just nothing ;'
 And so preferr'd, with tune and gate,
 A speech as empty as the plate^b.

Now,

^a In a manuscript copy of this poem formerly in my possession, but since destroyed by an accidental fire, the following lines were added, though super-
 numerary, to this stanza :

' And images it would have none
 ' For fear of superstition.'

^b When queen *Elizabeth* was at *Oxford* in 1566, Mr. *Williams*, the mayor,
 ' made an oration in *English* unto her, and presented, in the name of the whole
 ' city, a cup of silver double gilt, in value 10 l. in the which cup was
 ' about 40 l. in old gold, as it was thought.' See a tract entitled *An Dni.*
1566. A brief Rehearsal of all such Things as were done in the University of Ox-
ford during the Queen's Majesty's Abode there. This exhibited by Rich. Stephens,
as an Extract drawn out of a longer Treatise made by Mr. Neale, Reader of
Hebrew at Oxford; a copy of which is to be found in Mr. *Baker's* manuscript
 collections, Vol. VI. p. 139. In a tract entitled *Commentarii Rerum Canta-*
brigie gestarum, cum serenissima Regina Elizabetha in illam Academiam venerat.
N. R. in the same collection, Vol. X. p. 181, speaking of the mayor of
Cambridge, and his behaviour on the queen's arrival, *N. R.* [i. e. *Nicholas Ro-*
binson, the author of the tract], makes use of these words : ' Atque reginæ,
 ' totius urbanæ confociationis, eorumque omnium, qui ad ejus pedes humil-
 ' lime procumbebant, nomine ac voce, poculum argenteum deauratum undique,
 ' habens etiam in fundo ex auro puro libras viginti, offert, quo officio testa-
 ' tam relinquere velle omnes, se dixit, apud regiam majestatem, obedientium
 ' animorum gratissimam significationem.' When king *James*, the queen, and
 prince of *Wales*, in 1605, visited *Oxford*, ' the mayor gave the king, after
 ' their oration done, a fair standing cup, having 50 l. of gold in it, both worth
 ' 100 l.; also to the queen they presented another, worth 40 l.; and to the
 ' prince another standing cup gilt and covered, worth 30 l.' See a tract in
 Mr.

Now, as the king came near the town,
Each one ran crying up and down,
Alas, poor *Oxford*! thou 'rt undone,
For now the king's past *Trompington*,
And rides upon his brave grey dapple,
Seeing the top of King's college chapel.

Next rode his lordship ^a on a nag,
Whose coat was blue, whose ruff was shag,
And then began his reverence
To speak most eloquent nonsense:
' See how,' quoth he, ' most mighty prince,
' For very joy my horse doth wince.

' What cries the town? what we?' said he,
' What cries the university?
' What cry the boys? what ev'ry thing?
' Behold, behold, yon comes the king.
And ev'ry period he bedecks
With ' En, & ecce, venit rex.'

' Oft have I warn'd,' quoth he, ' our dirt
' That no silk stockings should be hurt;
' But we in vain strive to be fine,
' Unless your grace's sun doth shine,
' And with the beams of your bright eye
' You will be pleas'd our streets to dry.'

Now come we to the wonderment
Of Christendom, and eke of *Kent* ^b,

The

Mr. Baker's collection, Vol. XVII. p. 201, entitled *The Preparation at Oxford, in August, 1605, against the coming thither of King James, with the Queen and young Prince, together with the Things then and there done, and the Manner thereof*.

^a The vice-chancellor.

^b Alluding to the proverb, ' Neither in *Kent* nor Christendom,' which is thus explained in Mr. Ray's collection, edit. 1678, p. 313, ' Neither in *Kent* nor Christendom; that is, saith Dr. Fuller, our *English* Christendom, of which *Kent* was first converted to the *Christian* faith; as much as to say, as *Rome* and all *Italy*, or the first cut and all the loaf besides: not by way of opposition, as if *Kent* were no part of Christendom, as some have understood it. I rather think that it is to be understood by way of opposition, and that it had its original upon occasion of *Kent* being given by the ancient *Britons*

' to

The *Trinity*, which, to surpass,
Doth deck her spokesman ^a by a glass,
Who, clad in gay and silken weeds,
Thus opens his mouth, hark how he speeds :

‘ I wonder what your grace doth here,
‘ Who have expected been twelve year,
‘ And this your son fair *Carolus*,
‘ That is so *Jacobissimus*;
‘ Here’s none of all your grace refuses,
‘ You are most welcome to our *Muses*.

‘ Although we have no bells to jangle,
‘ Yet can we shew a fair quadrangle,
‘ Which, though it ne’er was grac’d with king,
‘ Yet sure it is a goodly thing ^b.
‘ My warning’s short, no more I’ll say,
‘ Soon you shall see a gallant play.’

But nothing was so much admir’d
As were their plays, so well attir’d ;
Nothing did win more praise of mine
Than did their actors most divine ^c ;
So did they drink their healths divinely,
So did they dance and skip so finely.

Their plays had sundry grave wise factors,
A perfect diocess of actors
Upon the stage ; for I am sure that
There was both bishop, pastor, curate ;
Nor was their labour light or small,
The charge of some was pastoral.

‘ to the Saxons, who were then Pagans ; so that Kent might well be opposed
‘ to all the rest of England in this respect, it being Pagan when all the rest was
‘ Christian.’

^a Sir Francis Nethercole. An account of him is given in a former note.

^b This quadrangle was that which is still known at *Trinity* college by the designation of *Neville’s* court ; it is the innermost of the two from the principal entrance into *Trinity* college from the street, and was built by Dr. *Neville*, dean of *Canterbury*, master of *Trinity* college, and who died 2d May, 1615, after having been master about twenty years : it cost upwards of three thousand pounds. See Mr. *Baker’s* manuscript collections, Vol. X. p. 53, Vol. XI. p. 313.

^c Many of the actors were of the clergy.

Our plays were certainly much worse,
For they had a brave hobby-horse,
Which did present unto his grace
A wond'rous witty ambling pace;
But we were chiefly spoil'd by that
Which was six hours of God knows what &.

His lordship then was in a rage,
His lordship lay upon the stage,
His lordship cry'd all would be marr'd,
His lordship lov'd a-life the guard,
And did invite those mighty men
To what think you? ev'n to a hen.

He knew he was to use their might
To help to keep the door at night,
And well bestow'd he thought his hen,
That they might *Tollbooth* ^b *Oxford* men;
He thought it did become a lord
To threaten with that bug-bear word.

Now pass we to the civil law,
And eke the doctors of the Spaw,
Who all perform'd their parts so well,
Sir *Edward Ratcliffe* ^c bore the bell,
Who was, by the king's own appointment,
To speak of spells and magic ointment.

The doctors of the civil law
Urg'd never a reason worth a straw;
And, though they went in filk and fatten,
They, *Thomson*-like, clipp'd the king's *Latin*;
But yet his grace did pardon then
All treasons against *Priscian*.

Here no man spake aught to the point,
But all they said was out of joint,

-
- ^a In an imperfect copy of this poem, in the *British Museum*, *Sloane MSS.* No. 1775, is the following brief note on this passage:—'*Ignoramus*.'
- ^b The *Tollbooth* is the university prison at *Cambridge*.
- ^c Of this person an account has been given in a former note.

Just

Just like the chapel ominous
In th' chapel called God with us ^a,
Which truly doth stand much awry,
Just north and south, yes, verily ^b.

Philosophers did well their parts,
Which prov'd them masters of their arts,
Their moderator ^c was no fool,
He far from *Cambridge* kept a school;
The country did such store afford,
The proctors might not speak a word.

But to conclude, the king was pleas'd,
And of the court the town was eas'd;
Yet *Oxford* though, dear sister, hark yet,
The king is gone but to *Newmarket*,
And comes again ere it be long,
Then you may make another song.

The king being gone from *Trinity*,
They make a scramble for degree,
Masters of all sorts and all ages,
Keepers, subfizars ^d, lackeys, pages,

^a i. e. *Emanuel*, alluding to the first chapter of *St. Matthew's Gospel*, v. 23.

^b This was originally the fact; for the present library was at that time the chapel. In a paper inserted in *Mr. Baker's collections*, Vol. VI. p. 85, which is dated 1603, and entitled *The public Disorders, as touching Church Causes in Emanuel College, Cambridge*, the first article is this: 'I. First for a prognostication of disorder, whereas all the chapels in the university are built with the chancel eastward, according to the uniform order of all Christendom, the chancel in that college standeth north, and their kitchen eastward.' The present chapel was erected when archbishop *Sancroft* was master, and has on it the date 1673.

^c *Dr. Reade*. See a former note, in which an account is also given of the questions.

^d The rank of subfizar seems to be the lowest of all the university gradations, but is only known in the university of *Cambridge*. In *Mr. Baker's collections*, Vol. VI. p. 98, b, is a list entitled *Nomina Pensionariorum & Subfizatorum, qui in collegio Trin. sumptibus Amicorum aut suis vivunt*; and in page 101 is also a list relating to *St. John's college*, but entitled *Nomina omnium nunc in Collegio studentium*, in which the members of that college are thus classed, 'præfectus, præses,' (then, as I conceive, though without any such distinction, fellows), 'pensionarii in convictu sociorum, discipuli, pensionarii in convictu discipulorum, subfizatores.'

Who all did throng to come abroad,
With ' Pray make me, now good my lord,'

They press'd his lordship wond'rous hard,
His lordship then did want the guard;
So did they throng him for the nonce^a,
Until he bless'd them all at once,
And cried, ' Hodiissime,
' Omnes magistri estote.'

Nor is this all which we do sing,
For of your praise the world must ring;
Reader, unto your tackling look,
For there is coming forth a book^b
Will spoil *Joseph Barnesius*
The sale of *Rex Platonicus* c.

^a *Junius*, in his *Etymologicum Anglicanum*, art. *Nonce*, thus explains this phrase: ' Nonce, for the nonce, de industria. Suspicio contractum ex isthoc noiance, quod fuit paulo ante; atque ita for the nonce tantundem significat *Anglis*, ac si dicerent, Quia mihi sic libet, vel ob hoc solum, ut ei incommodum.' Mr. *Tyrwhitt*, in a note inserted in *Johnson and Steevens's Shakespeare*, edit. 1778, Vol. V. p. 272, gives the following etymology of it: ' For the nonce.] That is, as I conceive, for the occasion. This phrase, which was very frequently, though not always very precisely, used by our old writers, I suppose to have been originally a corruption of corrupt *Latin*. From pro-nunc, I suppose, came for the nunc, and so for the nonce; just as from ad-nunc came anon. The *Spanish* entonces has been formed in the same manner from in-tunc.' In the passage in the text it seems to mean purposely.

^b No such book as that hinted at above, if any such were ever intended, has, as far as we have been able to learn, yet found its way into the world.

^c The title of this book at length is as follows: *Rex Platonicus: sive, de potentissimi Principis Jacobi Britanniarum Regis, ad illustrissimam Academiam Oxoniensem Adventu, Aug. 27, An. 1605. Narratio ab Iuaco Wake, publico Academia ejusdem Oratore.* It was originally published in small quarto, in 1607, at Oxford, and a copy of that impression I once had; but the only one which I now have is in 18mo. printed at Oxford by *John Litchfield*, 1627, and is styled ' editio quarta.' *Joseph Barnes* was an Oxford bookseller, and the person for whom it was originally published.

A Cambridge

A *Cambridge Madrigal*, in Answer to the *Oxford Ballad*, as it was sung before the King, instead of Interlude Music, in *Ignoramus*, the Second Time acted before his Majesty in Trinity college, *May 15, 1615*.*

A Ballad late was made, but God knows who's the panner,
Some say the rhyming sculler^b, others say 'twas *Fenner*^c;
But those that know the slight do smell it by the choler,
And do maintain it was the brain of some young *Oxford* scholar.

For first he rails at *Cambridge*, and thinks her to disgrace
By calling her *Lutetia*, and throws dirt in her face;
But leave it, scholar, leave it, for all the world must grant,
If *Oxford* be thy mother, then *Cambridge* is thine aunt.

Then goes he to the town, and puts it all in starch,
For other rhyme he could not find to fit the seventh of *March*;
But leave it, scholar, leave it, for you must vail the bonnet^d,
And cast your cap at *Cambridge* for making song and sonnet^e.

Then

* This date is erroneous; it should be the 13th, and not the 15th of *May*, 1615. See a former note, p. xli, and an account of king *James's* visit in *May*, 1615, hereafter inserted. In a copy of this poem in the *British Museum*, *Sloane MSS.* No. 1775, the title to it is thus given: *A Cambridge Madrigal, confuting the Oxford Ballad that was sung to the tune of Bonny Nell*; but I here give it throughout from a manuscript formerly in my own possession.

^b The rhyming sculler here mentioned can certainly be no other than *Taylor* the water-poet. In a note on Book II. l. 323, of Mr. *Pope's Dunciad*, it is said that *Taylor* wrote fourscore books in the reign of *James I.* and *Charles I.* and afterwards kept an alehouse in *Long Acre*, and that he died in 1654.

^c *William Fenner* appears to have been the rival or antagonist of *Taylor* the water-poet; and, though no regular account of him is there or any where else to be found, yet his name frequently occurs in *Taylor's* works.

^d Mr. *Steevens*, in a note inserted in Dr. *Johnson's* and his edition of *Shakespeare*, edit. 1778, Vol. V. p. 448, says that to vail bonnet signifies to pull it off; and of this sense he produces, from *The Pinner of Wakefield*, 1599, the following instance:

'And make the king vail bonnet to us both.'

It here means to pull it off in token of submission.

* Mr. *Ray*, in his *Proverbs*, edit. 1678, p. 233, explains the proverb, 'They

Then goes he to the prefence, and there he doth purloin,
For, looking in the plate, he steals away the coin ;
But leave it, scholar, leave it, for 'tis a dangerous thing
To steal from corporations in prefence of the king.

Next that, my lord vice-chancellor he brings before the prince,
And in the face of all the court he makes his horse to wince ;
But leave it, scholar, leave it, for sure the jest did fail,
Unless you clapp'd a nettle under his horse's tail.

Then aims he at our orator, and at his speech he snarls,
Because he forc'd a word, and call'd the prince '*Most Jacob Charles* ;'
But leave it, scholar, leave it, for he did it compose
That puts you down as much for tongue as you did him for nose.

Then flies he to our comedies, and there he doth profess
He saw amongst our actors a perfect diocese ;
But leave it, scholar, leave it, 'tis no such witty fiction,
For, since you left the vicar out, you spoil the jurisdiction.

Next that, he backs our hobby-horse, and, with a scholar's grace,
Not able to endure the trot, he brings him to his pace ;
But leave it, scholar, leave it, for you will hardly do it,
Since all the riders in the mews could hardly bring him to it.

Polonia land can tell, through which he went a race,
And bare a fardel at his back, but ne'er went other pace ;
But leave it, scholar, leave it, he learn'd it from his fire,
And if you put him from his trot, he'll lay you in the mire.

Our horse hath cast his rider; and now he means to shame us,
And in the censure of our play conspires with *Ignoramus* ;
But leave it, scholar, leave it, that calls it God knows what,
Your head was making ballads when you should mark the plot.

His fantasy still working finds out another crotchet,
For running to the bishop he rides upon his rochet^a ;

But

^a They may cast their caps at him, in the following manner: ' They may cast their caps at him. When two or more run together, and one gets ground, he that is cast, and despairs to overtake, commonly casts his hat after the foremost, and gives over the race: so that to cast their caps at one is to despair of catching or overtaking him.'

^a Rochet is thus defined by *Bailey* in his Dictionary: ' Rochet, [*Fr.* roquette, *Sp.*

But leave it, scholar, leave it, and take it not in snuff^a;
For he that wears no pekadel^b by law may wear a ruff^c.

Next that, he goes to dinner, and, like a hardy guest,
When he had cramb'd his belly full he speaks against the feast;
But leave it, scholar, leave it, for since you ate his roast,
It argues want of manners to speak against the host.

^a *Sp. roccetto, Ital.*] a sort of surplice, a lawn garment, worn by bishops, &c.* Sir Henry Spelman in his *Glossary*, art. *Rochetum*, thus explains it: 'Rochetum, Indumentum camisiae instar, ex tenui lino candidum, quo episcopi, inter tunica & togam, amiciuntur; manicas exerens ampliores, & non ultra genas porrectum. *Gall. & Angl.* rochet, dimin. a *Sax.* rocc: *Galli* autem ipso hoc nomine vocant superpellicium illud lineum ex filo crassiori, quo operantur & portatores utuntur ad vestes cæteras conservandas: al. a frock dictum.'

^a To take a thing in snuff is a proverbial expression, and occurs as such in Mr. Ray's collection, edit. 1678, but without any explanation: it signifies, however, to take offence at any thing; and Dr. Johnson, in a note on *The Midsummer Night's Dream*, Act V. sc. 1, says, 'Snuff signifies both the cinder of a candle and hasty anger.' See Johnson and Stevens's *Shakespeare*, edit. 1778, Vol. III. p. 116. In the latter sense only it is used in this proverb.

^b 'Pickadil, a Belg. pickedillekens, i. lacinia, *Teut.* pickedel, the round hem, or the several divisions set together, about the skirt of a garment or other thing; also a kind of stiff collar, made in fashion of a band: hence perhaps that famous ordinary near St. James, called *Pickadilly*, took denomination, because it was then the outmost or skirt house of the suburbs that way; others say it took name from this, that one Higgins, a taylor, who built it, got most of his estate by pickadils, which in the last age were much worn in England.' Blount's *Glossographia*, art. *Pickadil*. In a note on *Hudibras*, Part III. canto 1, l. 1454, inserted in almost, if not wholly, all former editions that have notes, and retained by Dr. Grey in his, peccadilloes are thus explained: 'Wear wooden peccadilloes for't.] Peccadilloes were stiff pieces that went about the neck, and round about the shoulders, to pin the band, were by persons nice in dressing; but his wooden one is a pillory.'

^c This passage I conceive to be an allusion to the orders published by the vice-chancellor previously to the king's arrival at Cambridge, the last clause of which is expressed in the following words: 'Item, considering the fearful enormity and excess of apparel seen in all degrees, as, namely, strange peccadilloes, vast bands, huge cuffs, shoe-roses, tufts, locks, and tops of hair, unbecoming that modesty and carriage of students in so renowned an university, it is straightly charged that no graduate or student in this university presume to wear any other apparel or ornaments, especially at the time of his majesty's abode in the town, than such only as the statutes and laudable customs of this university do allow, upon pain of forfeiture of 6 s. 8 d. for every default; and if any presume, after this public warning, to offend in the premises, such his wilful offence shall be deemed a contempt, and the party so offending shall be punished, over and besides the foresaid mulct, a month's imprisonment accordingly.'

Now listen, masters, listen, that tax us of our riot,
 For here two men went to a hen, so slender was our diet;
 Yet leave it, scholar, leave it, he yields himself your debtor,
 And next time he's vice-chancellor your table shall be better.

Then goes he to the regent-house, and there he fits and sees
 How lackeys and subfizers prefs'd and scrambled for degrees;
 But leave it, scholar, leave it, 'twas much against their mind,
 But, when the prison-doors were ope, what thief would stay behind?

Behold, more anger yet, he threatens us ere long,
 When as the king comes back again, to make another song;
 But leave it, scholar, leave it, your weakness you disclose,
 Your *Bonny Nell* doth plainly tell your wit lies all for prose.

Nor can you make the world of *Cambridge* praise to ring,
 Your mouth's so foul no market ear will stand to hear you sing;
 Then leave it, scholar, leave it, for yet you could not say,
 The king did go from you in *March*, and came again in *May*.

An Account of King *James* the First's Visit, in the Month of *May*, 1615, to the University of *Cambridge*. Transcribed from a Paper drawn up by, and in the Handwriting of, Mr. *James Tabor*, the then Register to that University.

15 *Maui*, 1615.

A 3 Weeks before the day early notice was given, both to the deputy vice-chancellor, and the actors of the comedy called *Ignoramus*, that his majesty, at his going up to *London* from *Thetford* and *Newmarket*, where he had sported, was fully resolved to hear the said comedy acted again; whereupon the actors were suddenly called together, and they made speedy preparation, as well for the altering and adding something to the plot; and in the interim whilst this was prepared, certain *Jesuits* or priests, being to be conveyed from *London* to *Wisbich* castle, were not suffered to come thorough *Cambridge*, but by the sheriff carried over the back side of the town to *Cambridge* castle, where they lodged one night, which the vice-chancellor did carefully and wisely to prevent the dangers which might have ensued if the younger sort of students had seen them, and so by their own allurements, or persuasion of some of their adherents, drawn them either to a private conference there or at *Wisbich*, which also to prevent the vice-chancellor attended their coming into the castle, and then sent back all such young students as he saw there. This they perceiving offered a disputation to the vice-chancellor upon 3 questions, which were these:

[A small blank is here left in the original for the questions.]

the vice-chancellor told them he knew they were to make no abode there, neither had he power from his majesty to give leave for a disputation, which might give them occasion of stay, and cause a meeting of the students, and so left them; whereupon the Papists gloried as in the victory, that they offered to dispute, and the vice-chancellor did refuse it, and, that this might be the better known, they writ divers copies of the questions, and fastened them to boughs; and the next morning, as they went to take boat for *Wisbich*, they threw them over *Magdalen* college walls, which were brought to the vice-chancellor;

* For the communication of this authentic and curious account the reader and myself are indebted to the Rev. Mr. *Borlase*, of *Peter house*, *Cambridge*, the present register, by whom I am likewise informed, that no account of the king's first visit, in *March*, 1614-15, is to be found in any of the many books or papers in his custody as register.

whereupon the vice-chancellor certified the king what they had done, so the king, about 8 days before his coming, notified to the vice-chancellor that at his coming to *Cambridge* he would have a disputation there of those questions. Then the vice-chancellor chose young of the university to fit the disputation, which were: Mr. *Roberts*, *Trinitatis*, to answer.

Mr. <i>Bidlande</i> , <i>Reginalis</i> ,	} to reply.
Mr. <i>Cumbar</i> , <i>Trinitatis</i> ,	
Mr. <i>Chappell</i> , <i>Xii</i> .	

and Mr. *Cecill*, *Johannis*, to moderate this act.

Upon *Saturday*, the 13 *May*, 1615, news was brought that his majesty would be at *Cambridge* that night, and that in the way he meant to hunt a buck; so at 2 of the clock the school bell and St. *Mary's* bells rung to call the university together; the vice-chancellor set the scholars towards *Spital-End*; they reached to the *Armitage* ^a St. *Ann*, and above them up the town to *Trinity* college, the bachelors of arts, then the gentlemen fellow-commoners, then the senior regents and non-regents, then the doctors, who stood in *Trinity* college gatehouse: his majesty came from *Thetford*, whither the buck led him, and where awhile he had rested himself, and so came about four of the clock; the scholars all saluted him with 'Vivat rex.' Mr. mayor and his fraternity stood on the hill by the spital-house, where Mr. mayor, without either state or reverence, when his majesty came right against the place where he stood, stepped to his coach side, and then kneeled down, and delivered his majesty a fair pair of perfumed gloves with gold laces, and the prince another, telling his majesty their corporation was poor, and not able to bestow any matter of value upon his majesty, and therefore invited him to accept of those, which his majesty took, and gave him his hand to kifs; and so he took his horse, and rode before the king's mace-bearer to *Trinity* college; and then the mayor took his horse, and rode before the king's mace-bearer, with his mace over his shoulder, all the rest of his company leaving him, or lacking ^b by him, which needed not, for he had his 2 footmen, tired in watchet saye, with work-vetel jackets, and the arms that the redcoats wore at the fairs sewed to them. His majesty made no stay till he came at *Trinity* college walk, where him and the prince and his nobility alighted their coach; and being within *Trinity* college, against the first rails, Dr. *Gwynn*, deputy vice-chancellor, made an oration to him, giving him thanks for his love to them, that he was pleased again so suddenly to come

^a Quære, *Hermitage*?

^b i. e. Lackeying by him, attending him as lackies. *Spenser*, in his *Fairy Queen*, Book VI. canto 2, stanza 15, uses the verb To lackey in the same manner and signification as it is here used, which is the only instance of it that I now recollect. The passage is this:

‘ But, sith that he is gone irrevocable,
 ‘ Please it you, lady, to us to aread,
 ‘ What cause could make him so dishonourable
 ‘ To drive you so, on foot unfit to tread
 ‘ And lackey by him, gainst all womanhead?’

to them again, and highly extolling his majesty and virtues; the vice-chancellor and heads kneeled whilst this speech was delivering, and the king stood, and prince and nobility by him; and then, the speech ended, his majesty went towards his lodge; and then, about the middle alley, the orator made another oration, which ended, the king and prince and nobility went to their lodgings. Then the vice-chancellor took order for the placing of the university and strangers, not actors; at the lower end of the stage, the doctors; in a place next the stage, the regents and non-regents in gowns; in the body of the hall, other strangers according to their qualities, upon the scaffolds: the upper end of the hall, beyond the stage, was wholly reserved for the king and prince's followers, and for the courtiers. About 8 of the clock the play began, and ended about one: his majesty was much delighted with the play, and laughed exceedingly; and oftentimes, with his hands, and by words, applauded it. On *Sunday*, at 9 of the clock, there was a sermon in *St. Mary's*; at half an hour past 10 the king went to *Trinity* chapel, where he heard prayers and an anthem, and then a clero^a in *Trinity*, made by *Mr. Simpson* of *Trinity*, which was an hour and an half long, which seemed too tedious to his majesty, and therefore he shewed some distaste, not of the clero, for it was well and learnedly performed, but that he had no care to prevent tediousity, he being wearied over-night; the clero ended, there was another^b anthem sung and prayers, and then his majesty went to dinner; at 3 a sermon in *St. Mary's*, before divers of the nobility; after dinner, about 4 of the clock, his majesty went to *Mr. Butler*, with his nobles: the sheriff *Alderred* of *Foulmere* was very officious, and took upon him his office before his majesty, which discontenting the university, the vice-chancellor, upon notice given him, informed *Mr. lord* chamberlain, who, from his majesty, discharged *Alderred*, and told him it was his majesty's pleasure he should not carry himself then as a sheriff, for he had not power or authority in the university, and so he slunk aside, and took his place behind, and so whilst his majesty was with *Butler*, where he stayed near an hour; after that his majesty went to supper. On *Monday* there was a congregation at seven, where good order and decorum was observed, and these orderly admitted:

[Here follows in the original a considerable blank, for the names of the persons who took degrees.]

That about 10 the vice-chancellor and whole senate of doctors, regents, and non-regents, and those of the nobility in order, attended the vice-chancellor to *Trinity* college in order, the regents first, 2 and 2, in state to *Trinity* chapel, where they seated themselves, and thither

^a i. e. A concio ad clerum.

^b Over the line beginning in the original with this word, and ending with the words 'went to,' a little farther on, are the two following detached memoranda, but without any mark of reference: 'Mr. Fletcher, *Trinitatis*.—Lord Rutland sword-bearer.'

came the king and prince, and heard the act, which was learnedly performed^a; and at the end Mr. *Cecill*, the moderator, began to destroy their pleasure, he fainted the night before, and that morning, being sickly, fainted, and was carried out dead, but after a quarter of an hour recovered again; the act ended, the king went to dinner, and so, after he had made known how he was contented, suddenly departed.

The mayor, when he came into *Trinity* college, was put before the beadles, and the vice-chancellor went next after them, and so next before the king; and when the mayor went out, he went out without serjeant or show of his mace^b.

^a Against the line in which this passage occurs in the original is the following memorandum: 'Sword-bearer this day to and from the act, lord *Wal-*
den.'

^b The above paper appears, as well from the inaccuracies observable in it as here printed, as from the alterations and interlineations in the original, to have been intended but as a draught or foul minute, and was unquestionably meant to have been entered more correctly in its proper place, but this was never done. The original is written in so execrable an hand, that after having, with the assistance of two very intelligent friends, though not without great difficulty, made it out as above, it was thought advisable here to print the paper at length, in order to preserve it, and as a clue to decypher the handwriting of Mr. *Tabor*, with which many volumes in the register's office at *Cambridge* are filled, and which therefore, without some such guide, are scarcely at all legible.

IGNORAMUS,

IGNORAMUS,

COMEDIA.

I

D U L M A N

IN LAUDEM

IGNORAM I.^a

NON, inter plaios gallantos & bene gaios,
 Est alter bookus deservat qui modo lookos,
 O Lector friendleie, tuos : hunc buye libellum,
 Atque tibi wittum, tibi jestaque plurima sellam.

Hic

^a These lines do not occur in any of the manuscripts which we have yet seen, nor in the first printed edition, but were first inserted in the second; and, as consisting of a mixture of words, some of them *Latin*, and others *English* with *Latin* terminations, are properly of that species of poetry which is denominated *Macaronic*: The inventor whereof appears to have been *Theophilus Folengus* a *Benedictine* monk of *Mantua*, who, in 1520, under the name of *Merlinus Coccaius*, published a poem compounded of *Latin* and *Italian* words, accommodated to the *Latin* terminations. His works of this kind have been collected into a small volume, under the title of *Merlini Coccaii Opus Macaronicum*, and consist of six Eclogues, entitled *Zanitonella*, describing the amours of *Tonellus* and *Zanina*; *Phantasia*, in twenty one poems, treating of the acts of the magnanimous and prudent *Baldus*; *Moschea*, relating the battle between the flies and grasshoppers; and a book of Epistles and Epigrams; and of this collection there have been several editions. The example of *Folengus* was followed by *Guarinus Capella*, who, in 1526, published six books of *Macaronic* poetry, 'contra *Cabri Regem Goguemagog*,' and, among others, by *William Drummond* of *Harwtbornden*, a well known *Scotch* poet in the time of king *James I.* of *England*. The poem written by this latter author is entitled *Polemo-Middinia, Carmen Macaronicum*, and was first published at *Oxford*, 4to. 1691, by bishop *Gibson*, together with the *Scotch* poem entitled *Christ's Kirk on the Green*, written (as it is said) by king *James V.* of *Scotland*, and a commentary. It contains a very ludicrous relation of a battle between *Lady Scottstarvet*, under the title of *Vitarvam*, and *Lady Newtarns*, under that of *Nebernarn*, and is a mixture of *Latin* and *Scotch*

B

words,

2 DULMAN IN LAUDEM, &c.

Hic est lawyerus,^a simul hic est undique clerus,^b
 Et *Dulman* merus (quod vis non credere verus).
 Hic multum *Frenchum*, quo possis vincere wenchum.
 Hic est *Latinum*, quo possis fumere vinum.^c
 Hunc bookum amamus, simul hunc & jure probamus;
 Qui non buyamus, cuncti sumus *ignoramus*.^c

DULMAN, clericus tuus,

a desca sua.

words, converted into *Latin* ones by altering their terminations. The imagery of it, it must be confessed, is extremely foul, but, if the reader can prevail on himself to pardon that, he will receive great pleasure from the humour of it. In the preface to this edition of the *Pölemo-Middinia*, whence also part of what is said above is taken, the following etymology and explanation of the term *Macaronic* is given; 'Quid enim sonat apud *Italos* *Macarone*, quam rusticum benepastum, stipitem, animal ad risum & lasciviam factum, & fruges consumere natum; uno verbo, qui ludicrum nescio quid præ se fert? & quid *Macarones* nisi buccellæ ex rudi farina, ovis, & caseo trito, quæ inter mensæ delicias agrestibus habentur, judice *Thomasino*? Et quid *Macaronea* nisi rhapsodia poetica, e variarum linguarum fragmentibus constans, in qua mores hominum deridendæ exponuntur?'^b

^a *lawyerus*.—] i. e. The character *Ignoramus*.

^b *undique clerus*.—] Probably intended to allude to *Pecus* and *Muscus*; for *Dulman* is mentioned by name in the next line.

^c *cuncti sumus ignoramus*.—] Alluding to the original sense and use of the term *Ignoramus*. *Vide infra*, in the Glossary.

ENCLOSURE

ENCOMIASTICON IN IGNORAMUM.

¶ *Überine* Univerſities, quod hic eſt *Ignoramus*,
Jocorum hic diverſities, eſt liber vere *famous*.

Per preſentes lawyeres eſt *bonum ac legale*

Anglicæ Latinum, warrantizabo tale.

Hic ſunt *Statuta Regis*^a; hic eſt *Juſtinianus*^b;

Solicitorum Gregeſ^c; *Attorney Ruſticanus*^d;

Pandectas

^a *Statuta Regis*—] By this appellation, it is imagined, we are to underſtand an indefinite collection of the acts of parliament. Theſe, at leaſt ſuch of them as were then in being, had been at various times publiſhed; but not with the title of *Statuta Regis*, at leaſt as far as I have been able to learn. However, ſome of the ſtatutes have individually been entitled *Statutum Regis*; for Sir *William Dugdale*, in his *Origines Juridicales*, edit. 1671, p. 57. mentions, among law writers and law books, *Statutum Regis de Judaismo*; but without any date or king's name to it.

^b *Juſtinianus*—] *Juſtinian* I. one of the *Roman* emperors. He flouriſhed about the year of our Lord 520, and reduced the body of the civil law into that code which is well known at this day by his name. The book alluded to in the text is ſuppoſed to be either his *Inſtitutions*, or the *Novellæ*, as they are called, compiled by him; of both which, as alſo the *Pandectas* mentioned a few lines below, *Hoffman*, in his *Lexicon Univerſale*, in an article for this perſon, has given the following account. ‘*Jus civile in eum ordinem redigendum curavit, quo nunc utimur, electis ad id negotii decem viris præſtantiffimis, qui codices Gregorianum, Theodoſianum & Hermogeneum in unum contraherent, legesque per 2000 libb. diſperſas in quinquaginta ſaltem compingerent, unde codex Digeforum vel Pandectarum ortus. Porro 4 libb. Inſtitutionum, qui textum omnium legum ſuccincte continerent, & Cod. Novellarum, quibus novas a ſe latas complexus erat, compoſuit. Conc. 5. Oecum. Cpoli habito, priorum Conc. fidem confirmavit, errores damnavit, tria capitula rejectit.*’ *Hoffman* adds, that he died in the year 565, in the 83^d of his age, and 39th of his reign.

^c *Solicitorum Gregeſ*—] It is conceived, that, notwithſtanding all the editions concur in this reading, it is corrupted, and that, for *Solicitorum Gregeſ*, we ſhould read *Solicitorum Leges*. The reaſon for this ſuppoſition is, that as it ſtands at preſent it is not intelligible, and we find in *Worrall's Law Cat.* p. 88, a book (though it muſt be admitted it is a very late publication, viz. in 1764), entitled *Law of Attornies and Solicitors*; containing all the *Statutes, adjudged caſes, reſolutions, and judgements concerning them, under various heads*, 8vo, 1764. It ſeems

Pandectas tibi Juris^a, & Chartam Magnam^b dabo,

Cum

seems therefore no improbable conjecture to imagine, that a similar work, with the title of *Solicitorum Leges*, or in *English* with that of *The Law of Solicitors*, might have been published, and in use among the professors of the law in the time of king *James* or king *Charles I*; in the former of whose reigns this comedy was represented at *Cambridge*, viz. in 1614-15, and in the latter's, viz. anno 1630, it was printed and published at *London*.

^a *Attorney Rusticanus*—] Probably some law book entitled *The Country Attorney*, well known at the time, though since forgotten.

^b *Pandectas Juris*—] The history of this work, it is presumed, has been sufficiently given in a former note. Those who wish for further information respecting it, are referred to *Hoffman's Lexicon* art. *Pandectas*. Nevertheless it may not be improper here to mention, that the emperors from *Justinian*, who died anno *Cristi* 565, until *Lotharius II.* in the year 1125, so neglected the body of the civil law (which now against an express constitution of *Justinian*, commanding that it should not be read nor taught in any place except *Rome*, *Berytus*, and *Constantinople*, is professed in every university) that all that time none ever professed it. But when *Lotharius* took *Amalfi*, he there found an old copy of the *Pandectis* or *Digests*, which, as a precious monument, he gave the *Pisani*, (by reason whereof it was called *Litera Pisana*,) from whom it has since been translated to *Florence*, where, in the duke's palace, it is never brought forth but with torch-light, and other reverence. See Mr. *Selden's* Notes on *Fortescue De Laudibus Legum Angliæ*, cap. 17. The following passage from *Gravina Origo Juris Civilis*, lib. I. cap. 140; and also from *Heineccii Historia Juris Civilis*, lib. I. sect. 412, is inserted as a note on Dr. *Harris's* *Brief Account of the rise and progress of the Roman Law*, prefixed to his edition of *Justinian*, and as it contains the reason why the *Pandectis* were given to the *Pisani* rather than to any other people, it has been judged proper to insert it in this place also. 'Eo tempore (anno dom. 1130) injustis perturbatisque comitiis lacerarat ecclesiam falsus pontifex *Petrus Leonis*, *Anacletus* secundus nuncupatus ab sua factione; cujus dux erat *Rogerus Apuliæ ac Siciliæ* comes, regis nomine a falso pontifice donatus. Adversus *Anacletum* creatus rite ac solenniter fuerat *Innocentius* secundus, cui favebat imperator *Lotharius Saxo*, summa virtute atque prudentia princeps; quo bellum gerente adversus *Rogesium*, *Amalphi*, urbe *Salerno* proxima, (quam perperam aliqui locant in *Apulia*, *Melphiam* cum *Amalphi* confundentes,) inopinato reperti fuerunt *Digestorum* libri; quos *Pisani*, qui classe *Lotharium* contra *Rogesium* adjuverant, præmio bene navatæ operæ sibi exorarunt. *Pis* vero post longam obsidionem a *Caponio* militiæ duce strenuo expugnatis, translati fuere *Florentiam*: ubi, pro Augusta *Medicæ* domus magnificentia, in museo magni ducis conservantur. Hinc promiscua *Pisanarum* et *Florentinarum* apud scriptores *Pandectarum* appellatio.' Sir *Henry Spelman*, in his *Glossary*, says, that the *Litera Pisana* means that ancient character, in which the copy of the *Pandectis*, some time in the possession of the *Pisani*, is written, and Dr. *Taylor*, in his *Elements of the Civil Law*, p. 20, noticing the singularity of the character in which it is written, says, that it consists in consolidating the letters.

Cum Tabulis Duodecim^e, & totas in Octavo.

letters of two words, where it happens, as it frequently does, that those which compose the latter, are contained in the former; as 'necesser' for instance, instead of 'necesser esset'; and that this compendious method is practised in no other manuscript that he knows of.

^b *Chartam Magnam*—] The well known statute *Magna Charta*, made in the ninth year of Henry III, and confirmed by Edw. I. We read in *Holinshed*, that king *John*, to appease his barons, yielded to laws or articles of government much like to this great charter, but we have no older law than this. See *Cowel's Interpreter*. It has been frequently published as a volume by itself, without any other of the statutes.

^c *Tabulis Duodecim*—] *Hoffman* in his *Lexicon*, art. *Duodecim Tabulae*, gives the following circumstances respecting this work, which as they seem necessary for the illustration of the text, and would be materially injured by an attempt to abridge them, are here related in his own words: 'A. U. C. 291 C. Terentius Arria Trib. Pl. Cofs. L. Lucretio Tricipitino & T. Veturio Gemino, legem se promulgaturum professus est, de Quinque viris legum de consulari imperio scribendarum causa creandis. Sed resistentibus acriter primum Patribus & Praefecto urbis Q. Fabio, deinde etiam Consulibus, perlata ea non est. Verum insequenti anno, P. Volurnio & Servio Sulpitio Camerino Cofs. legem Terentillam a toto collegio relatum Liv. docet lib. 3. cap. 9 & 10 Dionys. vero l. 10. non relatum eam hoc anno fuisse, sed collegium Tribunorum ad populum tulisse, de Decemviris legum scribendarum creandis, ex quorum praescripto omnia tam privatim, quam publice gererentur, auctor est. Certatum exin aliquot annos, inter Patricios & plebem de hujus legis promulgatione, donec tandem A. 299 Spurio Tarpeio, A. Aeternio Cofs. Senatusconsultum factum est, ut legati mitterentur ad Graecas urbes, quae sunt in Italia: alii Athenas, qui peterent a Graecis leges optimas & instituto suo convenientissimas. Missi itaque sunt Sp. Posthumius, Ser. Sulpitius, A. Manlius, quibus anno tertio reversis, Tribuni Pl. urserunt ut legumlatores crearentur: sic ejurantibus magistratum Ap. Claudio & T. Genutio, qui in sequentem annum Cofs. designati erant, & Tribunorum, Aedilium, Quaestorum Magistratu aliisque ad tempus antiquatis, Comitibus centuriatis Decemviri creati sunt, qui an. 302 assumptis civitatis gubernaculis Remp. constituere sunt aggressi. Hi leges conscriptas tum ex Graecorum jure tum e patriis consuetudinibus proposuerunt in decem tabulis cognoscendas cuilibet, ferentes admoneri se a privatis hominibus & hoc agentes, ut leges placerent omnibus: diuque consultaverunt cum proceribus, revocantes ad exactissimum examen singulas. Ubi vero visae sunt bene habere, primum senatu coacto, nemine contradicente, senatusconsultum de iis fecerunt: deinde Centuriatis Comitibus in praesentia Pontificum, Augurum aliorumque sacerdotum, a re divina exorsi, calculos dederunt Centuriis: tum plebiscito quoque confirmatas & in aereas columnas incisas, una serie proposuerunt in loco fori maxime conspicuo. Sequenti anno 303 cum adhuc leges quaedam deesse viderentur, ad perfectionem juris, additae sunt ab iisdem Decemviris adhuc duae, ut sic XII. Tabb. numerus conficeretur.—Quod magis dolendum est, earum nil nisi fragmenta quaedam, hinc inde in auctoribus dispersa, superesse.'

Tridecimo

Tridecimo *Jacobi* hic liber *Granta*^a natus;
 Spectando & ridendo rex tantum non cacatus.
 Quod hæc sit *hilla vera*, authorem qua laudamus,
 Causidici odere; sic fatis hoc probamus.
 Denariis octode *^b hoc habeas *Corpus Juris*^c:
 Te capiam pro *noddy*,^d si velles emere pluris.
 Germani mei gibos^e non amplius laudabo:
 Non quæro ego bribos; sed quod dixi jurabo

Est truthum, & totum truthum, & nihil nisi truthum: Ita
 te, lector, lawyerus adjubet^f.

* *cim* scribe cum datho.

^a *Granta*—] The reader, it is imagined, need scarcely be told, that this was the ancient name for *Cambridge*, where this comedy was first represented in the 13th year of king *James's* reign, viz. anno domini 1614-15.

^b *Denariis octode*—] This poem is not to be found in any of the manuscripts which we have yet seen, nor in any of the printed editions prior to the third, which was printed in 1658; and the sum here mentioned was probably the price for which that, and, in all likelihood, the former editions of this comedy were sold.

^c *Corpus Juris*—] *Hoffman* in his *Lexicon* art. *Corpus*, notices that *Corpus* was an appellation common to many works, which were digests of many parts into one, and contained many books. In justification of this sense, he produces, among other instances, the *Corpus Juris Civilis*, and the *Corpus Juris Canonici*. His words are these; '*Corpus*, præter significatum commune, *Latinis* opus quoque notat, quod in multas esset digestum partes pluresque libros contineret; sic corpus animalis plura membra.—Sic *Corpus Theodosium*, in *Codice Theodosii*, *Corpus Justinianum* in *Codice*, hodieque *Corpus Juris Civilis* quod *Pandectis*, *Codice* & *Novellis*, quibus accessere *Institutiones*, absolvitur: cui ut respondeat *Corpus Juris Canonici*, *Gratiani Decretum*, *Pandectas*, *Decretales Codicem*; *Sextus*, *Clementina*. & *Extravagantes*, *Novellas* repræsentant, quibus additæ seculo XVI. *Institutiones*, a *Paulo Lancelotto* & *M. Antonio Cuccbo*.'

^d *noddy*—] i.e. a fool; who is termed a noddy, because he nods when he should speak. See *Minshew's Dictionary*. *Jurinus*, however, in his *Etymologicum Anglicanum*, edit. *Lye*, gives the following etymology of the word, which, as being thought more authentic, is here inserted: '*Noddy*, stolidè ineptus. *Nōdū*; *Græcis* est *Tardus*, hebes, stupidus. *Italici* *Noddo* est spurius irem stolidus [Rectius fortasse *Skinnerus*, qui derivat a *Norm. nandin*, *Fatuus* L].'

^e *gibos*—] To gibe is to mock, flout, scoff, or jeer. *Phillips's Dict.*

^f *Est Truthum, &c.*—] Alluding to the form of the oath administered to a witness previous to his examination on a trial at law, by which he undertakes to 'speak the truth, the whole truth, and nothing but the truth.' The concluding sentence of an oath, it is well known, consists of the words 'So help you God,' and there can be no doubt, that the latter part of the passage in the text was intended to refer to this part of the form.

PRO-

PROLOGUS PRIOR.

Martii 8. Anno 1614-15.

Intrant CURSOR, EQUISO.

CUR. NUM quis Musarum Caballum vidit hic? Fontem Caballinum ut præterii modo, orarunt Musæ, illum ut perquirerem. Hac ego quæsitum missus, illac ille, qui eum curat, *Equiso*.

EQU. Ecquid de caballo inaudivistin', puer?

CUR. Nihil profus, *Equiso*. Optimum est igitur, tu ut præconium facias.

^a In a copy of the first edition of this comedy, now in my possession, but formerly in that of one *W.* or *H. Giffard*, for his name is so written in it, as to render it very doubtful for which it was meant, the names of the original performers in this prologue are inserted in manuscript, and are as follow: *Cursor*, Mr. *Compton*; *Musarum Caballus*, viz. *Davus Dromo*, Mr. *Lakes*; *Equiso*, Mr. *Mason*; all of whom had also parts assigned them in the comedy itself. See the list of actors, before given. This copy has likewise the names of the original actors in the comedy, put in with a pen against their respective characters of the *Dramatis Personæ*; but without any other designation than that of the colleges to which they belonged. From this circumstance, and also an error of *Bargar* for *Bargrave*, the person who played *Torcol*, I am led to suspect, that the list of actors in the comedy, and probably the names of the performers in this prologue, was transcribed from a manuscript at *Clare Hall, Cambridge*, which the well known Mr. *Baker* of *St. John's college, Cambridge*, once saw and compared, and in which he remarked the above peculiarities. See the list of actors in the comedy, before given in the author's life, and Mr. *Baker's MS. Collections* in the *British Museum*, vol. XV, p. 475. But as to the part of *Cursor* in this prologue, the evidence, that it was acted by Mr. *Compton*, does not rest solely on the authority of Mr. *Giffard's* copy; for in the prologue itself we meet with the following speech, addressed to *Cursor*: 'Quodque tu *Surdam* agas nanam:' Now it appears from the list before inserted, that the part of *Surda* in the comedy was played by Mr. *Compton*, and from the passage just cited we may reasonably infer, that this prologue was written subsequently to the nomination of actors for the play, and with a view that the part of *Cursor* should be performed by Mr. *Compton*.

3 PROLOGUS PRIOR.

EQU. Bene mones: Oyez,—oyez,—oyez²; Musarum Caballus aberravit modo, nomine *Davus Dromo*, qui semihomo & totus caballus est, biceps bestia, vegrandi capite & recalvaſtro, perlongis auribus, rubicundo roſtro, quaſi ore patulo, labris prominentibus, juba curta & fubruſa, excoriato dorſo, pedibus anterioribus ulcerofiſis, colore vario, cum rotunda macula in clune nigricante: ſi quis eum reddere aut commonſtrare voluerit, gratias inierit illius, & quòtquot voluerit equas.

CUR. Agite, bonus eſt admiſſarius iſte caballus¹.

EQU. Ecce jam adeſt: Malum: Heus puer, ambo comprehendamus eum.

CUR. Oh, ferox calcitro!

EQU. Compellamus illum altrinſecus in iſtum angulum: blande, puer; poppyſmate palpemus eum.

AMBO.² Ho, ho, ho, ho, ho, ho *Mefſe*, ho *Dave*, ho, *Mefſe Dave*, ho *Dromo*, ho *Mefſe Dave Dromo*, ho, *Mefſe Dave*, ho *Dromo* ho.

EQU. Ah nequiſſima beſtia, vin' auſugere? non tu *Davus Dromo* jam, ſed *dromedarius*^b.

CUR. Ergo velim hunc *Davum Dromonem* in piſtrinum dari.

EQU. Etiam morſicas?

CUR. Etiam calcitras?

EQU. Quæriſ jam lumbiſfragium? tranquillum reddidero te, aut—ha, ha, he. Ut illum ad Muſarum fontem

¹ Intrat *Muſarum Catalus* viz. *Davus Dromo*.

² They pat and careſs him.

^a *Oyez, Oyez, Oyez*—] The *French Oyez*, i. e. *Audite*, Hear ye, is known to be uſed by our cryers, as well in courts as elſewhere, when they make proclamation of any thing. *Cowel's Interpreter*, art. *Oyez*.

^b *dromedarius*—] A dromedary is wondrously ſwift, and will run about 100 miles a day. *Minken's Dictionary*. To the peculiar ſwiftness of this animal, the paſſage in the text moſt evidently alludes, and it ſeems worthy of remark, that under the term *Dromo*, applied to *Davus Dromo*, in this part of the text particularly, a reference appears to have been intended to a perſon then living, as will hereafter be ſhewn, and alſo to the *Greek* word *δρομος* *curſus*, whence both that and the word *Dromedarius* are imagined to be derived: For the character of *Davus Dromo* is, in the former part of this prologue, repreſented as having eſcaped from his keeper, and is here charged with being not only *Davus Dromo*, i. e. a runaway, but *Dromedarius*, i. e. a runaway of ſo great ſwiftness, as to make it difficult to overtake him, which both *Curſor* and *Equiſo* had found him to be, by experience, in their purſuit of him.

aquaturn

aquaturn duxi modo, defubito curfum proripiens, feſe agere dixit velle prologum hic; nempe magnatum frequentiam impudens amabat homo, quam etiam nunc affectat impudentior beſtia.

CUR. Monſtrum narras.

EQU. Homo fuit; ſed cum homo non magis ſaperet quam caballus, iratæ Muſæ, quas vexabat indies, mutarunt eum in caballinum hominem.

CABAL. ^a Malum! vos me ornatis ac ſi eſſem aſinus; agam tamen prologum.

CUR. Prologum tu? atque *Latinum* etiam?

CABAL. Quidni ego, qui omnes linguas calleam, Ἑλληνικὴν, *Latinam, François, Caſtellana, Italiana, Teuch, Polaski.*

EQU. Hinnit tantum bene, nihil loquitur.

CABAL.

^a *Cabal.*—] The character of *Muſarum Caballus*, viz. *Davus Dromo*, here introduced, appears moſt evidently to be that of a hobby-horſe; as to which it is to be obſerved, that at the time when this comedy and prologue were written, viz. about the year 1614-15, the character of a hobby-horſe was extremely familiar even to the common people: it was ſometimes introduced on the ſtage, and alluſions to it in the comedies of the time, and ſome of them *Shakeſpeare's*, are frequent; but the change, which the manners of this country have ſince undergone, having almoſt obliterated the remembrance of ſuch a character, ſome explanation ſeems now neceſſary to render it intelligible. The reader is therefore to know, that in the celebration of *May* day, beſides the ſports now uſed of hanging a pole with garlands, and dancing round it, formerly a boy was dreſſed up repreſenting maid *Marian*, another like a friar, and another rode on a hobby-horſe with bells jingling, and painted ſtreamers. After the Reformation took place, theſe latter were looked upon to favour of paganiſm, and then maid *Marian*, the friar, and the hobby-horſe were turned out of the games. See *Johnſon and Steevens's Shakeſpeare*, edit. 1778, vol. II. p. 412. Nevertheless, it appears that maid *Marian*, the hobby-horſe and the friar were continued not uniformly it is true, but ſometimes taken, and ſometimes rejected, till the year 1621. Ibid. edit. 1778, vol. V. p. 434, ſince which they ſeem to have been almoſt wholly rejected. In the place laſt referred to is alſo given an engraving of a painted glaſs window belonging to the houſe of *George Tollet*, eſq. at *Betley* in *Staffordſhire*. This window contains an ancient repreſentation of the celebration of *May* day, and Mr. *Tollet*, for ſeveral reaſons which he mentions, p. 434, concludes it to have been probably painted in the early part of *Henry* the eighth's time, and before 1535. It conſiſts of twelve compartments, in the fifth whereof is exhibited a figure of the hobby-horſe, from which, in order to convey to the reader ſome idea of the form, dreſs,

C

and

CABAL. Ipse porro a principum legatis literas accepit
sapius,

and appearance of this singular character, the following cut is here inserted.



The compartment, containing the hobby-horse, is numbered 5, and is accompanied, p. 429, with the following description: 'Figure 5 is the famous hobby-horse, who was often forgotten or disused in the Morris dance, even after maid Marian, the friar, and the fool were continued in it.—Our hobby is a spirited horse of paste-board, in which the master dances and displays tricks of legerdemain, such as the threading of the needle, the mimicking of the whigh-kie, and the daggers in the nose, &c. as *Ben. Jonson*, edit. 1756, vol. I. p. 171, acquaints us, and thereby explains the swords in the man's cheeks. 'What is stuck in the horse's mouth, I (says Mr. Tollet, who drew up the account) apprehend to be a ladle ornamented with a ribbon. Its use was to receive the spectators pecuniary donations. The criminal's foot cloth fretted with gold, the golden bit, the purple bridle, with a golden tassel and studded with gold, the man's purple mantle with a golden border, which is latticed with purple, his golden crown, purple cap with a red feather, and with a golden knob, induce me to think him to be the king of May, though he now appears as a juggler and a buffoon.—The colour of the hobby-horse is a reddish white, like the beautiful blossom of a peach tree; the man's coat or doublet is the only one upon the window that has buttons upon it, and the right side of it is yellow, and the left red. Such a particoloured jacket, and hose in the like manner, were occasionally fashionable, from Chaucer's days to *Ben. Jonson's*.'

* *Dr. Plot's History of Staffordshire*, p. 434, mentions a dance by a hobby-horse and six others.

To

Jæpius, quibuscum & una vixi familiariter; nam caballus licet, caballus sum politicus.

Equ.

To the character of *Davus Dromo*, the hobby-horse, in this prologue, I find the following allusion in a little book entitled, *Poems, Elegies, Paradoxes, and Sonnets*, Lond. 1657, which, though printed without his name, was written by Dr. Henry King, bishop of Chichester. See *Wood's Athenæ Oxonienses*, vol. II. col. 431, edit. 1721. The poem in which the allusion occurs, is entitled, 'To his friends of *Christ-church* upon the mislike of *The Marriage of the Arts*, acted at *Woodstock*,' and the lines are as follow:

'But is it true the court mislik'd the play?
'That *Christ-church* and the arts have lost the day?
'That *Ignoramus* should so far excel,
'Their hobby-horse from ours hath borne the bell?'

The *Christ-church* play, as it is termed above, was a comedy entitled, *Technogamia, or the Marriage of the Arts*; it was written by *Barten Holyday*, of *Christ-church* college, Oxford, and was represented at *Woodstock* before king *James* the first, 26 August, 1621. See an account of the comedy and its author in *Wood's Athenæ Oxonienses*, edit. 1721, vol. II. col. 258.

It now only remains to enquire whether any, and what person was intended to be represented under the character of *Davus Dromo*, the hobby-horse, in this prologue; and for the purpose of determining this question, an ingenious and learned friend has pointed out to me the following passage in Sir *Anthony Weldon's Court and Character of king James*: 'Then [i. e. about the time that *Villiers*, afterwards duke of *Buckingham*, became his favourite] 'began the king to eat abroad, who formerly used to eat in his bed-chamber, or if by chance supped in his bed-chamber, would come forth to see pastimes and fooleries, in which Sir *Edw. Souch*, Sir *George Goring*, and Sir *John Finit* were the chief and master fools, and surely this fooling got them more than any others wisdom, far above them in desert: *Souch* his part to sing bawdy songs and tell bawdy tales; *Finit* to compose these songs; then were a set of fidlers brought up on purpose for this fooling, and *Goring* was master of the game for fooleries, sometimes presenting *David Droman* and *Archee Armstrong*, the king's fool, on the back of the other fools, to tilt one at another till they fell together by the ears; sometimes antic dances, but Sir *John Millisent*, who was never known before, was commended for notable fooling, and so was he the best extemporary fool of them all,' p. 91.

In the second prologue to this comedy, as well as in the present, the character of *Davus Dromo* is also introduced, and in that prologue are several references to facts and passages either mentioned or alluded to in this first. From hence it most evidently appears, that the character of *Davus Dromo* in both, must have been intended for the same person, and after reading the above passage, and observing that these words, 'Aufus tu es etiam tiltare cum regis stulto,' addressed to *Davus Dromo*, occur in the second prologue, no doubt can remain that by the character of *Davus Dromo* in both, the abovementioned *David Droman* (as Sir *Anthony Weldon* calls him) or more probably *Drummond*, was the person intended. And in further confirmation of

this

Equ. Caballus etiam ecclesiasticus olim, Decanus scilicet de *Dunstable* ^a.

CABAL. Idque gratis etiam, sine Simonia: doctus enim sum; nam diem integrum in bibliotheca olim jejunos reclusus fui. Quin equus ego cum doctore equite linguis variis pro gradu cum plausu disputavi; quapropter jam nunc spero Graduatum fore.

CUR. Imo transcendes ab equo ad asinum ^b.

CABAL. Nescis *Caligulam* consulatum destinasse *Incitato* equo, purpureaque dedisse tegumenta ei ^c?

EQU. At erat *Incitatus* nobilis & velox equus; tu segnipes caballus.

CABAL. Egon? qui tot regiones, plerasque etiam sine viatico, pererravi sæpius. Quin cursu provoco omnes nobilium hic præsentium equos celeripedes, five *Puppy*,
five

this assertion, Mr. *Chamberlain* in a letter to Sir *Dudley Carleton*, already inserted in the author's life, says, speaking of this comedy, that 'the second night [i. e. of king *James's* abode in the university] was a comedy of *Clare hall*, with the help of two or three good actors from other houses, wherein *David Drummond* in a hobby-horse, and *Brakin*, the recorder of the town, under the name of *Ignoramus*, a common lawyer, bare great parts.'

^a *Decanus de Dunstable*.—] Mr. *Ray* in his *Proverbs*, p. 297, edit. *Cambridge*, 1678, explaining the proverbial expression 'As plain as *Dunstable road*,' says, he conceives that there is an allusion in this proverb to the first syllable of this name *Dunstable*, for there are other roads in *England* as broad, plain, and well beaten as this. May we not, therefore, reasonably suppose, that the author in this passage, intended a similar allusion, and that we should understand the name of *Dunstable*, as *Dunce-stable*? and the rather, as there is no such deanery as *Dunstable*.

^b *ab equo ad asinum*.—] This is a proverbial expression, borrowed, as it should seem, from *Procopius*; and is thus explained by *Erasmus*: 'Ab equis ad asinos. 'Αφ' ἵππων ἐν ὄνυξ. Ubi quis a studiis honestioribus ad parum honesta defleat.' *Erasmi Adagia* sub tit. *Degenerantium in pejus*.

^c *Caligulam consulatum destinasse, &c.*.—] *Suetonius*, in his life of *Caligula*, has the following passage, to which that in the text unquestionably alludes, '*Incitato* equo, cujus causa pridie *Circenses*, ne inquietaretur, viciniae silentium per milites indicere solebat, præter equile marmoreum & præsepe eburneum, præterque purpurea tegumenta, ac monile e gemmis, domum etiam, & familiam, & supellectilem dedit, quo lautius nomine ejus invitati acciperentur: consulatum quoque traditur destinasse.' Upon which, *Schildius*, in his edition of that author, has the following note referring to the word *Incitato*. '*Incitato* equo.—] Quendam suorum equorum, *Incitatum* nomine, ad cœnam quoque adhibebat, & inauratum ei hordeum apponebat,

five Franklin, five Peppercorn^a, five Crop-ear, five Snowball, five Saucy Jack, Freck, Spaniard, Peg with a lanthorn, Strawberries and Cream, tanti quanti, vel in stadio Roystonienfi^b, Bracklienfi^c, Gatterlienfi^d, Coddington^e, Sibblecotes^f, ubilibet; & nisi tintinnabulum vindicem ego, caudam curtate mihi: neque etiam quemvis equum, vel fatidicum, vel magicum recuso, si præstigias, si prædictiones

^a ponebat, & in poculis aureis vinum propinabat, per salutem ejus ac fortunam jurabat, consulemque se cum creaturum pollicebatur; facturus, si diutius vixisset. *Dio Cassius.*

^b *Puppy, five Franklin, five Peppercorn, &c.*—] These were in all probability the usual names of favourite horses in king James's time, for Ben. Jonson, in his comedy of *Epicæne, or, The Silent Woman*, act. II. scene 1, puts into the mouth of Truewit, the following speech; 'Hearken after the next horse race, or hunting match, lay wagers, praise Puppy or Peppercorn, Whitefoot, Franklin, swear upon White-mane's party.'

^c *Roystonienfi*—] There are three places of this name in England; Royston in Cambridgeshire, Roiston in Hertfordshire, and Royston in the West Riding of Yorkshire. See Spelman's *Villare Anglicanum*. The former, it is imagined, is the place intended.

^d *Bracklienfi*—] Brackley in Northamptonshire.

^e *Gatterlienfi*—] I have not been able to find any such place as Gatterley. It is possible, that this word should be *Gateliensfi* for Gateleigh in Norfolk. The variation is but small, and might have been made through mistake.

^f *Coddington*—] There are three places also of this name; one in Oxfordshire, another in Herefordshire, and the third in Nottinghamshire. See Spelman's *Villare Anglicanum*.

^g *Sibblecotes*—] The situation of this place I have not been able to discover, but perhaps it may be a mistake, instead of *Sibbertofte* or *Sibbertofte* in Northamptonshire, or, as an ingenious friend has suggested to me, for *Sibberscot* near Shrewsbury. It is probable, that at all the places mentioned in this and the four preceding notes, king James the first might have studs of horses.

Since writing the foregoing notes, the following passage has been found in a late publication, which, as affording intelligence respecting the subject now immediately under consideration, and, also tending to explain the phrase of bearing away the bell, used a few lines lower in this prologue, and rendered into Latin by 'tintinnabulum vindicare,' is here inserted: '*Jarvis Markham*, who wrote on the management of horses in 1599, mentions running horses, but at this time there were only private matches made between gentlemen, who were their own jockies, and rode their own horses. However, in the following reign of James I, public races were established, and Garterly in Yorkshire, Croydon near London, and sometimes Theobalds near Enfield chace, where the king resided, were the courses in which they performed. The horses, at this time, were prepared for running by the discipline of food, physic, airing and sweats, and clothing, which compose the present system. The weight also

tionēs, si divinationēs vultis: Caballus enim ipse sum cabalisticus².

CUR. Indica ergo, formosam hic quis amat feminam.

CABAL. Faciam vel tectis oculis.

CUR. Age, narra, quis?

CABAL. Pleraque pars spectantium, præsertim non ridentium.

EQU. Quin ipse etiam olim amasti perditē.

CABAL. Imo potius perditē amatus fui, nam plurimæ mulieres pulchræ optarunt mihi familiares fore.

EQU. Vera dicit; namque olim illius domina, amoris ergo, fellam familiarem suo sibi superfudit capiti: sed dic amplius, age, ista num in comœdia risus inerit?

CABAL. Risus erit certe, si risus erit.

EQU. Sed num placebit? loquere.

CABAL. Placebit istis, modo si placuerit.

EQU. At quis sermo fuerit de fabula?

CABAL.

* which each horse was to carry was rigidly adjusted, the usual weight
* of the riders being stated at ten stones, who were put into scales and
* weighed before they started. Most of the celebrated races in this
* kingdom were called bell-courses, the prize and reward of the con-
* quering horses being a bell. To this purpose *Cambden* says, that
* in 1607 there were races near *York*, and the prize was a little golden
* bell. Upon this *Berenger* offers a conjecture, whether the phrase
* of bearing the bell, which implies being comparatively the best or
* most excellent, and corresponds with the expression of bearing the
* palm among the antients, as a reward decreed to the swiftest horse
* in a race, is not more aptly deduced from this custom, than from
* the method of tying a bell round the neck of the sheep which leads
* the flock, and is therefore accounted the best.' *Chambers's Dic-
* tionary*, edit. 1778, art. *Races*.

This passage suggests a doubt, which it is left to the reader's judgement to solve, whether for *Gatterliens* we should not read *Garterleins*, for *Coddington*, *Croydon*; and for *Sibblecotes*, *Theobalds*. There is great reason for supposing that both this comedy and the prologues prefixed to it, were taken down, during the representation, in shorthand by some auditor, and published from his copy, and the words proposed to be substituted, resemble so nearly in sound those which now stand, as to induce a suspicion that the latter were, by mistake, inserted instead of the former.

² *Caballus cabalisticus*—] i. e. a horse skilful in discovering secrets. *Cabala*, *Kabala*, or *Cabalistic Art*, is expounded by *Blount* in his Dictionary, entitled *Glossographia, or, a Dictionary of hard Words*, fifth edit. 8vo. *London*. 1681, to signify 'A hidden science of divine mysteries, which consists in drawing several senses, either out of the same letters of a *Hebrew* word, as they lie first written in the word, or by different combinations of them, or by changing one letter for another, according

CABAL. Fabulas meliores spectari nummulo^a *Londini* Indies, comœdiæ legibus hic corrumpi comicos.

EQU. Quidnam de actoribus judicium?

CABAL. Miseros histriones esse academicos.

EQU. Quisnam actorum fautores plurimos habuerit?

CABAL. Quis nisi *Davus Dromo*, toto notus in orbe^b nobilis quadrupedans?

EQU. Qui hoc?

CABAL. Sat habet fautorum semper caballus bonus.

EQU. Se jam facetum putat, alter ac si esset *Sextius Caballus*^c.

CUR. Ludit qui stolida procacitate,
Non est *Sextius* ille, sed caballus^d.

EQU. Numquis jam ermet ridiculum hunc caballum?

CABAL. Sine ut inspectem^e, phi, vetulus est; at caudam pulchellam habet, & perquam robustum orrhopygium.

CABAL. Cauda est pulchra satis, hac muscas a Musis abigo.

EQU. Quin tu ipse jam musca es; quippe qui mensas alienas nec invocatus advolas.

CUR.

^a He looks in his mouth, like a horse-courser.

^a according to art, or from the different writing a letter in one word
^b from the writing the same letter in another, or yet by some other
^c nice ways known to the *Hebrew* Rabbins, who only use this art for
^d their exposition of scripture. And as it is an art proper to the
^e *Jews*, so it is judged by the better learned, to contain more of the
^f imaginary or fantastical, than of solid learning, towards the true understanding of the holy scripture. And the same author renders *Cabalist*, 'one skilful in that secret science.'

^a nummulo—] The price of admission into the galleries and the pit in houses of reputation, such as the *Globe* play-house, and that in *Black Friars*, is conjectured to have been about the time of king *James* the first, six pence; in some meaner play-houses it appears to have been only a penny, in others two-pence. See *The Supplement to Johnson and Stevens's Shakespeare*, vol I. p. 9.

^b toto notus, &c.—] Alluding to the following line in *Martial*, Lib. I. Epig. I, v. 2.

'Toto notus in orbe *Martialis*.'

^c *Sextius Caballus*—] '*Sextius Caballus*, scurra maximus a calcitratu caballi nomen adeptus.' *Hoffmanni Lexicon*.

^d Ludit, &c.—] *Martial*, Lib. I. Epig. 41, v. 19,

'Ludit qui stolida procacitate,

'Non est *Sextius* ille sed caballus.'

CUR. Odiosus est, & nihili, illum hinc abducito.

CABAL. At primum agam prologum.

EQU. Eamus, nihil opus, nam, qui primi in scenam prodeunt, aperient argumentum.

CABAL. At enim illi narrabunt serio.

EQU. Sed post scenam primam, quæ fabulæ summa est, vix quidquam agetur serius.

CABAL. Et dixerunt, quod scena est *Burdigala*, quæ nunc est *Bordeaux*, ubi & ipse etiam olim fui²; quodque tu¹ *Surdam* agas nanam.

CUR. Eo sum beator, nam nihil audiero si nos exploferit quis.

CABAL. Quodque nomen est *Ignoramus*.

CUR. Nempe ignoramus, quænam aut qualis fuerit hæc comœdia, ipse dum pronunciaverit, in cujus unius manu est dubia fortuna scenica.

CABAL. Quin igitur ipse prologus fiam: *Ignoramus* enim caufidicus & ego affines sumus.

EQU. Scite: ambo enim barbare loquimini.

² To *Curser*.

¹ *ubi et ipse etiam olim fui*—] Throughout this comedy the reader will find, that the many allusions to the various parts of history to be found in it, most exactly correspond with the facts, as related by the best of our historians; and to evidence this observation, the passage in the text refers to an event in the private history of the person who played the part. In this prologue the part of *Musarum Caballus*, viz. *Davut Dromo*, was performed, as has been before mentioned, by Mr. *Lake*, who also played that of *Trico* in the comedy; and of this Mr. *Lake*, *Wood*, in his *Fasti Oxonienses*, edit. 1721, vol. I. col. 146, mentions that he was bred a scholar, and afterwards, in the quality of an amanuensis, taken into the service of Sir *Francis Walsingham*, then secretary of State, by whom being commended to queen *Elizabeth*, he used to read to her *French* and *Latin*. A little before her death, the queen appointed him clerk of her signet, and, after her death he was chosen into that place to attend king *James* the first from *Berwick*, who afterwards (to use *Wood's* words) 'made use of his present service in some *French* affairs,' and conferred on him the honour of knighthood. Till Sir *Robert Cecil's* time, the office of secretary of state was executed by one person, but it being soon after determined, that the place should be given to two, he was appointed one of them. *Wood* ubi supra. In the course of the abovementioned negotiations with the *French*, it is highly probable he might be called by business to *Bordeaux*, which was at that time a place of very considerable note, and resorted to, as well by *English* as other merchants, for the purpose of trade.

CUR.

CUR. Caballus hic barbarior videtur.

EQU. Dehinc itaque Musarum minime, sed barbari caballus eris *Ignorami*.

CABAL. At tuis vel ingratis^a agam prologum tamen.

EQU. Os impudens! adhuc tu prologus? Prologus tu? —tu? Prologus? Ego te——^a.

CABAL. Novi ego vires, & Veneres meas; agam.

CUR. Sine; & ni bene agat, illum tu hinc agito.

EQU. Incipe.

CABAL. Quandoquidem——Quandoquidem——

EQU. Quandoquidem! quam comice dictum! siccine in limine ipso cespitas? Quandoquidem!

CABAL. Quandoquidem comœdia est speculum humanæ vitæ, & in veterum comœdiis non parum ingenii, judices, quod in me scio quam sit exiguum: nempe,—scilicet,—viz.—verbi gratia——*Pindarus*—.

EQU. Siccine *Pindarizas*^a? Os caballi, tace: quid est quod nunc cogitas?

CABAL. Cogitanti mihi sæpenumero prologum.

EQU. At faxy epilogum facias.

CUR. Abripito^a illum hinc, indomitus est & pertinax.

EQU. At retundam pertinaciam hanc.

CABAL. O tempora! O mores! quo me vertam, judices, in hac deflorescente ætate prologorum?

EQU. Adhuc obstrepis? non hinc abieris? Eh, *allons*.

CABAL. Quin fonte labra prolui caballino^b,

^a To *Equise*.

^a They beat him.

^a To *Equise*.

^a *Pindarizas*?—] Besides the allusion which this word bears to the name *Pindarus*, used by the hobby-horse a little before, it appears to be capable of another signification, and to mean grammatical accuracy or purity in speaking; for I have lately met with an itinerary through *France*, in which the author, speaking of *Orleans*, says, ‘*Linguae Gallicæ* elegantia hic & *Blæsis* ea floret, ut palmam facile præcipiant omnibus. Hinc *Gallis Aurelianismus* quod *Græcis Atticismus*. Puellæ imprimis excolere illam nituntur, ac cum æmulatione ita in ea excellere laborant, ut *Pindarum* se exprimere (*Pindarizer* vocant) gloriari auint, quod & *Merula* in *Aurelia* descriptione adnotavit. Illam tamen elegantiam turpant una atque altera vox & significativa & consignificativa, quis ut non facile indigenis eripias monitus quam facillime evites.’ *Jodoci Sinceri Itinerarium Gallie*, 12mo. *Amst.* 1655, p. 26.

^b *Quin fonte, &c.*—] *Perfii* Sat. Prol. v. r.

‘Nec fonte labra prolui caballino.’

Cantare doctus Pegaseium melos^a,
Magister artis, ingenique largitor^b,
Ipse *Davus Dromo*.

CUR. *Davus* perturbat omnia^c.

EQU. At faciam fileas & obtemperes; tene hunc, puer,
dum¹ postomis naribus indantur illi—Hem—sic in-
dantur, jam quietus es, jam age prologum.

CABAL. Prologus ero tamen.

EQU. O scitum & nafutum prologum!

CABAL. Bene est: ni Musis hæc narravero.

EQU. At Musæ minatæ hodie furcillis te ejicere^d.
Hinc te jam ducam igitur, quo dignus es, ad *Ignoratum*;
is te semper posthac inequitabit².

CUR. Da veniam subitis^e; non displicuisse meretur,
Festinat, *Cæsar*, qui placuisse tibi³.

¹ They put barnacles on his nose.

² Exeunt *Caballus & Equis*.

³ Exit *Cursor*.

^a *Cantare doctus, &c.*—] Imitated from the following line in *Persius*,
Sat. Prol. v. 15.

^b *Cantare credas pegaseium melos.*

^c *Magister artis, &c.*—] *Persii* Sat. Prol. v. 11.

^d *Magister artis ingenique largitor*

^e *Venter* ———

^e *Davus perturbat omnia*—] *Spelman*, in his *Glossary*, art. *Barator*,
says, 'Barator apud nos est litigator contentiosus, qui, cum *Terentiano*
'*Davo*, omnia perturbat.' The passage here, and also in the text alluded
to, occurs in the *Andria* of *Terence*, Act III. Sc. 4, and is as follows:

——— DA. Nullus sum.

^f *Quid causæ est, quin hinc in pistrinum recta proficiscar via?*

^g *Nihil est preci loci relictum; jam perturbavi omnia.*

^d *Furcillis te ejicere*—] This passage was probably suggested by, and
seems an imitation of the following epigram of *Catullus*, which in his
poems is numbered 106.

^h *In Mentulam.*

ⁱ *Mentula conatur Pimpleum scandere montem,*

^j *Musæ furcillis præcipitem ejiciunt.*

^k *Da veniam, &c.*] *Martialis* & aliorum fortassis epig. prefixed to
Martial, N° 36.

^l *Da veniam subitis; non displicuisse meretur,*

^m *Festinat, Cæsar, qui placuisse tibi.*

PROLOGUS POSTERIOR.

Ad secundum Regis adventum habitus, *Maii 6, 1615.*

Intrat PUER VEREDARIUS.

PUER **T**RIN—Tran¹; fecedite; date viam: vereda-
VER. rius ego sum,
Londino huc qui missus vobis, ut renuntiem,
Quod jam *Ignoramus* nec agitur, nec potest agi.
Ne me intuemini, ita res est, ut dixi. Rationem quæritis?
Nemo caufidicorum quisquam commodare togam *Ignoramus*
volet;

Nemo *Ignoramus Ignoramus*. Nempe nuper lata
~~Prohibitione~~ cautum, ~~Prohibitione~~ scilicet ut soli caufidici
Theatro immunes fient: quamobrem exurgere jubet vos
hæc charta & discedere.

Spectatores, peracta est hæc fabula: ^a Valet & plaudite².

DUL³. Quid? Plaudite? quid hoc est? Num ludus nos-
ter venit ad non fuisse jam? oh, video postam. Heus postam,
postam⁴, num portasti togam^b?

P. VER.

¹ Cornu sonat.

² Intrat *Dulman*,

³ Overhearing the last words.

⁴ Calling to *Puer Veredarius*.

^a *Valete et Plaudite*—] The following anecdote respecting the pas-
sage in the text, has been preserved by tradition. When this pro-
logue was performed before king *James*, on the second representa-
tion of the comedy of *Ignoramus*, it seems he was deceived by
this passage, and, imagining that a prohibition to prevent the per-
formance of the comedy had actually been received, he grew very
angry, and peremptorily commanded the actors to proceed, saying he
would not be disappointed of the entertainment it would afford him.

^b *Posta, num portasti togam?*—] Previous to the establishment of the
Post-office, the only method of conveying, as well letters as parcels,
from one place to another, was by the carrier. *Milton*, in his latter
poem on *Hobson*, the university carrier, has the following lines, which
fully establish the fact here asserted.

Obedient to the moon, he spent his date
In course reciprocal, and had his fate

D 2

Link'd

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P. VER. O *Dulman* ! minime, *Dulman*, minime ; non quit parari toga prece neque pretio.

DUL. Quare ?

P. VER. Nam, præter quod est prohibitum, nunc maximo Deo *Termino*^a, qui cedit nemini, togis fiunt sacra innumeris.

DUL. Hum, hum, hum ; sed *vous avez* literas pro *me* ; nonne ?

P. VER. Has tibi^b, istas hero attuli *Ignoramo*.

DUL. Hum, hum, hum ; hic sunt nova, sciò ; tu dato literam hanc meo magistro, dum ego lego meam.

P. VER. Faciam^c.

DUL. ‘³ *Dulman junior*, qui est puny clericus de *Ignoramus junior*, qui est frater de *Ignoramus senior*, *dul-* ‘manissimo avunculo suo *Dulman senior*, qui est senior ‘clericus de *Ignoramus senior*, S. P. D.^b’———Quid hoc est ? S. P. D.—oh, nunc habeo, est *speed* ; oh oh, nam venit per postam, *speed*^d.

^a Gives letters to *Dulman*.

^b Legit superscriptionem literarum.

^c Exit *Puer Veredarius*

^d Aperies literas legit.

Link'd to the mutual flowing of the seas,
Yet, strange to think, his wain was his increase ;
His letters are deliver'd all, and gone,
Only remains this superscription.

And it is somewhat remarkable, that *Hobson* was actually the *Cambridge* carrier at the time when this comedy appeared, and we may consequently suppose this character drawn from his practice. For we learn from a note of the late bishop of *Bristol's* on this poem, in his edition of *Milton's* Poetical Works, that *Hobson* erected, in the year 1614, a public conduit in the market-place at *Cambridge*, which had the following inscription put on it, no doubt, after his death. ‘*Thomas Hobson*, late ‘carrier between *London* and this town, in his life-time was at the ‘sole charge of erecting this structure, A. D. 1614. He departed this ‘life *January* 1, 1630, and gave by will the rent of seven lays of ‘pasture ground lying in *St. Thomas's* lays, towards the maintenance of ‘this conduit for ever. Moreover, at his death, he gave 10 *l.* towards ‘the further beautifying the same.’

^a *Deo Termino*.—] The term, i. e. the time of the year when the courts of law are open.

^b S. P. D.—] This contraction is explained by Dr. *Littleton* in his *Abbreviaturæ, quas vocant, sive compendia scriptionis in veterum monumentis usitata*, at the end of his *Latin Dictionary*, to signify ‘salutem plurimam dicit.’

‘SI

SI ingrossas instrumenta, bene est; ego quidem ingrosso instrumenta. Sciunt presentes & futuri^b, mi avuncule Dulman, quod est communis apud nos reporta, quod Ignoramus est unus grossus ludus; & meus magister ait, quod vertit omnes libros suos (nam habet paucos) & invenit quod ipso facto est *reutolus* & *riorolus* ludus. Quare illi prædicabiles qui volebant geldare Ignoramus, vel qui ligabant eum cum cordis & funis; imprimis *Trico*, *Cupes*, & *Cola* venit in *Cameram Stellatam*^c pro una terribili *isota*. Dicit etiam, quod habet tria beneficia, quæ dedisset istis prædicabilibus gratis antea (quod ego non credo tamen) sed ait qui nunc habebunt ea solvent pro iis pro toto & in solido. Præterea dicit, quod est unum magnum *Jeosale* in isto ludo, facere communem causidicum communem stultum, qui solet facere alios communes stultos: & alium *Jeosale*, quod faciebant eum loqui *Latinum* in *Bourdeaux*, quod neque illic neque hic potest: sed si agunt iterum istum prohibitum ludum, faciemus de eo balladas gallantissimas, meliores iis quæ jam factæ sunt, quanquam sunt superfinae & stant cum nobis in casu contra *Cantabrigiam*; licet multi dicunt quod sunt asinini *tamoti libelli*, & ideo dignissime damnati pro hæreticis nuper in concilio *Oxonienfi*. Bene, bene, ego scio quod scio. Tu quæso, mi avuncule Dulman, pro dulmanitate tua, dic nulli prædicabili de hoc quod scribo. — Nulli? at ego jam dixi vobis omnibus;

^b Sciunt presentes & futuri —] See Glossary.

^c *Cameram Stellatam* —] ‘*Star chamber*, *Camera Stellata*, was a chamber at *Westminster*, so called, as Sir *Thomas Smith* conjectures, because at first the ceiling thereof was adorned with images of gilded stars. — *Hen. VII.* and *Hen. VIII.* ordained by two several statutes, viz. 3 *Hen. VII.* cap. 1. and 21 *Hen. VIII.* cap. 2, that the chancellor, assisted by others there named, should have power to punish routs [i. e. unlawful and tumultuous assemblies], ‘riots, forgeries, maintenances,’ [i. e. unlawfully countenancing the prosecution of a law suit], ‘embroideries’ [i. e. tampering with juries], ‘perjuries, and such other misdemeanors as were not sufficiently provided for by the common law, and for which the inferior judges are not so proper to give correction; and because that place was before set apart to the like service, it was still used accordingly; but by the statute 17 *Car. I.* cap. 10, this court, commonly called the *Star Chamber*, and all jurisdiction, power, and authority thereto belonging, are from and after the 1st of *August*, 1641, clearly and absolutely dissolved and determined, and so continued dissolved and determined to this day.’ *Conwell’s Interpreter*. The records of the court of *Star Chamber* are still existing in the Chapter-house of the abbey-church of *Westminster*, situate in the east cloyster adjoining thereto.

stultus

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stultus nepos, nonne potuit scribere sic in initio? Sed quæso vos ut omne sit unum: nihil dicite de hoc, pro hac re jam non legam plus ad vos¹.

P. VER. Dedi literas *Ignoramo*: sed cui rei iste apparatus?

DUL. Oh, est pro examinatione duorum magnorum nebulonum, coram magistro meo *Ignoramo*.

P. VER. Qui sunt illi?

DUL. Quidam *Gaspar Schioppius*, & quidam *Davus Dromo*.

P. VER. Num ergo pronuntiare potest *Ignoramus*?

DUL. Non pronuntiat, sed pronuntiat tamen; nam neque iudex, neque iusticiarius est, sed deputatus tantum ad capiendam examinationem hanc².—Oh, jam veniunt. Magister *Ignoramus*³, num tu venis foras sine toga, vocata a *gown*?

IGNO. At ego venio in chlamyde, vocata a *cloak*, potius quam non currat lex: puer⁴, abi hinc, & commanda ut producant huc etiam nebulosissimum *Schioppium* nobis, dum ego hunc examino.

P. VER. Fiet⁵.

IGNO. *Sirrah, sirrah*, quod est tuum verum nomen, *sirrah*, hah?

MES. *Davus Dromo*.

IGNO. Alias *Messe Davy, sirrah*, nam cum eras arrestatus antea, dixisti quod non eras *Davus Dromo* sed *Messe Davy*, & sic faciebas escapium; hah! duplex nomen, duplex nebulo. *Dulman*, lege accusationes.

DUL. ⁶ *Imprimis præsentant*¹, quod tu *Davus Dromo*, *modo guerrino arraiatus*, assaltabas spectatores *Ignorami* cum terribili engina, vocata *Anglice a hobby-horse*, cum kickis, & friskis, & cum horrendo sonitu *Snip-snap*^b, *Snip-snap*, ad terrorem

¹ Intrat *Puer Veredarius*.

² Intrant *Ignoramus, Messe Davy* & *Lictores*.

³ Addressing himself to *Ignoramus*.

⁴ To *Puer Veredarius*.

⁵ Exit *Puer Veredarius*.

⁶ Reads the indictment.

² *Imprimis præsentant, &c.*—] In a manuscript copy of this comedy, among the *Harleian* manuscripts N^o 6869, is the following note on this passage, 'This indictment of a hobby-horse is upon record at Exeter.'

^b *Snip snap, snip snap*—] A friend of mine informs me, that he remembers to have heard an old lady, who died some years since, say, that

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^a *sermone Regis populi Domini regis, & ad mortem infantum.*

IGNO. Hah! quid ais ad hoc, *firrah*?

MES. Erat quidam mihi simillimus; nam ego quidem non intereram, dum acta est *Ignoramus*. Notissimum est enim me ea nocte fuisse ebrium.

IGNO. O ho, *firrah*, es ebrius nebulo, & mendax: tute ipse eras.

MES. Eram, & non eram.

IGNO. At, *firrah*, *firrah*, non tu tunc & ibidem challengebas equum Regis? quod est *petty treason*, *firrah*.

MES. Ego provocabam tantum Magnatum equos.^a

IGNO. Oh! nota, *Dulman*, *scandalum magnatum* equorum.

DUL. *Scandalum magnatum* equorum.

IGNO. Tu¹ es unus equus vocatus *Saucy Jack*, nam tu et olim capiebas parietem de Principe.

MES. Opportune fecisse memini, cum erudiebam Legatos ut acciperet.

DUL. Magister, puto potes habere *Breve de Idiota exandando*; nam olim voluit esse Decanus de *Dunstable*: si vis ego scio legem.

IGNO. O tu², tu fcis legem, non ego; tu docebis me quid debeat facere: Estis vos duo idiotæ. Bene, examinabo: *firrah*, quid differunt stultus per naturam, & stultus per artem?

MES. Quantum ego & *Archy*,^b vel quantum *Ignoramus* & *Dulman*. &

IGNO.

^a To *Davus Drogo*.

^a To *Dulman*.

that she herself had seen the hobby-horse in a procession of *Morris* dancers through the city of *Hereford*. She further added, that on such an occasion it was contrived, by means of a wire, or by some other method, that the jaws of the horse should open and shut; and that the noise of shutting them very nearly resembled the sound of the words *snoop snoop*. A more smart effort might probably produce the sound, 'Snip snap,' mentioned in the text.

^a *Provocabam tantum magnatum equos*] The offences for which *Messe Davy* is here tried, are such as he committed in the first prologue, and may be there found, if any explanation is necessary.

^b *Quantum ego & Archy*—] *Roger Coke*, in his *Detection of the Court and State of England*, 1694, vol. I. p. 141, says, that he had heard his father say, that king *James* kept a fool called *Archy*, if he were not more knave, whom the courtiers, when the king was at any time thoughtful, or serious, would bring in with his antic gestures and sayings, to put him out of it, and relates the following story. In one of these moods of the

24 PROLOGUS POSTERIOR.

IGNO. Hoh, video quod es major nebulo quam stultus; *firrah*; & tamen es magnus & superbus stultus; nam ausus tu es etiam tiltare cum Regis Stulto*.

MES. Pares cum paribus.

DUL. *Messe Davy*, tu scis, quod est *petty treason*, *Messe Davy*?

MES. Quid *petty treason*, *Dulman*?

IGNO. Sed, *firrah*, num id verum est, quod tu scribebas in *Latino* ad Papam facere te Cardinalem?

MES. Imo, & fuisset, si scripsissem congrue.

IGNO. Congrue? nota, *Dulman*, quod coinavit & transportavit trans niare falsum *Latinum*, contra ~~statutum~~ in eo casu probisum & editum.

the king's, in comes *Archy*, and tells the king he must change caps with him; 'Why?' says the king, 'Why who,' replies *Archy*, 'sent the prince into Spain?' 'But what,' said the king, 'wilt thou say, if the prince comes back again?' 'Why, then,' said *Archy*, 'I will take my cap from thy head, and send it to the king of Spain.' *Archy*'s surname, which is not mentioned in the above relation, appears to have been *Armstrong*, and the following was [the occasion of his dismissal from his post: Having jested with *Laud*, archbishop of *Canterbury*, touching the ill reception the liturgy met with in *Scotland*, and amongst other expressions asking, 'Where's (or more properly whae's i. e. who is) the feule now?' the following solemn order of council was made, his majesty, and a great number of lords present:

'At *Whitehall* the 11th of *March*, 1637.

'Present

'The KING's most excellent MAJESTY;

' Lord Archbishop of <i>Canterbury</i> ,	' Earl of <i>Dorset</i> ,
' Lord Keeper,	' Earl of <i>Salisbury</i> ,
' Lord Treasurer,	' Earl of <i>Holland</i> ,
' Lord Privy Seal,	' Lord <i>Newburgh</i> ,
' Lord Duke of <i>Lenox</i> ,	' Mr. Treasurer,
' Lord Marquis of <i>Hamilton</i> ,	' Mr. Comptroller,
' Earl Marshal,	' Mr. Vice Chamberlain,
' Lord Chamberlain,	' Mr. Secretary Cook.
' Earl of <i>Northumberland</i> ,	' Mr. Secretary <i>Windebanke</i> .

'It is this day ordered by his majesty, with the advice of the board, that *Archibald Armesstrong*, the king's fool, for certain scandalous words of a high nature, spoken by him against the lord archbishop of *Canterbury* his grace, and proved to be uttered by him by two witnesses, shall have his coat pulled over his ears, and be discharged of the king's service, and banished the court, for which the lord chamberlain of the king's household is prayed and required to give order to be executed. And immediately the same was put in execution.' *Rusworth's Historical Collections*, fol. edit. *Lond.* 1721, vol. II. p. 471.

* The fact, to which this passage alludes, has been already related in a note on p. 11.

DUL.

DUL. Ergo, magister, hoc ejus falsum *Latinum* confiscabitur ad nostrum usum.

IGNO. Sine me, ego capiam ordinem pro hoc¹; *sirrah*, quantum habes de eo²?

MES. Plurimum, sed non quantum vobis sufficit.

IGNO. Bene, video quod es notorius malefactor, & *retornabo* tantum ad magistratum, & scribam ut pronunciet de te *in modo & forma sequente*: Primo, si venis ad aulam, ut sis jactus fursus, *Anglice, tost in a blanket*: si unquam sis in amore, habebis—vocatam a *Codpiece*³ confutum post te, & sic saltabis ut olim fecisti *Geneva*; & eris vagabundus, nec unquam habebis ullam terram, nec ullum magistrum, nec ullum panem, aut potum de tuo, sed tanquam musca vives ad alienam mensam, quamvis sæpe repulsus cum plagis, &c. Jam auferte³ nebulonem.

MES. Hei mi! perii propter excellentiam ingenii, quæ aliis salutaris est⁴.

IGNO. Papæ! venit ille nebulo in printo *Schioppius*.

TEST. Heus vos, adest *Schioppius*, fur, trifur, furcifer, trifurcifer, cavete crumenis; adest legatus ille latronum *Schioppius*;

Non fuit *Autolyçi* tam piceata manus^b.

IGNO. Vide annon fit arsus in manu?

¹ To Dulman.

² To Davus Dromo.

³ To the Officers.

⁴ Exeunt *Mess* Davy & Liçtores: intrant *Schioppius*, *Tess* & Liçtores.

^a *Codpiece*.—] 'Whoever wishes to be acquainted with this particular, relative to dress, may consult *Bulwer's Artificial Changeling*, in which such matters are very amply discussed. Ocular instruction may be had from the armour shewn as *John of Gaunt's* in the Tower of London. The same fashion appears to have been no less offensive in France. See *Montaigne*, chap. 22. The custom of sticking pins in this ostentatious piece of indecency, was continued by the illiberal warders of the Tower, till forbidden by authority.' *Johnson and Steevens's Shakespeare*, edit. 1778, vol. I. p. 165, and a representation of it was most indecently exhibited in one of the cuts to the *Saxe Gotha* almanac for the year 1783, but judiciously suppressed, at least in some copies, on its arrival in England.

^b *Non fuit Autolyçi, &c.*.—] *Martial*, lib. 8. Epig. 58, v. 4.

'Non fuit *Autolyçi* tam piperata manus.'

^c *Autolyçus Mercurii* filius, qui proxima *Parnassi* loca furtis infestavit.

^d *Martial*, l. 8. Epig. 59, v. 4.

'Non fuit *Autolyçi* tam piceata manus.'

Hoffmanni Lexicon.

26 PROLOGUS POSTERIOR.

TEST. Sæpius; totus est stigmaticus. Hui! en- ut sunt ungulatæ manus, & viscosæ^a!

DUL. Profecto, en etiam habet nasum scissum, & est Crop-ear etiam: per markas hic est ille Gaspar Schioppius^b a Munster^c.

IGNO.

^a *ungulatæ manus et viscosæ*—] In a little book, entitled, *Hercules tuam Fidem, sive Munsterus Hypobolimeus* printed at Leyden, 1609, and in 1617, the following passage occurs, from which that in the text is unquestionably borrowed: 'Manus' [*Schioppii*] 'ungulatæ pulchre & viscosæ, quicquid attigerunt tenent.' p. 64. In the same volume with the *Hercules tuam Fidem*, are printed the following tracts: *Virgula divina, sive Apotheosis Lucretii Vespillonis: Vita & Parentes Gasp. Schoppii, a Germano quodam contubernali ejus conscripta*: and *Confutatio stultissimæ Burdonum Fabulæ, Auctore I. R. Bataro, Juris studioso*: and from these several tracts all that is said of *Schioppius*, in this prologue, is taken.

^b *Gaspar Schioppius*—] *Gaspar Schioppius*, a celebrated German author of the seventeenth century, was, perhaps, one of the most extraordinary instances of intense application to study, prodigious memory, quickness of parts, and eloquence, which the annals of literature can furnish, but withal of principles so depraved, as to render him equally distinguished for them as for his learning. He was born at Neagora in the Palatinate, in the year 1577, or 1578, and, after studying first at Amberg, then at Heidelberg, and lastly at Altdorf; he so early as his 17th year, viz. 1593, published, at the second of those places, a collection of his own Latin Poems. His memory was so astonishingly retentive, that, as *Ferrarius* relates of him, he would repeat passages from the holy scriptures in an uninterrupted succession, for several hours together, to those who visited him; so that, if by any accident the scriptures had been unfortunately lost, he, like another *Exra*, could from memory have recovered them. Such, however, was the violence of his temper, as to hurry him into controversies with *Scaliger*, *Casaubon*, and others, the most eminently learned men of his time, and in these he was engaged till his death, which happened at Padua about the year 1649. He was author of a wonderful variety of works, the titles whereof may be seen in *Bayle's Dictionary*, where there is an article of very considerable length for him; for which reason, and because that many circumstances of his life are alluded to in the text, which will be explained in their proper places; it will be needless here to give a more particular account of him, farther than to assign a reason for the introduction of him into, and the manner in which he is treated in this prologue, which purpose, it is imagined, the following relation will answer: Sir Henry Wotton, being in 1604 appointed ambassador from king James the first to the state of Venice, in his way to that city staid some days at Augsburg in Germany, with the principal persons whereof, both for authority and literature, he had been acquainted in his former travels. Passing an evening in merriment, he was requested to write some sentence in the Album [a kind of pocket book used by German

IGNO. *Gaspas Schioppius a monster.*

TEST. *Munster Franco*, qui cum matre ejus confueverat, pater illius fuit : est ille notus spurius.

IGNO. O ho, num est bastardus ?

*Bon bastard est adventure ;
Mais meschant est de nature :*
Perge, Testis.

TEST.

German scholars for collecting autographs of celebrated personages], of *Christophor Fleckmere*, one of the company : Sir *Henry* consenting, took occasion from some accidental discourse that had passed, to write the following definition of an ambassador : '*Legatus est vir bonus peregre missus ad mentiendum reipublice causa*,' which he designed should be thus translated : 'An ambassador is an honest man sent to lie abroad for the good of his country.' In this sentence an ambiguity in the word for *lie* was most evidently intended, but unfortunately the word *mentiendum*, by which it is rendered in the *Latin*, will admit of none but the worst signification. About eight years after, viz. in 1612, this *Album*, with the sentence written by Sir *Henry*, came into the hands of *Schioppius*, who, glad of an opportunity of calumniating king *James*, (whom he had attacked in a book entitled, *Ecclesiasticus auctoritati Sereniss. D. Jacobi Magni Britan. Regis oppositus*, published in 1611, and also in another entitled, *Collyrium Regium Brit. Regi graviter ex oculis laboranti munere missus*, printed in the same year) published this definition in some of his books, particularly in one, entitled, *Epistola ad Marcum Velsperum Duumvir. Aug. Vind. anno. 1612*, as a principle of religion professed by the king and his ambassador, and it was presently after scribbled on several glass windows in *Venice*, and Sir *Henry Wotton* vouched for its author ; which occasioned Sir *Henry* to write two apologies, one to king *James*, and the other directed to *Marcus Velsperus*, to whom the above-mentioned book of *Schioppius*'s was addressed. See *Walton's Life of Sir Henry Wotton*, edit. 1670, p. 38. There can be little doubt, that the treatment of *Schioppius* in this prologue, was intended as a punishment on him for this offence, but we shall find hereafter that it was not the only one inflicted on him for it.

^c *Schioppius a Munster*.—] With respect to the parentage of *Schioppius*, various accounts have been given, but in the *Vita & Parentes Gasp. Schoppii* mentioned in a preceding note, is the following passage : '*Superfunt certe plurimi, qui e nostro* [*Schioppio*] '*frequenter audiverunt, cum parentem diceret suam, præclaram illam, si Diis placet, scæminam, cum Munstero quodam equite Francone, quæ ibi familia inter reliquas cumpromis clara habetur, cubilibus confueffe ; eorum certe libere cognomen usurpavit. Quoties enim symbolum amicitiae in adolescentum philothecas, qui mos hodie obtinet, referre solebat, totidem literis nomen consignabat : G. S. a Munster, addito ad Scalligeri exemplum, " Fuimus Troes."*' p. 156.

^a *Bon bastard, &c.*.—] These lines I conceive are memorial verses, and should be as under :

*Bon bastard est d' adventure ;
Mais meschant est de nature.*

F. 2

Spelman,

28 PROLOGUS POSTERIOR.

TEST. Auream etiam suffuratus est catenam patri suo^a.

SCH. Tum vero non nisi quatuordecim annos natus eram, quod ingenii indicium mei extitit.

DUL. O felonem ab ipso cunabulo, *Anglice, a cradle.*

TEST. Quin pater, eo adolescente adhuc, deploratum nebulonem^b fore suis amicis dixit.

IGNO. Vere dixit.

TEST. Plagiarius etiam hospiti *Giffanio*^c aliisque libros & chartas suppilavit.

SCH.

Spelman, in his glossary, gives the following etymology of the word *bastard*, which, as tending to elucidate the observation contained in the two foregoing lines, is here inserted. '*Bastardus Græcobarb.* ^a *μπαρδαδης* spurius, nothus. Sed vocabulum ipsum spurium & nothum faciunt etymologici multi. Cujacius & juris civilis interpretes quidam, a *German.* ducunt *boes art*, i. degeneris ingenii. *Kilianus* contra, *bastard*, inquit q. d. *befte-aerd*, id est, optima indoles sive natura: quod tamen per antiphrasin dici posse conjicit, quasi, minime bonæ indolis. Alii a *baste*, i. abjectus & *aerd*, i. natura. Alii denique a *Græco βαρβαρις*, i. meretrix. Nos *Germanicum* agnoscimus, atque inde ad omnes *Europæ* gentes delatum. *Germanis* autem ut aliis, & rectius *bastart* scribitur: & *bas* ubique pene infimum significat, per translationem, spurcum, impurum, abjectum; *stari*, *Saxo.* *πρεσβυτερον*, ortum vel editum: perinde *bastart*, impure editum. Sic *Angli* etiam *upstari* dicimus, pro homine novo, quasi subito exorto.' *Spelman's Glossary*, art. *Bastard*.

^a *Auream etiam suffuratus est catenam, &c.*—] This fact, which is omitted by *Bayle*, is related as follows in the *Vita & Parentes Gasp. Schoppij*: '*Neagora*, tumultus cujus jam meminimus tempore, gladio se' [*Schioppium*], ^a annos (ut aiebat ipse) decem natus & quatuor accinxit: ubi cum prædæ spes appareret nulla, continere sese ferox adolescentis' [*Schioppij*] '*animus nequit, quin parenti torquem, ut mos est gentis, aureis contextum nummis auferret, quos cum abligurisset, pœnam militi suo publicam destinarat pater, quam assiduus tamen amicorum precibus remisit.*' p. 159, and also in the *Hercules tuam Fidem*, p. 50, in the following words: '*Iste*' [*Schioppius*] '*vero annos decem vix natus & quatuor, rebus Neagoræ turbatis, gladio sese ultro accinxit cumque prædæ spes nulla esset, duci fortissimo, patri, ut putabatur tum, suo, torquem more gentis aureis contextum nummis, subduxit: quem Priapo & Venti Dis magnis consecravit.*'

^b *deploratum nebulonem*—] '*Illud omittendum non est, quod de patris judicio compertum habemus; nam cum in itinere hoc Italico ab illustri quodam creditore coronatos aliquot mutuo sumpisset noster*' [*Schioppias*] '*eosque rescripturum esse patrem promississet, & jam mutuum ille a patre reposceret, ibi tum pater nihil quicquam se debere respondit, si quid vellent, filium adirent, cujus animum & mores se invito corrupissent Itali.* Literis deinde hac de re ad amicos, hoc *Germanice* elogium adjecit, filium suum nebulonem esse deploratum.' *Vita & Parentes Gasp. Schoppij*, p. 164.

^c *hospiti Giffanio*—] '*Vigebat tum temporis Ingolstadii in Bavarie ducum academia Obertus Giffaninus, magni nominis J. C. cui cum*

^a *clariss.*

SCH. Fateor. Literatum furari literas furtum non est.
DUL. Sta longius, impudens; puto aliquas chartas meas furatus est, defunt nonnullæ.

SCH. Egon' chartas tuas¹?——mihi charta superest, meas testor tot famosas quas vulgavi chartas.

IGNO. Imo, tu scribillas famosos libellos.

TEST. Nam adolescens scripsit spurcissima *Priapeia*².

IGNO. Quid?

TEST. Quod honeste accusari non potest^b.

IGN.

¹ To Dulman.

* a clariss. viro, cujus tum mensa, & in *Græcarum* literarum studio familiariori institutione utebatur, *Conrado Ritterbusio*, commendari vellet, [*Schioppius*] 'obtinuit quidem, sed cum magno postea viri optimi & integerrimi dolore. Nam in ædes primum, mox in animum, postea in bibliothecam absentis penetravit *Giffanii*, cui MS. *Symmachi* codicem subduxit: libros vero observationum linguæ *Latine* invito domino percurrit, & ex iis quæ voluit furtim sublegit. E quibus partim, partim emendationibus *Plautinis*, quas e *Camerarii* membranis descriptas in suo *Ritterbusius* codice adnotarat, partim etiam reliquiis schedarum *Modii*, quas ab amplissimo *Velfero*, summo literarum patrono acceperat, duos illos, quibus primum innotuit, libellos corrasit.—Quod quidem plangium, cum passim voce passim literis testaretur *Giffanius*, in præceptorem suum & doctissimum hominem erupit hæc vipera, & quæcunque undique poterat convitia in eum contorsit.' *Vita & Parentes Gasp. Schoppii*, p. 161. From this charge of theft *Schioppius* endeavoured to vindicate himself, but confessed too much to incline one to think it a groundless accusation. He says, that *Giffanius* had stolen the manuscript *Symmachus* out of the library of cardinal *Bessarion* at *Venice*, and admits that he [*Schioppius*] having associated himself with three Civilians for the purpose of obtaining it, by their means procured the MS. which he kept but one night, and restored to its place the next day, after having made use of it; but that as to the other MS. he had it in his hands by means of *Giffanius*'s amanuensis. His defence, which is here abridged, may be found at length in *Bayle's* Dict. art. *Giffanius*.

* *Priapeia*.—] The writing the *Priapeia*, a collection of obscene verses in *Latin*, seems attributed to *Schioppius* in the text. It does not appear that he was the author of that book, but there is very good reason for asserting that he wrote a commentary on it, (which, together with the original work, was published at *Ingolstadt*, as it should seem from the dedication, which is dedicated from thence in 1595) for in the *Vita & Parentes, Gasp. Schoppii* is the following passage: 'Lusus diversum in *Priapum* poetarum libero commentario illustravit' [*Schioppius*] 'quo post hominum memoriam, nihil sædus ab ullo cinædo aut lubricini omnium profuturo in lucem editum fuisse, omnes fatentur,'

p. 157.

^b honeste accusari non potest.—] This passage seems borrowed from the following, in the *Hercules tuam Fidem*, p. 55: 'Nam & de conto-pe-
dali,

30 PROLOGUS POSTERIOR.

SCH. Pro illis confidenter dicam, omnes mihi seipsas debent feminæ.

IGNO. Qua in re?

SCH. Illis ego restitui muliebria, mutando L in N.

DUL. Magister, L in N? hic est pecia secretæ knaveriæ.

TEST. Vide notas ejus impudicissimas^b etiam: scripto vitam passerum hominum vitæ prætulit, idque pathetice valde, quod sunt salaciores.

IGNO. Audio etiam quod es apostata, & renegado.

TEST. Tunc non *Gaspar*, sed γασπ *Schioppius* erat;

‘dali, & antiquis pædicationibus, & obscenis pilationibus, & fossata spatio, & si quid præterea usquam est, quod ne honeste quidem accusari potest, multa luculenter’ [*Schioppius*] ‘commentavit.’

^a *L in N.*—] This obscure passage in the text will be sufficiently explained by the relation of the following fact from the *Hercules tuam Fidem*, p. 56. ‘Annum plus minus viciesimum ac tertium ingressus’, [*Schioppius*] ‘cum non in porticu, sed *Priapi* sui hortis obambulare, plane inusitata comitate universonum fœminarum sexum devinxit: quod ex ipso licet recognoscas. Et cum dicto librum promit, simulque astantibus hæc voce satis tinnula percurrit:’ “**Jupiter* Diique cæteri facinus maximum cluent fecisse, quod *Pelopi* humerum eburneum restituerint, nugas maximas fuisse reor, præut ego nunc sequiori sexui, mulieribus, inquam, id restitui quo sunt, quod sunt; † cunnum scilicet, quo nunc sæcula aliquot culo contentæ caruerunt. Ante enim nullo sensu hic culo legebatur, etiam in *Schaligeri* editione. Equidem magnas & modo non ingentes a fœminis gratias hac mea tam comi opera inivisse confido.”

^b *Notas ejus impudicissimas, &c.*—] The very exceptionable passage in *Schioppius*’s commentary on the *Priapeia*, to which that in the text alludes, it would have afforded us singular pleasure to have omitted, had not such an undertaking to explain the text, as the present, absolutely required its insertion, and it is therefore as follows: ‘Cum *Ingolfstadii* agerem, vidi e regione musei mei passerem coitum vicies repetentem, & inde adeo ad languorem datum, ut avolaturus in terram decideret. En sortem iniquam! Hoc passeribus datum, negatum hominibus! Næ qui facinus hujusmodi imitari ausit, faxim ut *Picos*, qui aureos montes colunt, divitiis ille solus superet. Præ milite *Plantino* omnes eum sectaturas fœminas scilicet.’ *Schioppius*, *Comment. in Priapeia*, Carm. xxv. p. 35, edit. 1664, in 8vo. as cited by *Bayle*. This passage is likewise given, but with the omission of the last sentence, in the *Hercules tuam Fidem*, p. 68, and for it *Schioppius* was severely and deservedly attacked by his enemies in the satire above-mentioned, entitled, *Hercules tuam Fidem, sive Munsterus Hypobolimeus*, printed at *Leyden* in 1609, (which, as *Bayle* says, was written by *Heinsius*, as was also the *Virgula Divina* before-mentioned).

* ‘Verba Sciopp. Suspect. Lect. Lib. 3, pp. 184 & 185. Et *Priap.* p. 69, &c.’

† *Vab.*

nam

nam cum esuriret, ne periret fame, librum scripsit *Romæ* de conversione sua^a.

Romam petebat esuritor *Schioppius*,
Profectus ex *Germania*^b.

SCH. Heus, cum esuriebam, cardinalis *Madrucii* culina^c patebat mihi.

TEST. At ibi famelicus cum canibus ~~xviii~~ pugnabas, ringens de lingendis patinis^d.

IGNO. *Sirrah*, est carmen proverbiale,

Si canis in hilla religatur, mordet in illa.

DUL. Ha, ha, he, magister.

SCH. At ego de conversione mea, insignis Theologus repente ex *Bibliotheca Vaticana*^e prodii.

^a *de conversione sua*—] In the year 1599, as Bayle informs us, *Schioppius*, from *Lutheranism*, which till that time he had professed, became a convert to the *Romish* communion, upon reading cardinal *Baronius's* Annals, and published that year at *Rome* the following book: *Libellus de sua ad Catholicos migratione deque auctoritate Ecclesie in sacra scriptura interpretanda*. Editus *Romæ*, apud *Zannettum*. 8vo. 1599. This is unquestionably the book alluded to in the text, but it was the following passage in the *Vita & Parentes Gasp. Schoppii* before-mentioned, that furnished the original hint. 'Edidit' [*Schioppius*] '*Romæ* libellum de sua conversione.' p. 170.

^b *Romam petebat, &c.*—] Imitated from the following lines in *Martial*, Lib. 3, Epig. 14, v. 1 and 2.

Romam petebat esuritor *Tucci*,
'Profectus ex *Hispania*.'

^c *Madrucii culina*—] *Schioppius* was a domestic of cardinal *Madrucii's*. See Bayle, and the next note.

^d *ringens de lingendis patinis*—] In the *Confutatio Fabule Burdonum* (one of the tracts contained in the same volume with the *Hercules tuam Fidem*, so often referred to) p. 407, is the following passage, speaking of *Schioppius*, from which that in the text seems to have been suggested: 'Melius sane ei fuisset in culinis *Romulorum* patinas 'lingere, quam sub tam lentis maxillis edere;' and in the tract entitled *Vita & parentes Gasp. Schoppii*, which occurs in the same volume, is the following: '*Ferraria Romam* repetentem pontificem secutatus est noster' [*Schioppius*], 'ut catella herum aut pedissequa dominum: *Romæ* vero cardinalibus *Madrucio*, *Baronio* se applicuit, & *Diedrichsenio*, ac potissimum pontificis, ut vocant, datario: huic ut partes caperet (ita *Διαρρηγας* vocant inter clientes a datario factas) illis ut patinas lingeret, & in culinam pedem penetraret.' p. 164.

^e *Bibliotheca Vaticana*—] 'Somniorum fidem, & quam *Oniropolicen* sapientes vocant, usquequaque elevandam non putat' [*Schioppius*], 'quod & *Platonis* olim cum *Zenone* videbatur. Ei rei argumentum sibi esse. Quippe cum ad tertium eidus *Obobris*, prima face in *Vaticano* obdormisset, nulla magnopere arte, ac ne *Græcorum* quidem literis ad capessendam virtutem instructus, ejus diei postredie ante conticinium,

'cum

TEST. Scilicet, utpote qui olim Sacris Bibliis *Plautum* prætulit atheis. Et hinc est, quod sacræ *Lavernæ* toties facit sagax; hinc *Bacchum*, *Cererem*, *Venerem* super omnia colit; hinc est, quod cum Diis hominum belligerare solet, *Romuli* parasitus, pater esuritionum, qui animam tantum pro sale habet, vixque pro anima salem. Hinc perjuriorum & mendaciorum mole cælum affectat terrigena, idolum impudentiæ, patibulare mendicabulum, & carnificum victima. Hinc, quod fordido dente, & fœdis linguæ probris *Cerberus* ille sacra regum numina laceffit. Hinc, quod nigra inolescit fama archicarnificis & prostibuli filius. Hinc, quod impudentissimus conscribillator stilum stringat contra legatos, latro ipse maximus & *Lavernio* c.

SCH. At meus *Legatus Latro*^d forsan efficiet, ut sim *Legatus* a latere.

IGNO.

^a cum expurgitus fuisset, intelligere cœpisse, *Josephum Scaligerum Arabicum* nescire. Id nunc serio triumphat. Tercio deinde die, chamæleontem in tegulis videre visus est, qui colorem sæpe cum mutasset, tandem in *Madrucci* culinam delapsus est: id parasitandi sibi auspiciū fuisse. *Hercules tuam Fidem*, p. 19.

^b *Plautum prætulit*—] *Plauti* scripta quoties sacrorum librorum lectioni prætulit [*Schioppius*], ‘meminerunt partim alii: partim etiam profanam in adolescente *adornata* clarissimus J. C. *Petrus Wesenbecius* gravissime aliquando damnavit.’ *Vita & Parentes Gasp. Schoppij*, p. 160.

^c *Archicarnificis & Prostibuli filius*—] The author of the *Vita & Parentes Gasp. Schoppij*, speaking of *Schioppius* the elder, says of him, ‘Vix expleto tamen anno, bello *Colonienſi*, quod *Gabbardi* Episcopi gerebatur causa, sese ingessit, & cum sine dubio illustre aliquod virtutis suæ specimen dedisset, archilictor, sive carnificum præfectus, nemine invidente, creatus est.’ *Vita & Parentes Gasp. Schoppij*, p. 154.

^d *Lavernio*—] i. e. a thief. *Hoffman*, in his *Lexicon*, art. *Lavernia* says, ‘*Lavernia*, Dea, quam *Romani* coluere, a qua *Laverniones* dicti sunt fures, quod sub tutela hujus Deæ essent.—Erat caput sine corpore, habuit lucum *Romæ*: Hinc *Lavernalis* ibi porta:’ and bishop *Hall* in a little tract, which, though published without his name, is well known to have been written by him, intitled *Mundus alter & idem, Autore Mercurio Britannico*, terms the land of thieves, which he feigns to have existed, and of which he gives a description, *Lavernia*. In the course of the *Hercules tuam Fidem* before-mentioned, and the other tracts which accompany it, *Schioppius* is frequently termed *Cerberus*, *Lavernio*, *Parasitus Romulorum*, *Vespillo*, *Fur* and *Purcifur*. These expressions, as they here also occur in the text of this prologue, it was thought proper to point out.

^e *Legatus Latro*—] It has been before noticed in what manner *Schioppius* had incurred the displeasure of king *James* the first, and that

IGNO. Interim eris ablegatus, & ligatus ut latro; est notabilissimus nebulo quem unquam vidi in vita mea. Bene, ego informabo judicem ut te puniat sic.

SCH. At ego Baro sum^a, nobile mihi convenit iudicium.

TEST. Ergo iudicari hunc æquum est per pares suos, nempe *Barones Campi Floræ*^b; O fursanti Baroni!

IGNO. Scio per legem hoc erit iudicium tuum. Primo, quia es magnus mendax, lingua tua defamatoria erit perforata cum candenti ferro; & quia es impudens, ænea facies inuretur in frontem tuam.

that the introduction of him in so ludicrous a manner into this prologue was intended as a punishment on him for his insolence. But previously to the writing this prologue, the king had found a method for that purpose, which, as well as the passage in the text, will be explained by the following words of *Schioppius* himself: 'Sicariorum undecim de familia Oratoris *Anglici*, qui cum anno 1614, *Madriti* *Scioppium* multis vulneribus, ut rebantur, confossum pro mortuo re-linquerent, ita sibi per vias rem præclare gestam gratulantes audiebantur, "Euge tandem magnum illum papistam jugulavimus." Qua de re typis descripta extat narratio, quæ *Legatus Latro* inscribitur.' *Gasp. Scioppius Pædia humanarum ac divinarum Literarum*, p. 26, as cited by *Bayle*.

^a *Baro sum*—] 'De dignitatibus quas adeptus est,' [*Schioppius*], 'infanda narrat: se civem *Romanum*, nobilem, *Hispanum*, *Palatinum* Comitum.' *Vita & Parentes Gasp. Schoppit*, p. 173. *Bayle* says, he styled himself patrician of *Rome*, knight of *St. Peter*, counsellor to the *Emperor*, counsellor to the king of *Spain*, counsellor to the archduke, count *Palatine*, and count de *Clara Valle*.

^b *Barones Campi Floræ*—] The passage in the text seems founded on the following in the *Confutatio Fabulæ Burdonum*, p. 227. 'Sed manifeste apparet, non prius ad hæc deliria scribenda sese' [*Schioppium*] 'contulisse quam in ænopolio cum *Baronibus Campi Floræ*, aut in cella vinaria cum mulione cardinalis *Baronii* aliquot trices vini *Vesuvini* succasset.' *Spelman* in his *Glossary*, art. *Baro*, mentions among other senses of the word, the following, which, as tending to illustrate both the foregoing passage and that in the text, is here given: '*Barones de Campo florido* & *Barones* denique pro scelestis, vagis, latronibus & hujusmodi dici, me docuit *Scipio Ammirato* in suo lib. *Delli famiglie nob. Neapolit. Ca. del Barone*, quem suo idiomate sub-jicemus "Come questa voce (i. Barone) significa dominio, & dignità, così volgarmente e quasi per tutta *Italia*, presa molte volte in cattiva parte"; onde *baroni di Campo di fore* si chiamano in *Roma* una certa sorte di mascalzoni, i quali non havendo arte alcuna, o se pur n'hanno, quella non volendo esercitare, nè a servigi altrui impie-gandosi, vivono di rubberie, & di tristizie."

* V. *Bodin de Repub.* lib. 3, cap. p. p. 296.

34 PROLOGUS POSTERIOR.

TEST. Fronti? frustra, namque huic nec frons nec cor unquam erat^a.

IGNO. Et quia habes os impurissimum, ut olim *Heidelbergæ* portabere ad unum stercorearium, & ibi os tuum totum implebitur cum timo, & sic foedissima tua anima ibit extra per ὕραρον ἀποταρον^b, ut inquit *Græcum* Ethnicus,

DUL. Quid, quid, magister?

IGNO. Est *Græcum*, stulte^c.

DUL. Oh, ego non possum scribere: *Musæus* debet scribere hoc.

IGNO. Asine, asine^d!—Post id cadaver tuum jaciatur in unius abbatis latrinam.

^a To Dulman.

^b To Dulman.

^c nec frons nec cor, &c.—] The author of the *Virgula Divina* before-mentioned, supposed by *Bayle* to be *Heinsius*, represents *Schioppius* as describing himself in the following terms: ‘E *Francorum* regione vespillonis filius, sine fronte & corde in *Italiam* venisse dicebatur.’ *Virg. Div.* p. 138.

ὕραρον ἀποταρον—] ‘*Lucretius*’ [*Schioppius*, for by the appellation of *Lucretius* vespillo, he is satyrized throughout the *Virgula Divina*] ‘autem cui nulla pars vivendi jam restaret, rem haud magni momenti cœpit agere. Animam nimirum: quæ ut primum * ὕραρον ἀποταρον ea parte elapsa est, cui pessime cum naso convenire solet, die demum altero ad *Olympum* montem pervenit.’ *Virg. Div.* p. 112. The introducing of *Schioppius* into this prologue, he himself appears to have considered as intended for a punishment on him, for, in his *Pædia humanarum ac divinarum Literarum*, insisting on the merit of his conduct, he says, that he had shewn his contempt of death by his defence of the church and apostolical see, 1. against the *French*, by whom his book entitled *Ecclesiasticus* had been burnt; 2. to use his own words, as they appear to be: ‘Contra regem *Angliæ*, cujus librum quatuor diversis libris editis profligavit: qui propterea scripto publico remedium ei violentum fuit comminatus, ejusque libros in foro exurendos curavit. In mimo tandem seu comœdia ludicro coram se acto personam ejus induci fecit, hancque in ipsum penam statui, ut faucibus fune elisis animam per inferiorem gutturem exploderet † velut in *Hæretici Elenchomeni* præfatione videre est.’ The author of the article *Schioppius* in the *Nouveau Dictionnaire Historique-Portatif*, speaks of him as follows; ‘Combien d’imprécations ne poussa-t-il contr’eux, parce qu’on fit brûler publiquement ses satyres à *Londres*, que son effigie fut pendue dans une comédie intitulée *Ignoramus* représentée devant le monarque, & que sa majesté se contenta de lui faire donner des coups de bâtons par son ambassadeur en *Espagne*’ In both these instances this prologue seems to have been mistaken for the play itself.

* ‘A posteriori prius.’

† ‘See *Morici Casauboni Pistas*, p. 23.’

IGNO.

SCH. At sic damnari nequeo, quoniam sæpe sum phre-
neticus, cavete quid facitis.

IGNO. Tollite nebulonem hinc ¹.

TEST. Cavete marsupiiis ².

P. VER. Signior ³, toga tibi jam parata est.

IGNO. Quomodo?

P. VER. Unam invenimus inter *Schioppii* furta.

IGNO. Ergo ego adibo jam, & induam eam togam;
post, *Ignoramus* retornabit ad vos iterum.

P. VER. At redi statim, Signior.

IGNO. Erit *tetorna* brevis, ne time.

DUL. *Dulman* retornabit etiam, nullum erit *essentium* ⁴.

P. VER. Redibit iterum in scenam *Ignoramus*; verum
quod redit,

Illi nihil, sed vestræ clementiæ; *Cæsar*, patrone *Cæsarum*,
debetur;

Vestro debetur amor academiæ.

Tantus nostræ honos academiæ, qui tanto majore est,

Quanto literarum ipsius es perfecta academia.

Ob isthoc decus, magna inundamur nos invidia:

Ecce iterum ^a nigros corrodit lividus unguis.

Da tantum, *Cæsar*, tu, magis ut doleat:

Da, *Cæsar*, (quod potes) tantum ut doleat,

Uti—Rumpatur ^b, quisquis rumpitur invidia ^c.

¹ To the Officers.

Puer Veredarius.

⁵ Exit *Puer Veredarius*.

² Exeunt *Schioppius*, *Tessis*, & *Liberos*. Intrat

³ To *Ignoramus*.

⁴ Exeunt *Ignoramus* & *Dulman*.

^a *Ecce iterum, &c.*—] *Martial*, Lib. 4, Epig. 27, v. 5 & 6.

^c *Ecce iterum nigros corrodit lividus unguis.*

^b *Da, Cæsar, tanto tu, magis, ut doleat.*

^b *Rumpatur, &c.*—] *Martial*, Lib. 9, Epig. 98, v. 12.

^c *Rumpatur, quisquis rumpitur invidia.*

FINIS Posterioris Prologi.

Dramatis Personæ.

THEODORUS,	Senex, Mercator <i>Burdigalensis</i> ,
ANTONIUS,	Juvenis, filius <i>Theodori</i> .
IGNORAMUS,	Caufidicus <i>Anglus</i> .
DULMAN,	} Clerici <i>Ignorami</i> .
MUSÆUS,	
PECUS,	
TORCOL,	Leno <i>Portugallus</i> .
ROSABELLA,	Virgo, cognata supposititia <i>Torcol</i> .
SURDA,	Nana, ancilla <i>Torcol</i> .
TRICO,	Servus <i>Theodori</i> .
BANNACAR,	<i>Maurus</i> , servus <i>Theodori</i> .
CUPES,	Parasitus & Bibliopola.
POLLA,	Uxor <i>Cupis</i> .
COLA,	Frater Monachus.
DOROTHEA,	Matroma, uxor <i>Theodori</i> .
VINCE,	Puer <i>Dorothææ</i> .
NELL,	Ancilla <i>Dorothææ</i> , <i>Angla</i> .
RICHARDUS,	Servus <i>Theodori</i> .
PYROPUS,	Vestiarius.
	Fidicines.
	Nauta, { <i>Gallicus</i> .
	Caupo. { <i>Anglicus</i> .

Personæ Mutæ, quarum fit mentio.

ANTONINUS, frater <i>Antonii</i> .	Lorarii.
CATHARINA, filia <i>Dorothææ</i> .	Lictores.
MANLIUS, Pater <i>Rosabellæ</i> .	Meretrices.
URSULA, nutrix <i>Rosabellæ</i> .	
URTADO, Mercator <i>Maurus</i> .	
FLEDWIT, <i>Ignorami</i> servus.	
ALPHONSUS, Dux <i>Portugallus</i> .	

Scena B U R D I G A L Æ².

▪ *Burdigalæ*—] ‘*Burdigala*, *Gallie*. *Bourdeaux*, urbs archiepiscopalis
 ‘valde antiqua, potens & perampla, *Aquitaniæ* ad *Garumnæ* fluv.
 ‘Emporium celebre, & statio navium non contemnenda, cum arce
 ‘munita, vulgo *le Chateau Trompette*. 12 leuc. ab ostio *Garumnæ*.
 ‘*Baudrand*.’ *Heffmanni Lexicon*. *Heylyn*, in his *Cosmography*, speak-
 ing of *Bourdeaux*, says, that it is one of the most noted empor-
 ries in all the kingdom, frequented very much by the *Dutch* and
English, for *Gascoign* wines: over which last the *French* are so jealous,
 that they permit them not to come up the river, till they have un-
 laden all their ordnance at the port of *Blaye*. *Heylyn’s Cosmography*,
 edit. 1703, Lib. I. p. 172.

IGNORAMUS.

ACTUS I. SCENA I.

ARGUMENTUM. Manlius *senator Londinensis Dorotheam feminam Burdigalensem duxit, cujus fidei duas etiam filias reliquit moriens, quas habuit ex uxore altera, Catharinam & Isabellam. Manlio mortuo, Dorotheam viduam duxit Theodorus quidam, ex qua uno partu gemellos habuit, Antonium & Antoninum, ita similes, ut nisi nævo in dextra Antonini mala non distinguerentur invicem. Convenit inter Theodorum & Dorotheam duas filias duobus filiis desponsare, Catharinam Antonino, Antonio Isabellam. Isabellam Detfordiæ enutritam rapuit Urtado quidam Maurus. Uxorem una cum Catharina & Antonino Londini reliquit Theodorus; ipse Burdigalam cum Antonio navigat.*

Istam historiam filio Antonio narrat Theodorus senex, quem Londinum mittit, ut matrem deducat cum familia: ille (amore Rosabellæ detentus) causas fingit; insistit pater; tandem duarum horarum moram ægre impetrat.

Intrant THEODORUS, ANTONIUS.

THE. Ergone obsequeris, fili?

ANT. Pater es, quid vis jube.

THE. Euge, fili Antoni!

Quin tu primum omnium, quid sit, quod te velim,
Quantique negotium, paucis ausculta mihi.
Audisse te per nebulam credo antehac,
E Londino uti Mercator a me Burdigala hic
Magnam mercatus est vim vini nobilis,
Grandi id pecunia, sed præsentī neutiquam:
Quippe scripsit nummos: scripsit, non solvit tamen.
Tu, fili, nū crede; hic nervus est sapientiæ.
Intelligis?

ANT.

ANT. Recte, pater; perge, si placet.

THE. Ego, ut is *Londinensis* sefellisset fidem,
Hinc eo *Londinam* recta, uti argentum exigam.
Ibi dum id efflagito, dum is lente nomen expedit,
Fio interea familiaris populari meæ,
Viduae cuidam, *Burdigalensi* feminae:
Huic nomen *Dorothea* est; ea tunc temporis
Londini habitabat; illam enim uxorem hic duxerat
Opulentus Senator *Londinensis*, idem Eques;
Nomen ei *Mallius*. *Mallius*? imo *Manlius*.
Is adeo post nuptias hinc transfulerat eam
Londinam in patriam suam; ibi in morbum incidens
Illam heredem instituit, atque ad plures abiit:
Ex ea nulli huic nati sunt liberi; cæterum
Ex alia uxore, quam prius habuit scilicet,
Duas suscepit forma eximia filias:
Natu major *Catharina*, *Isabella* minor cluit.
Has ille moriens, cum dote una, *Dorothea*
Commisit fidei (quamlibet novercæ) uti eas
Nuptum daret, simulac maturæ essent viro:
Divitiarum inde illis sat superque; eas tamen
Formæ indolisque dotes quanto superaverant!
Quid multa? hanc ego ut vidi, ut perii; ambio diu,
Diu posco, diu negat; tandem annuit;
Fiunt nuptiæ; fit, anno vertente, gravis;
Uno partu gemellos enixa est mihi;
Horum alter ipse es, *Antoni* fili: alter est
Antoninus. Eratis autem gemini pueri
Forma tam simili ut dimidiatos dicerent;
Vos neque ego, neque mater internoscerimus adeo,
Nisi *Antonino* hic dextra in mala nævulus,
Unde alium ab alio, haud alias, internovimus.
Cæterum ego post aliquot annos in patriam
Rediens, illinc te sexennem jam mecum aveho.
At fratrem *Antoninum*, cum *Dorothea* simul,
Reliqui *Londini*, annis abhinc quindecim.
Namque uti per *Franciam* iter perreximus,
Anglis cum *Francis* bellum undique. Capti sumus
Igitur ab hostibus; neque sex menses plus est*,

Quum

* neque sex menses plus est, &c.—] The treaty of peace between France and England here alluded to, is supposed to be one which occurs

Quum, pace utrinque inita, esse nos liberos sinunt.
 Liber ut fui, cogitabam *Londinum* indies,
Dorotheam meam ut reviferem. At pravis litibus.
 Detentus hic ingratiis, usque dum hæreo,
 Et usque, & usque. O *Lernæam* vere sobolem.
 Pragmaticonum, qui lites ex litibus ferunt
 Mortalibus immortaliter! Lites fuge.
 Macrum arbitrium opimo iudicio. potius est*.
 Memento, fili.

ANT. Memini, pater.

THE. Ergo dum licet

Matrem nunc tuam videre gestio, fratremque, & novam
 Illius nuptam.

ANT. Eum duxisse *Catharinam* ferunt.

THE. Scilicet. Namque ego & uxor decrevimus jamdiu,
 Duas illas ex priori uxore filias,
 Quas dixi *Manlii*, vobis in nuptias dare.
 Vos illis itaque despondimus a parvulis,
Antonino utique *Catharinam*, *Isabellam* tibi.
 Sed misera *Isabella* destinata tibi periit.
 Nutriebatur illa *Desfordiæ*, prope *Thamesin*;
 Ibi una cum nutrice jam quadrimula,
 Seu subrepta, seu submersa, periit novemdecim
 Abhinc annis.

curs in the sixteenth volume of *Rymer's Fædera*, p. 694, and bears date the 19th Aug. 1610. It recites among other things as follows: 'Cum ligæ quædam confirmatoria antiquorum fœderum, necnon mutæ defensionis, intercurfus, commercii & ad deprædationes utrinque cohibendas, inter commissarios & deputatos nostros & legatum fere-
 nissimi principis *Ludovici*, ejus nominis decimi tertii, *Galliarum* & *Navarræ* regis christianissimi, fratris & consanguinei nostri charissimi, nuper *Londini* instituta & tractata fuerint, virtute potestatum seu commissionum, tam a nobis quam a dicto fratre nostro eisdem & eidem concessarum, quarum tenores hic inferius inferuntur & demum in hæc verba sequuntur, conclusa fuerit decimo nono die *Augusti* nunc currentis stylo *Angliæ* [viz. 1610], &c. One of the articles is as follows: 'Ut mercatores tutius degere & res suas agere com-
 mercii utriusque regni eo in loco conventum & conclusum est.' The original is thus referred to in *Rymer*, 'Rot. Tract, 8 Jac. I. m. 11.' The knowledge of this may perhaps lead to a discovery at what time the author set about writing this comedy, for this scene, from the circumstance mentioned in the text, must have been written within six months from *August* 1610.
 * *Macrum arbitrium*, &c.—] This passage is a translation of the Italian proverb 'Meglio è megro accordo che sentenza.' A lean agreement is better than a fat sentence.

ANT. *Catharinam* quam memoras, pater,
Vidistin'?

THE. Nunquam; namque illam illius avia
Educabat, a nobis longe in *Devonia*:

Tantum est, fili. Sci'n jam quid sit, quod te velim?

ANT. Nondum, pater;—Sed si id est, quod suspicor, perii¹.

THE. Hoc scilicet; tu illico hinc *Londinum* uti naviges,
Matrem huc quo deducas, cum fratre & familia.

ANT. Occidi; amores mei peribunt interim².

THE. En tibi,

Mater tua scripsit venturam se huc propediem,
Saltem *Antoninum* fratrem missuram illico.

Cogita, quam suave tibi erit, post tantum spatium,
Matrem tibi osculum, fratrem amplexus dare.

Quid est³? quid frontem caperas? quid oculi turbidi?
Numquid dolet?

ANT. Equidem, ut verum fatear, hoc est
Amare.

THE. Hui: amas?

ANT. Minime, pater: horreo, inquam, mare.

A mare mihi nunc ægre est.

THE. Eja, delicias facis,

Causas fingis, video; tibi eo abundum est statim.

ANT. Statim, pater?

THE. Statim, fili. Obtemperas mihi?

ANT. Meum est; sed quæso cogitandi spatium, pater.

THE. Enimvero pulchre! pater ubi imperat, ibi
Filium rogare cogitandi spatium: pudet.

ANT. Faciam vero libenter: at——

THE. Quid at?

ANT. Peto

Suppliciter, mihi hos sex, aut septem dies impertias,
Tantum ut parem me, & amicis valedicam meis.

THE. Ne te hoc sollicitet, faciam id ego vicem tuam.
At quæ itineri opus, parata jam sunt omnia:
Navem conduxi, mercedem dedi, nihil deficit.

ANT. Sin *Anglia Septentrionem* versus est,
Mare mihi præclusum; fiat ita *Auster* jam oppositus *Septentrioni*.

¹ Afide.

² Afide.

³ *Antonius* frowns.

ANT.

THE. At hoc est quod properes velim :
Namque *Auster* hinc te recta in *Angliam* feret. Quid jam?

ANT. Audi'n ut pelago ventus irascitur? vide'n

Uti procellas cœlum minatur nubilum?

THE. Sanusne? an somnias vigilans? lenis en enim
Auster uti fiat sudo & secundo flamine.

Nescio quid sit; non temere est quod nugas agis.

Jam abeundum est, jam jamque: enimvero succensco.

ANT. Jamne? Ahime *Rosabella* mea¹.

THE. Eja, fles, puerule? Dii!

Quid hoc rei est?

ANT. Mirumne id, si ira benigni patris
Lacrymas excussit amanti filio?

THE. Si id est, bene est.

Quid moramur igitur?

ANT. Unicum hoc oro, pater, dum amicis restituo
Credita mihi deposita: tantillum temporis modo concedas
mihî.

THE. Tantillum id quantillum est?

ANT. Horas quatuor, haud amplius.

THE. Nimium est. Nautæ jam te expectant, vela ut
explicent.

ANT. Binas saltem horulas.

THE. Binas licet. Interim introibo ego, ut obsignem
ad *Dorotheam* literas,

Tibique argentum ut promam; at parcas tu sumptui:

Namque lites plurimum mihi intercipient pecuniæ.

Dandum est crumeni-mulgis istis caufidicis;

Usque est dandum, atque usque. Aurum, quam æquum,
plus potest².

¹ Aside and weeping

² Exit *Theodorus*, manet *Arctonius*.

ACTUS I. SCENA 2.

ARGUMENTUM. *Queritur Antonius de infortunio suo, suosque amores narrat: ut Rosabellam ambitiosam Portugalli nobilis, qui Fessæ moriens illam fidei fratris sui Rodrigo Torcol concedidit; qui, lenoniam Burdigalæ exercens, illam nolit nisi sexcentis aureis vendere, quos pepigit confidicus Ignoramus, litibus componendis jam Burdigalæ agens. Gaudet tamen Antonius fidem inter amantes mutuam datam.*

ANTONIUS solus.

H Orasne ergo binas? tantumne binas vita mihi suppetit?

Quod si abs te abeo, *Rosabella* mea, (perditum me!) abeo e vita simul:

Abire tamen iussit me pater: illi parendum: At manere me

Cogit amor ingratijs. Quid faciam? Hinc, illinc, undique perii.

Patri quidem obsequi necesse est. Id restat unicūm, Saltem uti supremum ei valedicam, priusquam hinc abiens moriar:

Nam ne quid amplius sperem, facit ipsius patrum *Portugalli* impurissimi ingenium, qui cum illa habitat:

Is mercatorem simulat se, leno cum fiet.

Nomen ei *Torcol*; inde quod collo distorto fiet:

Simulatque videris, scelus esse dixeris. Sed ut ut

Scelus, meam tamen bene ac pudice habuit,

Nuptamque dabit, fratris ut filiam decet.

Nam pater *Rosabellæ Portugallus* nobilis

Fessæ moriens, quo se ille contulerat loci,

Bello ut mereret, pupillam huic fratri suo,

Fessæ tum agenti, filiam conceduit.

Illam autem, quod sit virginum pulcherrima,

Multi ambiunt, eamque vel indotatam ducerent:

Sed leno avarus vult sibi pecuniam insuper.

Quamobrem ipse, qui pro ea vitam pacisci velim,

Aureos sexcentos pepigi, illa ut nubat mihi.

Despondit; sed hac lege si intra mensem numerem.

Ego interea quæsi, sed nunquam reperi:

Eoque

Etque inanem is me, & se delusum putat:
Nunc hanc rem igitur cum quodam *Anglo* caufidice
agit,

Qui, cum huc ex *Anglia* accersitus fit ideo,

Cum aliis ejusdem linguæ & ordinis viris,

Inter populares suos hic lites ut dirimeret,

Amori (si Diis placet) vacat,

Et meam insane deperit.

Osce & *Volſce* loquitur^a, nam *Latine* haud ſapit:

Merus ſtupor, at multi-nummius aureus aſinus:

Summa

^a *Osce & Volſce loquitur*—] *Erasmus* in his *Adagia*, edit. *Aurel. Allobrogum*, 1606, mentioning the proverb *Osce loqui*, ſays of it, '*Osce loqui* vetuſto proverbio dicebantur, qui turpiter parumque pudice loquerentur. Ab *Oſcorum* moribus alluſione ſumpta, quod apud eos ſpurcarum libidinum impunitus uſus fuerit, unde & obſcœna dicta quidam putant quæcunque factu dictuve turpia ſint: etiamſi reſtragatur *Fefſus Pompeius*. Citat autem *Ticinium* quendam qui ſcripſerit ad hunc modum: "*Osce & Volſce* fabulantur quia *Latine* neſciunt." Dr. *Adam Littleton*, in his *Dictionary*, art. *Oſci*, ſays the *Oſci* were the people of *Campania* in *Italy*, and that they were ſo called, 'ab Oris ſcœditate; unde *Oſceloqui*, de iis qui *Latine* neſciunt loqui;' and *Ainſworth* adopting the ſame etymology, informs us, that the *Oſci* were the ancient inhabitants of the city *Capua* in *Italy*, whom he further deſcribes as being perſons, 'qui parum *Latine* loquerentur. Hinc *Osce loqui*, i. e. ſcœde.' *Hoffman*, in his *Lexicon*, ſpeaks of the *Oſci* in the following terms: '*Oſci*, populi *Campaniæ* in *Latii* & *Samnii* conſinio *Sidicini* poſtea dicti, teſte *Strab.* quorum urbs *Teanum Virg.* *Æn.* l. 7. v. 730.

'*Oſcorumque* manus.

'Sic ab oris ſcœditate dicti, *Oſci* enim apud veteres, turpitudinis, libidinis, & ſermonis notantur, autore *Fefſo* ex *Titinnio*. Unde *Osce loqui* proverb. dicitur de iis, qui turpiter, & impudice loquuntur. *Osce* etiam & *Volſce* fabulari dicuntur, qui *Latine* neſciunt loqui.' *Hoffmanni Lexicon*, art. *Oſci*. In this latter ſenſe it is apprehended that the paſſage in the text is to be underſtood, i. e. as applying to the barbarouſneſs and grammatical inaccuracy of their ſpeech, rather than to the indecency of it.

What place or people the author intended to refer to by the adverb *Volſce*, may admit of a queſtion. *Hoffman*, in his *Lexicon*, art. *Volcæ*, ſays, '*Volcæ* vel *Volgæ*, populi *Galliæ Narbonenſis* ultra *Rhodanum* fluvi. quorum regio *Occitania*, *Languedoc* dicitur,' and cites the following paſſage from *Silius*, i. e. *Silius Italicus*.

— 'Per inhospita rura

'*Volcarum* populatur iter.'

and both Dr. *Littleton* and *Ainſworth*, in their *Dictionaries*, art. *Volcæ* render it the people of *Languedoc* in *France*, but the former, art. *Volſci*, explains this latter appellation thus: '*Volſci* pop. *Latii*, quorum urbs princ. erat *Anxur*.' *Ainſworth* explains it in the ſame

G. 2

manner,

Summa caufidicus. Id me folatur tamen,
 Quod mutuo amantes fidem dedimus invicem,
 Clam illo, clam patre, quem ifthoc celo fedulo.
 Quin dum loquor abit hora, quæ mihi noviffima
 Homini horario. Properabo igitur eam ut alloquar.
 At at¹, ecce caufidicus *Ignoramus!* hanc ille ut eripiat
 mihi?

Illum ego nifi male mulctem—

THE. ² Fili *Antoni*.

ANT. Hei mihi! pater vocat,

THE. ³ *Antoni, Antoni*.

ANT. Pater⁴.

THE. ⁵ Ocyus huc intro ad me⁶.

ACTUS I. SCENA 3.

ARGUMENTUM. *Ignoramus, clericis fuis vocatis Dulman & Pecus, amorem fuum ergu Rofabellam narrat, irridetque Mufæum quafi hominem academicum.*

Intrant IGNORAMUS, DULMAN, PECUS, MUSÆUS,
 IGNO. **P**HI, phi: tanta preffa, tantum croudum, ut
 fui pene trufus ad mortem. Habebo *actionem*
 de intruffione contra omnes & fingulos. Alia *Mounficurs, voulez*

¹ Seeing *Ignoramus* at a diftance. ² Intus. ³ Intus. ⁴ Aloud, in answer to *Theodorus* within. ⁵ Intus. ⁶ Exit *Antonius*.

manner, for he fays, '*Volsci*, a people of *Latium*, whose metropolis 'was *Anxur*,' and renders the adjective *Volscus*, 'of or pertaining to the *Volscians*.' I had once thought that this adverb was intended to refer to one *Ant. Volscus*, who had a hand in an edition of *Ovid's Epistles*, with a commentary by himfelf and others, published at Lyons in 1536, and thus described in the *Catalogus imprefforum Librorum Bibliothecæ Bodleianæ*, sub tit. *Publius Ovidius Naso: 'Heroides Epistole castigatione exculte & figuris ornate: commentantibus Ant. Volco, J. Parrasio, &c. Lugduni, 1536.'* and who appears to have been author of a tract entitled *De Antiquitate Latii Liber*, still existing in manuscript among the *Harleian* collection in the *British Museum*. No. 1050. In the use of this word the author seems very well justified by the above extracts from *Erasmus's Adagia* and *Hoffman's Lexicon*, where the same sense is given to the phrase *Osce & Volce fabulari*, as is here assigned to *Osce & Volce loqui*, but for the particular allusion of this last adverb *Volce*, unless the reader can persuade himfelf that any one of the places above-mentioned, or the before-named *Antonius Volscus* were intended by it, we are to seek.

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voz intruder par joint Tenant ? il est playne case, il est point droite de le bien seance. O valde caleqr : O chaud, chaud, chaud : precor Deum non meltavi meum pingue. Phi, phi. In nomine Dei, ubi sunt clerici mei jam ? *Dulman, Dulman.*

DUL. Hic, magister Ignoramus, vous avez Dulman.

IGNO. Meltor, *Dulman*, meltor. Rubba me cum towalio, rubba¹. Ubi est *Pecus* ?

PEC. Hic, Sir.

IGNO. Fac ventum, *Pecus*². Ita, sic, sic. Ubi est *Fledwit* ?

DUL. Non est inventus.

IGNO. Ponite nunc chlamydes vestras super me, ne capiam frigus³. Sic, sic. *Ainsi, bien fait*. Inter omnes poenas meas, valde lætor, & gaudeor nunc, quod feci bonum aggregamentum inter *Anglos* nostros : Aggreamentum, quasi aggregatio mentium^a. Super inde cras hovylabimus vela, & retornabimus iterum erga *Londonium* : tempus est, nam huc venimus *Octabis Hillarii*, & nunc fere est *Quindena Pasche*.

¹ *Dulman* rubs him.

² *Pecus* fans him.

³ They put their cloaks on him.

^a *Aggreamentum, quasi aggregatio mentium*—] Cowell, in his *Interpreter*, art. *Agreement*, says 'Agreement, *Agreamentum*, which is according to *Plowden*, *aggregatio mentium*.' The etymology in the text, was doubtlesly taken from hence, but the original passage forms a part of the argument of Serjeant *Pollarde* in the well known case of *Keniger, v. Fogassa* determined in *Easter term*, 4 *Elix.* viz. about 1562, and for the satisfaction of the curious is here given verbatim from *Plowden's Commentaries*, with a translation, of which, as the original is in the barbarous law *French*, it was thought to stand in need to render it intelligible. 'Adeprimes quant al definition del parol (*agreement*) moy semble que *aggreamentum* est un parol compound de deux parolx, s. de *aggregatio*, & *mentium*, issint que *aggreamentum* est *aggregatio mentium in re aliqua facta vel facienda*. Issint que per le contraction de les deux parols s. *aggregatio & mentium*, & per le correction & brief parlance de eux, ils sont fait un parol s. *aggreamentum*, le quel nest auter mes un union, collection, copulation & conjunction de deux ou plusors ments en afeun chose fait, ou a fait.' *Plowden's Commentaries*, fol. 17. a. The sense of it is as follows, 'And first, as to the definition of the word (*agreement*), it seems to me that *aggreamentum* is one word compounded of two words, i. e. of *aggregatio* and *mentium*, so that *aggreamentum* est *aggregatio mentium in re aliqua facta vel facienda*; so that by the contraction and hasty pronounciation of them they are made one word, i. e. *aggreamentum*, which is no other than an union, a collection, copulation, and conjunction of two or more minds, in any thing done or to be done.'

DUL.

DUL. Juro, magister, titillasti punctum legis hodie.

IGNO. Ha, ha, he. Puto titillabam, *Si le nom del granteur, ou grante soit rasé, ou interlined en fait pol, le fait est grandement suspicious.*

DUL. Et nient obstant, si fait pol, &c. &c. Oh illud etiam in *Covin*.

IGNO. Ha, ha, he.

PEC. At id, de un fait pendu en le Smoak^a, nunquam audiavi titillatum melius.

IGNO.

^a *un fait pendu en le smoak*.—] In order to understand this speech of Pecus, and indeed the preceding ones of Ignoramus and Dulman, it is necessary to recur to the occasion of them. In all of them a reference is intended to a conversation which Ignoramus must be supposed to have held with these his clerks, previously to his appearance on the stage, and it seems pretty clear, that in the course of it he had been endeavouring to impress on their minds what is obvious to every one, that if the names of the grantor or grantee in a deed are rasé out or interlined, it induces a suspicion that the deed is a forgery. He further may be supposed to have enlarged on the nature of the law term *Covin*, which signifies a secret and fraudulent agreement between two or more persons to the prejudice of a third. In this conversation he appears likewise to have been speaking of deeds, and very probably might mention the hanging a modern deed in the smoak, as an excellent method of giving it the appearance of an ancient one.

Besides being at the same time a pedant in his profession, and grossly ignorant of every thing else, Ignoramus is represented as something of the rogue, for, after having agreed with Torcol to make Rosabella his wife, he declares in the fifth scene of the first act, that it is not his real intention to do so, on the contrary, that he means her only for his mistress in the worst sense of the word, and designs, on his arrival in England, to marry a wife with a large fortune; and, as he values himself, in the eighth scene of the second act, on his ability to shew Trico, Antonius, and Cupes, a trick of the law in sending one of his clerks for Rosabella, when he had sworn not to go himself, it seems evidently intended, that this particular should form a part of his character. The view which he seems to have had in communicating to Pecus the intelligence alluded to in the text, was to disclose to him one of the secret arts of his profession, and to enable him upon occasion, if a title deed of an estate, for instance, were wanting, to supply its loss by forging one for the purpose, and by the method above-mentioned to give it the necessary appearance of antiquity, and Pecus esteeming it a very valuable secret, seems much rejoiced at being possessed of it.

As to the method here mentioned, it is to be remarked, that Ignoramus himself might probably have learnt it by tradition, though not, perhaps, immediately, yet remotely from the Monks, who being from time to time, particularly about the time of the Norman conquest, pressed to shew their title to several immunities which they claimed, and not being able to produce the original grant of them, found themselves, as they conceived, necessitated, in order.

IGNO. Ha, ha, he. Quid tu dicis, *Musæ*?

Mus. Equidem ego parum intellexi.

IGNO. Tu es gallicrista, vocatus a *Coxcomb*; nunquam faciam te Legistam.

DUL. Nunquam, nunquam; nam ille fuit Universitans.

IGNO. Sunt magni idiotæ, & clerici nihilorum, isti Universitantes: miror quomodo spendisti tuum tempus inter eos.

Mus. Ut plurimum versatus sum in *Logica*.

IGNO. *Logica*? Quæ villa, quod burgum est *Logica*?

Mus. Est una artium liberalium².

IGNO. Liberalium? Sic putabam. In nomine Dei, stude artes parcas & lucrosas: non est mundus pro artibus liberalibus jam.

Mus. Deditus etiam fui amori *Philosophiæ*.

IGNO. Amori? Quid! Es pro bagaschiis & strumpetis? Si ~~cultedis~~ ^{malam} regulam, non es pro me, sursum redam te in manus parentum iterum.

Mus. Dii faxint.

IGNO. Quota est clocka nunc?

DUL. Est inter octo & nina.

IGNO. Inter octo & nina? Ite igitur ad mansorium nostrum cum baggis & rotulis.—Quid id est¹? videam hoc instrumentum; mane *petit*^b, dum calceo spectacula super nustum². O ho, ho, scio jam. ³ *Hec indentura, facta &c.* ^c *inter*

¹ Observing a parchment in the hands of one of his clerks.

² Puts on his spectacles.

³ Reads.

order to preserve such their rights, to forge deeds for the purpose, and that they actually did so in many cases may be seen in *Widmore's Enquiry into the first foundation of Westminster-Abbey*, p. 11, on the authority of *Nicolson's Historical Library*, vol. 1. p. 118.

^a *una artium liberalium*.—] The seven liberal arts are *Arithmetic*, *Geometry*, *Musik*, *Astronomy*, *Grammar*, *Rhetoric*, and *Logic*, and these are the arts understood in the academical degrees of Bachelor and Master of Arts, for the ancient course of scholastic education required a proficiency in each. These were anciently divided into the quadrivium or fourfold way to knowledge, and the trivium or threefold way to eloquence, the former comprised *Arithmetic*, *Geometry*, *Musik*, and *Astronomy*; the latter *Grammar*, *Rhetoric*, and *Logic*.

^b *petit*.—] It is not sufficiently determinable whether this word is to be considered as a stage direction for *Ignoramus* to search for his spectacles; or the French word *petit*, which signifies a little, and in this latter case would be part of his speech.

^c *Hec indentura, facta, &c.*.—] See the Glossary, art. *Indenture*.

Rogerus Ratledoke de Caxton in comitatu Brecknocke, &c. O ho, Richard Fen, John Den^a. O ho, Proud Buzzard Plaintiff, adversus Peakegoose defendant. O ho, vide hic est defata literæ; emenda, emenda; nam in nostra lege una comma evertit totum Placitum. Ite jam, copiato tu¹ hoc, tu² hoc ingrossa, tu³ Universitans trussato sumptoriani pro jornea⁴.

I G N O R A M U S *solus.*

HI, ho! *Rosabella*, hi, ho! Ego nunc eo ad *Veneris Curiam letam*, tentam hic apud *Torcol*: Vicecomes^b ejus *Cupido* nunquam cessavit, donec invenit me^c in *Baliba* sua: Primum cum amabam *Rosabellam* nisi parvum. misit *parvum Cape*; tum *magnum Cape*, & post, *alias Capias & pluries Capias, & Capias infinitas*; & sic misit tot *Capias*, ut tandem capavit me *utlegatum*^d ex omni sensu & ratione mea. Ita sum sicut musca sine caput, & buzzo & turno circumcirca, & nescio quid facio. Cum scribo instrumentum, si femina nominatur, scribo *Rosabellam*: pro *Corpus cum causa*, corpus cum cauda; pro *noberint universi*, amaverint universi; pro *habere ad rectum*, habere ad lectum; & sic vasto totum instrumentum. Hei, ho! ho, hei, ho⁵!

¹ To *Dulman*.
Ignoramus.

² To *Pecus.*

³ To *Musens.*

⁴ Exeunt clerici, manet

⁵ Manet *Ignoramus.*

^a *Richard Fen, John Den*—] *Richard Fen* and *John Den* are the names of supposititious persons, which, for mere for m sake, occur in certain law proceedings.

^b *Vicecomes*—] i. e. The Sheriff, the officer to whom writs are directed.

^c *invenit me, &c.*—] Alluding to the answer which the Sheriff returns on the writ directed to him, when he has not been able to find the person mentioned in it. The words in which this answer was contained, were originally, when law proceedings were in *Latin*, these, 'Infra nominatus *A. B.* non est inventus in Baliva mea,' since that language was disused; they are as follow: 'The within named *A. B.* was not found within my Bailiwick.' See the Glossary hereto, art. *Non est inventus.*

^d *capavit me utlegatum*—] Alluding to the writ, called *Capias utlegatum*, the nature of which is explained in the Glossary hereto,

ACTUS.

ACTUS I. SCENA 4.

ARGUMENTUM. Torcol leno meretrices suas inducit, ut salutent Ignoramus; narrata prius historia de naufragio suo, & quare lenocinium exercet. Convenit inter Ignoramus & Torcol, ut, si vel attulerit vel miserit sexcentas coronas, cum instrumento & privato signo, Rosabellam ferat: quod Ignoramus pollicetur.

Manet IGNORAMUS. Intrat TORCOL.

TOR¹. **H**EUS *Pfecas, Corinnam cerussa; Sebinam fucz*
minio:

Cæliam orna, Calliblepharis, & flavo Dorcada corymbio.
Si ornatae estis, puellæ, accedite huc, atque hic in conspectu meo,

Fidibus canendo, saltandoque exercete vos:

Istiusmodi blanditiæ pelliciunt amatores. Naufragium

Hic quod feci ego, *Fessa* rediens in *Portugalliam*, ex opulento me tenuiorem reddidit:

Artes itaque cogor exercere lenonias.

Re illa adeo, quæ mihi ex naufragio supererat,

Meretrices conduxì ex variis regionibus,

Quam varias linguis, habitu tam vestis;

Easque ornavi cujusque more patriæ.

Lucri certe bonus est odor ex re qualibet^a.

^a Entering, calls to some person within, and not observing *Ignoramus*.

^a *Lucri certe bonus est, &c.*—] *Juvenal.* Sat. 14,

‘Lucri bonus est odor ex re

‘Qualibet.’

Erasmus, in his *Adagia*, tit. *Rapacitas & Avaritia*, explaining the proverbial expression ‘Lucri bonus est odor ex re qualibet,’ uses these words: ‘Faceta quidem, sed tamen pestilens illa vox *Vespasiani*, qui quum ex lotio vestigal faceret, homo turpiter avidus, superque eo facto, a filio admoneretur, quod re tam putrida lucrum faceret, paulo post collectam pecuniam filii naribus admovit, rogavitque ecquid illa puteret:’ *Juvenalis*:

‘Lucri bonus est odor ex re qualibet. *Ennius*:

‘Unde habeas curat nemo, sed oportet habere.’

H

Atqui

Atqui tamen cognatam *Rosbellam*, pudicam virginem,
Nuptum bene, ut spero, hodie locavero *Ignoramo* ;
Atque etiam sexcentos ea propter accipiam,
Quos mecum pepigit, aureos. At, at, quisnam ille homo ¹
est?

Oh, Signior *Ignorame*, homo hominum honoratissime,
Tune hic eras? *Bezo las manos*, Signior; tuorum sum
servus servorum ².

IGN. Profecto hic est papa.

TOR. Quid nunc imperas servo tuo mi domine, mi
Don?

IGN. Ha, he! Dabo tibi *supercedens* pro istis comple-
mentis. Puto fecisti collum tuum tam tortum cum con-
giis & cringiis ².

TOR. Signior, factum est hoc *Burdigala*, dum vinum
unius auriculæ ^b bibo,
Bonum probans, horfum inclinaveram.

IGN.

¹ Seeing *Ignoramus*.

² He lays his leg over him.

^a *servus servorum*—] This is the style used by the pope in his bulls, it was first introduced by *Gregory* the Great, as we learn from the following fact related by *Hoffman* in his *Lexicon*, art. *Oecumenicus*; *John*, bishop of *Constantinople*, having assumed the title of an Oecumenical, or universal Bishop, was, for that very reason, by *Gregory* the Great, termed the præcursor of *Antichrist*; he, on the contrary, styling himself only servus servorum. The practice is recognized in the following epigram, taken from *Roberti de Avesbury Historia de mirabilibus gestis Edwardi III.* published by *Hearne*, Oxon, 1720, p. 258.

^c De civitate *Romana* versus.

^d Servierant tibi, *Roma*, prius domini dominorum;

^e Servi servorum nunc tibi sunt domini.

and ridiculed by *Swijt* in his *Tale of a Tub*, edit. 8vo. 1708, p. 109, where he subscribes a paper (which he tells us, in a note, resembles in form, a copy of a general pardon, signed servus servorum) 'Your most humble man's man, Emperor *Peter*.'

^b *vinum unius auriculæ*—] *Kabelait*, book I. chap 6, speaks, as our author does in this place, of wine of one ear, which obscure phrase is thus explained in a note inserted in the *English* translation, edit. 1737, revised by *Ozell*, vol I, p. 156. 'Wine of one ear is a proverbial expression for excellent good wine. 1' (says the author of the note, who is supposed to have been Mr. *Ozell*) 'have introduced the same with good success (*Præfycine dico; verbo absit invidia*) in some parts of *Leicestershire*, and elsewhere, speaking of good

IGN. Nunquam habebis *Breve de recto*?

TOR. Sive rectus, sive tortus, utcunque sum tuissimus, sum, Signior *mio*¹.

Vbi estis, virgines? Exite. O Signior².

IGN. Mitte quæso cringia, & cruragia³. Sed quæ sunt istæ⁴ quæ veniunt extra? suntne tua *Bona & Catalla*?

TOR. Signior, & mercator sum & musicus; Ludum ideo hic aperui Fidicinum.

IGN. Nulla fides tuis fidillis. Sed cujus gentis sunt?

TOR. Hæc⁵ cum cithara *Græcula*, illa *Germanica*, *Hebræa* cum tympano, *Britannica* hæc, *Hispanica* ista, cum tibia *Arcadica*, *Francica* cum testudine, *Veneta*, *Maura*, *Persica*, *Turcica*. Agite jam⁶.

IGN. Sunt bellæ minstralæ; tu⁷ es Dominus feudi hic.

TOR. Introite; sed primum dominum meum humillime salutate singulæ⁸.

¹ Bows to *Ignoramus*.

² Bows again to *Ignoramus*.

³ Intrans *Meretrices*.

⁴ Pointing to them.

⁵ Pointing to each.

⁶ Saltantes canunt.

⁷ To *Torcal*.

⁸ All salute in their languages and kiss him.

'good ale, ale of one ear; bad ale, ale of two ears: because, when it is good, we give a nod with one ear; if bad, we shake our head; that is, give a sign with both ears that we do not like it.' The note on the above passage, as it stands in the edition in *French*, printed in quarto at *Amsterdam* in 1741, is in these words: 'Vin à une oreille, c'est de bon vin, qui fait pancher la tête en signe d'approbation.' *Miege* thus explains this singular expression: 'Vin d'un oreille id. de bon vin, good wine. On appelle ainsi le bon vin, parce qu'il fait pancher la tête de celui qui le boit, d'un côté seulement; au lieu que, si le vin est mauvais, on secoue la tête, & par conséquent les deux oreilles.' *Miege's French Dictionary*, fol. edit, art. *Vin*. By these authorities the meaning of the phrase *Vinum unius auriculæ*, seems pretty well ascertained, but the reason assigned why it should bear that signification, hardly any reader can deem satisfactory.

^a *Agite jam*.—] In most of the printed editions, a stage direction is here inserted, 'Saltantes canunt,' which also occurs in some of the manuscript copies of this comedy, but no song is given in any of either. This latter circumstance may be accounted for by the following observation: Mr. *Steevens*, in a note on *Love's Labour's Lost*, notices, that in the old comedies the songs are frequently omitted, and that on this occasion the stage direction is generally—'Here they sing,' or 'Cantant.' Hence he infers, that probably the performer was left to choose his own ditty, and therefore it could not, with propriety, be exhibited as part of a new performance. See *Johnson* and *Steevens's Shakespeare*, edit. 1778, vol. II. p. 410.

H 2

IGN

IGN. Quid vultis? Habetis ~~warrantum~~ de osculando? Quid, ~~ut & armis~~? Estis bonæ, warrantizabo. Phi, pho. Abi tu; tu¹ es uxor diaboli². Sed dic, bona fide, non ludunt hæc ad iuda illicita contra statutum?

TOR. Mihi crede, sunt illibatæ signatæque virgines.

IGN. Signatæ? imo sunt *signate communi sigillo*: Ha, ha, he!

TOR. Signior, neque ego, neque illæ sumus istarum artium. Vale³.

IGN. Mane⁴: iracundus es? Ego tantum frangebam jocum, quod ~~debet & solet~~ apud nos, quanquam sit super vitam hominis; & tu capis id in bono serio: sis jocundus. Dic mihi quomodo valet *Rosabella* mea?

TOR. Oh; illa, quod virgo non est, nubit alii

IGN. Num dicis hoc in sobria tristitia?

TOR. Dixi:—illum inescavero magis⁵.

IGN. *Diable*, quæ est hæc fraus, *cobina* & deceptio? Nonne erat *Indentura* facta inter te & me, ut si ego darem tibi sexcentas coronas, maritarem tuam wardam *Rosabellam*, & hic dies appunctatus est pro solutione? Non est verum?

TOR. Est.

IGN. Bene; fac quid vis; ego habeo tuam *Indenturam* & *Obligationem* salvam & solidam, tua manu *Agillatam*, & *datam* & *deliberatam*⁶. Et si non dabis mihi *Rosabellam*, forisfacies^b eam *Obligationem*, viz. mille coronas: Quid ais? Unus rex, unus lex; non te defendet *medietas lingue*: Quid ais?

TOR. Putat scilicet omnia hic transigi more *Angliæ*⁶. At si sexcentos aureos hodie attuleris, haud muto factum.

IGN. Bene facis, nam sic fuit *aggreatum*, *accorbatum* & *condescensum* inter nos: Ergo ego veniam in persona mea hodie cum moneta, si possum; si non possum, mittam unum ex clericis meis pro ea.

TOR. Verum ego tuorum fervorum novi neminem.

¹ Turning to the Moor.

² Exeunt *Moretrices*.

³ Torcol offers to go.

⁴ Torcol returns.

⁵ Aside.

⁶ Aside.

^a *tua manu datam, &c.*—] See the Glossary hereto, art. *Deed*.

^b *forisfacies*.—] Forisfacere, in law proceedings, signifies to forfeit. See *Cowell's Interpreter*, art. *Forfeiture*; and *Spelman's Glossary*, art. *Forisfacere*.

IGN. Neque illi te; sed est totum unum pro eo. Ille apportabit tibi sexcentas coronas & instrumenta, & dicam illi quod habes curvum collum etiam: Quid times?

TOR. *Antonium* atque vaferrimum *Triconem* timeo, Qui mihi, *Rosabellam* propter, ubique infidiantur, adeo Ut vix tum caveam, cum caveam maxime; Optimum itaque est, ut de signo inter nos conveniat occulto; insuper

Cautelam cautelæ addere cautius est.

IGN. Quanquam non opus est, tamen si clericus meus *Dulman* venit ad te, dabit tibi hoc privatum signum, capiet te per nasum sic¹.

TOR. Placide: esto igitur, atqui cave nemini alii nisi illi dixeris.

IGN. Putas quod sum idiota?

TOR. Illam igitur duces hodie, Nam cognata mea est & illa, per deos, pudicissima.

IGN. *Ouy, ouy* dea; cras retornabo cum illa ad *Londinum*: sed jam, quæso, clama eam huc ad me, paululum ejus habere facias visum; nam ego amo illam, hoc est longum & breve. Tu ergo præcipe quod reddat, scilicet amorem *d'avoir-du-pois*²; intelligis?

TOR. Illam actutum huc adduxero³.

IGN. Nunquam fui inamoratus ante in vita mea; sed jam sum inamoratus bestialiter. Sed præsentèr adducet *Corpus cum cauda*—cum causâ, inquam. O, si haberem unum *habeas corpus* jam. Ha, ha he, cum cogito, vado in *Cymbalis*^b; hei, ho³!

ACTUS

¹ Pulls him by the nose.

² Exit *Torcel*.

³ Manet *Ignoramus*.

^a *d'avoir du pois*.—] i. e. full weight.

^b *vado in cymbalis*.—] In a little book intitled, *Eryci Puteani Comus, sive Phagesiphsia Cimmerica Somnium*, printed at *Louvain* in 1611, but which, from the dedication, appears to have been written in 1608, is the following passage, translated, as it seems, from *Philosophtratus*, in which mention is made of *Cymbals*: 'Quid reliquum Comi? in κυρτοῖς, sive *Luxus Lasciviaque*. *Crotala, sifra, tympana, vides*: imo strepitum vocesque ab ipsa pictura audis. *Lampades sublucent quoque, unde & videre, & videri lascivientium ille chorus potest*. *Promiscua vero turba hominum petulanter exsilit, mulierculæ cum viris incedunt, & communes soleas habent, præ-*
'terque

ACTUS I. SCENA 5.

ARGUMENTUM. *Introducitur Rosabella flens, cogente patre ut amet Ignoramus; qui illam & verbis & verbis, quantum potest, aggreditur, memoratque quam illi Junc-turam dabit. Creditur Rosabella custodiæ cujusdam Surdæ, quæ, cum nihil audiat, omnia ex signis intelligit. Abiit Ignoramus pro coronis, Surda cum Rosabella manet.*

Manet IGNORAMUS. Intrant **TORCOL, ROSABELLA, SURDA.**

TOR¹. **Q**UID fles, pervicax? num ego te caste & pudice eduxi, ideo

Ut mihi tibi que adeo, tuoque adversere commodo?

Aut huic libenter nube, aut, *per aqueſta cruz de dios;*

Te hinc aveham *Fessam* iterum, ubi te aut vendam, aut prostituam.

Ego tibi bene cupio. Et tu ne vis.

Responde, quid ais?

Ros.

¹ Entering, to *Rosabella.*

* terque morem cinguntur. Nam & mulieri *Comus* indulget virum agere, & viro stolam induere muliebrem, muliebriterque incedere. Sed coronæ his non amplius floridæ, hilaritate per luxum lasciviamque imminuta. Florum enim libertas manum averſatur, omniſque contrectatione hilaritas flacceſcit. Plauſum etiam quendam pictura imitatur, cujus maxime indiget *Comus*. Siniftram enim ſoror ejus dextera ita ad cavum pleſtit ſtringitque, ut cymbalorum inſtar percuſſi articuli conſonent. *Eryci Puteani Comus*, p. 40; and *Rabelais*, book II. chap 7, among other ſuppoſitious books, mentions *Les Cymbales des Dames*; upon which, in the edition of that author's works in *French*, printed in quarto at *Amſterdam* in 1741, is the following note; '*Les cymbales des Dames*.—La vie peu réglée de certaines femmes de qualité. La 71. des *Cent nouv. nouvelles*, paſſant d'aventure par devant la chambre où ſa femme avec le Chevalier jouoyent enſemble de cymbales." On appelle cymbales de petites ſonnettes, dont on jouoit, comme on joue aujourd'hui des caſſagnettes, ou da tambour de Baſque.' *Cotgrave*, in his *French and Engliſh Dictionary*, art. *Cymbale*, gives the following explanation of the phraſe *jouer des cymbales*; '*Cymbale, a cymbal to play; jouer des cymbales* autant que paillarder.'

The cymbal is well known to be a muſical inſtrument, though authors have differed ſo much in their account of it, that the form of it cannot now be aſcertained; and might probably, as is conjectured, both at the time when *Rabelais* and our author wrote, be in common uſe

ROS. Patruë, tu fapis; tibi quod videbitur, æquum est id me facere.

TOR. Recte jam, atque ut decet.

ROS. Diffimulandum amorem video,
Ne ruam in pejus :—Non unquam ego te, *Antoni*¹.

TOR. Hanc ego illi custodem appofui nanam, quæ tres menses licet

Integros furda fit jam, fidelis tamen,
Atque ex signis intelligit fatis².

SUR. Recte, intelligo; ut illam arcte custodiam,
Neve quopiam longius abeat a foribus.

TOR. Intelligit³.

SUR. Neve juvenem eam patiar alloqui.

TOR. Bene⁴.

SUR. Quamprimum ille hanc allocutus fit, introcat illico.

TOR. Eja, quam cito⁵.

¹ Abide.

² *Torcol* makes signs to *Surda*.

³ He makes signs again.

⁴ He makes signs a third time.

⁵ He makes signs a fourth time.

use with women of lewd character. That some sorts of musical instruments were in use with them is certain, particularly the cittern, for *Ben Jonson*, in his comedy of *Volpone*, Act II. Scene 5, represents *Corvino* as chiding his wife *Gelia*, for appearing at the window and encouraging the mountebank *Volpone* by throwing him her handkerchief; and as inviting her ironically to a nearer acquaintance with him :

‘Get you a cittern, lady vanity,

‘And be a dealer with the virtuous man.’

And in his comedy of *The Alchemist*, where *Dol Common* personates the queen of *Fairy* to deceive *Abel Drugger*, the stage direction is ‘*Dol* enters with a cittern.’ See *The Alchemist*, Act III. Scene 2. In further confirmation of this conjecture, it may be necessary to observe, that the ideas which *Ignoramus* entertains of the female sex, are of the grossest kind; and, as he evidently appears to be wholly ignorant of their internal excellence, his opinion can only have been formed from the worst of their sex, that is to say, from women of lewd character.

I cannot close this note, long as it is, without remarking that there appear to me, from a transient view of the book, which I have but just now seen, many circumstances in the above little tract of *Erycius Puteanus*, respecting *Comus* and his attendants, particularly the tender of a cup to strangers on their entrance into his court, which induce a very strong suspicion, that *Milton* had at least seen the book, and probably availed himself of its assistance in his *Comus*. The fact may be worthy of the enquiry of any future commentator on his poems, and the means of investigating it will be easily attained, as there appears to be a copy of the book in the *Bodleian* library.

I

SUR.

SUR. Sin secus, interminare mihi, te me verberaturam
usque ad necem.

Curabitur quod jubes.

TOR. Signior¹, mea cognata hæc summopere te supra
omnes mortales amat.

Experire; ego hinc abeo, nam mihi negotium est;
At memento signi, & pecuniæ.

IGN. Nulla erit ~~defectus~~.

TOR². Sed tu ne admittas.

SUR. Fiet, inquam.

IGN. Ha, he⁴! *Rosabella* mea, hem, hem, hem³, *Ma-*
dame, & vos mei magistri jurati, hæc est *actio super casum*⁵.

Phi, phi; lingua vadit ad verba accustomata: Puto me
placitare jam⁵.

SUR.

¹ To *Ignoramus*.

² To *Surda*; making signs.

³ Exit *Torcol*.

⁴ *Ignoramus* simper.

⁵ Aside.

¹ *Hem, hem, hem*—] Till lately it was the custom with advocates at the bar, to make very frequent use of these interjections, in order to give them time to recollect themselves, and at the same time to prevent a visible pause in their speech. This artifice is most clearly alluded to in the text, but to the great credit of the profession, is now almost wholly laid aside.

² *Madame, & vos mei magistri jurati*—] The present mode of address used by advocates to the Courts of Common Law, on the trial of a cause is this: 'My Lords,' [i. e. to the Judges] 'and you, gentlemen of the jury, this is,' &c. anciently it was, 'My Lords, and you, my masters of the jury.'

In representing *Ignoramus* at some times as talking of pleading, as he does here, and discharging the duty of an advocate; at others, as employed in engrossing and preparing deeds for execution, which is now become the business of an attorney, the author may be thought to have deviated from the consistency of his character; but the reader is to know, that the character here exhibited is not a mere creature of Mr. *Ruggle*'s invention, but was actually drawn from one of the profession. We may, therefore, reasonably conclude, that it bears, at least in its nature, a strict conformity to the original archetype, and, consequently, that *Ignoramus* would not have been, as he is, introduced in both capacities of an advocate and conveyancer, if it had not been customary with barristers at the time when this comedy was written, as well to engross and prepare deeds for execution as to practise as advocates. In further confirmation of this fact a learned friend informs me, that in the course of his reading, which has been very extensive, he remembers to have met, many years ago, with some traces of the above-mentioned custom, though he cannot now recollect from what source he derived the information.

In

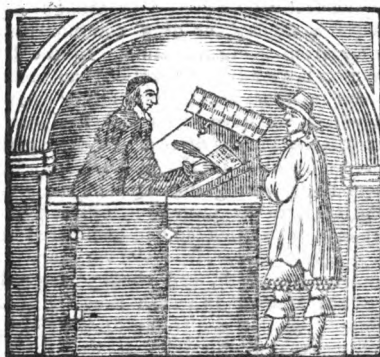
SUR. Quantum video, hic homo stultus est ¹.

IGN. *Madam*, pardona mihi, nunquam amavi antehac. Sed nunc veniam ad punctum, & jungemus *tue*. Visne facere maritagium mecum?

Ros:

¹ *And.*

In one of the compartments of an engraved frontispiece prefixed to a book, entitled *The Compleat Clerk, containing the best Forms of all sorts of Presidents for Conveyances and Assurances, and other instruments now in use and practice*, 4th edit. Lond. 4to. 1677, is the following cut, representing a barrister dressed in his gown, which, as containing an accurate delineation of the dress of the time, is here inserted.



And here occasion is given us to remark, that the gown now in use among barristers is not that which properly belongs to their profession, for the present gown is made of slight stuff; or if those who wear them are within the bar, of silk; and is plain, not having tufts upon it, whereas the ancient gown was probably of cloth, and was, undoubtedly, faced with black velvet, and had on it tufts of silk, down the facings, and on the front of the arms. This is still the proper dress, and recognised as such, for it is observable, that on the birth days, the King's Council appear at court in gowns exactly answering this last description, and this continued invariably to be the constant dress of an advocate, till the death of queen *Mary*, in 1694; at which time the present gown was introduced as mourning on the occasion, and having been found more convenient and less cumbersome than the other, has been since continued.

The attorney, as well as the barrister, was also anciently distinguished from persons of other professions, by his dress, and indeed all trades and occupations were, in the same manner, known from each other; the merchant had one sort of habit, the soldier another,

Ros. Haud equidem tali me dignor honore^a.

IGN. Profecto, *Rosabella*, amo te plusquam *Rosa solis*^b.
Dico tibi, amor tuus fecit me legalem poetam. Vis
versus meos?

the artificer a third, and the husbandman a fourth; each so different from the others, as sufficiently to point out the rank of the person who wore it. In the same manner the graduates and students in the universities were not only distinguished from the rest of the world, but from each other, by the difference of their habits. The doctors in physic, music, and divinity, and also doctors of the civil law, though equal in degree, used to wear, and do now, on some occasions, still continue to wear habits peculiarly appropriated to the several faculties of which they respectively are; and it is needless to observe, for no reader can be supposed to be unacquainted with it, that at the universities of *Oxford* and *Cambridge*, the habit of a master of arts differs from that of a bachelor of arts, or that that of a gentleman commoner and servitor at *Oxford*, or of a commoner and sizer at *Cambridge*, are very far from being the same. In the dress of the practitioners of the common law, a like distinction was observed; the judge was dressed in one manner, the serjeant at law in another, the barrister in a third, which we have above described, and the attorney in a fourth. What was the ancient dress of the latter person may be seen from the cut before inserted in the author's life, but at this day no trace of it is remaining among that rank of the profession. Habits peculiarly appropriated to the profession, or rank of the person who wore them, were originally intended and considered as an honourable distinction; but it should appear, from the very rare use of them, that they are no longer deemed so, and those persons who shall or have been witnesses to the manner in which they are still worn (by compulsion as it should seem) by the young students of both universities, would be almost inclined to think, that that dress, or any other distinction which should point a man out to be a scholar, is regarded by the younger part of them in general, rather as a disgrace than an honour.

But to return from this digression, the character intended to be exhibited throughout this comedy, was unquestionably that of an advocate or council. Who was the person intended, has been already mentioned in the life of the author, but it seems to have been hitherto misunderstood by the former editors, for in the frontispiece to all the editions, which have any cut, he is uniformly represented as dressed in the habit of an attorney, instead of that of a barrister.

^a *Haud equidem, &c.*—] *Virgil Æneid*, Lib. I. v. 339.

—] *Haud equidem tali me dignor honore.*

^b *Rosa solis*—] *Rosa solis*, a pleasant liquor made of *Brandy*, *Cinnamon*, &c. *Allieri's Italian Dictionary*, voce *Rosa solis*; and *Taylor*, the Water Poet, in his *Penniless Pilgrimage*, says,

'And I intreat you take these words for no lies,

'I had good *Aqua vita*, *Rosa solis*.'

From which it may be inferred, that *Rosa solis* was a liquor with which the lower sort of people were well acquainted, and of which they were very fond.

Ros.

Ros. Si placet, Signior.

IGN. ¹ Hem, hem ².

VERSUS legales de ROSABELLA.

Hem, hem.

Si possem, vellem pro te, *Rosa*, ponere pellem :

Quicquid tu vis, crava, & habebis singula brava :

Et dabo ~~fee~~ *simple*, si monstras *Love's pretty dimple*,

Gownos, filkcoatos, kirtellos ², & petticoatos,

Far-

¹ Ignoramus produces a paper.

² Ignoramus reads.

^c *kirtellos*.—] *Phillips*, in his Dictionary, intitled *The World of Words*, says, that a kirtle is a kind of short jacket, but Sir *Thomas Haumer*, in the Glossary to his edition of *Shakespeare*, renders it a woman's gown. This particular of the female dress is mentioned in a very elegant little poem, entitled *The milk-maid's song*, inserted in *Walton's Complete Angler*, edit. 1784, part I. p. 68, and by him ascribed to *Kit. Marlow*, a poet of queen *Elizabeth's* time. A lover there, in testimony of his affection to his mistress, and to induce her to consent to marry him, promises her as a present, besides other things,

'A cap of flowers and a kirtle,

'Embroidered all with leaves of myrtle.'

And *Holinshed*, in his Chronicle, p. 1375, edit. 1577, relating the conduct of *Richard III*, then protector of *England*, towards *Jane Shore*, says, that he 'caused the bishop of *London* to put her to open penance, going before the cross in procession, upon a *Sunday*, with a taper in her hand. In which she went in countenance and pace demure so womanly, and albeit she were out of all array, save her kirtle only, yet went she so fair and lovely, namely, while the wondering of the people cast a comely rudde in her cheeks (of which the before had most miss), that her great shame wan her much praise, among those that were more amorous of her body than curious of her soul'.

In *Strype's Annals of the Reformation*, vol. III. p. 383, is inserted, from a manuscript, entitled *The order and manner of the execution of Mary Queen of Scots*, Febr. 8, 1586, written by order of the lord treasurer *Burleigh*, by *Beal*, clerk of the council, as it is supposed, the following description of the person and dress of that queen, which, as containing a more particular and circumstantial account of the female habit of the time, is here given.

"The 8th of *February* being come, at the time and place appointed for the execution, the said queen of *Scots* being of stature tall, of body corpulent, round-shouldered, her face fat and broad, double chinned, with hazel eyes, her borrowed hair, her attire on her head was on this manner: She had a dresting of lawn edged with bone-lace; a pomander chain with an *Agnus Dei* about her neck: a crucifix in her hand, a pair of beads at her girdle, a golden cross at the end of it: a veil of lawn fastened to her caul, bowed out with wire edged round about with bone-lace. Her gown was of black
"fatten

Farthingales biggos^a, stomacheros, & periwiggos,
Pantofflos^b, cuffos^c, garteros, *Spanica* ruffos^d,

Bufkos

"fattin painted, with a train behind, and long sleeves to the ground,
 "set with acorn buttons of jet, trimmed with pearl, and short sleeves
 "of fattin black cut, with a pair of purple sleeves" '[gloves]' "of velvet
 "whole underneath. Then her kirtle, whole of figured black fattin.
 "Her petticoat" '[i. e. waistcoat]' "unlaced in the back, of crimson
 "velvet: Her shoes of *Spanish* leather, the rough side outward. A
 "pair of green silk garters. Her nether stocks worsted, coloured
 "watchet, clocked with silver, and edged on the top with silver, and
 "next her legs a pair of *Jersey* hose, white."

I can by no means assent to Mr. *Styrpe's* explanation of the purple sleeves mentioned in this passage, which he understands to be purple gloves. The relation says, that the queen had on short sleeves of fattin black cut, and, under these, purple sleeves of velvet whole: the short sleeves perhaps came no lower than the elbow, the others most probably extended to her wrist.

^a *Farthingales biggos*—] *Phillips*, in his *Dictionary*, renders *Fardingale* 'a whalebone circle that ladies formerly wore on their hips, and upon which they tied their petticoats.' They were so large as to occasion a proverb, 'Send *Verdingales* to *Broadgates* in *Oxford*,' which is explained by Mr. *Ray*, in his *Proverbs*, p. 332, edit. 1678, and by Dr. *Fuller* in his *Worthies, Oxfordshire*, 329, as referring to the enormous size of them. In a copy of this latter book, formerly in the possession of the well known Mr. *William Oldys, Norroy King at Arms*, is the following note in his own hand-writing: 'Lady *Frances Howard*, countess of *Essex*, wore one' [i. e. a *Fardingale*] 'in the middle of king *James's* reign, so did other ladies. The fashion is only altered in the whalebone hoops our women wear now.'

^b *Pantofflos*—] 'Pantoffle, *Fr.* a slipper to wear in a chamber for ease and convenience.' *Phillips's Dictionary* before referred to.

^c *cuffos*—] *Hoffman*, in his *Lexicon*, art. *Cufa*, gives the following explanation of the term; 'Cufa, & Tufa, idem quod *Birrus*, vestimentum vel pallium caput operiens: unde *cofia*, *Gall. Coiffe*, *galerus* & *pileus nocturnus*; seu tegumentum capitis, quod supremam capitis partem seu cerebrum tegit.' Whether the word in the text is not intended, therefore, to be rendered by the word *Cap* into *English* (and not by the word *Cuff*, as being a less important particular than a cap in female dress), is submitted to the reader's judgment.

^d *Spanica ruffos*—] The form of a ruff it will be needless, it is presumed, here to describe, or to mention that it was worn as well by the ladies as the men, but it may be proper to notice, that *Spanish* ruffs, and also other parts of dress borrowed from that nation, appear to have been in high request in the time of king *James* the first, for in *Ben Jonson's* comedy of the *Alchemist*, written in 1610, we meet with the following passage:

'Alk from your Courtier to your Inns of court man,
 'To your nicer Milliner, they will tell you ail
 'Your *Spanish* gennet is the best horie, your *Spanish*

'Stoup

Buskos^a & foccos^b, tiffanas, & *Cambrica* smockos,
Pimpillos^c, purfos : ad ludos ibis & urfos.

Anglice, Bear-garden. Annon hæc sunt bona in lege?

Ros. Euge, optima.

IGN. Ergo ad ludos ibis & urfos. Facies quicquid vis,
puella, si aliis sit *stans Curia*. Tene, est *hæc vera*¹.

Ros. Portabo in sinu meo^d.²

IGN. Amas me?

Ros. Amaret quis non?

IGN. Ais? dabo tibi bonam *functuram*; faciam ames
me plus & plus. Audi *functuram* tuam. Ego *Ambidex-*

¹ Gives the paper to *Rosabella*.

² She puts it into her bosom.

^a Stoup is the best garb, your *Spanish* beard

^b Is the best cut, your *Spanish* ruffs are the best

^c Wear.

^d *Buskos*—] A busk made of wood or whalebone, a plated or quilted thing to keep the body straight. *Minshew's Dict.* art *Busk*. *Boyer*, in his *French Dictionary*, renders *Busque* in this manner: 'Busque espece de Baton, dont se servent les dames pour tenir leur corps de jupe en etat. Busk for a woman.'

^b *foccos*—] Socque, *Fr.* A sandal, wooden patten, or clog for the feet, worn by the Friars called *Recollets*. *Phillips's Dictionary* before cited.

^c *Pimpillos*—] Though all the editions and the manuscripts which have been consulted on the present occasion, concur in this reading, we are inclined to think it corrupt, and that we should read *Wimpillos*, for no word, from which *pimpillos* could be derived, is any where, that we know of, to be found; but *Wimpillos* might probably be intended to signify wimples, which were formerly a part of female dress. A wimple, we learn from *Phillips's Dictionary*, is the muffler or plaited linen cloth which nuns wear about their neck, and the learned editor of the late edition of *Chaucer*, in his glossary to that author, defines wimple to be a covering for the neck, but says it is distinguished from the veil which covered the head also.

^d *Portabo in sinu meo*—] Mr. *Stevens*, in a note on *The Two Gentlemen of Verona*, inserted in Dr. *Johnson's* and his edition of *Shakespeare*, edit. 1778, vol. I. p. 175, remarks, that women anciently had a pocket in the fore part of their stays, in which they not only carried love-letters and love-tokens, but even their money and materials for needle work. 'In many parts of *England*,' adds he, 'the rustic damsels still observe the same practice, and a very old lady informs me, that she remembers when it was the fashion to wear very prominent stays, it was no less the custom for stratagem or gallantry to drop its literary favours within the front of them.' These circumstances will, it is imagined, be thought sufficient for the explication of the words in the text, and of the compliment which they are intended to convey.

ter³ *Ignoramus* incoffo te uxorem meam *Rosabellam* in taille
Special de Situ manerit & *Tonguewe* l, cum capitali meffuagio; &
 do tibi omnia & Angula meffuagia, tofta, crofta, cottagia, & co-
 lumbaria, molendina, fullonica, aquatica, ventritica, gardina, te-
 nementa, bolcos, fubbolcos, jampna, brueria, moras, marifcos
 falcos, marifcos frefcpos, juncaria, turbaria, alneti, mofcheta,
 communia pafure, liberam warrennam, pifcariam, faldfagium; &
 decimas garbarum, bladorum granorum, agnellorum, foent, lini,
 cannabia; tallagium, allagium, pontagium, picagium, efcheeta,
 catalla fezonum, wabiata, erraburas, turreca maris.—

Ros. O nimium eft.

IGN. Mane, dum capio anhelitum, & dabo tibi decies tantum.

Ros. Quanquam intus feam, rifum expreffit mihi¹.

SUR. Satin' fanus hic homo? Videtur & femina & pica
 & pffittaco loquacior².

IGN. Redde mihi amorem jam, quid pro qua.

Ros. Æquum postulas.

IGN. Ergo da mihi ofculum, da quæfo.

Ros. Dura, cor; dura.

O pulchrum amafium! O patrii avaritiam³!

IGN. Lego pulchras lineas in facie tua⁴.

SUR.⁵ Abi, abi.

IGN. Habebo quare impedit pro te. Volo tibi Agillare et
 deliberare unum ofculum⁶.

SUR.⁷ Scats, fcats, ah.

IGN. Vale, *Rosabella* mea, jam ufque ad mox. Hoc
 ofculum mihi facit bonum apud cor. Poffum volare fuper
 tria clocheria^b nunc. ⁸ Sed ego ero fatis callidus pro *Tor-*
col; nam cum venio in *Angliam*, maritabo mihi divitem
 uxorem;

¹ Afide.

² Afide.

³ Afide.

⁴ He offers to kifs her.

⁵ Interpofing, and preventing him.

⁶ He kifles *Rosabella*.

⁷ Endeavouring in vain to hinder him.

⁸ Afide.

^a *Ambidexter*.—] That the reason for terming *Ignoramus Ambidexter* may be thoroughly underftood, it is neceffary to obferve, that though the word *Ambidexter* properly denotes a man that can equally ufe both his hands, yet, in a legal fenfe, it fignifies a juror that takes money of both parties for the giving of his verdict, in which cafe he forfeits Decies tantum, ten times as much as he receives. See *Corwe's Interpreter*, art. *Ambidexter*.

^b *super tria clocheria*.—] The word *clocheria* here ufed, is formed from the *French* fubftantive *Clocher*, which fignifies a fteeple, and *Spelman*, in his gloffary, art. *Cloca*, renders *Clocarium*, campanile.

This

uxorem; & tum tenebo hanc in commendam tantum pro transi-tempus¹. Ibo nunc pro coronis¹.

SUR. Illum amas uti video.

ROS. Mortem magis².

SUR. Bene facis.

Ille tibi dabit——

ROS. Malum³.

SUR. Ergo non amas illum juvenem.

ROS. Non vitam æque⁴.

SUR. Odisse te innuis; optime. Equidem immerito Te suspicatur herus meus.

ROS. ⁵ Quam crucior

Antonium me non amare nunc vel fingere!

Fingendum est tamen, ut suspicione libera ad illum aufugiam

Facilius, si ad *Ignoramus* ducar. Verum audiui, *Antonium* hodie

Londinum hinc abiturum. O perfidum, si id nunc facit!

Fidem dedit mihi: quod si jam me deserit, perii.

SUR. Nam si illi nubes, afflues divitiis⁶.

¹ Exit *Ignoramus*.

² Afide, and nodding to *Surda*.

³ Afide.

⁴ Afide, and shaking her head.

⁵ Afide.

⁶ Manent ambo.

This mode of expression appears to have been frequent in the writers of the time, and, among other instances which might be produced, it occurs in *Beaumont and Fletcher's* comedy of *The Captain*.

'Gods precious, that I were but over thee'

'One steeple height, I would fall and break thy neck.'

And again, in *The Knight of Malta*:

'Oh the Devil,

'The Devil as high as a steeple.'

And lastly, Mr. *Cotton*, the author of the second part of *The Complete Angler, or Contemplative Man's Recreation*, speaking of the Stone Flie, says the drake will mount steeple height into the air. See *Walton and Cotton's Complete Angler*, edit. 1784, part II. p. 57.

¹ *transi-tempus*—] i. e. for a pastime.

ACTUS I. SCENA 6.

ARGUMENTUM. Trico, *versutus Antonii servus, docet illum, quo pacto possit, & Surdam fallere, & cum Rosabella colloqui, nimirum ut verba quæ velint dicant, in do gestus iratos edant, quos Surda, cum perspiciat, de amore non suspicetur. Ipse interim Trico se Surdam amare fingit, ostensoque annulo, eo signo quasi in matrimonium posluat facile credulam.*

Manent ROSABELLA, SURDA.

Intrant ANTONIUS, TRICO.

TRI¹. **P**POTIN' aliam rem cures, here? ipse hanc salvam præstabo tibi.

ANT. In te spes est, *Trico.*

TRI. Dolum ipsum hodie superabo dolis.

At quamnam video ²? Absterge oculos, here.

ANT. ³ Meamne *Rosabellam* ² quantus es!

Dii, quam opportune! ni vetula canis illa prohibeat Me eam alloqui.

TRI. ⁴ Ne time; edentula est, Non mordet.

ANT. ⁵ At latrans dominum excitaverit.

TRI. ⁶ Offam dabo: simulabo, me illam amara; nam semper est

Catuliens Interea vos ferite sermones. Sed audin'? Gestus irati edite, ut vos inimicos credens, *Surda* libere Loqui finat.

ANT. ⁷ Bene mones.

TRI. Salvete ⁸.

SUR. ⁹ Ne me attingas; eheu; atque abstine manum.

TRI. Quam ferocula ¹⁰!

SUR. Lædis manum; ahime! in malam crucem:

TRI. ¹¹ Minatur, successit bene ¹².

¹ Entering, to *Antonius*, and not seeing *Rosabella*.

³ Aside to *Trico*.

⁶ Aside to *Antonius*.

to lay hold of her hand.

¹¹ Aside.

⁴ Aside to *Antonius*.

⁷ Aside to *Trico*

⁹ Drawing away her hand.

¹² *Trico* shews a ring.

² Seeing *Rosabella*.

⁵ Aside to *Trico*.

⁸ To *Surda*, and offering

¹⁰ *Trico* seizes it.

SUR. Me amat, annulum ostendit mihi,

Non nubam, non, non! —

TRI. Ahime!

SUR. ² Suspirat: Bella videor, ideo amor. Non sum tam anus.

TRI. Ahime!

SUR. ³ Ut spisse anhelitum ducit! miser me demoritur.

TRI. ⁴ O lactea labella, nasum purpureum, gemmeam cutem; oculos ovillos, cruscum formicæ, vituli pedes, manus talpæ, pectus cicadæ, mamma mammarum, equula adhinniens, scrofula grunniens! Ahime!

SUR. ⁵ Formam laudat, scio. Pulchra sum satis, Diis gratia. Vultum habeo perinde ac alii, Diis gratia, nec invenustum.

TRI. O pumila, numila¹, furdula, crassula, doliariola², anicula, bibosula, barbatula, simiola deliciosula! Ahime!

SUR. ⁶ Forma confectus stupet. Laudes utinam possem audire meas! Nanam etiam me dicant posthac.

TRI. Ahime⁷!

SUR. ⁸ Misellus lacrymat; sum misericors. Ahime! intermortuus est. Revivisce⁹: amo te, amo.

ANT. ¹⁰ Simula te succensere mihi.

SUR. ¹¹ Amo; revivisce. Ah animule, Ah miselle homule! Non patiar quenquam mei amore mori:

Prohibet charitas.

TRI. ¹² Dixin¹? mea est hæc jam. Vix risum contineo. Ha, ha, he! Ahime?

SUR. Ne time; amo te. ¹³ Hei mihi! abundum est. Adest ille malum, a quo herus cavere jusserat.—¹⁴ Bene est, Odise te illum indicas, atque objurgare velle; maledic illi, age.

¹ Brachia complicat. ² Aside. ³ Aside. ⁴ To Surda. ⁵ Aside.

⁶ Aside. ⁷ Sighs and weeps. ⁸ Aside. ⁹ To Trico. ¹⁰ To Rosabel's.

¹¹ To Trico. ¹² Aside to Antonius. ¹³ Seeing Antonius. ¹⁴ To Trico.

¹ numila—] This word was probably intended for rumila, from ruma, a teat. Some copies read nanula, others mamula.

² doliariola—] The Latin adjective doliaris signifies tun-bellied; doliolum, a substantive, is a little barrel; doliariola seems a compound of both these, and, perhaps, was intended to signify little tun-belly. The rest of these diminutives it is hardly worth while to explain, and the reader's ingenuity will, undoubtedly, supply him with synonymous terms, by which they may be rendered into Eng. lilyb.

Ros. ¹ At te serio infimulo, *Antoni*. Jam me non dubitas prodere?

Jamne hinc *Londinum* abiturus? jam me deferis in malis? Jam tu retrahis te? ac dicta factaque omnia

Ventis irrita ferre, & nebulas aereas finis?

Sic tu oblitus? at dii meminerint, meminit fides.

Eheu, quid faciant duri homines! O feros nimis corde viros ²!

O vos viri! Oh ³!

SUR. Pectus pulsas, bene facis: ah impudens!

TRI. Ahime!

SUR. Ahime! Perii amore summersa: quasi vespa cecidi In mellis amphoram.

ANT. ⁴ Fidem tibi dedi, *Rosabella*;

Quam, & hanc dextram tuam feriens ⁵, firmo insuper tibi.

SUR. ⁶ Percussit hanc inhumane feminam? Virum me natam velim;

Quin inuolemus ei in oculos. At quod amant nihil periculi est.

Nos ⁷ vero amiculi: Ahime!

TRI. ⁸ Suspirat quasi sus,

Quæ primam foeturam perdidit. Ahime!

SUR. Ahime!

ANT. ⁹ Da veniam, vita mea. Jussit abire me pater; nil preces,

Nil lacrymæ valere. Testor fidem, invitus abeo.

Ros. ¹⁰ Invitus? Amor cogi non potest, elabi potest: non amas.

ANT. ¹¹ Ni te perditæ amem atque ———

Ros. ¹² Tace; credo tibi.

¹ Speaking with angry gestures again.

³ Speaks with angry gestures.

⁵ Seeing *Antoni* strike *Rosabella*.

⁷ Still using angry gestures.

² Beats her breast.

⁴ Strikes her right hand.

⁶ To *Trico* aside.

⁸ Aside.

⁹ Still speaking as if angry.

¹¹ *Jam me non dubitas prodere, &c.*—] The principal part of this speech, and this passage in particular, is borrowed from the following detached lines in *Catullus's* Ode *Ad Alphenum*.

'Jam me prodere, jam non dubitas fallere, perfide.

————— 'ac me miserum deferis in malis
'Heu heu quid faciant, dic, homines, quoive habeant fidem?'

'Idem nunc retrahis te, ac tua dicta omnia, factaque

'Ventos irrita ferre, & nebulas aereas finis?'

'Situ oblitus es, at dii meminere, meminit fides.'

SUR.

SUR. Ahime! ¹ Amor quasi olla fervens bullit & bilbit in pectore.

SUR. ² Nutat & niſtat ſciture: annuam illi etiam.

ROS. ³ Quid me non extrahis itaque ex his impuris ædibus? phi.

SUR. Age, conſpue eum.

ROS. ³ Iniquo ſubjicior patruo,

Qui cum re ſimul probitatem amiſit protinus. O belluam! Nam quid eum voces hominem, qui nihil facit humanitus? O manes patrii, cui me credidiſtis? At tu quanquam abieris,

Premam veſtigia tamen. Pudice vivere ſi non licet, licuerit pudice mori.

ANT. ³ O indolem! O mores! cor dolore finditur ⁴.

SUR. Pupugit eum:

Pectus plangit, crines lacerat. Ah impudice homo.

TRI. Ahime!

SUR. ⁵ Ne fuſpira, O lepidum amatorculum.

Italo more amans jaculatur corculum & ocellos ⁶.

Scitum eſt quidem; parem referem gratiam.

ROS. ³ Si patrii avaritiæ ſexcentis aureis quos paſtus es ſatiſfeciffes, miſera haud eſſem nunc.

ANT. ³ Deum atque hominum!

Potui invenire nullibi: Amici non credunt: Pater ad rem avidior;

Quid facerem?

ROS. ¹ Neſcio; niſi *Ignoramo* jam deſpondiſſe me patruum

Per ſyngrapham; aureos dixit hodie affere aut ſe, aut ſervum ſuum,

¹ Afide.

⁴ Strikes his breaſt.

² *Trico* annuit.

⁵ To *Trico*.

³ Still ſpeaking as if angry.

⁶ *Italo more amans, &c.*—] The continuator of *Heylyn's Cosmography*, characterizing the *Italians*, ſays of them, among other particulars, that in ſtriſtneſs to their wives they exceed all reaſon, of whom they are ſo extremely jealous, that they ſhut them up all day from the common view, and permit them liberty of diſcourſe with few or none. *Heylyn's Cosmography*, edit. 1703, Lib. I. p. 55. To remove, in ſome meaſure, this difficulty of acceſs, another method of communication than that of ſpeech appears to have been invented, for *Phillips*, in his *Dictionary*, art. *Mora*, gives as one ſenſe of that word the following 'Mora, the *Italian* play of Love with the Fingers,' and to this particular in the character of the *Italians*, the author ſeems to allude in the paſſage in the text.

Cum secreto inter eos quod convenerat signo.

TRI. ¹ Quid audio?

Scin', quid signi est?

ROS. Id me celant. Sed lepida ecce ejus carmina ²!

TRI. Forfan hinc aliquid venabor.

SUR. Literas ejus rejicit,

Bene est. Ardent oculi: ³ pedem terræ incussit; furit.

Video te amicule ⁴.

ANT. Quis potest pati hoc? quis potest videre ⁵?

TRI. Habeto bonum animum modo.

Efficiam ne tute hodie hinc abieris, neque amiferis illam.

ANT. O fil!

TRI. Crede huic capitulo ⁶, mira faciet hodie.

SUR. Ne feri frontem; amo te, ita me dii ament:
amo te:

Metui ne animo deficeret iterum ⁷.

TRI. Anaticula, tenellula,

Risum non teneo, ha, ha, he.

SUR. Ha, he! & ego arrisero.

TRI. Adhinnit. Heus vos ⁸! Nunc datur occasio, au-
fugite.

Hæc mea est.

ANT. Recte mones ⁹: eamus ¹⁰.

ROS. Atqui illa exclamaverit.

TRI. Fatui, tentate modo.

SUR. ¹¹ Jamne das mihi annulum? gratias. Tua nunc
sum:

Accipe hoc a me sudarium itidem ¹².

TRI. Quid, malum,

Non itis ¹³?—Nubes statim ¹⁴.

SUR. Da dexteram:

Vortat bene ¹⁵.

TRI. Ut tu pereas ¹⁶.

¹ Overhearing the last words of *Rosabella*.
and delivering them to *Trico*.

⁴ To *Trico*.

⁷ Aside to *Antonius* and *Rosabella*.

¹⁰ *Trico* gives *Surda* a ring.

to *Antonius* and *Rosabella*.

¹⁵ Aside to *Antonius*.

² Producing *Ignoramus's* verses

³ *Antonius* stamps on the stage.

⁶ Aside.

⁸ To *Trico*.

⁹ Aside to *Rosabella*.

¹¹ Gives him a handkerchief.

¹² Aside

¹³ To *Surda*.

¹⁴ Shakes hands with *Trico*.

^b *Quis potest pati hoc, &c.*—] Probably alluding to the following
passage in a poem of *Catullus* in *Cæsarem*.

^c *Quis hoc potest videre? quis potest pati?*

SUR.

SUR. Signemus osculo ¹.

TRI. Mellitum osculum! salivam mihi movet.

SUR. Eh, eh ², mala tussicula, eh, eh.

TRI. O cariem! stupidi,
Quin fugitis ³? quin fugitis? Ocasio perit.

ANT. Eamus ⁴, amabo:

O gaudium incomparabile ⁵.

TRI. O testudines ⁶!

Exite in malam crucem ⁷.

ACTUS I. SCENA 7:

ARGUMENTUM. *Interveniens Torcol perturbat omnia.
Surda vapulat. Aufertur Rosabella.*

Manent ANTONIUS, TRICO, ROSABELLA, SURDA:
intranT TORCOL, LORARI.

TOR. ¹ ACCURRITE, vos ²; redi, fugitiva, ¹⁰ fugi-
tiva, redi. Opem ferte ³.

ROS. ¹¹ Occidi.

SUR. ¹² Nam quid me verberas?

TOR. Aspellite *Antonium*.

O praelara custos; Quis custodit custodes? Ovem lupæ ¹.
Ali venefica ¹³.

SUR. Ne me cæde, tua non sum, nubo hodie.

TOR. Nubis? nubes bacillo interim.

SUR. Quid malum?

Nubo, inquam, te invito nubam, nubam mecastor? per
verba de præsentis nupta sum, vide annulum ¹⁴.

TOR. Annulum!

O *Triconis* tricas! ego te — ¹⁵.

SUR. St. opitulare, mi vir ¹⁶. Ille te — ¹⁷:

¹ *Trico* kisses *Surda*, griping her in his arms to give them an opportunity of
escaping. ² *Surda* coughs. ³ *Aside to Antonius and Rosabella.*

⁴ To *Rosabella*. ⁵ Going. ⁶ Seeing *Torcol*. ⁷ Manent omnes.

⁸ Entering as *Antonius* and *Rosabella* are going off. ⁹ To the officers.

¹⁰ To *Rosabella*, calling after her. ¹¹ Seized by the officers and
returning. ¹² *Torcol* beats *Surda*. ¹³ Beats her again.

¹⁴ Shewing the ring which *Trico* gave her. ¹⁵ *Torcol* beats her.

¹⁶ To *Trico*. ¹⁷ To *Torcol*.

¹ *Ovem lupæ*—] ‘Ovem lupo commisit, concinne hoc utimur,
quoties ei servandum aliquid committitur, cujus gratia custodem
magis oportebat adhibere.’ *Erasmi Adagia*, tit. *Discriminis*.

TOR.

TOR. Introite, pessimæ¹. Jam
Tu² illas ambas constringe vinculis,
Atque asserva dum redeo.

KOS. Vel occidito.

SUR. St, st, ficcine uxorem deferis³? Ahime⁴!

ANT. ⁵ Qua tu confidentia?

TOR. Incingite me, satellites⁶.

ANT. Ausus in conspectu meo hanc?

TOR. Signior,

Abi quæso: res tuas age, ego meas. Nihil ego tecum.

TRI. ⁷ Furcifer.

TOR. O tu⁸ duces nanulam meam.

Cavebo dehinc de tricis tuis, *Trico*.

TRI. Fallam te tamen hodie.

TOR. Qui minatur hosti, dat quo suo sibi telo jugulet.

TRI. Accede huc.

TOR. Sta longius: atque istinc loquere, si quid vis.

TRI. Tibi in aurem dico, leno facerrimus es.

TOR. Peregrino blande dissimulandæ sunt injuriæ.

Signior⁹,

Nolo similitates tuas. Sunt aliæ elegantes virgines mihi,
Quamlibet istarum eligas uxorem tibi.

ANT. Benigne.

TOR. *Signior, a la buena ventura!*

ANT. Mitte *Portugallicas* blanditias.

TOR. *Servidor, Signior, queda con dios.*

ANT. In malam crucem.

TOR. Illam ego caute servasse hodie¹⁰.

ANT. O *Trico*!

TRI. Habe tu bonum animum modo.

ANT. Abeo; pater expectat intus.

TRI. Quin abi tu:

Ego hic ero in insidiis prope. Nam cauto opus est,
Ne me *Theodorus* herus tecum fabulantem aspiciat:
Suspectus ei jam videor. En exit¹¹! fugio¹².

¹ To *Surda* and *Rosabella*.

² To an officer.

³ To *Trico*.

⁴ Exit *Rosabella*, *Surda*, & *Lorarius* unus.

⁵ To *Torcel*.

⁶ To the

remaining officers.

⁷ To *Torcel*.

⁸ To *Trico*.

⁹ To *Antonius*.

¹⁰ Exit *Torcel* and *Lorarius*.

¹¹ Seeing *Theodorus* at a distance.

¹² Going. Manet *Antonius*.

ACTUS

ACTUS I. SCENA 8.

ARGUMENTUM. *Miserum Antonium Theodorus pater ad navem vocat, Triconem vero ad villam mittit.*

Manet TRICO: intrat THEODORUS,

THE¹. **H**EUS, *Trico, Trico.* Quo te nunc agis? Video te, video;
Ne te occuleris. Numnam is est, an signum pictum in pariete?

Se non movet? accedam propius². Ah verbero, Os hominis, vide.

TRI. Hercle, here, ego a me exieram pene;
Ita Deum ardentissime orabam, ut maritimum iter tuo tibi

Prosperaret *Antonio.*

THE. Pulchre pius.

TRI. Non soleo,

Vera dico.

THE³. Oh, pulverem excutis mihi,
Sed excutis nullum: floccos eximis nimium diligens;
Scelus, tu mihi corrumpis filium.

TRI. Egon', here?

THE. Quid fabricas? si sensero—

TRI. Sane tu me adeo

Probum impelleres, ut—

THE. Quid ut?

TRI. *Basta*⁴.

THE. Cedo, inquam.

TRI. Ut malus te male fallerem: dico ingenue.

THE. Sentio. Abi tu itaque ad villam, ibi facies opus.
Sed audin'? cave ante vesperam redeas.

TRI. Numquid aliud?

¹ Seeing *Trico* going, calls after him.

² Going up to him.

³ *Trico* brushes him.

⁴ *Basta*—] '*Basta*, in *Italian*, sufficit, or it's enough, from whence 'our Sailors term *Avast*.' *Beaumont and Fletcher's Works*, edit. 8vo. 1750, vol. III. p. 244, in nota. Mr. *Steevens* in a note on *The Taming of the Shrew*, in Dr. *Johnson* and his edition of *Shakespeare*, edit. 1773, vol. III. p. 369, renders this expression thus; '*Basta*, i. e. 'tis enough,' and says, that it is *Italian* and *Spanish*.

THE. Vespere redito cum villico una; putare secum
volo

Rationes.

TRI. Narravero quidem. Numquid aliud?

THE. Eamus jam ad portum, *Antoni*. Heus, *Banacar*,
Expedi farcinulas².

BAN. Adsum.

THE³. Has *Dorothea*,
Illas *Antonino*, has uxori ejus *Catharina* literas:
Illos atque amicos salute impertias.

ANT. Fiet. Vale, pater.

TRI⁴. Alacriter dixit; bene est.

THE. At ego te videro,
Fili, navem conscendere. Eccum nautam⁵!

NAUT. Hercle, ædepol, mediusfidius, navem mota-
mini nimis diu.

THE. Imus jam.

ANT⁶. Ad mortem ego, nisi *Trico*——

TRI⁷. St, ne time⁸.

ACTUS II. SCENA 1:

ARGUMENTUM. Theodorus *securus filii*, cum *Banacar*
servo, quem ex *Mahumetano Christianum* fecerat, domum
revertitur.

Intrant THEODORUS, BANACAR.

THE. **F**ilius (quod bene vertat) ad portum abiit alacris;
In navem impositum vidi, & procedere eam
Longiuscule. Res in urbe meas post illa pluscules
Confeci ex sententia. Nunc liquido adeo animo
Domum redeo. *Banacar*, nosti uti te ego hic acceperim,
Vagum, inopem, rerum exortem omnium: & quod
maximum, fecerim
Ex impio Mahumetano Christianus ut fores.

BAN. Here, non vitam modo debere tibi me, sed ani-
mam quoque fateor.

² Intrat *Antoni*us

³ To *Antoni*us, delivering letters.

⁶ Aside to *Trico*.

⁵ Intrat *Banacar* carrying *Antoni*us's trunks.

⁴ Aside.

⁷ Aside to *Antoni*us.

⁵ Intrat *Nauta*.

⁸ Exeunt omnes.

Proin

Proin perstabo sedulo tuum imperium exequi.

THE. I nunc intro igitur, tibi mandata ut geras¹.

Operas qui volet utiles, usque exerceat opere.

Corpus item & animum corrumpit otium².

ACTUS II. SCENA 2*.

ARGUMENTUM. Trico, in scapha navem secutus, Antonium reduxit. De potianda Rosabella consilium habent: se effecturum promittit Trico, Cupis auxilio, libellionis circumforanei. Decem interim aureos, quos Antonio pro itinere dedit pater, Trico accipit, properatque ad vestiarium.

Intrat TRICO.

TRI³. **M**ANE, dum circumspecto. Nemo est. Egredere, inquam;
Nemo homo est.

Phrygia

¹ Exit Banacar.

² Exit Theodorus.

³ To Antonius, about to enter.

* In the library of Emanuel college, Cambridge, is still existing a copy of the first edition of this comedy, which formerly belonged to archbishop Sancroft, and appears to have been by him collated with three manuscripts, as well as with the printed edition of 1658. On an unprinted page of this copy, at the end of the second prologue, is inserted with a pen the following scene, which by a manuscript note in these words, 'Deest hic integra scena secunda: vide supra im-
' med. post prologum;' interposed between the first and second scenes of this act, is directed to come in at this place.

ACTUS II. SCENA 2.

SURDA, TORCOL, BAJULUS.

SUR. **I**, Bajule. Hic ego ut maneam! Curre, curre.

TOR. Tene, tene.

SUR. Perii.

TOR. Fures, fures.

SUR. Interii.

BA. Oime, casu obteror.

SUR. Ferte, cives, suppetias.

TOR. Atqui arcam & cuncta hæc inspexero, ne me quid expilaveris.

Quot servi, tot fures.

SUR. Mca sunt omnia. Scrutare, scrutare, ut lubet.

TOR. En dotem uxoriæ! pupas, crepundia, fistulam, Corallinum.

SUR. Hæc meis servo liberis: bellos parituram scio.

TOR. Portentum! ut mula parias? Ecquid amplius? Hui corymbion, speculum, pigmenta! Simia etiam fuce illinit se.

L 2

SUA.

Phrygia agmina circumspexi².

Quid ais, here? non *Trico* magnus sum ego?

ANT, *Trico* mirificissimus.

TRI. Patrem ire ad portum procul ut videbam limis,
Sectari ego vos clanculum, quasi sine cauda canis.
Ut abierat ille, in scapham me proruo proximam,
Remis velisque properans. Acceffi navem.

² Intrat *Antonius*.

SUR. Ad missam quo bellior veniam, soleo fucare me. Vultum habeo, perinde ac alia, Diis gratia, nec inveniuntum. Omnes proscenae sumus: celamus postscenia.

TOR. Parum admodum surripuit mihi.

SUR. Non recte tibi jam suspecta videor.

TOR. Demulcenda mihi est, ne irata facinora vulget mea.—

SUR. Aufer palpationes. Nubam hodie, haud mansero. Nubam.

TOR. *Triconem* uxorem ducere te?

SUR. Nolle me ducere innuis; annon? Esto: si non nubam perdit, nubam forsitan equiti. Ecquis scit?

TOR. *Trico* te verberabit.

SUR. Verberaturum me virum indicas: quam te malim.

TOR. Cedo tuam mihi dextram.

SUR. Aliter meritus es; sed tamen tene & vale.

TOR. Signiora, vale.

SUR. Ut nunc blande salutat!

TOR. Vale.

SUR. Eamus, bajule. Nunc ibo ad amitam; post id, si non illum, certum est, maritum alicubi quaesiero mihi. Vale.

TOR. Tranquilla est; gaudeo. Nunc jam ad *Rosabellam* eo: solcite servabo hodie.

Exeunt.

This scene, it is to be observed, has never yet appeared in print, and though Dr. *Sancroft* seems so well assured of its authenticity, that he has altered the number of the subsequent scenes in this act, to admit this as the second, yet it is by no means certain, that the author ultimately intended this scene as a part of his comedy. It is probable that he might originally design to use it, but *Torcol* is here represented as dismissing *Surda* from his service, and yet in the sixth scene of the third act, in order to insult *Trico*, and to shew him that he remembers his pretended courtship to *Surda*, he, when leaving the stage and entering his own house, uses these words: 'Ego ad *Surdam* eo nunc: numquid vis mandare, signior?' from which it appears that she had not even then quitted him, but was still his servant. The editor not thinking himself warranted in wholly omitting this scene, and yet conceiving, that on account of its inconsistency with the passage here pointed out, it could not properly be admitted into the text, has given it in the present form, that the reader may exercise his judgement upon it.

² *Phrygia* agmina circumspexi—] *Virgil*, *Aeneid*, Lib. II. v. 68.

'*Phrygia* agmina circumspexit.'

Matrem huc cum familia fingo simul recens advenisse,
Ideoque patrem revocare te, ne frustra abeas : Ita
In scapha nos reveſti denuo huc : navis *Londinum* verſus
volat :

At quid nunc^b vicinis pater ? *Londinum* jam filius
Antonius navigat ; Dii vertant bene : ſervus meus *Trico*,
Optimus *Trico*, opus facit ad villam. Hic villa erit hodie,
Theodore.

ANT. Optime uſque adhuc proceſſit ratio.
At quomodo nunc (qua cauſa redii) potiſſimum *Rofabella* ?

TRI. Id etiam,
Ut ſpero, efficiet *Trico*.

ANT. Utinam.

TRI. Vidiftin' me modo alloqui ?

ANT. Nempe Libellionem iſtum circumforaneum.

TRI. Qui urbem circitans.

ANT. Libellos clamitans venditat.

TRI. Ipſiſſimum : nomen ei *Cupes*.

At, quod haud putaram, nebulo major eſt quam ego ſum.

ANT. At *Torcol* nebulo magnus eſt.

TRI. Nebuloni opponetur ſeſqui-nebulo,
Quales ego & *Cupes* ſumus. Paululum pecuniæ illi præ
manu dederis,

Mira faciet.

ANT. Eccos decem aureos¹, quos pro itinere
Parcus dedit pater ; haud amplius habeo.

TRI. Sat eſt : cedo mihi.

His ego *Cupem* ſubornavero ut—Rem tibi narrabo poſtea
Nunc mihi abundum eſt ad veſtiarium quoque, uti pro
ludo locet

Ornamenta, fallaciam hanc quo exornemus ſplendide.

Hinc tu ad amicū in angiportum proximum : ibi

Abdas te, ne videat pater. Tempore accedam ego.

Me ride, niſi efficiam,

ANT. Ain' ? ſi iſtoc lepide
Effeceris.

TRI. I modo.

ANT. Ne vivam, niſi tibi——

¹ Gives *Trico* money.

^b At quid nunc, &c.—] *Trico* is here repreſenting what account
Theodorus will give to his neighbours, viz. that his ſon *Antonius* is
gone to *England*, and his ſervant *Trico* to the villa.

TRI.

TRI. Etiamne abis?

ANT. Eo, mi Trico¹.

TRI. *Cupes* se mihi operam daturum promisit hodie :
Omnem rem ei narraui modo. Venit ecce cum librorum
sportula².

ACTUS II. SCENA 3.

ARGUMENTUM. Trico & Cupes technas suas meditantur,
ut Cupes Torcol simulet, Causidici ementiatur servum, &
cornu meminerit, si venerit Ignoramus ; acceptis octo aureis,
quibus & uxorem morosam satis exoret, se hanc rem religiose
curaturum pollicetur Cupes. It Trico, ut Cupi etiam &
uxori ejus Pollæ ornamenta ferat.

Manet TRICO : intrat CUPES³.

CUP². **L**ibelli, belli, belli ; lepidi, novi libelli ; belli,
belli, libelli !

TRI⁴. Heus, libelli belli.

CUP.

¹ Exit Antonius

² Manet Trico.

³ With a basket of books.

⁴ Calling after Cupes.

² Cup. Libelli, &c.—] The character of an itinerant bookseller here introduced, though probably a common and well known one at the time when this comedy was written, is so wholly at this day unknown as in this place to require some explanation. Originally the printers of books were the only persons by whom they were sold, for there seems not till of late years to have existed such a trade as a mere vender of books. The books were not only printed and sold, but even bound in the house of the printer, and the public were, by the title page, directed to the printer for the purchase of them ; but as this mode could not be sufficiently public to enable him to dispose of many copies, of small tracts especially, it appears to have been found, in process of time, necessary, that the printer should not wait for applications from purchasers to him, but should send persons round different parts of the town to cry and sell such pamphlets and other books, as from their size were most portable, and were least likely without such assistance to be otherwise disposed of, and of this sort is the character in the text. The persons thus employed were unquestionably distinguished, as being a subordinate class, from the printers, which last were known also by the appellation of stationers. Of this term the following explanation is given in *Junius's Etymologicum Anglicanum*, on the authority of *Minshew* and *Skinner*. 'Stationers, Bibliopolæ, chartapolæ, fort. sic dicti, quod olim in una certa statione, seu certo vico omnes simul officinas habebant ; nunc autem sparsi habitant. Certe Bibliopolæ cœmeterii, D.

CUP. O Trico, mox tibi operam do. Ita vivam, ut pessimi sunt libelli.

TRI. Quid ais?

CUP. Haud ullum queo vendere: manepaululum obsecro.

TRI. Ocyus.

CUP Libelli belli: *Anguilla Æquivocationis*^a, sive *De arte strenue mentiendi cum privilegio, per reverendum in diabolo patrem Andream Belzebug Johannem Cydonium*^b, Quis emit? quis? hem, vide^c. Quis emit *Belzebug*?

TRI.

^a Producing a book.

^d D. Pauli, Lond. tot simul contiguas ædes incolentes prisca hujus ævis aliquid etiamnum retinent. V. *Minsbew. Skin.* Junius's *Etymologicum Anglicanum*. art. *Stationers*. But it seems much more probable, that this appellation should have been given them to distinguish them from itinerant booksellers, they always remaining in a fixed and determinate station, whereas the latter were occupied in dispersing the books in all parts of the town, and confined themselves to no certain spot for the exercise of their trade.

^e *Anguilla Æquivocationis, &c.*—] i. e. The Eel of Equivocation, the title of a supposititious book, perhaps suggested by the following fact: Sir Edward Coke in his speech on the trial of Sir Everard Digby, and others, for the Powder Plot in James the first's time, mentions that, after the conspirators had received the sacrament, a book was produced to them, which was written not long before the queen's [Elizabeth.] death, when Thomas Winter was employed into Spain, entitled *A Treatise of Equivocation*, which was seen and allowed by Garnet, superior of the Jesuits, and Blackwell the archpriest of England. Garnet, with his own hand, altered the title to *A Treatise against Lying and fraudulent Dissimulation*, though it made for both, and Blackwell besprinkles it with his blessing at the end thus: 'Tractatus iste valde doctus & vere pius, & catholicus est, Certe S. Scriptarum, Patrum, Doctorum, Scholasticorum, Canonistarum & optimarum Rationum præsidii plenissime firmat æquitatem Æquivocationis, ideoque dignissimus est qui Typis propagetur, ad consolationem afflictorum Catholicorum, et omnium piorum instructionem.' Parsons, the Jesuit, was supposed to be the author of this book.

The title of the book in the text is unquestionably, as are also some of the others here mentioned, supposititious. Rabelais, in like manner, book II. chap. 7, giving a catalogue of the books in the library of St. Victor, introduces into it a number of books with humorous and satirical titles which are known to have never existed. It may be proper, however, to mention, that in the year 1634, a little book appeared, entitled *The new art of Lying, covered by Jesuits under the veil of Equivocation, discovered, and disproved by Henry Majon, Parson of St. Andrew's Undershaft*, London, 12mo. 1634, the title of which bears so strong a resemblance to a part of that in the text, as almost to induce a suspicion, that it was suggested by this passage.

^b *Andream Belzebug Johannem Cydonium*—] The person here meant is Andreas Eudæmon Johannes Cydonius a Jesuit, who in 1610, published

TRI. Nemo hercle, nemo.

CUP. Vili vendam; a trois sols, a trois sols, a deux sols, a un sol, a un liard, a un grand diable.

TRI. Cupes, haben' tu *Fustem Dæmonum*?

CUP. *Fustis Dæmonum*? *Fustis*? istiusmodi liber est, sed prohibitus^b. Quid eo faceres?

TRI. Eo *Fuste dæmonum Andreæ Belz-bub*, dæmoniorum dæmona, cæderem.

CUP. Tut, non læderes.

TRI. Quid ni?

CUP. Os ferreum habet. Libelli belli, belli, *De modo tenendi Anguillam Equivocationis per caudam*.

TRI. Reste per collum potius. Mox emam.

CUP. Libelli belli. *Pellitior Pellio, Pellio, versipellis Pellio, De modo vertendi pellem, per ipsum Pellionem*.

TRI. Ne tu nomines, obsecro, *Pellionem*^c, ne sicut *Plauti* olim, nostram vitiet fabulam: Pessimus

lished an apology in *Latin* for *Garnet the Jesuit*, which latter person was executed, as being one of the conspirators in the Powder Plot.

* *Fustis Dæmonum*.—] The tract here mentioned is the second part of one entitled *Flagellum Dæmonum*, both of them written by *Hieronymus Mengus*, a monk of the order of friars minor, of *Landeruvenec* near *Brest* in *France*. The *Flagellum Dæmonum* had been published in small octavo in 1580, but was republished in 1606, and again in 1608, both times with the addition of the *Fustis Dæmonum*. The title to this latter tract is, to give it at length, as follows: *Fustis Dæmonum, adjurationes formidabiles, potentissimas, & efficaces in malignos spiritus fugandos de oppressis corporibus humanis; ex sacra Apocalypsis fonte, varisque sanctorum patrum auctoritatibus hausas, complectens. Auctore R. P. F. Hieronymo Mengo Vitellianensi, Ordinis Minorum Regularis Observantiæ. Opus sane ad maximam Exorcistarum commoditatem, nunc in lucem editum. Venetiis, Apud Dominicum Malduram. 1606.*

^b *prohibitus*.—] In confirmation of the assertion in the text, that the *Fustis Dæmonum* is a prohibited book, the following fact is related: A friend of the editor's of this work, in a tour which he lately made through *France*, stopped at *Calais*, and visiting there the library belonging to the *Franciscans*, observed at one part of the room a number of books placed by themselves, and shut up by wire doors. Upon enquiry what they were, he was told that they were prohibited books, as they are called, that is to say, such as by any of the popes have been reprobated as unlawful to be read, and therefore condemned as such in some of the *Indices Expurgatorii*. Many of these books were lettered, and among them he observed one lettered *Fustis Dæmonum*, which is unquestionably the book here mentioned.

^c *Pellionem*.—] From the title of this supposed book, and the mention of *Plautus* below, I am inclined to think that *Schioppius* is the person

Pessimus author *Pellio*; cor odio fauciat.

CUP. Nullus sum.

TRI. Pellem ejus utinam haberem infertam stramento.

CUP. St. tace, stramenta sanctos faciunt. Vin' *Apologiam pro Garneto*^{1a}? En lepidum stramen^{2b}!

TRI.

¹ Produces the book, which he turns over, and finds the cut.

² Shewing the cut to *Trico*.

person here meant. The words 'De modo vertendi pellem,' seem to allude to his change of religion, and with respect to *Plantus*, *Schioppius* is one of the commentators on that author, and some at least of his notes are inserted in *Gronovius's* edition, but for the merit of them, whatever it may be, *Schioppius* appears to have been indebted to a manuscript belonging to *Giffanius*, from which he stole, if not the notes themselves, his materials for them. See the tract entitled *Vita & Parentes Gasp. Schioppii*, p. 161, and the notes before inserted on the second prologue, where the passage is given.

^a *Apologiam pro Garneto*—] Of this book, which is in 12mo, the title at length is as follows; *R. P. Andreae Eudemon-Joannis Cydonii e Societate Jesu, ad actionem proditoriam Edouardi Coqui, Apologia pro R. P. Henrico Garneto Anglo, ejusdem Societatis Sacerdote. Colonia Agrippina, apud Joannem Kinckium, Anno 1610.* The only particulars which have come to our knowledge respecting the person in whose defence the above apology was written, are the following; *Henry Garnet the Jesuit* was born in 1555, and became provincial of his order in *England*, but, on the discovery of the Powder Plot in 1605, he was apprehended and tried as one of the conspirators, for having, as the author of the article for him in the *Dictionnaire Portatif* says, traiterously concealed the intended plot, when disclosed to him in confession, or, according to *Hoffman*, for having actually been one of its original contrivers. The prosecution was conducted against him by *Sir Edward Coke*, then attorney general, and with so good effect, that *Garnet* was convicted of the crime, and executed for it on the third of *May*, 1606, in the presence of a multitude of spectators, who were desirous of seeing the great *Jesuit*, as some termed him, die. *Hoffman* characterizes him by the appellation of 'equivocationum peritissimus,' and relates, that he blasphemously applied to himself that expression originally appropriated to our Saviour; 'It is expedient that one man should die for the people.' See the *Nouveau Dictionnaire Historique-Portatif*, art. *Garnet*, and *Hoffmanni Lexicon*. A miraculous event was pretended to have happened at his execution, which is related in *Fuller's Church History*, to the following effect: *John Wilkinson*, a thorough paged Catholic, as *Fuller* terms him, living at *St. Omers*, being desirous of procuring some of *Garnet's* relics, came over into *England*, and with this intention went early to the place of execution, which enabled him to get a station near *Garnet's* person, where he continued till the execution was over, and the rest of the spectators were departed, when behold, a straw besprinkled with some drops of *Garnet's* blood (for, as having been

M

son-

TRI. *Cupes,*
 Posse & nos sanctos esse spes est.

CUP.

convicted of high treason, he was quartered), and having an ear of corn at the end thereof, leaped upon *Wilkinson*. Joyfully he departed with this treasure and deposited it with the wife of *Hugh Griffith*, a taylor, a zealot of the *Romish* persuasion, who provided a chrystal case for the keeping thereof. Some weeks after, upon serious inspection, the face of a man, and we must believe it *Garnet's*, was, as it was pretended, observed therein, appearing on the outside of a leaf which covered a grain within it, and where the concavity thereof represented the prominence of the face with advantage. This inspired straw was afterwards copied out, and at *Rome* printed in pomp, with many superstitious compartments about it, as a coronet, a cross and nails, more than ever were in the original, and this pretended miracle gave occasion to *Garnet's* beatification some months after. *Garnet* had lamented before his death, that he could not expect that the church should own him for a martyr, because nothing of religion, but only practices against the state were laid to his charge; the pope, therefore, did not think proper to canonize him for a solemn saint, much less for a martyr, but only to beatificate him, which is by *Papists* accounted the lowest degree of celestial dignity, and yet a step above the commonalty or ordinary sort of such good men as are saved. *Fuller's Church History*, book X. page 51. *Osborn*, in his memoirs of the reign of king *James*, mentions, that it was pretended that *Garnet's* effigies was imprinted in the straw, and adds, that some of the straws were sold as relics twenty years after. His words are these, speaking of the Powder Plot: 'Here, as in most conspiracies of like composition, the former mentioned priest' [*Garnet*] 'was a principal ingredient; of whom, after his death, they reported wonders, as that the perfect effigies of his face remained in the straw used to dry up the blood on the scaffold; but all the miracle I could observe, was the prodigiousness of the attempt, who have had some of those straws in my hands, yet could observe no more, than by imposing upon my imagination (first prompted through others report) I found, as may be in all straws else, the resemblance of a beard, and something fancy was at that time apt to cast into the mould of a face, being formerly suborned by the general opinion: yet these, no doubt, are sold, and pass at this day for reliques, as I know they did twenty years after, and he for a holy saint.' *Osborn's Traditional Memoirs of the reign of king James*, among his other works, 8vo. 1673, page 485.

^b *En lepidum stramen*—] The circumstance here alluded to, has been related in the preceding note, but in the *Apologia pro Garneto* before mentioned, is a very circumstantial account of this event, accompanied with a narrative drawn up, as it should seem, by *Wilkinson* himself, and a cut of the straw from which that on the opposite page is taken, and as the book itself is not very common, and the relations contained in it may be considered as more authentic than that above given; it has been judged proper to insert them verbatim, notwithstanding their great length, and the rather, as without such an explanation, as they afford, the passage in the text is totally unintelligible. After relating *Garnet's* behaviour at his execution, the author proceeds

in



CUP. Quænam, *Trico*?

. TRI.

in the following words: ‘ Quo peracto, cum turba tantisper secessisset, *Joannes Wilkinſonus* ad patibulum propius acceſſit, non tam viſendi, quam, ſi qua ratione forſan poſſet, nonnihil reliquiarum tollendi ſtudio. Carniſex cum *Garneti* corpus diſſecaret, pegma, ne id cruore commacularetur, palea forte conſtraverat, multum etiam ejus materiæ in orbem reliquerat, quo diſſecti corporis membra deinde conjiceret. Hæc *Joannes* dum occaſionem tollendi aliquid operiens intuetur: Ecce tibi, incertum qua ratione, ſpica quædam *Garneti* aſperſa ſanguine, nec opinanti in manus deſertur. Ille jam voti compos nihil præterea moratus, in domum matronæ ſpectatæ inter Catholicos pietatis, ac fidei recta contendit, eique aſſervandas eas martyris reliquias tradit, illa cryſtallo inclufas religioſe Catholico ritu cuſtodit. Interea cum eam morbo nescio quo decumbentem *Joannes* ipſe cum alio quodam inviſerent, incidiſſetque de P. *Garneto* ſermo, cumque illa ſpicam quandam ejus conſperſam ſanguine apud ſe eſſe diceret, illeque offendi ſibi poſtularet, allata eſt: eam dum attentius inſpicit, ego vero, inquit, in ea nihil niſi humanam faciem video, excivit ea vox ad ſpectaculum primum matronam ipſam ac *Joannem*, eo magis attonitos, quod præter guttas illas ſanguinis in ſpica nihil antea deprehenderant, tum etiam alios atque alios, quos ii vel cum vix ſibi ipſi crederent, exploratores veritatis, vel miraculi teſtes adhibuerunt. Sed cum conſtanter omnibus & humana ea effigies, & vero *Garneti* quam ſimillima videretur; divino beneficio viventem in ſuo ſanguine martyrem agnoverunt: dumque ut fit, alii aliis Catholicis rem indicant, & concurſationes viſendi cauſa fiunt, neque contineri jam Catholicorum conſcientia ejus fama poteſt, periculofa dominis eſſe cœperat, cum interea ad *Hiſpanienſem* legatum perlata, excitato ejus quoque religioſo viſendi ſtudio, & ſalutem dominis attulit, & rem multo reddidit illuſtriorẽ. Spica enim libentiſſimis dominis apud eum tantisper depoſita, dum adverſariorum rabies deſæviret, ab eoque primariis regni conſiliariis, proceribusque pollicitis bona fide ſe ſpicam integram reddituros offenſa, ac tantorum virorum teſtificatione confirmata, non regiam modo, urbemque *Londinum*, ſed univerſam etiam *Angliam* replevit admiratione. Sed *Cantuarenſis* pseudoepiſcopus *Bancroſtus* indignum ratus, ſe præſule, tantum, & quidem palea *Calvinianæ* ſuperſtitioni vulnus inſiſtum; in furorem prope verſus ea de re quæſtionem inſtituit, ac multos conjecit in carcerem, ad quos eam ſpicam pertinuiſſe ſuſpicaretur. Ferunt etiam accitos ab eo pictores, qui rem arte imitarentur, ut ea ratione miraculi pondus elevarẽt, cum ingenue reſpondiſſent humano artificio perfici nullo pacto poſſe, miraculum ſuo etiam judicio confirmant. Nec minor *Papami* & *Coqui* ſupremorum judicum rabies, qui lædi majeſtatem rei publicæ, atque imminui judiciorum exiſtimationem clamant, ſi quem majeſtatis ipſi non ita multo ante damnarunt: eum divina ſententia tanto miraculo edito abſolverit. Ita Deus, qui muſcis, culicibusque egit olim ſuorum cauſam; ac regis *Ægypti* contumaciam contudit, duabus ſanguinis guttulis, atque unica palea martyris ſui exiſtimationi conſuluit, ejuſque adverſarios perculit.

‘ Sed

TRI. Quod sumus scelestissimi.

CUP.

“ Sed *Joannes* cum de vita religiose instituenda cogitaret, rebus
 “ suis utcumque dividendis, *Audomaropolim* in *Belgium* profectus, atque
 “ inter collegii ejus alumnos adscriptus est. Ibi dum sibi comparat
 “ necessariam ad id vitæ genus scientiam literarum, quod animo des-
 “ tinarat, morbo cotreptus, desperata jam corporis salute, depositus :
 “ hanc rei gestæ seriem coram testibus juratus edidit, ac manu sua
 “ subscripsit. Autographum *Romam* transmissum, ejusque & testium
 “ chirographo consignatum ipse vidi, ex quo hæc ad verbum *Latine*
 “ addita sunt.

“ Testimonium *Joannis Wilkinsoni Angli*, seminarii *Audomaropolitani*
 “ alumni, de spica miraculosa ex autographo desumptum.

“ **E**GO *Joannes Wilkinsonus* gravi morbo laborans, & a medicis sine
 “ spe vitæ derelictus; Deo, & sanctis ejus faciam utcumque satis,
 “ exponam (ut hac me religione exolvam) modum quo spicam in-
 “ veni, in qua imago B. P. *Garneti* conspicitur.

“ Prædie ejus diei, quo P. *Garnetus* extremo affectus est supplicio,
 “ ingens animo quasi extrinsecus injectæ cupido spectandæ cædis in-
 “ cussit, ut reliquiarum ejus aliquid inde domum referrem. Spem
 “ vero ita certam concepi fore omnino, ut voti compos fierem, ut du-
 “ bitare non potuerim, quin aliquid per id tempus essem visurus,
 “ quo sancti sui Deus innocentiam testaretur, cumque mihi subinde
 “ ejusmodi cogitatio recurreret: eam iterum atque iterum conabar
 “ abigere, ne miraculum ibi expectans, ubi necessario expectandum
 “ non erat, Deum tentando irritarem; postero vero die eo me summo
 “ mane contuli, reliquosque omnes antevertens proximum carnificiæ
 “ locum occupavi. In eodem ibi vestigio hærebam, dum adesset *Gar-*
 “ *netus*, tantus vero ab adventu patris concursus equitum fieri cœptus
 “ est, populi numerus tantus utique fuit, ut captum antea locum te-
 “ nendi potestas non esset. Itaque rejectus eo sum, unde loquentem
 “ exaudirem ægerime, notavi tamen quædam, quæ mihi non parum
 “ solatii attulerunt: Illud primum fuit, indusum pater sic aptarat,
 “ ut illud amictu omni per carnificem de more detractæ, nullus cœli
 “ spiritus eventilare posset, & casta illa membra detegere, quod mihi
 “ magnum modestiæ & puritatis argumentum est visum. Alterum
 “ fuit, quod cum scalæ jam essent amovendæ, manibus in crucem
 “ compositis ante pectus, quamvis aliquantulum illæ demitterentur,
 “ crucis tamen effigiem supra cor patris cœlique expresserunt, donec
 “ ille extremum Deo spiritum redderet. Atque hoc eo mihi majorem
 “ admirandi materiam dedit, quod divinitus mihi concessum patri
 “ videretur. Ipse enim moriens orarat Deum, ut sibi a corde domi-
 “ nicam crucem nunquam avelli pateretur. Adverti præterea cum
 “ beati martyris decus caput populo spectandum proponeretur,
 “ vultum omnino eundem fuisse, eundem colorem, qui vivo fuerat,
 “ spirantique. Denique hoc etiam memoria & cognitione dignum
 “ putavi, quod faustas populi acclamationes, quibus ille diuturnam
 “ regi salutem tali in re ac tempore solitus est comprecari, audiivi sane
 “ nullas, quod mihi indicio non levi fuit, populo jam tum patris in-
 “ nocentiam fuisse, & perspectam videlicet, & probaram.

“ Membris quatuor in partes dissectis, & una cum capite corbi
 “ impositis (ut de more gentis suæ quæque loco affigerentur) scellit
 “ paulatim

COT. Libelli belli. Sti. Garneti, Sti. Jacobi Clementis

" paulatim turba: ego propius accedens, medius inter curram &
 " locum supplicii constitui: cumque ibi diutius perflerem: nec mi-
 " nori, quam antea studio flagrarem, nonnihil mecum reliquiarum
 " asportandi; in manus mihi devenit, nescio quo pacto, illa nunc
 " adeo celebris & mirabilis spica. De carnificina quidem in corbem,
 " quo *Garneti* caput ac membra demittebantur, arida simul stramenta
 " coniecta sunt non pauca, utrum tamen spica hæc mihi de carnifi-
 " cina, an vero de corbe accesserit, nunquam ausim affirmare, id
 " unum vere dixerim, hujusmodi spicam haudquaquam humo missam
 " in me profluisse, cum antea humi non jaceret. Hanc ego spicam
 " eodem die dominæ *N. matronæ* ob Catholicam pietatem spectatissi-
 " mæ tradidi. Illa Crystallinæ includit thecæ, quæ cum brevior
 " esset, factum est, ut spica levius inflecteretur. Paucis post diebus
 " domina *N.* nobili cuidam viro sibi perneccessario obtulit contemplan-
 " dam, quæ attentius intuitus: præter vultum, inquit, hominis aspi-
 " cicio nihil, novitate vocis inexpectatæ ego pariter & *D. N.* defixi,
 " etiam atque etiam spectaculo inhæremus, & quod ante minus ad-
 " verteramus; humanum & ipsi vultum adspicimus, quem alii præ-
 " terea novæ hujusce rei momento temporis, vel spectatores, vel testes
 " advocati conspexere. Atque hæc est verissima (uti Deus novit)
 " "*Garnetianæ* spicæ historia, cujus ipse cognitionem divini honoris
 " & gloriæ incrementum putavi, si minus in tenebris abdita delitescer-
 " ceret, quin & illud in divinæ spem gratiæ nihil de me, vel confi-
 " tendum esse duxi, vel prædicandum, quod per triduum ejusmodi
 " post spicam mihi divinitus comparatam, animo sensi me solito ve-
 " hementius æstuari, & cœlesti quadam luce non vulgariter impleri.
 " Quem novum animum tenerem, non nisi a Deo peculiariter manasse,
 " constantissime credebam, singulari videlicet *B.* martyris merito ac
 " beneficio, quem ego in cœlis videbar intueri, ut non infimis sanc-
 " torum virorum ordinibus ascriptum: sic meritissima gloriæ laurea
 " mirifice refulgentem: quo tempore contigit ut *P. Hollando* societ.
 " *Jesu* sacerdoti, quicum per id tempus forte versabar, de rebus piis,
 " beatique patris *Garneti* morte differenti omnino statuerim beatissimæ
 " *Deiparæ* virginis opem, ac precēs (quas *P. Garnet.* fugiente jam
 " spiritu suppliciter imploravit) artem esse unicam ad Numen hu-
 " mano scelere graviter commotum dicto citius tranquillandum.
 " Postero vero die iisdem animi sensibus inflammatus, magna quædam
 " de divina gratia cogitare cœpi. Alias enim visus sum Dei justitiam
 " intueri adeo sinceram & incorruptam, ut nemo ejus posset nutui
 " refragari, alias mirificam ejusdem potestatem, charitatem & boni-
 " tatem tantam erga res creatas omnes, ut utramque fortunam su-
 " bire unusquisque, si ita Deo videretur, animo non forti solum, sed
 " æquo deberet. Ad hæc nonnulli peculiare quosdam in me motus ex-
 " istere, adeo ardentes atque efficaces, ut ne minimum quidem ex
 " humanis omnibus alio complecti studio viderer, quam quo ipse me
 " diligebam, de me vero quasi de vilissimo capite, humiliter omnino,
 " abjecteque sentire, neque unum omnium esse, cui possem salvis
 " legibus anteferri. Si quos forte pueros, aliove ludibrio esse cer-
 " nerem, tantum divina in ipsis imagine capiebar, ut humi procum-
 " bens finem nullum, si liceret, secilem illorum pedes osculandi.
 " "Catholica

tis^a & Sti. Ravilliaci^b canonizatio, ex bibliotheca Vaticana :
Schioppius

“ Catholicæ Ecclesiæ veritas efficax admodum, & quæ Deo niteretur,
“ longe clarissima mihi videbatur; Honorem sanctorum reliquii &
“ imaginibus habitum, nec non ceremonias, quæ inter Catholicos
“ usurpantur, & prodesse plurimum, & pietatem non leviter stimulare
“ judicabam. His addebam hæresim *Satanæ* illecebram, ac laqueum
“ esse, quo incautæ mortalium mentes misere capiuntur. Alia permulta,
“ quæ mihi in mentem veniebant, silentio prætereo, quod valetudinis
“ vitio adempta potestas est eorum memoriam repetendi. Hoc non omit-
“ tam, quod cum antea non semel, aut iterum divino me obsequio pe-
“ nitus totumque tradere destinassem, per id maxime tempus religiosi
“ famulatus consilium, quippe ratum magis ac firmum, maturefcere
“ visum est: cum autem dubitarem, quam potius eligerem, nunc
“ ob oculos ponens *Carthusianorum* ordinem, nunc alios diversos:
“ Societatem *Jesu* cæteris prætuli, in eaque statui coadjutoris munus
“ exequi, de doctrina veritus, ne non ad sacerdotium satis esset: ve-
“ rum deinde, cum ex nonnullis didicissem, doctrinam me cum
“ studio & exercitatione assequi posse, huc serio animum appuli, unde
“ protinus expeditis, quibus in *Anglia* implicitus eram negotiis, quic-
“ quid mihi forte evenerat, in pecuniæ summam coegi, matureque
“ has in partes comportavi, ut studiis operam navarem, quæ velin,
“ fratri meo ad hoc vitæ institutum conferatur, qui tamen, si id nolit,
“ erogetur eis, quibus hæc vivendi ratio in animo est, qua meo ju-
“ dicio nulla Deo acceptior excogitari potest.

“ Equidem (immortales Deo gratias habeo) jam inde propositum
“ strenue urfi, unas solum accepi literas, quibus scriptum erat ma-
“ trem, nisi eam reviserem, dolori succumbentem brevi esse mori-
“ turam, quibus lætis ambigere aliquantum cœpi quid agendum esset;
“ cum autem perendie Missæ sacrificio interesssem, in evangelio lectum
“ est: Qui reliquerit patrem, aut matrem, &c. propter me, centuplum
“ accipiet in hoc mundo, & vitam æternam possidebit. Quo factum
“ est, quæ Dei benignitas est, ut initum jam consilium magis ac ma-
“ gis in dies singulos firmaretur.” *Cydonii Apologia pro Garneto*, p.
351 & seqq.

It has been before noticed, that in this Apology for Garnet is con-
tained a cut representing the straw, from which that before exhibited
was copied, and we may reasonably imagine, that *Cupes* turning
over the book in order to induce *Trico*, from a transient view of its
contents, to purchase it, casually lights on the engraving, and in the
passage in the text points it out to *Trico*.

^a *Jacobi Clementis*—] In the *Nouveau Dictionnaire Historique-Porta-
tatif*, is the following article for *James Clement*, the person mentioned
in the text, which it has been judged proper to insert in the words
of its author: ‘*Clement (Jacques) Dominicain, natif de Sorbonne,
‘ étoit âgé d’environ 25 ans & venoit d’être fait Prêtre, lorsqu’il prit
‘ la résolution d’assassiner son Roi. C’étoit un homme d’un esprit
‘ foible & d’une imagination dérégulée. Il consulta son prieur sur son
‘ dessein, & cet homme au lieu de l’en détourner, lui conseilla de
‘ prier & de jeuner, pour connoître la volonté de Dieu. On assure
‘ même qu’on lui parla pendant la nuit, & qu’on lui fit entendre com-
‘ me une voix venue du ciel qui lui ordonnoit de tuer le tyran. On
‘ dit*

Schioppus vespillo ^a, *Schioppus*.

TRI.

dit encore que la duchesse de *Montpensier* sœur de *Guises*, la même qu'on accusa de s'être prostituée à *Bourgoing* prieur des *Jacobins*, acheva de le déterminer, en l'assurant que s'il échappoit, le pape ne manqueroit pas de le faire Cardinal, & que s'il périssoit, il seroit canonisé comme libérateur de sa patrie, gouvernée par un persécuteur de la foi. Le parricide parti de *Paris* le dernier *juillet* 1589, avec plusieurs Lettres de recommandation, & fut amené à *St. Cloud* par la *Gurffe* Procureur-Général. Celui-ci soupçonnant un mauvais coup, & l'ayant fait épier pendant la nuit, on le trouva profondément endormi, son *Bréviaire* auprès de lui, ouvert à la page du meurtre d'*Holoferne* par *Judith*. Ce malheureux conduisit le lendemain chez le Roi, dit qu'il venoit lui apprendre les choses les plus importantes de la part de ses fideles serviteurs de *Paris*; mais qu'il ne pouvoit les communiquer qu'à lui seul. Comme on se retiroit, on entendit *Henri III.* s'écrier : " Ah malheureux que t'avois-je fait pour m'assassiner ainsi ? " On entra & on vit son sang couler du bas ventre, où ce scelerat avoit enfoncé son couteau, & l'avoit laissé dans la plaie. Le Roi le retira lui-même, & en frappa le monstre à la tête. Les seigneurs dans le premier mouvement le percerent de mille coups. Son corps fut ensuite traîné sur la claie, tiré à quatre cheveaux & brûlé. Cet execrable attentat fut reçu bien autrement par les ligueurs. Lorsque la mere de *Jacques Clément* parut à *Paris*, après le parricide de son fils, les prédicateurs engagerent le peuple à aller " vénérer cette bienheureuse mere d'un saint martyr. " C'est ainsi qu'on appelloit en chaire le monstre, tandis qu'on ne donnoit à *Henri* que le nom d'*Herode*. *Nouveau Dictionnaire Historique-Portatif*, art. *Clement (Jacques)*. The wound which the king had received, *Mezeray* informs us, was at first not apprehended to be mortal, but on further examination it being found that the intestines were cut, the king was apprized of his danger, and, after having made his confession to the chaplain of his chapel, expired about four in the morning of the second of *August*, which was the next day after his receiving the wound. See *Mezeray's History of France*, translated by *John Bulteel*, fol. *Lond.* 1683, p. 795.

^b *Sti. Ravalliaci*.—] In the *Nouveau Dictionnaire Historique-Portatif*, cited in the preceding note, is likewise contained the following article for *Ravalliac*, the last of the execrable triumvirate mentioned in the text. '*Ravalliac (François)* fils d'un Praticien d'*Angoulême*, dont il suivit quelque temps la profession, prit ensuite l'habit chez les *Fuillans*; ses idées noires, ses visions, & ses extravagances, le firent chasser du Cloître, six semaines après. Accusé d'un meurtre, sans pouvoir en être convaincu, il échappa au châtement qu'il méritoit & redevint solliciteur de procès. Il en perdit un en son nom pour une succession. Ce malheur le reduisit à une telle misère, qu'il fut obligé, pour subsister, de faire le métier de maître d'Ecole à *Angoulême*. Les excès, les libelles, & les sermons des ligueurs, avoient dérangé son imagination dès sa premiere jeunesse, & lui avoient inspiré une grande aversion pour *Henri IV.* Des prédicateurs, trompettes du fanatisme & du parricide, enseignoient alors qu'il

N

TRI. *Hercules tuam fidem^b!*

CUP. *Parasitus Schioppius, de arte parasitandi; liber manuscriptus.*

TRI. Videam. Phi,

Ut scripta olent hominis committitis! scribit lotio?

'qu'il étoit permis de tuer tous ceux qui mettent la religion Catholique en danger, ou qui font la guerre au pape. *Ravaillac* né avec un caractère sombre, & une humeur atrabilaire, saisit avidement ces principes abominables. Au seul nom d'*Huguenot* il entroit en fureur. La dure nécessité où il se vit réduit, la perte de son procès, les tristes réflexions qu'il fit sur son emprisonnement, & sur son expulsion du cloître, irritèrent de plus en plus sa bile. Il prit la résolution exécrationnable d'assassiner *Henri IV*, que son imagination échauffée lui faisoit regarder comme un Fauteur de l'hérésie, qui alloit faire la guerre au pape. Affermi dans son dessein, il l'exécuta le 14 Mai 1610. Un embarras de Charrettes ayant arrêté le carrosse du Roi au milieu de la rue de la Feronnerie, qui étoit alors fort étroite, *Ravaillac* monta sur une des roues de derrière, & avançant le corps dans le carrosse, au moment que ce prince étoit tourné vers le duc d'*Epemon*, assis à son côté, pour lui parler à l'oreille, il lui donna dans la poitrine deux coups de poignard, dont le second lui coupa l'artère du poulmon, & fit sortir le sang avec tant d'impétuosité, que ce grand Roi fut étouffé en un instant sans proférer une seule parole. Le monstre eût pu se sauver sans être reconnu; mais étant demeuré à la même place, tenant à la main la couteau encore dégouttant de sang, le duc d'*Epemon* le fit arrêter. On le conduisit d'abord à l'Hôtel de *Retz*, & ensuite à la *Conciergerie*. Son procès ayant été dressé, il fut tiré à quatre chevaux & écartelé à la place de *Grève*, le 27 Mai 1610, âgé d'environ 32 ans, après avoir constamment persisté à dire dans tous ses interrogatoires, qu'il n'avoit point de complices.' *Nouveau Dict. Hist. Portatif. art. Ravaillac (Francois)*. See also *Mezeray's History of France*, translated by *John Bulteel*, fol. Lond. 1683, p. 941, where the substance of the above account may be found.

^a *vespillo*.—] The father of *Schioppius* is said in the *Vita & Parentes Gaspar. Schoppit*, which we have before cited in the notes on the second prologue, to have been the sexton of the village where *Schioppius* was born; the words of the passage, as given by *Bayle*, in his Dictionary, art. *Schioppius*, are these: 'hoc vespillone atque ædituo in pago quodam non ignoto, natus est Gaspar Schoppitius;' and *Bayle* further relates, that his father one day made a grave too little, and being unwilling to make it longer, he cut off the feet of the dead body. For this fact *Bayle* cites, as his authority, the following passage from the *Vita & Parentes Gaspar. Schoppit*, edit. 1609, p. 138. 'Hiberno quodam tempore, terra firmiter gelu constricta, sepeliendum acceperat cadaver, cui jam sepulchrum effoderat, sed mensura brevior quam pro mole; ibi vir fortissimus ne tanto in frigore terra deducenda esset, pedibus cadaver mutilat, & in fossam quam sepulchrum verius recondit.'

^b *Hercules tuam fidem*.—] Besides the usual sense of these words they have here a peculiar signification, as being the title of a book: the occasion of writing it, and extracts from it, may be seen in the notes on the second prologue.

CUP.

CUP: Quis emit? quis? Perii.

TRI. Ohe jam satis est, ohe libelli: legisti omnia venena.

CUP. In malem crucem omnes libros perditissimos.

Quid feci ego, quidve sum locutus,
Cur me tot malis perderent libellis?

TRI. Caveas dehinc ab istiusmodi. O putidos scriptores, incendiarios, mundi turbonidas, plebipitillos, Nobili-perdonidas, Regicidas, Papæ-palponidas!

CUP. Immo apage omnes; sunt Annales *Volusi*^b: *mais quoy vanne via manninconia*. Habeo tamen aliquos quantitativis pretii. *Prologus Caballinus, sive metamorphosis Messe Davy de Dromedariis*: Item ejusdem *Milleloquium ad æzæm*: *Haftiludium de Messe Davy cum Archy de Archivis*^c: Ejusdem *Peregrinationes Syn-Coriatice*^d.

TRI.

^a *Quid feci, &c.*—] *Catullus*, Epig. 14. ad *Calv. Licinium* Oratorem, v. 4 & 5.

‘— quid feci ego, quidve sum locutus,

‘Quur me tot male perderes poetis?’

^b *Annales Volusi*—] ‘*Volusus*, Poeta ineptus, patria *Patavinus*, qui ‘*Ennium* secutus rerum gestarum populi *Romani* Annales carmine scripsit. An idem cum *Tanuso Gemino*? *Senec.* ep. 93 extr. *Catullus*, Epigr. 96, v. 7.

‘At *Volusi* Annales *Paduam* morientur ad ipsam,

‘Et laxas scōmbris sæpe dabunt tunicas.

‘Vide & Epigr. 37 v. 1.’ *Hoffmanni Lexicon*.

^c *Haftiludium de Messe Davy cum Archy de Archivis*—] The fact to which the title of this supposititious book alludes, has been already related in a note on the second prologue. Vide ante, p. 23, where an account is also given of *Archy* himself, to which we may add, that he seems to have been employed to bring about a peace between the king of *France* and the inhabitants of *Rochelle*, in the year 1623, for, among the poems of the well known *John Taylor*, the water-poet, is one entitled, *Honour concealed strangely revealed, or the worthy praise of the unknown merits of the renowned Archibald Armstrong, who, for his unexpected Peace-making in France betwixt the king and the Rochellers, bath this poem dedicated as a trophy to his matchless virtues. This being done in the Year of our Lord 1623, written by him whose name anagrammatized, is Loyol in bart.* The running title of this poem, as it stands among his other works, is *The Peace of France with the praise of Archy*.

^d *Syn-Coriatice*—] i. e. *Syn-Coriatice*, compounded of the Greek proposition *syn*, and the adjective *Coriatice*, which last word is formed from the surname of *Thomas Coriate*, a famous traveller in the time of king *James* the first: *Peregrinationes Syn-Coriatice* must therefore be travels in company with *Coriate*, and of this singularly extraordinary person, it has been thought necessary to subjoin the following account: *Thomas Coriate* was born at the parsonage house of

N^o 2

Oacombe

TRI. Et liber, & ille,

Ibit

Odcombe in *Somersetshire*, some time, as it should seem, about the year 1577, and was the son of *George Coriate*, a feminary priest, who, in 1582 was, as such, executed at *Tyburn*. In the beginning of the year 1596, being then nineteen years of age, he became a commoner of *Gloucester Hall* in the university of *Oxford*, where he continued about three years, and by the help of a retentive memory, attained to a competent skill in *Logic*, but to a far greater in the *Greek* language, and other branches of polite literature. Afterwards, quitting the university, he was taken home for a time, but after that, going to *London*, he was received into the family of *Henry* prince of *Wales*, when, falling into the company of the wits, they found him in many respects little better than a fool, and therefore made him (as *Wood* terms him) their whetstone. In the beginning of 1608 he travelled into *France*, *Italy*, *Germany*, and other countries; in short, almost over *Europe*, on foot, and in that tour walked 900 miles with one pair of shoes, which he got mended at *Zurich*; on his return he published his travels in a quarto volume, under the title of *Crudities hastily gobbled up in five months Travels in France, Savoy, Italy, Rhetia, Helvetia, some parts of High Germany, and the Netherlands*. Lond. 1611. In the year following, viz. 1612, after having taken leave of his countrymen, in an oration spoken at the cross in *Odcombe*, he took a long journey, with intention not to return till he had spent ten years in travelling, and in this tour visited, among many other places of note, *Constantinople*, *Jerusalem*, *Alexandria* in *Egypt*, *Aleppo*, *Babylon*, *Uspahan* in *Persia*, and lastly *Agra* in that kingdom, at which last place he remained till he had learnt the *Turkish* and the *Morisco* or *Arabian* languages, and had obtained a sufficient degree of skill in the *Persian* and *Indostan* languages to enable him in his travels up and down the *Mogul's* territories, to speak their language as well as to wear the habit of that nation, which he uniformly did. Of his proficiency in the former of the two last the reader may, in some degree, judge, when he is informed, that in the *Persian* language *Coriate* delivered an oration to the great *Mogul*, for which he received from that prince a present of 100 rупees, amounting in value to 12l. 10s. sterling; and his skill and fluency in the latter, viz. the *Indostan*, may be estimated from the following notable specimen which he gave of it: A landress belonging to the *English* ambassador in that country, was remarkable for so fluent and shrewish a tongue, that she would scold from sun-rising to sun-set: This virago *Coriate* undertook to encounter in her own language, and did it with so good effect, that by eight o'clock in the morning he had most effectually silenced her, insomuch that she had not one word to say, to the great wonder and mirth of those present. In these his travels, he appears, at the same time that he was indulging an insatiable curiosity, to have practised the utmost frugality; for he usually travelled on foot, and alone, and he tells his mother in a letter to her, inserted at the end of his tract entitled *Thomas Coriat, Traveller for the English wits, greeting, from the court of the great Mogul, resident at the town of Ajmere in Eastern India*, 4to. Lond.

Ibit ab excusso missus ad astra fago *.

CUP. Meos etiam eccillos libros. *Cupes de arte bibendi, auctus, recognitus, & ab infinitis mendis repurgatus, cum adjectione & commentario; Cupes de Cupediis.*

Lond. 1626, that in his ten months travels between *Aleppo* and the *Mogul's* court, he spent but three pounds sterling, living reasonably well for about two-pence sterling a day; but in the tract itself entitled *Thomas Coriat, Traveller for the English Wits*, &c. above mentioned, he gives a somewhat different account, for he there says, p. 29, that he spent in his ten months travels between *Aleppo* and the *Mogul's* court but three pounds sterling, yet fared reasonably well every day, victuals being so cheap in some countries where he travelled, that he often lived competently for a penny sterling a day, yet of that three pounds he was coufened of no less than ten shillings sterling, by certain lewd *Christians* of the *Armenian* nation; so that indeed, as he adds, he spent but fifty shillings in his ten months travels. He did not, however, accomplish his intended scheme of ten years absence from his native country, for, being at *Mandora*, at the house, as it should seem, of Sir *Thomas Rowe*, the *English* ambassador, and standing in a room there against a stone pillar, he suddenly fell into such a swoon that it was with great difficulty that the persons present could recover him from it. When he came to himself, he told them, that some melancholy thoughts had immediately before presented themselves to his mind, which, as he conceived, had been the cause of his indisposition, for, he added, that great expectations were formed in *England* of the account which, on his return home, he should give of his travels, that he was then shortly to leave them, and as he was then not very well, if he should die in his way to *Surat*, whither he intended to go, and which he had never seen, he might be buried in obscurity, and none of his friends ever know what became of him, travelling, as he did usually, alone. Upon which the ambassador pressed him to stay longer with him, but *Coriate* thankfully declined that offer, and presently after set out for *Surat*, which was 300 miles distant from the place where he then was. He lived to reach it in safety, it is true, but was there too kindly treated by some of the *English*, who having some sack which they had brought from *England*, and informing him of it, he called for some, saying, 'Sack, Sack, is there such a thing as Sack? I pray give me some Sack;' and drinking of it, though but moderately, for he was very temperate, it increased the flux which he had upon him, and caused him, within a few days, to end his life there. He died in the month of *December* 1617, and was buried at *Surat* under a little monument, like one of those that are usually placed in our church yards. See *Wood's Athens Oxonienses*, edit. 1721, vol. I. col. 422. and *A Voyage into East India* by *Edward Terry*, 12mo. *Lond.* 1655, which last person not only knew *Coriate*, but was his chamber-fellow, or tent-mate, and from whose book *Wood's* account is taken. See also *Purchasse's Pilgrim*, part I. book 4. chap. 17.

* [Ibit ab excusso, &c.—] *Martial*, Lib. I, Epig. 3, v. 7,

‘Ibis ab excusso missus in astra fago.’

TRI.

TRI. Tune pauper amas cupedias?

CUP. Odi ego istos parasitos bubulos : mihi cum est pecunia,
Nihil nisi electilia & scitamenta edo.

TRI. Cupes, Cupes,
Ne cupias mullum, cum sit tibi gobio tantum
In loculis^a.

CUP. Discupiam tamen.

TRI. Quid ita? Num es Cupedinarius?

CUP. Olim fui : sum enim mille-artifex. *Parisiis* eram
Adolescens histrio.

TRI. Beasti : nam plures personæ
Tibi sunt agendæ hodie.

CUP. *Venetiis* serviebam pistori dulciario,
Illic, *Trico*, scriblitas, placentas, crustula, & omnia scitula
Faciebamus pemmata.

TRI. Probus tum sublingio.

CUP. *Tolusæ*, quod volebam maxime, servus cœno-
polæ fio :

Pitissabam modice, tantum tres congios indies. Ita
Herus decoxit. Post ego aufugi in *Hollandiam* :
Illic circumgestabam pulchre tunicatam simiam.

Romæ dux eram cæco.

TRI. Ergo ille præstitit tibi cæcam obedientiam.

CUP. *Romæ*? quidni? Illic qui maxime obediens
cæcus maxime.

TRI. Quid in *Anglia*?

CUP. *O la bonne biere d'Angleterre*^b.

Ibi ruri primulum castrabam fues : Post *Londini*
In Caufidicorum hospitiiis sub-promus eram.

TRI. Nunquamne in *Hispania*?

^a *Ne cupias mullum, &c.*—] *Juvenal*, Sat. XI. v. 37.

^b *Nec mullum cupias, cum sit tibi gobio tantum*

^c *In loculis.*

^d *la bonne biere d'Angleterre*—] *Heylyn*, in his *Cosmography*, speaking of *Britain* [i. e. *England*] says, 'The usual and natural drink of the country is beer, so called from the French word *Boire*, for wines they have none of their own growing, as before is said, which, without controversy, is a most wholesome and nourishing beverage; and being transported into *France*, *Belgium*, and *Germany*, by the working of the sea is so purged, that it is among them in highest estimation; celebrated by the name of *la bonne Biere d'Angleterre*.' *Heylyn's Cosmography*, by *Bobun*, Lond. 1703, p. 242. tit. *Britain*. The reader will recollect, that the scene of this Comedy is laid at *Bordeaux* in *France*.

CUP. Minime vero.

TRI. Quid ita?

CUP. Tres uvas passas coenare nequeo^a, *Trico*.

TRI. Bene est.

At meminist' quod tibi dudum dixerim?

CUP. Probe; ac me facturum spondeo; mutatis nempe ornamentis, ut *Torcol* quandam simulem.

TRI. At torto collo.

CUP. Mimum vide.

TRI. Placet.

CUP. Dein ut Causidici

Ementiar fervolum.

TRI. Quin si ipse advenerit

Ignoramus, memento cornu.

CUP. Memini: ha, he!

Illorum me nemo novit.

TRI. Atqui ornatus eris ignorabilis magis.

Verum uxorem instruas etiam, *Rosabellam* qui agat suppositam.

* *Tres uvas passas coenare nequeo*—] Alluding, as it is imagined, to the extreme poverty under which all ranks of people in *Spain*, but more especially the gentry and lower sort, labour. Dr. *Heylyn* in his *Cosmography*, edit. 1703, p. 198, speaking of the *Spaniards*, and describing the quality of the soil, says; 'In corn, which is the staff of life, they are so defective, that they receive the greatest part of what they spend, from *Italy*, *Sicily*, and *France*. Their cattle neither fair nor many, the country being not able to breed them, so that their diet is on sallads and the fruits of the earth; every gentleman being limited what flesh he shall buy for himself and his family, which if he send for to the butcher or poulterer by the smallest child able to do the errand for him, he is sure not to be defrauded in price or quality. And yet they talk as highly of their gallant fare as if they surfeited with plenty of all provisions: handsomely checked in that fond humour by that worthy soldier Sir *Roger Williams*, of whom it is said, that hearing once a *Spaniard* thus foolishly bragging of his country sallads, he gave him this answer: "You have, indeed, good sauce in *Spain*, but we have dainty beefs, veals, and muttens to eat with that sauce, and, as God made beasts to live upon the grass of the earth, so he made man to live upon them." And it is observed, that if a *Spaniard* have a capon or the like good dish to his supper, you shall find all the feathers scattered before his door by the next morning.' The same author, among the few commodities which the soil of *Spain* produces, and which the *Spaniards* vend to the inhabitants of other countries, reckons wines and raisins, the latter of which seems alluded to in the text. The poverty of this people, the reader will find very minutely and pathetically represented in a little book, entitled *The Life and Adventures of Lazarillo de Tormes*.

Scio

Scio versuta est.

CUP. Vel maxime. Allicere autem ut possim, vereor;
Morosa adeo, jurgat semper, etiam, *Trico*, me verberat.

TRI. Num furia?

CUP. Imo, *Trico*. Vel una omnes furia.

TRI. Tales si mihi tres uxores forent, duas cacodæ-
moni darent

Ea lege——

CUP. Quanam, *Trico*?

TRI. Ut abriperet tertiam.

CUP. Habeat.

TRI. Quin ego & tibi & illi dederō.

Quod allexerit ambos. Octo ecce aureos¹.

CUP. Da mihi, & ducam *Danaen*².

TRI. Oro te, *Cupes*,

Per lactes tuas——.

CUP. Religiose orasti.

TRI. Hoc ut cures.

CUP. Curabitur.

TRI. Eo nunc, quo tibi & uxori ornamenta feram,
Hic vide tu sis usque in infidiis: ex re nata, si sit opus,
Machinare subito.

CUP. Fiet: at hic apud me coenabimus

Una; fumam hodie hoc.

TRI. Benigne ais, bene tibi fit.

CUP. Vale³: Evocabo jam uxorem, ut expugnem
auro, nam absque hoc foret,

Nihil agerem. Jurgabit, scio, ut solet; ita semper mur-
murat,

Quasi murem mandens felis. *Polla*, *Polla* uxor; Heus,
Polla, *Polla*⁴.⁵

¹ Chinks money.

² *Trico* gives him money.

³ Exit *Trico*.

⁴ Aloud, to *Polla* within.

⁵ Manet *Cupes*.

ACTUS

ACTUS II. SCENA 4:

ARGUMENTUM. *Vociferatur primo Polla: dato auro ad-blanditur, & modo Cupes scorta in ædes non adducat interim, promittit se alio ornatu aliam feminam simulare velle, ut alicui etiam, cui nomen Pecus est, tradatur.*

Manet CUPES. Intrat Polla.

POL. **POLLA**, Polla? Quid vociferare adeo? numnam ebrius es?

CUP. Essem utinam, mea Polla: vini guttulam non bibi hodie.

POL. Quid hic, gurgēs, otiosus restitas? ecquid librorum vendidisti hodie?

Ecquid lucelli patet, ganeo?

CUP. Nihil prorsus.

TRI. Nihil

Prorsus? Ego te——

CUP. In malam crucem scriptores istiusmodi;
Ita libri sunt nequissimi.

POL. Imo tu nequissimus, qui nunc libros,
Nunc vestes meas oppignoras œnopolis.

CUP. Equidem sic soleo:

Quin, mea *Phillis*^a, ea propter pœnas dedi tibi.

POL. Et dabis,

Etiam dabis. Domi ego esuriens pensum facio,
Cum tu ridibundus in vinariis madefacis pantices, vini-
bibule.

Quod si posthac in œnopolium pedem——

CUP. Non pedem

In œnopolium?

POL. Dixi.

CUP. Sine mora age, occidito.

Quin porrige frontem, mea *Tulliola*^b. Quid vini bibis,
Meum corculum? Dic mihi, anaticula.

^a *Phillis*—] The Christian name *Phillis* is, by *Camden*, said to be derived from the *Greek*, and to signify lovely, as *Amie* does in *Latin*. See *Camden's Remains*, edit. 1674, p. 126. The reason for applying it in this instance to *Polla* will from hence be sufficiently obvious.

^b *Tulliola*—] *Tulliola* was the daughter of *Cicero*; but why this name is here applied to *Polla*, we can give no reason.

O

POL.

- POL. Aufer blanditias.
 Nisi mihi redimantur vestes meae———
 CUP. Mi ocelle auree,
 Redimentur. En, vide¹.
 POL. Unde id auri nactus es, mi vir?
 CUP. Jam, mi vir! Aurum, quid potes! vin' tibi
 dimidium?
 POL. Cupio, anime mi.
 CUP. Anime mi! O dissimulatricem!
 Uxor, hinc dabitur tibi, si paululum quid feceris.
 POL. Quid est?
 CUP. Nihil, nisi parumper te des utendam amico foras.
 POL. O flagitium hominis! etiam te sciente uxorem
 dare usurariam?
 CUP. Non recte intelligis.
 POL. Quid si nunc faciam ex *Cupe*
Sis Cornelius?
 CUP. Fecero ego ex *Polla* sis tu *Cornelia*.
 POL. Responde: quid ais? Utrum esse malis *Publius*
Cornelius, an *Cornelius Tacitus*²?
 CUP. O, *Cornelius Tacitus*. Sed rogaverit nemo te tam
 deformem

Stuprum;

¹ Shewing the money.

² *Cornelius Tacitus*—] This quibble, alluding at the same time to the Latin Historian of this name, and to the adjective tacitus, silent, is the point of the following epigram, written by *John Owen*, the celebrated Epigrammatist in king *James* the first's time.

¹ In *Cornelium*.

² Cornutum te, *Corneli*, scis esse, tacesque,

³ Non *Cornelius* es tu modo, sed *Tacitus*.*

Owen's Epigrams were first published in 1606; but that book of them, in which this epigram is inserted, did not appear till 1612, in which year that and the several other books before published, and some additional ones made their appearance in a small volume printed at *London*.

With respect, however, to the passage in the text, the following anecdote is related: 'His majesty' [king *James* the first] 'observed a quaint interrogatory put to a jealous lawyer, out of that famous comedy of *Ignoramus*, the which his majesty highly commended, viz. whether he desired most or rather to be termed *Publius Cornelius* or *Cornelius Tacitus*, in further approbation of which comedy, besides in opposition and dislike of another comedy performed and acted before his majesty by the scholars of the university of *Oxford*, that as in *Cambridge* one *Sleep* made him wake, so in *Oxford* one *Wake* made him sleep.' Witty Apophthegms delivered by king *James*,
king

Stuprum; ne dubites. Ha he!

POL. Deformem? irrides, aquariolè?

CUP. Pulchra uxor, perverse rem intelligis.

POL. Quid est igitur?

CUP. Potin' ornatu alio aliam simulare feminam?

POL. Possum.

CUP. Atque, ut tradere alicui, qui pecus est
Vel maxime¹? pudorem haud extorferit, ne metuas.

POL. Quemquamne ego hominem ut metuam, quæ
tot viros toties

Verberaverim?

CUP. Me, scio, sæpius.

POL. Mihi des aurum;

Effectum reddam optime, mi Cupes.

CUP. En duos aureos¹:

Postquam effeceris, alteros tantos dederò.

POL. Convenit,

Absente me, modo ne scortum, quod soles, in ædes
adducas

Interim.

CUP. Ah suspicax! totas noctes tecum dormio.

POL. Dormis equidem: mallet vigiles. Sin ego tua,
quæ accubas,

¹ Gives her money.

king Charles, the marquis of Worcester, lord Bacon, and Sir Thomas Moor, 1671, p. 3. The latter part of this relation must certainly be erroneous. *Sleep* played no part in *Ignoramus* on its original representation, as appears from the list of original actors already inserted; neither is it probable, that on it's second representation, which was but two months after the first, he had any part assigned him in it, since we may reasonably imagine, that the first actors were again employed on that occasion

¹ *pecus est vel maxime*.—] In all the former editions this word seems to have been uniformly considered as the name of the character in this comedy, and has consequently been printed with a capital letter, and in *Italic*; nay, further, the author, whoever he were, of the arguments prefixed to the several scenes, has in that to the present expressly asserted it in these words: 'promittit se alio ornatu aliam feminam simulare velle, ut alicui etiam, cui nomen *Pecus* est, trā-datur.' This is however a mistake, for *Ignoramus* had never intimated any design of employing *Pecus* in that manner, on the contrary, in the fourth scene of the first act, he had declared his intention of sending *Dulman* for *Rojabella*, which he again repeats in the eighth scene of the present act; and *Dulman* is in the second scene of the third act accordingly sent for that purpose.

Scorta deprendero aliquando, per mare, cœlum, terras,
Inferos—

CUP. Ne dejera.

POL. Capillis illas in viis

Protrahens ita lamberabo, ne tollant pedes postea.

CUP. Nunquam invenies.

POL. Ea lege opera tibi dabitur.

CUP. Eamus intro, mea *Phillis*; ubi te monebo
magis¹.

ACTUS II. SCENA 5.

ARGUMENTUM. *Antonius & Trico a vestiario ornamenta sumunt mutua, & pro pignore annulum illi subæratum cum gemma fictitia obtrudunt. Sese ornatum ite Cupes.*

Intrant ANTONIUS, TRICO.

ANT. **T**Echna quam dixti placet.

TRI. Statim aderit *Pyropus* vestiarius.

ANT. At pro ornamentis quid pignoris illi dabitur?

TRI. Bene mones.

ANT. Pecuniam meam omnem dedi tibi.

TRI. Num quid tibi gemmæ, aut annuli?

ANT. Nihil.

TRI. Quin habet *Trico* annulum, here.

ANT. Subæratum fortassis.

TRI. Sed optime deauratum tamen,

Cui lepidus insertus est carbunculus.

ANT. Adulterinus?

TRI. Scilicet

Vitrum fuco tinctum; at tam affabre, ut cuivis imponat
facile.

ANT. Cedo, *Trico*.

TRI. Hunc indas digito²; maximi præ te feras facere:
Forſitan accipiet: St, tace, ipſus adest³. Salve, *Pyrope*.

PYR. Tu quoque. Hem puer⁴, ostende ornamenta
Monſieur.

ANT. Cito, nam mihi negotium est.

¹ Exeunt ambo.

² Gives *Antonius* a ring,
and a boy with a bundle of cloaths.

³ Intrant *Pyropus*.

⁴ To his boy.

PYR.

PYR. Heus, ocyus, ocyus. Da mihi, iners¹.
Ecce, nemo est in tota *Burdigala*, qui tibi vel plura, vel meliora præbeat.

En, vide².

TRI. Hoc te ornatu, here, orna itinerario.

PYR. En artificium!

TRI³. *Cupi* dabuntur hæc, *Pollæ* illa; quin & ista volumus.

PYR. Attuli quæ te velle dixti omnia.

ANT. Age, age, ocyus, mercedem indica.

TRI. Nempe ut hæc loces in hodiernum diem.

PYR. Vin' dicam semel sane?

ANT. Quid, malum, morare?

PYR. Semel ut dicam vin'? dicam semel.

ANT. Enecas.

PYR. Revera, profecto, duos aureos uno verbo dederis.

ANT. Duos?

PYR. Nummus abesse non potest sane.

TRI. Probe dicit, here.

PYR. Imo sane.

TRI. Jube dari sane:

ANT. Dabo.

PYR. Octoginta aureis

Tanti æstimo hæc⁴.

TRI. Bene dicit sane.

PYR. Pignus mihi tantidem oportet dari.

TRI. Nihil opus est sane; quippe qui sit ex primoribus urbis.

ANT. Quid dubitas?

PYR. Nihil: Verum artis nostræ leges pignus postulant quidem.

ANT. Annulum habeo nimii pretii.

TRI. Illumne dicis carbunculum?

ANT. Ipsum.

TRI. Nimium est: pluris est trecentis aureis.

PYR. Istum in pignus dato.

ANT. Tanti pretii salvum quis mihi Præstiterit postea?

PYR. Habeo hic officinam sane.

¹ To his boy, taking the bundle from him.
the cloaths.

³ Turning them over.

² To *Antonius*, shewing
⁴ Pointing to the cloaths.

TRI.

TRI. Habet sane.

ANT. Tu mihi non credis Nobili : quid ego tibi ?

PYR. Quid dicam, nescio :

Redde mea mihi.

TRI. Here, hunc ei credas ; vir probus est sane :

Jamdiu est cum noverim.

PYR. Tu me nosti sane.

TRI. Novi sane.

ANT. Tua fide dedero ¹.

PYR ². Ut scintillat sane !

TRI. Scintillat sane,

Flammæque imitante Pyropo ³, sane.

PYR. Vale.

TRI. At puer tuus hæc ferat in angiportum proximum.

PYR. Quonam ?

TRI. Ad anchoræ.

PYR. Fiet sane ³.

TRI. Vale sane, mi stupor.

ANT. Succedent spero reliqua. Quid si nunc *Ignoramus* venerit ?

TRI. Aliqua hinc absterrebimus. Tu modo vide, per-
petim prope excubes.

ANT. Evigilabo, *Trico*.

TRI. Ego item & *Cupes* hic usque insidiabimur.

ANT. At quid si in patrem incidam ?

TRI. Eum etiam qua fallas mox præcipiam.

Jam abi & orna te.

ANT. Abeo.

TRI. Quin si quid fecus acciderit,

Æquo feras animo : suam namque habet Fortuna ra-
tionem

ANT. Ne male

Ominare : juverit, videbis : sed recipe te ad me quam-
primum :

Nam sine te cæcus sine duce videor.

TRI. Jam ego apud te ero — ⁴.

Heus, *Cupes* ⁵, fumite hæc, & orna te illico.

¹ Gives *Pyropus* the ring.
and boy with the cloaths.

² Examining the ring.
⁴ Exit *Antonijs*.

³ Excunt *Pyropus*
⁵ To *Cupes* within.

³ *Flammæque imitante, &c.*—] *Ovid, Metamorphoses, Lib. II. v. 2.*
'Claro micante auro flammæque imitante pyropo.'

CUR¹. Cura aliud.

TRI. Sed quemnam video? *Musæum*, summum amicū & familiarem meum?

Daturum sese operam dixit mihi: ex illo, ut antehac, electabo aliquid².

ACTUS II. SCENA 6.

ARGUMENTUM. *Musæus de servitute sua, & Ignoramo queritur, illumque in ænigmate Triconi proponit; narrat etiam illi Ignoramum prope esse cum sexcentis aureis. Trico Musæum mittit, ut hæc Antonio & Cupi renunciet.*

Manet TRICO: intrat MUSÆUS.

MUS³. CERVICES fregissent utinam parentes mihi, potius quam hero huic

Tam stulto dedissent *Ignoramo*. Ita quicquid vel dico, vel facio,

Inclamat semper, 'Foris, quam inconcinne geris te! scho-
' lauticos

' Vide gestus: nec equitare¹, nec vel equum fræno induere,
' Neque

¹ Answering from within.
seeing *Trico*.

² Manet *Trico*.

³ To himself, not

¹ *equitare*—] *Burton*, in his *Anatomy of Melancholy*, edit. 1660, p. 129, notices this particular defect, as being one of those to which a scholar is most liable; for, speaking of scholars and students, he exclaims, 'How many poor scholars have lost their wits, or become dizzards!—for which, after all their pains, in the world's esteem they are accounted ridiculous and silly fools, idiots, asses, and—rejected, contemned, derided, doting and mad.—Or if,' adds he, 'they keep their wits, yet they are esteemed scrubs and fools, by reason of their carriage: after seven years study

—' *statua taciturnius exit*,

' *Plerumque & risum populi quatit.*

' Because they cannot ride an horse, which every clown can do; salute and court a gentlewoman, carve at table, cringe and make congies, which every common swasher can do; hos populus ridet, &c. they are laughed to scorn, and accounted silly fools by our gallants.' And bishop *Earle*, characterizing a downright scholar, mentions, among other particulars, the

‘ Neque ruptum scis sarcire cingulum. Ubi jam sunt syl-
logismi,

‘ Quos crepas, asine Academicæ?’

TRI. O *Musæ*, ut vales?

Mus. Recte, *Trico*, nisi male mihi esset a malo hero.

O si pro meritis accipias depexum bene!

TRI. Quid est?

Mus. Suo me obtundit stultiloquio.

TRI. Annon eloquens

Et accuratus is?

Mus. Sunt alii; nihil minus ille; ita

Perverse omnia disserit. Pileo pedes, caput calceis in-
duit.

TRI. Ridiculum caput!

Mus. *Trico*, narrabo tibi *Ænigma*; tu conjice,

TRI. Narra.

Mus. Quid illud est, quod jure vivit & injuria;

Quod magni-pusillanimum; quod ambidexter & bifrons;

Quod multa dicit & nihil; quod jocosa serio, seria joco;

Quod *Anglice*, *Saxonice*, *Gallice* & *Latine* loquitur^a,

Neque tamen *Anglice*, neque *Saxonice*, neque *Gallice*, ne-
que *Latine* loquitur;

Quod leges scribit, ne fient captiones^b; quod captiones

Scriptitat, ne fient leges; quod finitum facit

Infinium; verum non verum, non verum verum facit.

TRI. Quod verum non verum facit? est ille *Belzebub*
Cydonius^c.

Mus. Est, & non est.

TRI.

the following: ‘ He ascends a horse somewhat sinisterly, though not
‘ on the left side, and they both go jogging in grief together. He is
‘ exceedingly censured by the Inns-of-court-men, for that heinous
‘ vice being out of fashion.’ *Earle’s Microcosmography, or a piece of*
the world discovered, in essays and characters, 12mo. 1732. p. 71.

^a *Anglice, Saxonice, &c.*] It is well known, that each of these
languages has furnished words which have either themselves been
converted into Law terms, or from which, with perhaps some bar-
barous variation, many of the common Law terms are derived.

^b *ne fient captiones, &c.*—] This passage seems to me to allude to
the motto to the first edition of *Corwell’s Interpreter*, which is ‘ In
‘ legum obscuritate captio.’

^c *Belzebub Cydonius*.—] The person here meant is unquestionably
Joannes Andreas Endamon Cydonius, a Jesuit, who wrote and pub-
lished in 1610, an Apology for Garnet the Jesuit, in *Latin*, an ex-
tract from which has been before inserted in a note, page 81. Mr.
Baile,

TRI. Quod lingua ignota loqui amat^a, est homo Pontificius^b.

Mus. Simile quid, non illud tamen.

Baillet, the author of a book entitled *Auteurs deguisez sous des noms etrangers, empruntez, supposez, feints à plaisir, chiffrez, renversez, retournez, ou changez d'une langue en une autre*, published in 12mo. at Paris in 1690, has, in a list inserted at the end of the volume, intimated a doubt whether this *Andreas Eudemon-Joannes*, as he calls him, was not in fact the celebrated *Gaspar Schioppius*. His words are these: '*Eudemon-Joannes, André: Gaspar Scioppius douteux.*' See the list, art. *Eudemon-Joannes*. But *Moreri*, in his Dictionary, considers *Eudemon-Joannes* as a really existing author, and gives the following account of him: '*Eudémon Joannes, (André) en François Jean l'Heureux, Jésuite, natif de la Canée dans l'île de Candie, étudia à Rome où il entra chez les Jésuites; puis enseigna chez eux la philosophie; & ensuite la Théologie à Padoue. Le Pape Urbain VIII. l'honora de sa bienveillance, & voulut qu'il accompagnât comme Théologien le cardinal Barberin son neveu, qu'il envoya légat en France. Il ne fut pas plutôt de retour à Rome, qu'il y mourut le 24 Décembre de l'année 1625. Le Père Eudémon Joannes composa divers Ouvrages, Castigatio Lamberti Dani; De Anticristo lib. iii. Confutatio Anticotani; Refutatio Exercitationum Casauboni, &c. On le soupçonna d'avoir composé un Traité qui parut l'an 1625, à Paris, sous le titre d' Admonitio ad Regem Ludovicum XIII. qui contenoit diverses choses contre l'Etat, & qui fut refusé par le Père Garasse, aussi Jésuite, puis par Jérôme Ferrier, & condamné par le Parlement & par la Faculté de Théologie de Paris.*' *Moreri's Dict.* art. *Eudémon Joannes*. *Canée*, in the isle of *Candy*, where this person was born, was originally called *Cydon* or *Cydonia*, according to *Strabo*, but, according to *Ptolomy*, *Cydonis*. It was so named from *Cydon* the son of *Acacallis*, and of *Mercury*, or *Apollo*. See *Moreri's Dictionary*, art. *Cydon*. The former of these circumstances very fully accounts for the addition of *Cydonius* to the name of the above-mentioned author.

Mr. *Ruggle*, both here and in page 77, where he likewise mentions this person, wittily changes the name of *Eudemon*, which signifies a good angel, into that of *Belzebub*, which is usually taken for the name of a devil.

^a *lingua ignota loqui amat*—] *Burton*, in his *Anatomy of Melancholy*, p. 653, remarks of the propagators of new religious opinions, that the best means they have to broach first their opinion, and to maintain it when they have done, is to keep all their disciples in ignorance; and, after enlarging upon this observation, he proceeds thus: 'What else do our *Papists*, but, by keeping the people in ignorance, vent and broach all their new ceremonies and traditions, when they conceal the scripture, read it in *Latin*, and to some few alone, feeding the slavish people, in the mean time, with tales out of legends, and such like fabulous narrations?'

^b *Homo Pontificius*—] Alluding to the practice of the *Romish Church*, which still continues the use of the *Latin* language in their church-service, notwithstanding that but very few of any congregation can be supposed in any degree to understand it.

P

TRI.

TRI. O lapidem me ! jam habeo.

Mus. Quid jam ?

TRI. Herus tuus *Ignoramus* est.

Mus. *Oedipus* es.

TRI. Huic monstro quis genitor ?

Mus. Pater *Francus Soloicophanes*^a, mater *Barbara Latina*.

TRI. Ubi gentium natus ?

Mus. In magna *Puritania*^b.

TRI. Qua urbe ?

Mus. Sive *Aurelia*^c, sive *Argentina*^d.

TRI.

^a *Francus Soloicophanes*.—] *Hoffman*, in his *Lexicon*, art. *Soloe*, has these words: ‘*Soloe*, vel *Soli*, civitas insignis *Cilicie*, maritima, ab *Achivis* & *Rhodiis* ædificata, *Arati*, *Chryssippi*, & *Philemonis* Comici patria.—*Græcorum* hic inter *Cilices* gentium cum tandem sermo corrumperetur, hinc effectum est, ut qui vitiose loquerentur, *σολοικισμοι* quasi *Solis* degentes, & ipsa corrupta loquutio *σολοικισμος* vulgo a *Græcis* diceretur.’ The sense of the word *Soloicophanes*, in the text, will, from this passage, be obvious to the reader; and he who recollects that the Law terms are compounded of barbarous *French*, and barbarous *Latin*, will easily perceive the reason for the conjoining the two words *Francus* and *Soloicophanes* in the same sentence.

^b *Puritania*.—] It is a fact so very well known as hardly to need any proof, that it was the fashion of the time, when this comedy first made its appearance, to take all opportunities of censuring, and perhaps justly, the Puritans; and this custom, probably, in some measure arose from the resentment which the king himself was sometimes known to express against them; for in a letter addressed to the then bishop of *Norwich*, dated *London*, 14 Feb. 1604, and inserted in *Peck’s Desiderata Curiosa*, fol. edit. Lib. V. p. 44, is the following passage: ‘On *Saturday* last, being the ix. of this present, there was a petition delivered to his majesty by three or four knights of *Northamptonshire*, in favour of the ministers which refuse subscription. Whereat his majesty took such a deep impression, as the next day being *Sunday*, he sat viii. hours in council with the lords. In this meeting, he first most bitterly inveighed against the Puritans, saying, “that the revolt in the *Low Countries*, which had lasted ever since he was born, and whereof he never expected to see an end, began first by a petition for matters of religion; and so did all the troubles in *Scotland*: That his mother and he, from their cradles, had been haunted with a Puritan devil, which he feared would not leave him to his grave: And that he would hazard his crown, but he would suppress those malicious spirits.”

^c *Aurelia*.—] *Aurelia* here means *Orleans* in *France*, the *Latin* name for which is *Aurelia*; and the reason for the censure contained in the text, so far as respects this city, may be easily collected from the following relations, which are to be found in *Dr. Heylyn’s Voyage of France*,

TRI. Quo cibo victitat?
 MUS. Communi Jure.

TRI.

France, or compleat Journey through France, edit. 8vo. 1679. Speaking of the University of *Orleans*, he, in page 292, expresses himself in these terms: 'In the bestowing of their degrees here, they are very liberal, and deny no man that is able to pay his fees: *Legem* ponere is with them more powerful than *Legem dicere*; and he that hath but his gold ready shall have a sooner dispatch than the best scholar upon the ticket.

' Ipse licet venias *Musis* comitatus, *Homere*,

' Si nihil attuleris, ibis, *Homere*, foras.

'It is the money that disputeth best with them.' The same author, p. 191, noticing the ignorance and illiterateness of the clergy in *France*, and particularly their unskilfulness in the *Latin* language, gives this instance to confirm his observation: 'In *Orleans* I had business with a Chanoin of the church of St. *Croix*, a fellow that wore his surplice (it was made of lawn and lace) with as good credit as ever I saw any, and for the comeliness and capacity of his cap he might have been a metropolitan: perceiving me to speak to him in a strange tongue, for it was *Latin*, he very learnedly asked me this question: "Num potestis loqui *Gallica*?"' 'which when I had denied, at last he brake out into another interrogatory: viz. "Quandiu fuistis in *Gallice*?" To conclude, having read over my letter with two or three deadly pangs, and six times rubbing of his temples, he dismissed me with this cordial, and truly it was very comfortable to my humour: "Ego necotias vestras curabo:" a strange beast, and one of the greatest prodigies of ignorance that ever I met with in man's apparel.' And finally, the same author, page 296, speaking of the people of *Orleans*, says; 'I could wish that in their speech and compliment they would not use the *Latin* tongue, or else speak it more congruously. You shall hardly find a man amongst them which can make a shift to express himself in that language, nor one amongst an hundred that can do it *Latinly*. *Galleriam*, *Compaginem*, *Gardinum*, and the like, are as usual in their common discourse as to drink at three of the clock, and as familiar as their sleep. Had they bent their study that way, I persuade myself they would have been excellent good at the common laws, their tongues so naturally falling on these words, which are necessary to a declaration; but amongst the rest I took especial notice of one Mr. *Gebour*, a man of that various mixture of words, that you would have thought his tongue to have been a very *Amsterdam* of languages. "Cras mane *ou* *ou* non irous," [rectius forsan *Nous* irons] "ad magnam *galleriam*," was one of his remarkable speeches when we were at *Paris*; but here, at *Orleans*, we had them of him thick and threefold. If ever he should chance to die in a strange place where his country could not be known but by his tongue, it could not possibly be, but that more nations would strive for him than ever did for *Homer*. I had before read of the confusion of *Babel*; in him I came acquainted with it, yet this use might be made of him and his hotch potch of languages, that a good chymical

TRI. Non doctus ? septem scit liberales artes.

Mus. Septem ? literas novit omnes.

TRI. Dii boni ! omnes ?

Mus. Si quidem

Viginti quatuor sunt omnes.

TRI. Homo perpaucorum hominum.

Mus. Certe pauci sunt istiusmodi : attamen

Quilibet ordo stultos & prudentes, bonos & malos habet ;
Neque in bona segete nullum est spica nequam, neque in
mala

Non aliquid bonum. Paucorum igitur gratia, & totos
ordines,

Et multorum studia incessere (quod non nemo facit)
stultum ego

Et inhumanum semper esse censui. Possim, si opus,
Infinitos celebrare ordinis hujus viros ; ingenio,

‘ physician would make an excellent medicine of it against the stone.
‘ In a word, to go no more upon the particulars, I never knew a peo-
‘ ple that spake more words, and less *Latin*.’

It is very remarkable, that in no part of the book are we in-
formed in what year this journey into *France* was undertaken ; we
are only told, that it commenced on *Thursday* the 28th of *June*, and
terminated on *Wednesday* the 3d of *August* ; but *Wood*, in his *Athenæ
Oxonienſes*, vol. II. col. 181, edit. 1692, asserts, that it was in 1625,
and that Dr. *Heylyn* continued in *France* about six weeks.

^d *Argentina*—] *Argentina* is the *Latin* name for *Straßburg* in *Ger-
many*, but why it is here inserted we are unable to assign any reason,
unless the following attempt to account for it should be thought by
the reader to amount to one. Very soon after the accession of queen
Mary to the crown, many Protestants, both divines and laics, of this
country, found themselves compelled, in order to avoid persecution,
to quit *England*, and fly for refuge to some parts of *Germany*, and
the places to which most of them betook themselves were *Frankfort*
and *Straßburg* ; the magistrates of which latter place ‘ did freely and
‘ christianly’ (says my author) ‘ give harbour to divers *English* Pro-
‘ testants of the best rank, both of the laity and the clergy, and al-
‘ lowed them a church for the exercise of their religion, according as
‘ they professed it in *England*.’ See *Styripe’s Life of Archbishop Grindal*,
p. 9. From these exiles, and the questions which from time to time
arose among them, sprang the sect of the Puritans, whom it was
the custom in king *James’s* reign to satyrize ; and it seems, therefore,
no very improbable conjecture to suppose, that the insertion of this place
might be intended to allude to this fact, though at the same time we
do not see why *Frankfort* might not just as well have been put in, in-
stead of *Straßburg*, excepting indeed, that the most eminent of the
English Protestants appear to have taken refuge at *Straßburg*. See
Fuller’s Church History, book VIII. p. 26.

Pictate,

Pietate, doctrina præstantes, adeo vix ut invenias pares;
 Qui jus patrum (quo nil sanctius, nihil æquius)
 Et explicarunt docte, & sincere dicunt: hos merito,
 Ut æquum est, suspicimus: nam & a nobis & pro nobis
 sunt. Scientiæ,
 Nisi *Ignoramus*, hostis nemo est^a. *Ignoramus* igitur illi-
 usque similes,
 Qui ecclesiam & academias pessundatas cupiunt——

TRI. Valeant.

Mus. Imo eant in *Morboniam*^b.

^a *Scientiis, &c.*—] Alluding to the common saying, 'Art has no enemy but an ignorant person,' which I find thus given in *Latin in Burton's Anatomy of Melancholy*, edit. 1660, p. 138, in margine: 'Ars neminem habet inimicum, præter ignorantem.' It is probable, that *Burton* has taken this aphorism verbatim, from some of the *Classics*, but he does not cite his authority.

^b *Morboniam*—] '*Morbonium* oppid. *Vallis Telinæ* ad *Adduam*, inter lacum *Larium* 8. & *Sondrium* oppid. in *Ceciam*, 16 mill. pass. *Arce Fontanæ* proximum, vulgo *Merbegno*. An ob aerem gravem an a morbis?' *Hoffmanni Lexicon*, art. *Morbonium*. But though, by the word *Morbonium* in the text, the author may be thought to have intended the place which *Hoffman* here mentions, it must be observed, that a learned and ingenious friend has pointed out to me a passage in *Suetonius*, where the phrase '*Abire Morboniam*' occurs. The whole passage is as follows: 'Offensarum inimicitiarumque minime memor exsecutorve, *Vitellii* hostis sui filiam splendidissime maritalit, dotavitque etiam & instruxit. Trepidum eum interdicta aula sub *Nerone*, quærentemque quidnam ageret, aut quo abiret: quidam ex officio admissionis simul expellens, abire *Morboniam* jussit. In hunc postea deprecantem haud ultra verba excaudit, & quidem totidem fere atque eadem.' *Suetonius*, in vita *Vespasiani*, cap. 14. Upon this passage *Pitiscus*, in his edition of *Suetonius*, inserts the following note, referring to the word *Morboniam*, which will also serve for the explication of the words in the text, as it is highly probable, that in using the phrase '*Eant in Morboniam*' here, Mr. *Ruggle* might have in view the foregoing passage in *Suetonius*: '*Morboniam*, nomen oppidi, quod tamen nusquam est, sed ceu oppidi nomen, sub sensu morbi, & exitii, populi ore frequentabatur. Hoc enim perinde est, ac si quis aliquem in malam crucem amandet, aut ad corvos abire jubeat. Certe *Xiphilius* §. 11. pro *Morbonia* ἡ κορονα habet. Τὴν δὲ κοροναὶν, οὐ ποίη, ἡ κοροναὶν, ἡ κορονα. Vel sub *Morbonia* nomine accipiamus *Anticyram*, quæ tunc forte dicta *Morbonia*, quod veratro egentes, ac morbo eo navigarent. Quasi dixerit *Phæbus* ille *Vespasiano*, ut ille *Plauti Men.* III. 2. 50.

—— non tu abis quo dignus es,

'Aut te piari jubes, homo insanissime?'

'Insanum *Phæbus* ille *Vespasianum* videri vult, qui non temperaverit sibi a somno, & discessu, cum cantaret *Nero*. V. *Marcilium*, *Turkeb. Adv.* XXIV. 36. *Barth. Advers.* XLII. 3. LVI. 6.' *Suetonius*, edit. *Pitisci*, 4to. *Leopoldia*, 1715, p. 968.

TRI.

TRI. Succensebunt tibi.

MUS. Nisi qui *Ignoramus*, alius nemo. — Quid autem ille sentiat,

Non sentiat, nihili facio.

TRI. Vel talem autem in scenam prodire nefas.

MUS. Totus mundus exercet histrionem¹.

TRI. *Musæ*, jam philosophatum satis.

Dic jam, herus tuus quid agat *Ignoramus*?

MUS. Ipse jam

Ad *Torcol* venit illico : pecuniam numeravit modo.

TRI. Perii.

MUS. Quin veni ea propter ut te certiores facerem.

TRI. Malum, quid non citius? Abi quantum potes ad *Cupem* hic :

Jube meminerit cornu.

MUS. Quid est?

TRI. Abi tu ; novit is ;

Atque uti continuo renuntiet ad *Antonium*. Stent in infidiis

Ambo.

MUS. Propero. Næ malum huic dari summopere cupio¹.

TRI. Nisi illi statim huc, occisa est hæc res. Væ mihi² ! adest³.

¹ Exit *Musæm*.

² Seeing *Ignoramus* at a distance.

³ Manet *Trico*.

¹ *Totus mundus, &c.* —] This sentence, trite as it is now become, is borrowed from the following passage, among the fragments at the end of *Petronius Arbitr*, edit. *Amst.* 8vo. 1669, p. 520. 'Non duco contentionis funem, dum constet inter nos, quod fere totus mundus exerceat histrionem,' and has furnished *Shakespeare* with materials for a very celebrated soliloquy in his comedy of *As you like it*.

ACTUS

ACTUS II. SCENA 7.

ARGUMENTUM. *Attulit Ignoramus sexcentas coronas, quas pro Rosabella pepigit. Trico, ut moras trahat, donec illi ornari poterint, causam agendam proponit satis ridiculam: quam cum ille diutius tractasset, ut patrono suo parem referret gratiam, narrat illi Trico quid contra illum meditatur Antonius, jurasse nimirum illum, se castrare velle rivalem suum Ignoramus, si prehenderit.*

Manet TRICO: intrat IGNORAMUS¹.

IGN². **H**IC est legem pone³: hic sunt sexcentæ coronæ, quas cum *Torcol* ~~invenit~~ modo pro meo charo corde^b *Rosabella*.

¹ With the money in a bag or purse.

² To himself, not seeing *Trico*.

³ *Legem pone*.—] This appears to have been a cant term for ready money. Dr. *Heylyn*, in his *Voyage of France*, p. 292, in a passage already inserted in a former note, says, speaking of the university of *Orleans*: ‘In the bestowing of their degrees here they are very liberal, and deny no man that is able to pay his fees; *Legem ponere* is with them more powerful than *Legem dicere*; and he that hath but his gold ready shall have a sooner dispatch than the best scholar upon the ticket’ In the *English* translation of *Rabelais*, revised by Mr. *Ozell*, Book IV. chap. 12, the *French* phrase, ‘en payant’ is rendered ‘for the legem pone,’ ‘They were all at our service’ (says the translator) ‘for the legem pone.’ And finally, *Tusser*, in his *Good husbandle lessons worthy to be followed of such as will thrive*, prefixed to his *Five Hundred points of good Husbandle*, recommends in the following words, punctuality in the payment of debts:

‘Use *Legem pone* to pay at thy day,

‘But use not *Oremus* for often delay.’

^b *charo corde*.—] This seems to have been the usual style of address from a lover to his mistress, and to have been at least sometimes continued even between married persons, for among the papers of king *Charles* the First, when his cabinet fell into the hands of the rebels, after the battle of *Naseby*, were found several letters from him to his queen, and from her to him, which began, ‘Dear Heart, or sometimes, ‘My dear Heart.’ The inveterate malice of his enemies induced them to print them; and *Rapin* has inserted some of them in his *History of England*. See Vol. II. p. 511, & seqq. *Tindal’s* Translation.

TRI.

TRI¹. Attulit. Disperii.

IGN². Si vivo, *Rosabella*, mea stella, dansabo veteres
mensuras tecum.

TRI¹. Isti bene vigilant!

IGN². Hæc est *Indentura & obligatio* de *Rodrigo Torcol*;
ibo nunc ad eum in propriis persona.

TRI¹. Hui, ut morantur! Detinendus ille est mihi
nugis interim. Salve, Domine³.

IGN. *Sirrah*, quis es tu? hah!

TRI. Rem totam contrivi litibus, pauper sum.

IGN. Oho, in forma pauperis! abi via, abi via.

TRI. Tuum expeto consilium, Domine.

IGN. Consilium? Oho, legem pone.

TRI¹. Danda est offa *Cerbero*: quid agam? nummos
hic aliquot subæratos habeo; eos ei obtrudere certum est,
—Domine³, pauper sum.

IGN. Pauper? nihil dicit⁴.

TRI. Tamen, quia homo

In causis optime versatus es, audi quæso causam meam;
& hoc,

Quod supereff, habe⁴.

IGN. Oh, bene est. Num iuristis *issue*?

TRI. *Issue*? Quid, malum, nunc dicam⁵?—Imo, Do-
mine, *Issue*, *Issue*.

IGN. Declara.

TRI. Pater meus *Grunnio*^b, filius *Verris*, *Coglionem*^c
habuit avum.

IGN.

¹ Aside.

² To himself, still not observing *Trico*.

³ To *Ignoramus*.

⁴ Gives money to *Ignoramus*.

⁵ Aside.

^a *Nihil dicit*.—] The signification of the term *Nihil dicit* may be found in the Glossary hereto, but the manner in which it is here applied requires some further explanation: *Trico*, in order to induce *Ignoramus* to hear his case, and give his opinion without a fee, tells him he is poor, leaving *Ignoramus* to infer from that circumstance, that he is unable to pay him a fee. *Ignoramus* repeats the word 'pauper' interrogatively, adding, by way of answer, the words 'nihil dicit.' To give the speech of *Ignoramus* paraphrastically, it will be thus:

'TRI. Sir, I am poor.

'IGN. Poor? poor?—If that be the case, my answer will 'be a nihil dicit, i. e. 'I shall be silent and give you no answer,' or, 'I will have nothing to say to you.'

^b *Grunnio*.—] It has been suggested to me by an ingenious friend, that in this word, which may be derived from the *Latin* verb *Grun-*

nio,

IGN. Quondam avum.

TRI. Recte dicis, quondam avum. Sed quondam avunculus sororis amitæ meæ quondam, qui erat confobrinus aviæ patris mei quondam——

IGN. Bene dictum quondam, *Allons*.

TRI. Legavit mihi nigrum equum; verum est, erat illi curta supellex; nam quid dissimulem? caudam non habuit. Sed quid tum? num ille ergo urticam supponeret ei?

IGN. *In taile special?* Per fidem, jure non potuit.

TRI. Fecit tamen; nam calcitrabat, altum vibrans pedes.

IGN. Cave hoc.

TRI. Et occidit damas & phasianos.

IGN. O ho, *damage faisant*: erit hic *demurra*.

TRI. Et sane mentiebatur calendarium: nam grandinabat memini.

IGN. Bona circumstantia, & pro te facit.

TRI. O tardos! necdum¹?—Quin non solum ei urticam subdidit, sed os ei totum pipere replevit.

IGN. *Replevin* in isto casu non valet.

TRI. Sic opinabar: at ille cum candidi equi fecisset copiam——

¹ Afide.

nio, to grunt like a hog, Mr. *Ruggle* might have had in view the ludicrous testament of *M. Grunnius Corocotta Porcellus*, which occurs in *Erasmi Adagia*, edit. 1629, p. 775. It is too long to be here inserted at length, but the following extract may serve to gratify the reader's curiosity: 'Patri meo *Verrino Lardino* do lego dari glandis modios xxx. & matri meæ *Veturina Scrofe* do lego dari *Laconice* filiginis modios xl. & forori meæ *Quirina*, in cujus votum interesse non potui, do lego dari hordei modios xxx. Et de meis visceribus dabo donabo futoribus fetas, rixatoribus capitinas, surdis auriculas, caudicis & verbosis linguam, bubalariis intestina, eficiariis femora, mulieribus lumbulos, pueris vesicam, puellis caudam, cinædis musculos, cursoribus & venatoribus talos, latronibus ungulas: & nec nominando coquo do, lego, ac dimitto popam & pistillum, quæ mecum detuleram a querceto usque ad haram: liget sibi collum de recte.—Optimi amatores mei vel consimiles vitæ, rogo vos ut corpori meo benefaciatis, bene conditiis de bonis condimentis, nucleis piperis & mellis ut nomen meum in sempiternum nominetur.' *Coglionem*—] 'Coglione, a stone, a testicle, or cod of man, or any other male creature; by metaphor a cullion, a fool, or scoundrel.' *Torriano's Italian Dictionary*.

² *mentiebatur calendarium, &c.*—] Alluding to the practice, which in some almanacs is still continued, of predicting what kind of weather the ensuing year will produce, a custom the more ridiculous, as it is impossible to reduce such computations to any certainty, and as we find by experience, that the predictions founded on them are oftener erroneous than accomplished.

Q

IGN.

IGN. Oh! *copicias* etiam? Est in tertio *Richardi primi**,
potes *Copicias* *toppare*, *toppare*, & *adstatuere*.

TRI. Non finebat tamen; perdidit illo anno: bene est,
tu quid sentis tam?—[†] Testudines! peribimus.

IGN. Annon ille *black sheep* erat tuus *Chatter* *personat*?

[†] *Aside.*

* *Est in tertio Ricardi primi, &c.*—] It is almost impossible at this distance of time to ascertain to what the passage in the text refers, but it seems to be to some deed of this date, which the author might probably have seen in the hands of some friend, for it is to be observed, that there is no statute existing older than the *Magna Charta* of Henry the third. See *Cowell's Interpreter*, art. *Magna Charta*, and consequently none so old as the reign of king *Richard I.*, and though the *Magna Charta* of king *John* is still remaining in the *British Museum*, and a fac simile engraving of it has been published, yet it has not the authority of a statute.

Of what kind this deed might have been we have no circumstances given us to conjecture: it might have been a lease, permitting the lessee to crop and top all and singular the woods and trees growing and being in and upon the estate described in it, and to take as well all the same lops, crops, and tops, as also all the underwoods growing and being in and upon the premises, to the only use and behoof of the said *R. L.* [i. e. the lessee] and of such a covenant in a lease a precedent is inserted in *West's Symboleography*, part I, sect. 313. It might have been an absolute conveyance of an estate, or it might have been a grant of an office. In *West's Symboleography* before cited, part I. sect. 350, is a precedent of grants of the offices of chamberlain of the *Exchequer*, justice in Eyre, steward, keeper of castles, master of the game, &c. the original of which appears to have been dated in the reign of *Philip* and *Mary*. It recites, among other things, a grant of *Edward VI.* in the following words: 'Cumque ulterius prædictus frater noster, per easdem literas patentes, dederit & concesserit, pro se, hæredibus & successoribus suis, præfato comiti plenam & legitimam potestatem & auctoritatem, quod ipse per totam vitam suam pro certis finibus secum hendis, & ad opus dicti fratris nostri levandis, licite valeret & potuisset, de tempore in tempus, cuicumque & quibuscunque subditis dicti fratris nostri licentiam dare specialem, quod ipse & eorum quilibet licite facere valerent & valeret quascunque copicias, omnimodos arborum, boscorum, & subboscorum dicti fratris nostri infra prædictas forestas, parcos, chaceas, & warrennas, aut eorum aliquod crescentium; necnon dictos arbores, boscos, & subboscos in hujusmodi copiciis crescentes succidere, prosternere, & abinde cariari facere, de tempore in tempus: Ita tamen quod successiones, prostrationes, & abcariationes inde fierent temporibus anni congruis & opportunis, & non in mensibus vetitis, nec in exilium ferarum dicti fratris nostri ibidem moram facere & manere consuetarum.' These privileges it is the object of the before-mentioned grant to confirm, and they are accordingly confirmed by it in the very words above, excepting only such variations as the difference between the form of a recital and that of a grant necessarily required.

TRI. *Chattel?* erat sane ille *Chattel*; sed vereor de pipere.

IGN. Revera ibi est punctum: nam hic est casus tuus, Si *John a Nokes* infeoffat *John a Stiles* de *Black Acre*; & *John a Stiles* capit *Black-acre* & *White acre*^a, en ce cas tout est void; tout, tout.

TRI. Num dormiunt isti?—At ille piper insufflans saltare fecit etiam, & piper pedere.

IGN. Cum sufflo, salto & petto, est bona tenura; ne dubites^b.

TRI.

^a Afide.

^a *Black Acre, &c.*—] *Black acre* and *White acre* are indefinite descriptions of land used by the writers on the common law, in stating supposititious cases, and of this kind is the following case stated by Sir *Edward Coke* in his *Commentary on Littleton*, sect. 359. 'If *A.* be seised of *Black acre* in fee, and *B.* infeoffeth him of *White acre*, upon condition that *A.* shall not alien *Black acre*, the condition is good.'

^b *Cum sufflo, &c.*—] *Camden* in his *Remains* tit. *Surnames*, edit. 8vo. 1674, p. 170, remarks, that many names given in merriment, for by-names or nick-names have continued to posterity; and produces, among other instances to justify the remark, that of *Baldwin le Pettour*, who, he informs us, had his name, and held his land in *Suffolk*, Per saltum, sufflum & pettum sive bumbulum, for dancing, pout-puffing, and doing that before the king of *England* in *Christmas* holy days which the word *pet* signifieth in *French*. 'Inquire,' adds he, 'if you understand it not, of *Claacina's* chaplains, or such as are well read in *Ajax*.' The same author also in the *Latin* edition of his *Britannia*, fol. edit. 1607, p. 337, notices in his account of *Suffolk*, this singular tenure, which he in the margin terras *Tenura lepida*, in the following words: 'Ad eundem fluvium' [i. e. *Stour*] cernuntur *Stow* & *Needham*, mercatoria opidula; nec procul a ripa *Hemingston*, in qua tenuit terras *Baldwinus Le Pettour* (notato mihi nomen) per serjantiam, loquor ex antiquo libello, pro qua debuit facere die natali Domini singulis annis, coram domino rege *Anglie*, unum saltum, unum suffletum, & unum bumbulum; vel, ut alibi legitur, per saltum, sufflum, & pettum, i. si intelligo, ut saltaret, buccas cum sonitu infaret, & ventris crepitum ederet. Ea fuit illorum temporum aperta & læta hilaritas. Notaturque quod ad hoc foedum manerium de *Langball* spectavit.' It is probable, that either the one or the other of the above authorities, or Mr. *Ruggle's* own knowledge of the fact, that such a tenure existed in the county where he was born, might have occasioned the insertion of this allusion; but as the following account of this extraordinary tenure is founded on a record, it has been judged proper to give it in addition to the former ones.

^c *Hemingston*

'Pla. Cor. 14 Ed. I. rot. 6 dorso *Suff.* Rowland le Sarcere held one hundred and ten acres of land in *Hemingston*, in com. *Suffolk*,

Q²

'by

TRI. Sed timeo adhuc de pipere.

IGN. Ne dubites. Habe ~~Subpens~~ ^{Subpens} pro eo tantum, & nisi reddat tibi ~~Black-cheval~~ & ~~White cheval~~ ^{Black-cheval} & ^{White cheval}, cum ~~costis~~ & pinguibus ~~damagis~~, dic quod *Ignoramus* non habet lex.

TRI. Habeo gratias.

IGN. Vale, nam habeo rem facere¹.

TRI. At Domine², pro benignitate tua tibi etiam consilium dederō,

Quod ex re tua erit: Si tu es *Ignoramus*, fugias hinc quantum potes.

IGN. Hah! fugiam? quare?

TRI. Amas *Rosabellam* hic in proximo.

IGN. Quid tum?

TRI. Illam etiam *Antonius* quidam deperit;

Qui, me audiente, castrare *Ignoramus* velle se, si deprehenderit,

Juravit serio.

IGN. Est in joco.

TRI. Joco? Fuge, inquam, & cave tibi;

Nam multos secuit ille grassator perditissimus.

IGN. Posuisti me in uno corporali timore; & quia sum in loco peregrino, dubito plus: En vide³, fabula est in lupus^b.

TRI. Tandem venit⁴.

ACTUS

¹ Going.

² *Ignoramus* returns.

³ Seeing *Antonius* at a distance.

⁴ Manent ambo.

^a by sergeanty, for which, on *Christmas* day every year, before our sovereign lord the king of *England*, he should perform simul & semel, unum saltum, unum iussum, & unum bombulum; or, as we read elsewhere in *French*, un saut, un pet, & un syffet, simul & semel; that is, he should dance, puff up his cheeks, making therewith a sound, and let a crack. Et quia indecens servitium, ideo arrentatur, says the record, ad xxvi s. viii d. per annum ad Scaccarium regis.' *Blount's Tenures*, edit. 1679, p. 10.

An ingenious friend lately observed to the editor, that this tenure should seem also to have existed in *France*, and that *Rabelais* appears to allude to it when speaking of *Panurge*, book II. chap. 27, he says, 'Puis se levant fit un saut, un pet, et un sublet.'

^b *Black cheval & White cheval*—] These are the names by which the lawyers, in stating fictitious law cases, distinguish asunder such horses as they sometimes have occasion to mention.

^c *Fabula est in lupus*—] 'Lupus in fabula: cum forte fortuna in medio sermone intervenitis cujus mentio fiebat, conveniet illud ex *Iliad*. x.

οὐκ ἔστιν ἄλλο τι πρὸς τῷ λόγῳ, ὅτι ἀπ' ἡλυθὸν αὐτοῦ.

^d Id

ACTUS II. SCENA 8.

ARGUMENTUM. *Intrat Antonius minis plenus. Cupes intro cornu inflat quasi castrator : sese abscondit Ignoramus : quem inventum parum absuit quin castrarent ; at, cum jurasset sese ipsum pro Rosabella non iturum, dimiserunt. Jam Antonius ad pictorem abit, ut pictor illi in mala appingat nœvulum, quem pater intuens credat illum non Antonium, sed Antoninum Londino huc Burdigalam nuper profectum.*

Manent IGNORAMUS, TRICO. Intrat ANTONIUS.

ANT¹. **U**BI mœchus ille vetulus, qui sponsam meam amat ?

Nisi ego illum quasi hircum castravero——

TRI². Audin' ?

IGN³. Solet facere ut dicit ?

TRI². Solet equidem.

IGN³. Est non compos mentis : habebo brebe.

ANT. Conduxi qui castraret, statim aderit.

IGN³. Sum in uno magno timore, cliens.

CUP⁴. Trin——Tran.

TRI². Audio jam.

CUP⁴. Trin——Tran——

IGN³. Tremblo, cliens ; quid faciam ?

ANT. Audio jam.

CUP². Trin——Tran——

TRI². Hic te abstrudas pone me, ne videant ; cito, cito ; tam tecte quam potes ; tecte⁵.

¹ Pretending not to observe Ignoramus.

² Aside to Ignoramus.

³ Aside to Trico.

⁴ Cupes intro cornu sonat, ut castrator.

⁵ Ignoramus hides himself behind Trico.

‘ Id est,

‘ Jamque aderant ipsi, nondum sermone peracto.

Erasmi Adagia tit. Subiti interventus. Though all the printed editions and such manuscripts as we have seen, concur in making this sentence a part of Ignoramus's speech, it seems more probable that it belongs to Trico. Trico had related to Ignoramus the danger which threatened him, and might very properly, to confirm his account, and still further to terrify him, on the first appearance, even at a distance, of Antonius point him out to Ignoramus.

CUP.

CUP¹. Quid agimus? parata sunt omnia, vide.

ANT. Heus tu², quendam vidistis? hic caufidicum?

IGN³. Dic me abiisse *Londinum*.

TRI. *Londinum* is abiit.

ANT. Modo fuisse hic aiebant.

IGN³. Tum est domi, dic.

TRI. Tum est domi.

ANT. Verum haud sic effugiet.

IGN³. Cliens, i *fideling*; ut si possim faciam *escapum*.

TRI⁴. Teëte; teëte⁵.

CUP. Vide, ut it; quid id est?

ANT. Hic latitat⁶. Cur ausus hoc, caufidice?

IGN. Monstra tuum *Testatum est latitare*.

ANT. At intestatus^b abieris. Eamus intro huc.

CUP. Accedas ad curiam⁷.

IGN. *Jubeo vos custodire pacem in nomine regis*.

ANT. Frustra baubaris.

TRI⁸. Patronus meus est, obsecro vos.

ANT. Nequidquam oras.

IGN. Quid oro, non vultis inspicere almanackum?

ANT. Quid ita?

IGN. Per fidem, inveniatis signum in *Scorpione*^d.

TRI.

¹ Entering.

² To *Trico*.

³ Aside to *Trico*.

⁴ Aside to *Ignoramus*.

⁵ *Trico* moves gently sideways towards the door, in order to give *Ignoramus* an opportunity of escaping.

⁶ Discovering *Ignoramus*.

⁷ Seizing *Ignoramus*.

⁸ To *Antonius* and *Cupes*.

^a *latitat*—] Besides the obvious sense of this word, it has, among the lawyers, acquired a peculiar signification, and by them is used for the name of a writ, the nature of which is explained in the Glossary hereto, art. *Testatum est latitare*. *Antonius* uses it in the primitive sense, but *Ignoramus* understands it in the latter sense only.

^b *intestatus*—] i. e. sine testiculis.

^c *Jubeo vos, &c.*—] 'I command you to keep the peace in the king's name' is the form used by justices, constables, or other peace officers, on their interposing to prevent a breach of the peace.

^d *Signum in Scorpione*—] In order to understand this obscure passage, the reader will find it necessary to recollect the particulars of the punishment with which *Ignoramus* had been threatened by *Antonius*. The words in the text are an allusion to the science, as it is called, of *Medical Astrology*, which, among other absurd notions, led some persons to imagine, that the several parts of the body were under the dominion of the twelve signs of the *Zodiac*, and that at some times one part, at others another was affected by them, according as the sun or moon was in one or other of the signs; and in conformity to this opinion the several members of the body were allotted

one

TABLE. Hercle rem plenam pericli.

one to one, and another to another. The sign of *Scorpio* particularly, was thought to have power over the privy parts, for in an old edition of a book well known to the curious, entitled *Mort beatissime virginis Marie ad verum Sarisburiensis ecclesie ritum: cum quindecim orationibus beate Brigittæ et plerisque aliis*; printed in quarto, but in what year or at what place cannot be discovered, as the book is unfortunately imperfect, though it is undoubtedly of an early date, is a list entitled *Aspectus duodecim signorum*. In that list are these words: '*Scorpio respicit pudenda*;' and this list is followed by another, the contents of which will be best understood by means of the following preface, with which it is introduced: '*Quoniam autem nonnulli querunt tempora incisioni venarum apta, habetque luna plurimum potestatis in ea re, aliis atque aliis recepta signis, non absentaneum videtur hic attexere generales quasdam signorum proprietates quibusque partibus humani corporis singula accommodari soleant; ut quamvis brevi ac crasso quodam argumento signa apta ineptaque internoscantur.*' In this latter list also *Scorpio* is thus described: '*Scorpio, frigidus, humidus, aquaticusque, pudenda gubernat: incertus ad venam incidendam.*' In king *James's* time the same notions prevailed, for Sir *John Harington*, in his *Epigrams*, book IV, Epig. 8 in one, addressed to his wife, and entitled *The Author to his wife, of the twelve signs how they govern*, speaks thus of *Scorpio*:

'*Scorpio pretends power in the privy parts.*'

This is a sufficient extract from the epigram for the purpose of explaining the passage in the text, more than is necessary I would not wish to insert, as it abounds with obscenity, and the author seems not to have thought, as any one else would, that such conversation would be the grossest affront even to women of no worse than suspicious characters, but absolutely intolerable to those of modesty and virtue.

It is somewhat remarkable, that though this science is now very deservedly exploded, especially by the discerning part of mankind, yet some tincture of it seems still to remain among the generality, as appears from the following fact, if it may be credited, which some time since was related in one of the public prints. Besides a column for the days of the month, another for the days of the week, and a third to notify whether they will or not be holidays, many of the modern common almanacs, in conformity to the above opinion, still continue a column containing the names of the parts of the body. This custom was objected to by some person or other lately, as being entirely useless, and a letter was inserted in one of the public newspapers, addressed to the Stationers company, hinting to them the propriety of discontinuing it in future; an answer to which was returned through the same channel, justifying the practice, as it contributed to the circulation of a greater number of copies annually, than could have been disposed of without it, for, that, some years since, the experiment of omitting the column in question had been made, and it was found that in the course of that year a much smaller number of such almanacs were sold than had been the case in former years, which could only be attributed to the omission.

IGN.

IGN. Quid si moriar infra annum & diem¹? cavete quid facitis.

ANT. Nihil agis.

IGN. Non audita querela vultis me judicare?

CUP. Immo judicabere per pares tuos.

TRI. Obtestor vos.

ANT. At redierit huc illico, si saluum amiserimus,

IGN. ~~Balliato~~ me, cliens², quæso ~~balliato~~.

TRI. Meo periculo non faciet.

IGN. Per Deos, si unquam posthac, tollite *Hispanicos* companions³.

TRI. Quin tu fugis jam?

CUP. Sequere, sequere; quo fugit?

IGN³. Sum salvus, & sanus nunc; titillabo vos; monstrabo triccum de lege. Quoniam juravi, non ibo ipse, sed mittam clericum meum *Dulman* pro *Rosabella*⁴.

CUP. Fugit, ha, ha, he!

TRI. Ha, ha, he!

ANT. Ha, ha, he!

TRI. Ah, vos probe

Vigilastis modo.

CUP. Quin præsto aderam: prope hic.

Auscultavi lepidos sermones vestros; næ risu dirupi fere.

TRI. Servum jam meticulosus miserit: abscede tu itaque,

Et te orna cum uxore simul, uti illa *Rosabella*, tu *Torcol* sitis subdititii.

CUP. Eo: rem factam habes⁵.

TRI. Eamus, here.

Fallaciæ reliquum per vias narrabo tibi.

¹ To *Trico*.

² They release *Ignoramus*.

³ At a distance, aside.

⁴ Exit *Ignoramus* running.

⁵ Exit *Cupes*.

¹ *infra annum & diem*—] See the Glossary hereto, art. *Year and a day*.

² *Hispanicos companions*—] The sense which these two words were intended to convey, it is imagined will be sufficiently obvious to any reader, especially when he considers the punishment which *Antonius* had threatened to inflict on *Ignoramus*; but the words *Hispanicos companions* most evidently, as an ingenious friend has hinted to me, allude to the *Spanish* substantive *Compañones*, which, in *Minsheu's Spanish Vocabulary*, subjoined to his Dictionary of Eleven languages, is thus rendered '*Compañones, L. Testiculi. A. The stones or collions.*'

Eundum

Eundum est jam mihi ad pictorem; eum ad te adduxero.

ANT. Quid cum eo?

TRI. In mala is tibi appinget nævulum.

Eamus. Præcipiam quid nunc facturus, forte si patri
Obviam accefferis ¹.

ACTUS III. SCENA I.

ARGUMENTUM. Antonius dum appingat nævulum, procedit
Trico in insidiis: venit Dulman cum indentura & coronis,
ut ferat Rosabellam; Triconem de Portugallo rogat; re-
spondet Trico, Torcol esse distorto collo herum suum; osten-
ditque illi carmina quæ Rosabellæ inscripsit Ignoramus.

Intrat TRICO.

TRI. *A*ntonium discipulum condoceseci probe.
Pictor ei jam appingit nævulum.

DUL². Video nullum corpus, sed sum in magno timore,
per missam³; nam sunt infani pilei, vocati *Madcaps*, hic
in *Bourdeaux*.

TRI³. At quænam illæc avis?

DUL⁴. Magister meus *Ignoramus* jurabat, quod volebant
facere eum geldingum.

TRI³. Peregrinus est.

¹ Exeunt Antonius & Trico.

² Entering, with the money in a purse,
and the indenture in his hand; and looking about cautiously, but not seeing
Trico.

³ Aside, observing Dulman.

⁴ To himself, still not seeing Trico.

⁵ *per missam*—] ‘By the mass,’ was anciently a common oath. Sir
John Harington, in his Epigrams, book IV. Epig. 9, has the follow-
ing, in which he notices the practice of swearing by the mass, and gives a
very brief history of those oaths which have since taken the place of this.

Against swearing.

In elder times an ancient custom was,
To swear in weighty matters by the mass;
But when the mass went down, as old men note,
They swore then by the cross of this same groat:
And when the cross was likewise held in scorn,
Then by their faith the common oath was sworn.
Last having sworn away all faith and troth,
Only God d—n them is their common oath.
Thus custom kept decorum by gradation,
That losing mass, cross, faith, they find damnation.

R

DUL.

DUL¹. Bella riota, nonne? tollere Instrumenta nostra!

TRI². Scripta in manu tenet.

DUL¹. Ergo magister meus dedit mihi unam litteram *Attornati*, ad capiendam *seisnam* de quadam *Rosabella*, quam ego nunquam vidi.

TRI². Certe *Ignorami* servus est, Cupes³, Cupes, num in promptu?

CUP⁴. Admodum.

TRI³. Servus *Ignorami* præsto est.

CUP⁴. Tace.

DUL⁵. Video unum ibi, demandabo si novit ejus *messutum* ad quem eo: meus magister dixit, eum esse *Portugallum*, & curvo collo; nam ego non novi aliter. Hoh, honeste vir⁶.

TRI. Quid quæris, amice mi?

DUL. Est homo boni gestus?—Quæro unum cujus nomen non scio, num scis tu?

TRI. Stipes est vicinus.—Qua facie est quæso?

DUL. *Portugallus*.

TRI. Distorto collo scilicet.

DUL. Sic aiunt.

TRI. Mirum ni quæris herum meum.

DUL. Fieri potest ita.

TRI. Meministin' primam nominis litteram?

DUL. Puto facio.

TRI. Num incipit a B?

DUL. B?—Non.

TRI. An G?

DUL. G?—Non.

TRI. Num R?

DUL. R?—Non, non.

TRI. T?

DUL. Ha, mane—imo T. T.

TRI. *Torcol*?

DUL. *Torcol*, *Torcol*: pestis capiat. Habeo nomen ejus in nigro & albo hic⁹. An tu es ejus serviens?

TRI. *Si Signior*.

¹ To himself, still not seeing *Trico*.

² Aside, observing *Dulman*.

³ Aside, to *Cupes* within.

⁴ Answering from within.

⁵ Seeing *Trico*.

⁶ Calling to *Trico*.

⁷ Aside.

⁸ Aside.

⁹ Looking at the Indenture.

DUL.

DUL. In *bono tempo*¹: quæ est tua nominatio?

TRI. Quid nunc dicam¹?—*Mendoza*.

DUL. *Mendoza*, in *bono tempo*.

TRI. Quid est tibi nomen itidem?

DUL. *Dulman Ignorami* senior clericus.

TRI. *Dulman Ignorami*? in *bono tempo*. Aureos etiam attulisti, *Dulman*?

DUL. Sexcentas coronas hic², & *Indenturam*³, *Mendoza*.

TRI. In *bono tempo*. At scin' cujus sit hæc scriptio⁴?

DUL. Est manus mei magistri.

TRI. Recte, carmina hæc inscripsit huic nostræ *Rosabellæ*.

DUL⁵. Pimpillos, purfos: ad ludos ibis & urfos.

Belle, belle, dicis verum; sunt ejus revera, utinam ego possem facere talia. Sed quæso jam clama magistrum tuum huc, ad dandam mihi *liberaturam Rosabellæ*.

TRI. Mox aderit.

DUL⁶. Est hic honestus sodalis, warrantizabo. Utinam veniret *Rosabella*. Videor esse in foresta nunc: ita timeo *taxam de Hornegelt*⁷.

¹ Aside:

² Pointing to the purse.

³ Pointing to the In-

denture.

⁴ Shewing him the paper with which *Rosabella* had before furnished him, containing *Ignoramus's* verses.

⁵ Reading the last line

of them.

⁶ Aside.

⁷ Manent ambo.

¹ *bono tempo*—] *Shakespeare* uses the phrase, 'in good time,' more than once; and Mr. *Steevens* says it is equivalent to the *French* expression, *à la bonne heure*, and that it signifies, so be it, very well. See *Johnson and Steevens's Shakespeare*, edit. 1778. Vol. II. p. 36.

ACTUS III. SCENA 2.

ARGUMENTUM. *Jam Cupes prodit distorto collo, Torcol sese simulans, aliquasque Portugalli sermonis reliquias garrit, quo magis ipse videatur. Hi Dulman fallunt, indenturam, coronas, & signum, quo Torcol sciat esse Ignorami servum, expiscantur.*

Manent TRICO, DULMAN. Intrat CUPES¹.

CUP. **L**OS diablos te gannan picaro². Hem, ergo hoc tibi verbero.

DUL³. Hic est *Portugallus* cum curvo collo, scio: sed doleo quod est iracundus cum eo.

CUP. Annon domini mei honorificentissimi amicum (salve, Signior⁴) in ædes huc adductum oportuit, furcifer⁵, saltem ut vini aliquid gustaret more *Anglico*⁶?

DUL. Gratias.

TRI. Nostri haud ita faciunt.

CUP. *Truban Villaco*, etiam mutis? Ubi *Diego*? ubi *Alonzo*? ubi *Piedro*? ubi *Guzman*?

¹ Disguised as *Torcol*.
Dulman.

² To *Trico*.

³ Aside.

⁴ To

⁵ To *Trico*.

⁶ *more Anglico*—] Sir Richard Baker in his Chronicle, edit. 1670, p. 380. after relating the raising of the siege of *Stenwick*, in *Friesland*, by general *Norris*, in 1580, notices the propensity of the *English* to drunkenness, and accounts for it in the following manner: ‘Here it must not be omitted, that the *English* (who of all the dwellers in the northern parts of the world, were hitherto the least drinkers, and deserved praise for their sobriety,) in these *Dutch* wars learned to be drunkards; and brought the vice so far to overspread the kingdom, that laws were fain to be enacted for repressing it.’

This particular in the character of the *English*, is remarked by *Shakespeare*. *Othello*, act II. scene 2. *Cassio* commends a song which *Iago* is represented as singing; and then follows this dialogue:

‘IAGO. I learn’d it in *England*, where, indeed, they are most potent in potting: your *Dane*, your *German*, and your swag-bellied *Hollander*—(drink ho;)—are nothing to your *English*.’

‘CAS. Is your *Englishman* so exquisite in his drinking?’

‘IAGO. Why he drinks you with facility your *Dane* dead drunk; he sweats not to overthrow your *Almain*; he gives your *Hollander* a vomit ere the next pottle can be filled.’

TRI.

TRI. Nescio, here.

CUP. Nescis, here? ego te, *hideputa*²,—

DUL¹. Magister *Torcol*, noli quæso chafare propter me : est bonus serviens certe.

CUP. Scilicet; at, Signior, attulisti, Signior?

DUL. *Ouy, ouy*, magister meus misit tibi sexcentas coronas hic².

CUP. Tantum esse oportet. Heus furcifer, cui dico; *Mendoza*.

TRI. Here.

CUP. Numera³.

DUL. Hic etiam est tua *Indentura*, vide manum tuam & sigillum⁴.

CUP. ——— *Rodrigo Torcol*⁵: ita est ut dicis.

DUL. Nunc *delibera Rosabellam* mihi, ad magistri mei usum⁶.

CUP. Mane paululum. Indica mihi primum quid fecerit id signi est, quod inter me & herum convenerat tuum.

DUL. Dicis bene. Ne sit *Breve erroris* injectum est mihi vellere te per nasum.

¹ To *Cupes*.
money to *Trico*, who tells it.

² Gives the money to *Cupes*.

³ Gives the

pointing to the signature and seal.

⁴ Delivering the *Indenture* to *Cupes*, and

⁵ Reading the name at the end.

Beaumont and Fletcher have also noticed it in the comedy of *The Captain*, act III. scene 2.

LOD. Are the *Englishmen*

Such stubborn drinkers?

PISO. Not a leak at sea

Can suck more liquor. You shall have their children

Christen'd in mull'd sack, and at five years old

Able to knock a *Dane* down.'

² *hideputa*—] '*Hideputa L. Spurius A. The son of a whore, a whorson.*' *Vocabularium Hispanicum*, at the end of *Minsheu's* Dictionary of eleven languages. *Cupes* in this scene frequently uses fragments of *Portuguese*; and it is highly probable, that both in that, and the *Spanish* language, this word may have the same signification.

⁶ *ad magistri mei usum*] Alluding to the form of a letter of attorney. In *West's Symbolography*, Part I. sect. 525, is the form of a letter of attorney to receive possession of lands, by which the principal appoints the person attorney, to use the very words of it: '*meum verum & legitimum attornatum, ad intrandum pro me, vice & nomine meo, in unum messuagium cum gardino, & suis, &c. ac plenam & pacificam possessionem & seisinam inde capiendam. Et post hujusmodi seisinam & possessionem sic inde receptam & habitam, eandem ad meum primum usum retinendum & custodiendum,*' &c.

CUP.

CUP. Per nasum, Signior?

DUL. *Veniat nasus in Curiam nasalem & faciat homagium nasatibum*^b. Veni, ha, he; herus meus est tam jocundus vir. Veni inquam, ha, he; hic est per fidem.

CUP. Novi ita esse: at sciens tentavi, an id tu scires; id signi est mehercule.

DUL. Imo, hercle^c.

TRI. Here, numerati probe: verum hunc^d specta modo.

DUL. Est currens, mihi crede.

CUP. Nihil moror. Quod tibi nomen, amice?

DUL. *Dulman*, ad tuum servitium.

CUP. Cape hoc, sis igitur *Dulman*; cape, inquam^e.—Age, *Rosabellam* huc tu^f adducito, atque vinum generosum huc afferto; & saccharum etiam. Audin'?

TRI. Quid?

CUP. Saccharum etiam, scelus, more *Anglico*^g: Signior, saccharum.

DUL. Profecto non est necesse: est postremum quod feci.

CUP. Quid jam?—quid, amice *Dulman*? at bibes saccharum, Signior.

DUL. Est valde curtesius homo^h.

CUP. Meis verbis herum ora quæso, ut *Rosabellam* bene & amanter curet; nam ego illam pro filia educavi mihi. Cor uritur nunc, cum ejus abitum cogito, verum illam in deliciis habebit, scio, scio.

^a Pulls *Cupes* by the nose.
money to him, to examine whether it be good or not.

^b Giving one of the pieces of the money to him, to examine whether it be good or not.

^c Gives *Dulman* money.

^d To *Trico*,

^e Exit *Trico*.

^f Aside.

^g *Veniat nasus, &c.*—] This passage I conceive to be a parody of the entry on the Rolls of a Court Baron, of homage done to the Lord. I have not been able, notwithstanding all the books on the subject which could be procured, have been consulted for that purpose, to find the exact form of such an entry; but the form of an admission, where fealty, a different kind of personal service has been done, I find thus given in *Jacob's Court Keeper*, edit. 1715, p. 93. 'Ad hanc curiam venit *Thomas* & F & clamat tenere pro termino vite sue, per duas separales copias Rotulorum Curie Manerii ibidem gerendæ, datas, &c. unum messuagium, ac unam virgatam terræ, necnon dimidiam virgatæ terræ cum pertinentiis, infra Manerium predictum, nuper in tenura *Ric. L.* fratrem suum defunctum, & petit se inde admitti tenentem. Quod ei conceditur & admissus est, & fecit domino fidelitatem suam.' By analogy to the above form, it may be reasonably concluded, that the entry of homage only, would be in these words: 'Ad hanc curiam venit *J. S.* personaliter ut faciat homagium personale.'

DUL.

DUL. Sis certus de eo, habebit courtelle d'Angleterre. Scio, dabit bonam Juncturam, nam ego scripsi. Sed, quæso, delibera mihi Counterpanam Indenturae magistri mei.

CUP. Sane reliqui apud notarium, sed ipse mox attulero.

DUL. Da mihi acquietantiam tum.

CUP. Heus vinum & saccharum, furcifer¹. Ubi es?

DUL. Veni præsentem post me, quæso.

CUP. Fiet².

A C T U S III. S C E N A 3.

ARGUMENTUM. Polla flets introducitur, & personata, quæ huic Dulman pro Rosabella traditur; abijt ipse vino & saccharo plenus.

Manent CUPES, DULMAN. Intrantr TRIÇO³, POLLA⁴.

TRI⁵. Intellextin', Polla?

POL⁶. Potin' ut taceas?

TRI⁵. Atque ut affleas vide.

POL⁶. Deum fidem, si me irritaffis——

TRI⁵. Pax: taceo.

CUP. Eccam! adest.

DUL. Delibera eam mihi.

CUP. Rosabella, cognata mea, filia potius, huic te nunc dedo, quo is ad virum te deducat tuum. Jamne a me abitura, animula mea? proh dolor! At tu ne fleas, obsecro.

POL⁷. Patruæ mi, mi pater potius, quanquam illi nubam, ubi bene mihi erit?——attamen abs te abscedere?——

CUP. Lacrymas excussit mihi.

TRI. Quis temperet a lachrymis⁸, Dulman?

DUL. Non ego equidem.

¹ Calling aloud to Trico within.
wine.

Polla,

⁴ Disguised as Rosabella, and masked.

⁶ Aside to Trico.

² Manent ambo.

⁷ Weeps and sobs:

³ With

⁵ Aside to

⁸ temperet a lachrymis—] Virgil. Æneid, lib. II. v. 6.

Quis talia fando

Myrmidonum, Dolopumve, aut duri miles Ulyss

Temperet a lachrymis?

TRI.

TRI. Haud ego certe, *Dulman* : heram nactus es perquam suavis indolis.

DUL. Certe videtur tenera & amans pecia, quanquam maskata est.

TRI. Personatis mos est virginibus hic in viis.

DUL. Bonus mos.

CUP. At hanc tam bene nuptam dari, est quod lætemur magis.

DUL. Dicis verum, per missam.

CUP. Simus igitur hilares.

DUL. Dicis valde bene.

CUP. Rideamus.

DUL. Si vis.

CUP. Bibamus.

DUL. Si vis.

CUP. Vinum.

DUL. Si vis.

CUP. Cum saccharo, Signior *Dulman* .

DUL. Si vis : sum ad omnia quare¹.

CUP. Præbe tu². Hem bene te, Signior *Dulman*.

DUL. Gratias.

CUP. Hem inde saccharum, saccharum more *Anglico*, Signior, inde saccharum, ut dulce bibat, dulcis Signior mio. Adhuc saccharum, furcifer³.

DUL. Sic, sic. Ad te, magister, contra es dispositus⁴.

CUP. Gratias : pitissas, bibe meliuscule : da saccharum, scelus⁵.

DUL. Certe bene feci, jam capiam *congé* de te.

CUP. Signior, vale : vale, cognata ; sac boni frugi fies.

POL. Vale, vale.

TRI. At, Signior *Dulman*, cape hoc saccharum etiam, cape, inquam⁶.

DUL. Gratias : bibam salutem tuam in *Anglia* pro hoc⁶.

¹ *Trico* pours out a glass of wine. fills the glass again.

² *Cupes* drinks.

³ *Trico*

⁴ *Dulman* drinks.

⁵ Gives *Dulman* the glass which he had poured out before.

⁶ *Dulman* drinks again.

* *sum ad omnia quare*—] It has been suggested to me that this passage should probably stand thus : ' Non sum ad omnia quare,' i.e. ' I am not at all queer ;' but though it seems to need some correction to make it intelligible, all the manuscripts that we have yet seen, as well as all the printed editions, concur in giving it as it here stands in the text.

TRI.

TRI. Vale.

DUL. Vale; ¹ quam curtesii ² !

ACTUS III. SCENA 4:

ARGUMENTUM. *Hac in scena abit Cupes, ut nova ornamenta induat, quibus se Dulman esse simulet; & miscellanea loquitur, quæ didicit cum subpromus esset Angliæ in caufidicorum hospitiiis.*

Manent CUPES, TRICO.

CUP. VALE, caudex.

TRI. Vale, saccharum, saccharum.

CUP. Nescit quem cyathum bibit: *Anglorum* in bello bene gesta gula

Sæpe perdidit ³.

TRI. Adhuc saccharum, saccharum, mi furcifer, ut dulcis est! sine te osculer ³, mi verbero.

CUP. Sat est; mittamus jocos; ibo nunc, atque aliud ornatum capiam. *Dulman* esse affimulabo me.

TRI. O saccharum, *Dulman*! nosti signum?

CUP. Nisi nasum illi probe vellicem——

¹ Afide.

² Exit *Dulman* cum *Polla*.

³ Embraces *Cupes*.

⁴ *Anglorum in bello, &c.*—] In confirmation of this remark, the following instance may be adduced: *Stow* in his *Annals*, edit. 1631, p. 753, taking occasion to mention the siege and taking of the *Groyne*, in the year 1589, by General *Norris* and Sir *Francis Drake*, relates, among others, the following particulars: ‘In the base town was great quantity of victuals, and all manner of munition, which the commissary said was for a new magazine, or storehouse, for a second voyage into *England*; the common soldiers finding store of wine in every cellar, careless of their proper healths, present danger, and employment, drank thereof until they were senseless and unserviceable, which inordinate drinking bred the plague of pestilence extremely. The generals for redress thereof caused the heads of all wine vessels to be stricken out, according to a former precedent on the like occasion, in the conquest of *Saint Domingo*, *Iago*, &c.’ lest the whole army should have perished by that disorder; they were fain also to sink two ships which were infected, thinking thereby to have cleared themselves of that contagion, but could not.’

S

TRI.

TRI. Aurum ferto hoc, & syngrapham etiam¹.

CUP. Indenturam, Trico;

Ex quo *Londini* subpromus eram, verba istiusmodi
Multa memini, loquar miscellanea.

TRI. *Dulman* illum leno bene non novit, scio.

CUP. Me multo minus.

TRI. Quin deprehensus scis mentiri?

CUP. Ita didici ex *Jesuitarum* libris, ut uni soli cedam
Belzebub Cydonio.

TRI. Mi *Proteu*, cessamus nimis. Ad *Torcol* ego hinc con-
tinuo confero me. Simulabo ei aliquam conditionem ferre
quæ in rem suam fiet; optima ubi erit occasio, tu interveni—

CUP. Serviam scenæ.

TRI. Ita. Illum nos fortius fallemus ambo.

CUP. Jam eo ornatum me².

TRI. Ego ad *Torcol*: domi ne non sit vereor. Tic, toc,
tic, toc³.

ACTUS III. SCENA 5.

ARGUMENTUM. *Trico cupit lenoni Torcol quasi palpum obtrudere, sed nihil audit, ut qui jam Triconem novit satis; postremo illi quasi iratus maledicit Trico.*

Manet TRICO, intrat TORCOL.

TOR. **A** Riolus sum: hic adesse te jam præfagibat animus mihi.

TRI. Signior, tuam scilicet *Surdam* amo perdit—

TOR. Scilicet amas *Surdam*? abi, abi, ipse jam vigilo,
Trico.

TRI. Attamen ego nunc veni in rem quod esset tuam, tecum ut agerem, Signior.

TOR. Signior, fallere me tu haud potes, Signior.

TRI. Egon' ut id velim?

¹ Gives *Cupes* the money and deed which he had received of *Duiman*.
² Exit *Cupes*. ³ *Trico* pulsat fores.

TOR.

TOR. Prædixi hodie.

TRI. Joco dixi.

TOR. At serio caveo; abi, Signior, abi.

TRI. Tribus expediam,

Audi quæso.

TOR. Nihil audio, præsertim de *Rosabella*.

TRI. Quid feci unquam ego mali tibi?

TOR. At quid boni unquam?

Cum te video, damnum video.

TRI. Spero mox aderit¹,

Quin mihi haud credis, Signior?

TOR. Minime, Signior.

TRI. At luculentam fero conditionem tibi.

TOR. At ecquid auri, aut argenti?

TRI. Cuditur.

TOR. Vale².

TRI. Mane³.

Postquam *Antonius Rosabellam* datam iri *Ignoramo* sciverat,
Sui impos fere, nummos quæfivit undique;

Tandem ab amico mutuo sumpsit plenam gemmarum atque
auri cistulam.

TOR. Fabulæ.

TRI. Illam is oppignorabit tibi.

TOR. Putas

Nescire me quid jam veneris, *Trico*?

TRI. Fallere te censent?

TOR. O *Trico*, tu, qui aurum & gemmas habes, nummos
non habes.

Quantum quisque sua nummorum servat in arca,

Tantum habet & fidei¹.

TRI. Ego vero ut te fallerem, Signior?

TOR. Si Signior: at si possis.

TRI. Quin sex aut septem primarii viri satisfecerint tibi?

TOR. Lites metuo. Frustra sunt tricæ tuæ, *Trico*.

Nam *Rosabella*, ne nescias, jam datur *Ignoramo*.

TRI. O hominum homo! jam dicam enim——

¹ Afide.

² Going.

³ Torcol returns.

² *Quantum quisque, &c.*—] *Juvenal* Sat. II, v. 143.

‘Quantum quisque sua nummorum servat in arca,

‘Tantum habet & fidei.’

TOR. Jam.

TRI. Scelestissime, vitiorum omnium colluvies,

TOR. Nihil agis, abi quæso.

TRI. Quid tu, quæso?

TOR. Quæso abi.

TRI. Signior———

TOR. Frustra, Signior.

TRI. Incurvi-cervicum pecus.

TOR. Maledic jam.

TRI. Nisi ego aliqua tibi——

TOR. Minare?

TRI. M. be M. be¹———.

ACTUS III. SCENA 6.

ARGUMENTUM. Cupes atramentarii habitus pro Dulman venit, quem Torcol ex sermone & habitu Ignorami servum esse suspicatur; hunc cupit quasi abducere Trico, quo minus leno sycophantiam suspicetur: at ille, tradita indentura, numeratis coronis, & ostenso signo, de quo convenerat inter Torcol & Ignoratum (nimirum ut lenonem per nasum velleret) quamvis sycophantam hunc esse a se conductum admonuisset Trico, intro admittitur, ut Rosabellam auferat; Cupes abit, ut observet Ignoratum.

Manent TRICO, TORCOL. Intrat CUPES².

CUP³. **S**Atis lepide ornatus es, mi Dulman, ut concedet atramentarium.

Quasi oblitus mei, gestabo in aure calamus etiam⁴.

Eamus jam, mi Dulmanule.

TRI⁵. Surdamne haud licet alloqui, Signior?

¹ Manent ambo.
the deed in his hand.

² Disguised as Dulman, and staring about with

³ Aside.

⁴ Putting a pen behind his

⁵ To Torcol.

¹ M. be M. be—] I take these words to be intended only to represent that kind of murmuring or grumbling noise, which a discontented person may be supposed to make, when he finds himself thwarted; and as such they are here used by Trico.

TOR.

TOR. Ego sum furdus¹, Signior, Sed quis illic homo est¹?

TRI¹. Peregrina facies.

TOR¹. Unde gentium, aut quis sit, nequeo noscere.

TRI². Qui sit quid tua refert? Audin³, obsecro?

CUP. Video bonam travaliantem observationem, *ingros-*
sabo scripto³.

TOR⁴. Peregrinator est, opinor, observat nescio quid.

TRI⁵. Stultus videtur: ut hians circumspēctat! & etiam
calamum in aure gestat.

CUP⁶. Sed ubi inveniam illum? utinam haberem
Inbentarium.

TOR⁷. Ex sermone & habitu hunc esse oportet *Ignorami*
famulum. Syngrapham opinor habet.

TRI⁵. Novi jam quis sit.

TOR. Quis?

TRI⁵. Quidam *Anglus*, amici amicus mei: I intro;
illum jam ego adibo.

TOR⁷. Subolet *Trico* jam: ego mansero.

CUP⁸. Hic circum dixit habere *messuagium*.

TOR⁷. Certe ipse est quem volo, optato advenit.

TRI⁹. *Ignorami* servus est: perii.

TOR⁷. Præsenfit veterator.

TRI¹⁰. Occidi.

TOR⁷. En ut pallet!

TRI. Heus tu¹¹?

TOR. Vide.

TRI. Heus tu¹¹!

TOR. Euge, heus tu¹¹!

TRI. Heus inquam¹¹.

TOR. Heus inquam ad me¹¹.

¹ Observing *Dulman*. ² To *Torcol*. ³ *Cupes* pulls out a
note-book and writes in it. ⁴ *Aside* to *Trico*, observing *Cupes*.
⁵ *Aside* to *Torcol*. ⁶ To himself. ⁷ *Aside*. ⁸ To
himself, not observing *Torcol* and *Trico*. ⁹ *Aside*. ¹⁰ Seem-
ingly *aside*. ¹¹ To *Cupes*.

¹ *sum furdus*—] In these words, besides an answer, implying a re-
fusal of *Trico*'s request, an allusion seems to have been intended to the
name of the person for whom he is enquiring. *Trico* asks, if he
may be permitted to speak with *Surda* [i. e. the character so named,]
and is answered by *Torcol*, 'I am *Surdus*.'

TRI.

TRI. Quem quæris ¹? me percontare, te certiore faciam.

TOR. Eho me percontare ¹: sine eum ad me accedere ²; te certiore faciam ¹.

CUP. Quis vestrum certificabit me, ubi est messuagium cujusdam *Portugalli*.

TOR. *Portugalli* dixtin'?

TRI. Certum te faciam ego. Non hic, longe abhinc habitat *Portugallus*.

TOR. Heus tu mane dum, nequam hic est.

CUP. Cur me mockatis ita? qui mockat mockabitur.

TOR. *Trico*, verba mihi dare non potes, *Trico*: cernis hunc esse *Ignorami* seryum, illum eo jam cupis abducere; video, video.

TRI ³. Disperii.

TOR ⁴. Uritur.—Equidem me adfuisse gaudeo.

CUP. Estis floutatores: ego ibo viam ⁵:

TOR. Ehodum ad me ⁶; quem quæris?

TRI. Quærit is—Abi tu: eum absolvam illico.

CUP. Quæro *Portugallum* mercatorem.

TOR. Hem, me quærit.

TRI. Amice mi.

TOR. Blande.

TRI. Sequere, adducam te ad ædes, sequere.

CUP. Quid vult hic socius?

TOR. Ha, he, finam paululum ⁴.

TRI. Sequere inquam; per viam tibi vinum dederò, & saccharum, saccharum etiam.

CUP. Quid saccharum?

TOR. Ha, he, vinum & saccharum.

CUP. Ex physiognomia video hic est nebulo in grano.

TOR. Vel maxime. *

TRI. In malam rem; tunc is eras? ut vales? profecto vix te noveram.

TOR. Optime.

CUP. Tu me nosti? an putas me esse *Proberint universi*?

TRI. Annon tu me nosti in *Anglia*? specta modo.

¹ To *Cupes*.

⁵ Going.

² To *Trico*.

⁶ *Cupes* returns.

³ Seemingly aside.

⁴ Aside.

CUP.

CUP. Specto nebulonem.—Ego quæro quendam cum curvo collo, qualis tu ¹ es.

TRI. Imo qualis tu es, talem quærit; non te, sed amicum meum qui distorto collo est itidem, qualis ipse es.

TOR. Verisimile, ha, ha, he.

TRI. Quem putas servum *Ignorami*, non est, *Torcol*, non, non.

CUP. Quis dicit ita, nam ego veni a magistro meo *Ignoramo* cum *Indentura* & sexcentis coronis². Quid facis post me? cur me calcas? cur joggas, & noddas, & nutas mihi ita?

TOR. Ha, ha, he, ho, ho.

TRI. Egone te tango, aut nicto, aut nuto, asine?

CUP. Sum nimis callidus asinus pro te. Ego loquar tecum³.

TOR. Ha, he, jam frendet, jam furit.

TRI. Num tute *Ignorami* servus; non es scio; st,eamus ad œnopolium.

CUP. Cum peste tibi quid vis cum me? ⁴ cur facis signa, & winckas, & nutas ita?

TRI. Egon'?

TOR. Imo vidi ut innueris, *Trico*, oculis, manibus, pedibus. Nihil agis.

CUP. Per collum & fashionem tuam⁵, tu ¹ es ille quem demando, scio.

TOR. Memora nomen ejus quem quæritas.

CUP. Est, est——

TRI. Dixin'?

CUP. Est——mane⁶——

TOR. Ipse non est, nomen nescit.

CUP. At habeo: in *Indentura* est⁵.

TRI⁶. Hebes! quam facile jam, nisi forte adfuisssem, poterat interverti!

CUP. Est⁵, jam video, *Rodrigo Torcol*.

TOR. Recte.

CUP. Tu es ille?

TOR. Imo sum.

¹ To *Torcol*.

² *Trico* from behind kicks him, and afterwards jogs him and nods at him.

³ To *Torcol*.

⁴ *Trico* makes signs and winks at him.

⁵ Looking at the *Indenture*.

⁶ Aside.

fashionem tuam—] i. e. By the fashion, by the make; *Torcol* being wry-necked.

TRI.

TRI. Hamum vorat ¹.

TOR. Verum quod tibi nomen?

CUP. *Dulman*, ad tuum servitium. Porto tibi messagium² a meo magistro *Ignoramo*.

TOR. Ubi aurum & syngrapha?

CUP. Hic est *Indentura*, vide tuam manum & sigillum³.

TOR³. *Hec Indentura*, facta, &c. 19 die *Aprilis* inter *Ambidextrum Ignoramus*, de una parte; & *Rodrigo Torcol*, de altera parte⁴. Hum, hum, sigillatum & deliberatum⁵, hum, hum, hum,—*Rodrigo Torcol*: hum; est ut dicis.

TRI. Interii.

TOR. *Trico* jam insanit. At præterea quid arcani signi? cedo; nolo mihi os sublini.

CUP. Non os, sed nasum volo. Veniat nasus nasaliter in curtam nasalem, ut faciat homagium nasale⁶.

TOR. Oh, placide, oh, placide. Oh, oh, oh.

CUP⁶. An est signum?

TOR. Oh clementer, signum est, sat est, oh, oh⁷.

CUP. Putabas me nescire.

TOR. Id signum est. At tu rudius tamen.

CUP. Erat pro uno bono memento.

TRI. Non sentis, stulte, ut te ludos faciat, qui te circumducit naso quasi ursum?

TOR. Qui nasum non habet, naso circumducitur: Non cuivis datum est habere nasum⁸: Ego habeo, *Trico*.

TRI. Vis falli, video.

TOR. Falli quippin'? omnino nolo falli.

TRI. Meministin' quid tibi prædixi hodie?

TOR. Te velle fallere me, nempe fallere.

¹ Aside. ² Delivering him the money, and the indenture; and pointing to the signature and seal. ³ Reading the initial words of the deed.

⁴ Reading the attestation of the due execution. ⁵ *Cupes* pulls him soundly by the nose. ⁶ Still holding him by the nose. ⁷ *Cupes* lets his nose go.

* *messagium*.—] i. e. A message from one to another.

* *Hec indentura*, &c.—] See the Glossary hereto, art. *Indenture*.

* *sigillatum*, &c.—] See the Glossary hereto, art. *Deed*.

* *Veniat nasus*, &c.—] Vide ante, p. 122. in a note.

* *Non cuivis*, &c.] *Martial* Lib. I. Epig. 98. v. 8.

'Non cuicunque datum est habere nasum.'

TRI.

TRI. Scilicet.

TOR. Scilicet, ha, ha, he.

TRI. Jam te fallo.

TOR. Scilicet.

TRI. Equidem hic homo non est *Ignorami* servus.

TOR. Non, non, non est, scio.

TRI. Sycophanta merus est.

TOR. Quippini?

TRI. Quem ego sic ornatum conduxī, ut te falleret.

TOR. Scilicet.

TRI. Mehercule vera dico.

TOR. Quippini?

TRI. *Rosabellam* is, nī cāves, subducet tibi.

TOR. Ha, he.

TRI. Mirum quod nec juranti credis.

TOR. Credo tibi, ne dejera, credo.

CUP. Hæc est bona nota, imbreviabo.

TRI. Mediusfidius jam jam fallo te.

TOR. Fallis mediusfidius? hic tantundem auri, hic syngrapha mea; indicavit quod inter nos convenerat signi; quidni fallor, *Trico*?

TRI. At vide ne aurum illud *Tholosanum* sit *.

CUP.

* *Aurum Tholosanum*—] The place here mentioned is *Tholouse* in France, which in *Latin* is sometimes called *Tolosa*, and sometimes *Tholosa*, See *Hoffmanni Lexicon*, art. *Tolosa*; and of this expression which is proverbial, the following explanation is given by *Erasmus* in his *Adagia*, sub tit. *Infortunii sive Exitii*. ‘Huic’ [i. e. to the proverb *Charontis* janua, which he just before explains] ‘simillimum est illud: ‘Aurum habet *Tolossanum*. In eum qui magnis ac fatalibus afficitur malis, novoque ac miserando exitio perit. Refertur ab *A. Gellio* eodem loco, quem modo citavimus,’ [i. e. libro *Noctium Attic.* tertio, capite nono] ‘ad hunc modum. “Eadem sententia est illius quoque “veteris proverbii, quod ita dictum accepimus: Aurum habet *Tolossanum*. Nam cum oppidum *Tolossanum* in terra *Gallia*, *Q. Cepio* consul diripuisset, multumque auri in ejus oppidi templis fuisset, quisquis ex ea direptione aurum attigit, misero cruciabilique exitu periit.” In plerisque codicibus *Gellianis*, hætenus legebatur in terra *Italia*, sed mendose: quum *Strabo* & *Justinus* *Tolossam* ponant in *Gallia*. Meminit auri *Tolossani* *M. Tullius* libro *De natura Deorum* tertio: “Cognosce,” inquit, “alias quæstiones auri *Tolossani*, conjurationis *Jurgurthinae*.” *Strabo* libro *Geographiæ* quarto, admonet hanc pecuniam *Tolossanam Delphicæ* pecuniæ partem fuisse. *Brennus* enim *Prausus* natione, *Tetlosagis* auxiliantibus *Delphos* incurfaverat: deinde (quemadmodum refert *Justinus* libro vigesimo secundo) ‘cum *Tetlosagi*

T

CUP. Profecto est bonum aurum, est totum in *Rose Nobles*.*

TOR.

* *sagi* se in antiquam patriam *Tolosam* receperunt, pestilentia laborare cœperunt, a qua non prius sunt liberati, quam aruspicum responsis moniti, aurum argentumque sacrilegio quæsitum, in *Tolosensem* lacum mergerent: quod omne magno post tempore *Cepio Romanus* consul abstulit. Quod quidem sacrilegium exitium attulit tum ipsi *Cepioni*, tum illius copiis. Erant autem auri pondo CX. milia: argenti pondo quinquies decies centum millia. Scribit enim *Strabo*, *Tolosanos* ex privatis fortunis auxisse sacram pecuniam, ut magis Deum sibi reconciliarent. Narrantur & alia quædam hoc loco a *Strabone* de auro *Tolosano* ex *Posidonio*: verum quoniam ad adagionis enarrationem non magnopere pertinere videbantur, sat habuimus locum indicasse. Durat hodieque apud vulgus hæc opinio, ut existiment omnes misere perire, quicumque a sacris rebus non abstinere manus violentas. *Iodocus Sincerus*, as he styles himself (though Monsieur *Baillet* the author of a book entitled *Auteurs deguisez sous des noms etrangers empruntez, supposez, feints a plaisir, chiffrez, renversez, retournez, ou changez d'une langue en une autre*, printed at *Paris* in 1690, in 12mo. tells us in an alphabetical list at the end of his work, art. *Sincerus*, *Iodocus*, that his true name was *Juste Zinzerling*,) in his *Itinerarium Gallie* informs us, that in his time, the place where the lake near *Tholouse* was, into which the above-mentioned treasure was cast, was still shewn to travellers. His words are these: 'Locum hic ostendunt quo olim lacus fuit, in quem moniti a sacerdotibus suis projecerunt *Tolosagi* aurum rapinis, ac in primis e templi *Delphici*, duce *Brenno*, direptione quæsitum ut averterent a se pestilentiam qua affligebantur.' *Iodoci Sinceri Itinerarium Gallie*, 18mo. edit. *Amst.* 1649, p. 108. It does not appear when this journey was made, but an edition of the book printed at *Strasburg* in 1617, has fallen into my hands, the dedication to which is dated from *Leyden*, Id. Aug. 1616, though in the subsequent editions the date of the year is omitted.

The sacking of *Tholouse* is by *Moreri* in his Dictionary, said to have been in the 648th year from the foundation of *Rome*, and 'in the 106th before the birth of our Saviour. See *Moreri's Dictionnaire Historique*, art. *Toulouse*. In *Isaacson's Chronology*, however, (which is generally received as the work of *Isaacson* his amanuensis, though it was certainly principally compiled by bishop *Andrews*, as we learn from *Hearne's Appendix* to his *Hemingi Chartularii Ecclesie Wygornienfis*, p. 665, & seq.) this event is placed in the 647th year from the founding of *Rome*, and in the 104th before *Christ*.

It is presumed that a sufficient explanation of the proverb '*Aurum Tholosanum*,' has been above inserted, but as its application in the text is not very obvious, it seems absolutely necessary, before we dismiss this note, to consider the text minutely. The reader will therefore recollect, that the character which *Cupes* has here assumed, is that of *Dulman*, the clerk of *Ignoramus*; and that one object of his errand is to pay to *Torcol* from *Ignoramus*, the money which his master had covenanted to pay. This money as being probably gotten by the exercise of

TOR. Fallor, jam fallor.

TRI. Fefelli.

CUP. An vis babillare omnem diem cum illo? *Delibera mihi Rosabellam.*

TOR. Dabitur tibi.

CUP. Nam ego habeo magnum opus domi ingrossare agreamenta, quimbiblos, indenturas, pilicoccos, calimancas^b.

TOR. Verum dic mihi quid subnotasti scripto modo?

CUP. Oh, oh, erat travellatoria observatio. Notavi quod 15 *Maii*, vidi unum *Portugallum* cum curvo collo sic appa-

of his profession, *Trica* affects to consider as dishonestly obtained, and cautions *Torcol* against receiving it, lest he should draw on himself the consequences attending ill-gotten wealth.

^a *Rose Nobles*.—] *Minshew* in his Dictionary, edit. 1617, art. *a Noble in money*, mentions that the value of it is six shillings and eight pence, in *England*, 'where,' adds he, 'there hath been an old *Englisb* coin of gold, called an *Edward noble*, *G. un noble Edouard*, worth some fifteen shillings sterling, and is the *Rose noble*, (having the picture of the rose thereupon) as I take it, now worth seven shillings and six-pence, as the *Edward noble* now at the same rate, i. half a spur-rial.' *Phillips* in his Dictionary art. *Rose-noble*, says, the value of a *Rose-noble* is sixteen shillings and eight-pence. *Junius* in his *Etymologicum Anglicanum*, art. *Noble*, gives the following history of this coin and accounts for the rose upon it: 'Noble genus aliquod monetæ *Anglicanæ*, sic dictæ ob præcellentiam auri, unde cusa est. Ex istiusmodi auro leçtissimo factus vocatusque est nobilis ille ab *Edwardo III.* cusus Nobilis, anno *Cbristi* 1344, circa quod tempus institutus est ordo *Georgianus* sive *Periscelidis*; ut inde *Georgiani* nobiles *Spelmanno* dicti videantur. Sæpe appellatur noble a la rose, propter rosas rubras, & rosas albas domus *Lancastriensis* atque *Eboracensis*. V. *Menagium* in *Noble*.'

^b *quimbiblos, &c.*.—] These are words of no meaning, but spoken only to deceive *Torcol*, by making him believe they are law terms. The word *Pilicoccos* may however, perhaps, be intended to allude to the name of one *Roger Filcock*, a *Jesuit*, who as Mr. *Granger* informs us in his *Biographical History of England*, Vol. I. p. 230, 8vo edit. received his education at *Seville*, in *Spain*, where he was ordained priest; Mr. *Granger* adds, that he was soon after sent hither as a missionary, and was, together with *Mark Backworth*, who acted also in the same character, and Mrs. *Anne Line*, executed at *Tyburn*, on the 27th of *February*, 1601, the latter of whom suffered death, as he further says, for harbouring and assisting missionaries. Of *Filcock*, Mr. *Granger* mentions a small portrait with this inscription, 'P. *Rogerus Filcockus, Anglus, Londini*, pro *Catholica fide* suspensus & fectus, 22 Feb. 1601.' In the *Apologia pro Garneto*, before-mentioned, is inserted, p. 164, a list entitled 'Presbyteri Martyres,' of such *Romish* priests as had suffered in different parts of this kingdom, in which list, under the year 1601 are the following:

T 2

'*Roge-*

apparellatum, & quod ille cognatus nebulo^a vult fallere te. Ponam in printo.

TOR. Nota bene.

CUP. Debes etiam mihi dare counterpanam Indenture magistri mei.

TOR. Et hoc, & illud fiet, aurum ubi numeravero. Eamus intro¹.

TRI. Jamne abis², semen scelerum, sacrilege, facerime?

TOR³. At ego fallor, *Trico*, nunc fallor.

TRI. *Triconem* convenisse meminervis, Signior.

TOR. Memini, Signior. Ego ad *Surdam* eo nunc: numquid vis mandare, Signior?

TRI. M. be Dor^b, M. be⁴—ha, he,

Quo

¹ Going.
Torcol & Cupes.

² To *Torcol*.

³ Returning.

⁴ Excunt

^a *Rogerus Filcocus Societat. Jesu.* } *Londini?*
^b *Marcus Barkworthus S. Benedicti.*

^a *cognatus nebulo*—] It has been suggested to me that the phrase cognatus nebulo, here used, is intended to signify a coufening knave, and to support this opinion, it was at the same time also observed, that fools are often cheated of their money by knaves, who pretend kindred with them, and that the *Englisb* therefore usually term the commission of such a fraud, to coufin, i. e. cognatum agere. This ingenious conjecture may be further confirmed by the following articles in *Junius's Etymologicum Anglicanum*: 'Coozen, Cousin, Cozen, Cognatus, G. cousin, It. cugino, B. kofin. Derivant vel a consanguineus vel a congenueus; quasi dicas prognatus ex eodem genere vel sanguine. Nihil certe frequentius quam ut N transeat in V, ita coufter est ex constare, coustume ex confuetudo, couvent ex conventus, &c. Postremam vero originationem lubentius amplector, propterea quod a *γυν*; quoque sit *αγγυνος*, cognatus, & ab *A. S. cynn*. genus, ortum similiter traxerit *Anglorum* cin & kin, cognatus unde kinsfolkes, iis sunt cognati, kindred, cognatio.'—'Coozen, cozen, fallere aliquem ac malis artibus emungere argento. Suspicio verbum proprie olim de iis usurpatum, qui specioso cognitionis obtentu se insinuabant simplicioribus atque incautis; quomodo referendum erit ad proxime præcedens cozen, cognatus. Rectius tamen videtur posse deduci ex *B. kooften*, liefkooften. Blanda oratione infidias facere auribus eorum, quos sollicitando pollicitandoque in fraudem illicimus.'

^b *Dor*—] This is one of those expressions which, though frequently used by our comic writers, have been suffered to pass without explanation during the time in which it was perfectly understood, and its meaning is therefore now become so obscure, as to make it difficult to assign

Quo magis cavebat cautor, captus magis. *—

Sed jam hinc ibo : *Ignoratum* enim obſervare volo, ne prius

aſſign any that will be deemed ſatisfactory, or account for the uſe of it. *Phillips* and alſo *Bailey*, in their reſpective Dictionaries, concur in informing us, that the Dor is the drone bee an inſect; but the latter author makes a diſtinction between the Dor and the Dorr, the former he ſays is the drone bee : the latter a kind of beetle that lives on trees. *Junius* in his *Etymologicum Anglicanum* art. *Dorre*, renders *Dorre* *Fucus*, deriving its etymology from the *Anglo Saxon* *dopa*; and *Barret* in his *Alveary* printed in folio, *London*, 1580, informs us that the *Dorre* or drone, is a kind of bee without a ſting; and renders it into *Latin*, by the ſubſtantive *fucus*. *Ben Jonſon*, in his comedy of *Epicæne*, Act II. Scene 3, puts into the mouth of Sir *John Daw* this execration, 'The dor on *Plutarch* and *Seneca*, I hate it,' and in his *Cynthia's Revels*, Act. III. Sc. 3. represents one of the characters as ſaying,

'What ſhould I care what every dor doth buz,
'In credulous ears?'

In Mr. *Upton's Remarks on three Plays of Benjamin Jonſon*, viz. *Volpone*, or the Fox; *Epicæne*, or the Silent Woman; and the *Alchemist*, 8vo. *London*. 1749, p. 72. is the following note on the above paſſage in *Epicæne*. 'The dor is now beſt known by the name of the may-bug or chafer: *Scarabæus arboreus*: how cruelly they are uſed to afford ſport to ſchool-boys is well known. Hence came the phraſe to give a man the dor, or, to put the dor upon him. We meet with this phraſe below, Act. III. Sc. 3. "She would have appeared, as his friend, to have given you the dor." In *Every Man in his Humour*, Act IV. Sc. 8. he turns it into a verb. "Oh! that villain dours me." In the *Anglo-S.* *dora* is a drone. The word is ſtill preſerved in the weſtern parts of *England*, where the humble bee is called the drumble-dor.' And finally Mr. *Whalley*, in a note on the above paſſage in *Cynthia's Revels* tells us, that 'Dor is an old word that ſignifies a beetle or drone; and was uſed alſo to expreſs a calumniating envious perſon.' But for this laſt ſignification, Mr. *Whalley* ſeems to have had no better authority than the paſſage in his author then before him.

By theſe ſeveral authorities, the general ſignification of the word Dor ſeems pretty well aſcertained: but the ſenſe which in the text it was intended to bear, or what relation it could in that ſenſe have to the reſt of the text is not diſcoverable. The other words M. be M. be I conceive intended to represent that muttering kind of noiſe which a perſon diſappointed in his endeavours, may through vexation be ſuppoſed to make.

* *Quo magis*, &c.—] *Burton* in his *Anatomy of Melancholy* p. 361. gives from *Plautus*, as he tells us, though he does not refer to the particular comedy in which it occurs, the following line; from which that in the text (if *Burton* has inserted it correctly, and not from memory only, which might be the caſe) appears to be borrowed:

'Nam pol qui maxime cavet, iſe ſæpe cautor captus eſt.'

veniat

veniat, quam *Cupes* cum illa exeat. Post me recipiam ad *Antonium* : nævus ille mihi perplacet. Dolum procudam dolo ¹.

ACTUS III. SCENA 7.

ARGUMENTUM. Rosabellam *Cupes* in ædes suas inducit, & fores obserat ; ipse statim ad ænopolium festinat.

Intrant CUPES ², ROSABELLA.

CUP. **H**IC est *Counterpana* mei magistri *Ignorami* ³, ha, he.

Os illi probe sublitum ⁴.

Ros. Verum dic serio amabo, jamne tu me ducis ad *Antonium* ?

CUP. Si vis, puella, ipse ducam.

Ros. At quanquam fors sinistra me male

Habuit, scias, quisquis es, haud sum ignobili oriunda sanguine.

Sic paupercula licet (præfiscine dico) dotem habeo pudicitiam,

Atque ingenuos mores.

CUP. Eja pudicitiam in lupanari crepas ?

Ros. Ut solis radii in fordibus non inquinantur, itidem Nec animus pudicus inter impudicos.

CUP. Ha, ha, he ! foeminæ

CrySTALLINIS vitris sunt simillimæ : serves summa cura, occludas,

Obferes, aliquando confringuntur tamen ; quippe quæ fragile

Mercimonium.

Ros. Nobilis mihi pater erat, is me bene Educavit *Fessæ* : atque patruus hic, scelestus alias, Adhuc usque me pudice habuit tamen.

CUP. Atqui haud ego te ad *Antonium* adduco jam.

¹ Exit *Trico*.
the Deed.

² With a deed in his Hand.
⁴ Looking at *Rosabella*.

³ Pointing to

Ros.

ROS. Atqui me jugula ergo. Præbeo ecce cervicem¹, funde sanguinem.

CUP. Ad *Torcal* potius reducam te.

ROS. Ne facias obsecro. Nam victam is me arcte tenuit modo; nunc pejus habebit insuper:

Si quid ingenui sanguinis habes, amabo (munus erit)

Occidito me.

CUP. Bonum animum habe: joco dixi omnia; ad *Antonium* ego mox deduco te.

ROS. Obsecro ne me irrideas.

CUP. Vera dico, ita me Dii ament:

Statim hic ipse aderit.

ROS. O spem insperatam!

CUP. Eamus, ne deprehendamur. I intro².

ROS. Probe agas, quæso.

CUP. Agam equidem. Fores obserabo, & mox rediero³.
Jam ego obsonatum ibo hinc: hilarem hunc fumam diem⁴.
Vino & victu lepido. At prius vestes mutabo hic in proximo⁴.

ACTUS III. SCENA 8.

ARGUMENTUM. Ignoramus Pollam pro Rosabella accipiens, Dulman verberat; fugit ille, Pollam irritat etiam, quæ a pugnis abstinere non potuit: abiens verbis miscellaneis dæmoniacum esse toti narrat vicinæ.

Intrant PECUS, IGNORAMUS, POLLA.

PEC. **M**Agister, ego non possum invenire *Dulman*.

IGN. Non? facias hutesum & clamorem post eum.

PEC. Puto fugit.

¹ Stretching out her neck.
bella enters *Cupes*'s house.

² Pointing to his own house.
⁴ Exit *Cupes*.

³ *Rosa-*

⁴ *hilarem hunc, &c.*—] This passage is borrowed from the *Adelphi* of Terence, Act II. Scene 4.

CR. Ita quæso: quando hoc bene successit, hilarem hunc fumamus diem.

IGN,

IGN. Abi *Pecus*, facias attachiari.

PEC. Faciam in facto¹.

IGN². Quæ mispristio, quæ disparagatio est hæc? in nomine diaboli quæ es tu?

POL. Sum *Rosabella*, Signior.

IGN. *Rosabella*? rosa diabla. Sine dubio es ribalda³, quæ vivis in tiplandis & lupanaris. Quid ais?

POL. Sum *Rosabella*, alias bella rosa, Signior.

IGN. Tu es bella rosa & suavis flos: habes faciem veteris bovis, non concordat cum recordo⁴ scio.

POL. Sum tamen *Rosabella*, Signior mio.

IGN. Per faciem tuam jurarem, quod es hagga & hobgoblin.

POL. Talia verba comminiscere, ut nihil plane intelligam.

IGN. Non intelligis? dico quod es una forciera, & maga.

POL. Ha, he. Sagam me esse, & maleficam dicit, hæ, hæ, he.

IGN. Rides? At ego indistabo te pro sorceria ut es, quod tu spinstet (discam nomen tuum) Deum pre oculis non habens, sed instigatione diabolica seducta, quasdam malas diaboli artes, vocatas *Witchcraft* and *Sorcery*⁵, practicasti in, super, & contra personam *Ambidextri Ignorami*: ponam te super patriam si vivo,

POL.

¹ Exit *Pecus*.

² Turning to *Polla*.

³ *ribalda*—] Ribaldus, is by Sir *Henry Spelman* in his Glossary art. *Ribaldus*, explained to signify ‘Homo nequam, nebulo, furcifer, ex ‘fece plebis; vagus, dissolutus, luxuriosus, spurcus, a *Gall.* ribauld,’ and *Junius* in his *Etymologicum Anglicanum* art. *Ribald*, renders it ‘Nequam, flagitiosus, lascivus, scortator. *G.* ribauld, *It.* ribaldo, *B.* rabaud.’

⁴ *non concordat cum recordo*—] It frequently happens in law suits that to evidence the plaintiff’s claim, it is necessary to have recourse to the records of some other court of law than that in which the suit is depending: and in such a case it is as frequently the practice to procure from the proper officer a copy of such record, to which he adds and subscribes, a certificate that the copy agrees with the original record; and to this fact the passage in the text seems to allude.

⁵ *Witchcraft* and *Sorcery*—] A belief in the reality of witchcraft and enchantment was one of the prevailing opinions as well in the reign of king *James I.* as in that of his predecessor queen *Elizabeth*: And by a statute made in the first year of that king’s reign, it was enacted,

POL. Quid ais, mi animule ?

IGN. Animule? *ouster le main*: tu equitas in aere super broomhas & baculos.

POL. Meum corculum, quid adeo succenses tuæ *Rosabella*?

IGN. O ho, adhuc *Rosabella* tu? non compos mentis sum. Per fidem meam puto, quod sum sorceratus in bono serio. Quid glotas ita super me? Sentio nescio quid. Sed si possum trahere sanguinem de ea primum, non curo. Adven-

† Offering to embrace him.

ed Chap. 12. That 'if any person shall use any invocation or conjuration of any evil or wicked spirit; 2. Or shall consult, covenant with, entertain, employ, feed or reward any evil or cursed spirit, to, or for any intent or purpose; 3. Or take up any dead man, woman, or child out of the grave, or the skin, bone, or any part of the dead person, to be employed or used in any manner of witchcraft, sorcery, charm, or enchantment; 4. Or shall use, practise, or exercise any sort of witchcraft, sorcery, charm, or enchantment; 5. Whereby any person shall be destroyed, killed, wasted, consumed, pined, or lamed in any part of the body; 6. That every such person, being convicted, shall suffer death.' In the 5th. year of the reign of queen *Elizabeth* a statute against witchcraft had been made, and the forms of two indictments founded on that statute are inserted in *West's Symboleography*, Part II. Sect. 222. 223. from these it is pretty evident that the whole of the passage in the text, which is that containing the charge of the fact in an indictment for witchcraft, is borrowed: for the reader's further satisfaction, therefore, an extract from both is here given. The first of these is for killing a man by witchcraft, and begins in the following manner. 'Juratores presentant pro domina regina quod S. B. de C. in comitatu H. vidua, x. die *Augusti*, anno regni dictæ dominæ nostræ *Elizabethæ* Dei gratia *Angliæ*, &c. tricesimo quarto, ac diversis aliis diebus post dictum x. diem, quasdam artes detestandas, *Anglice* vocatas *witchcraft and sorcery*, nequiter & felonice practicavit & exercuit apud C. prædictum in comitatu H. prædicto, in super & contra quendam I. N. de C. prædicto in dicto comitatu *labourer*,' &c. The other is for the same purpose, and begins thus: 'Inquirer pro domina regina, si *Margareta L. de A.* in comitatu E. *Spinsler*, 23. die *Junii*, anno regni dominæ nostræ *Elizabethæ* xv. ac diversis aliis diebus & vicibus, tam antea quam postea, Deum pre oculis suis non habens, sed instigatione diabolica seducta, quasdam malas diabolicas artes, *Anglice* vocatas *Witchcrafts, Inchantments, Charms, and Sorceries*, nequiter, diabolicæ & felonice apud H. prædictum in comitatu E. prædicto, ex malitia sua precogitata usa fuit, practizavit, & exercuit, in & super quendam W. N.' &c.

trahere sanguinem, &c.—] *Shakespeare* in *The First Part of King Henry VI.* Act. I. Scene 5. introduces *Talbot* and the maid of *Orleans*, as engaged in single combat, and puts into the mouth of *Talbot* the following words:

U

'Blood

Adventurabo:—non audeo; imo audeo. *Puttana de diavolo*¹.

POL.

¹ Strikes her.

‘ Blood will I draw of thee, thou art a witch,
‘ And straightway give thy soul to him thou serv’st.’

Upon which Dr. *Johnson* remarks, that the superstition of those times taught, that he that could draw the witch’s blood was free from her power. *Johnson* and *Steevens’s Shakespeare*, edit. 1778. Vol. VI. p. 201.

In *Glanville’s Saducismus Triumphatus, or Full and Plain Evidence concerning Witches and Apparitions*, is to be found, among others, a relation ‘ concerning witchcraft, practised by *Jane Brooks* upon *Richard Jones*, son of *Henry Jones*, of *Shepton Mallet*,’ and for which, as it appears, she was condemned and executed at *Charde* assizes, in *March* 1658, the substance of this relation is as follows: *Jane Brooks* (who was at that time unknown to him,) meeting on *Sunday* the 15th of *November*, 1657, with the boy, then about twelve years old, gave him an apple, stroked him down the right side, shook him by the hand, and left him. Within an hour, or thereabout, the boy complained of a pain in his right side, which continued great part of the night, and on the *Monday* following having roasted and eaten part of the apple which he had received from *Jane Brooks*, was taken ill, and at some times speechless, but on his recovery, told his father, that the apple had been given him by a woman of that place, on the *Sunday* before; that she had at the same time stroked his side, and that, though he knew not her name, he could recollect her person, if he again saw her. In order therefore to discover who it was, his father invited the women of *Shepton* to come to his house, on occasion of his son’s illness, having previously concerted it with the boy, that he should, when he saw the woman, from whom he had received the apple, enter, give a particular sign. The invitation drew many persons to the house, and on the *Sunday* following, came in, among others, *Jane Brooks* and two of her sisters. The rest of the narrative I choose to give in the very words in which I find it related, and they are these: ‘ Upon her coming in, the boy was taken so ill, that for some time he could not see nor speak, but having recovered his sight, he gave his father the item, and he led him about the room. The boy drew towards *Jane Brooks*, who was behind her two sisters, among the other women, and put his hand upon her, which his father perceiving, immediately scratcheth her face, and drew blood from her. The youth then presently cried out, that he was well, and so he continued seven or eight days; but then meeting with *Alice Coward*, sister to *Jane Brooks*, who passing by, said to him, “ How do you, my honey?” he presently fell ill again.’

Butler also alludes to this opinion in the following lines in his *Hudibras*, Part II, Canto I, line 15 & seqq.

‘ Others make all their knights, in fits
‘ Of jealousy, to loose their wits;
‘ Till drawing blood o’th’ dames, like witches,
‘ Th’ are forthwith cur’d of their caprices.’

Dr.

POL. Mane, sandalia dum exuam mihi ¹.

IGN. Ego te scalpam pro forciera ut es.

POL. Minare? discobinabo ego te. Itane, longurio, etiam ausus irritare me ²?

IGN. Oh ho! *vi & armis & manu forti!* oh moderata misertcordia; saltem licentia surgendi ³.

POL. Ornabo te ut dignus es, venefice ⁴.

¹ Polla pulls off one of her shoes. ² Strikes him with her shoe several times, till he falls down. ³ Ignoramus gets up. ⁴ Polla strikes him again.

Dr. Grey in his note on this passage tells us, it is a vulgar opinion that the witch can have no power over the person so doing. To this *Shakespeare*, he says, alludes (*Henry VI. First Part, Act I. Vol. IV. p. 23*) and he inserts in support of this, the passage above given, to which he adds the following lines from *Cleveland's Rebel Scot*, which also recognize the opinion:

'Scots are like witches, do but whet your pen,

'Scratch till the blood come, they'll not hurt you then.'

A *Scotch* lady informs a friend of mine, that in *Scotland* the opinion of the efficacy of this method still prevails, and that it is there the general belief, that if blood be drawn from a witch above the breath, i. e. in any part above her mouth, her power to bewitch instantly ceases: and from an ingenious friend I learn, that there is now living near *Bolton in Craven*, in the *West Riding of Yorkshire*, an old woman, a reputed witch, of whom it is reported, that she has been often hunted in the shape of a hare, but when bitten by the dogs so as to bleed, has resumed her natural form.

And lastly Mr. Pennant in his *Tour to Scotland*, Vol. I. p. 141, speaking of the town of *Cullen*, and of *Cullen* house, which he visited in 1769, uses these words: 'Some superstitions still lurk even in this cultivated country. The farmers carefully preserve their cattle against witchcraft by placing boughs of the mountain ash and honey-suckle in their cow houses on the 2d. of May. They hope to preserve the milk of their cows, and their wives from miscarriage, by tying red threads about them: they bleed the supposed witch to preserve themselves from her charms.'

¹ *Puttana de diavolo*.—] *Puttana* in *Italian* signifies a whore, See *Toriano's Italian Dict.* and *Minshew's Dict.* edit. 1617, art. a *Whore*; in which latter place the following reason for this signification is assigned, 'G. 2. putain, I. puttana, Br. putayn, H. P. puta, a Lat. puta i. præputium, a putando, quia apud *Judeos* præputia præputabantur, i. præscindebantur, & meretrices *Hispanica*, quæ etiam *Judaica* religionis olim fuere, dicebantur ob earum luxuriam amare putas, i. præputia, ideoque & ipsæ putas, i. putarum amatores vocabantur. Vel ab *Heb.* פְּרוּתָה pot, i. turpitude, pudenda, podex.' *Puttana* de *diavolo* must therefore mean devil's whore, unless the reader thinks it should rather be understood *puttana* de *diobolo*, i. e. scortum duobus obolis venale, as referring to an expression *diobolare* scortum, which *Minshew* in art. supra cit. informs us occurs in *Plautus*.

U 2

IGN.

IGN. O, *supersedeas de non molestando*: custodi pacem, custodi pacem, custodi pacem.

POL. Sumne *Rosabella* jam?

IGN. Et quid vis. Profecto ego sum valde *mahematus*. Habebo *appellum de plagis & mahemto*.

POL. Abin', *dæmoniace*, annon?

IGN. Abeo; sum valde *brufatus*. Ibo ad *manforium*, & dicam orationes meas; sed tu dabis *gultwit*, *forceria*¹.

POL. *Cornicar*, *larvate*? *mediusfidi* opinor hunc hominem esse *dæmoniacum*: verba certe magica loquitur. Nunc domum ibo, & vicinis hæc narrabo, ut caveant ab illo *dæmoniaco*.—At *occlusa janua* est. Feci male quod *claves haud abstulerim*; sed forsân aliquis *intus* est. *Pul-tabo*, *Tic, toc. tic, toc*².

ACTUS III. SCENA 9.

ARGUMENTUM. Polla, *cum domum venisset*, *Rosabellam, obseratis foribus, ad fenestram videns, mariti scortum suspicata, abiit per cauponas omnes Cupem ut perquirat.*

Manet POLLA, intrat ROSABELLA³.

Ros. QUIS est? quid vis tibi?

POL. Eja, *pulchræ*! *Dominam aliena* rogat quæ est, quid velit! Tu quænam es? aut quid hic jam agis, malum?

Ros. *Pater-familias redierit illico.*

POL. *Prædixin' hodie*? *Viri mei bellissimi pellex hæc* est.

Ros. Loquere ut decet: non sum *istarum operarum* ego.

POL. Nempe hoc illud erat, quod me tam *properè* amandabat foras, hanc ut *ductaret* interim. *Siccine scortum* in *ædes obducier* ob oculos mihi? hæccine ut *patiar*? ego te, *scortum scortorum*.

Ros. Mitte male loqui: alia sum quam tu rere.

¹ Exit *Ignoramus*.

² Knocks at the door.

³ Ad *fenestram*,

POL.

POL. Meis in ædibus? Annon sat est dotem meam comedere, quin scortetur etiam?

Ros. Me, oime! oi miseram! quali mandatam viro¹!

POL. Stulta, quid fles? Nunc fleo, at ego & illum, & illam, & illos omnes faciam ut fleant, & fleant hodie.—O si possem fores effringere²!

Ros. Oime! insana est hæc mulier³.

POL. Ibo potius, atque per omnes cauponas ubi ubi est perquiram; fustem alicubi invenero, quo me ulciscar. Hei mihi, quod non sunt longiores ungulæ⁴.

ACTUS III. SCENA 10.

ARGUMENTUM. Cupem cum caupone invenit Polla cantantes, ipsamque vituperantes: illos & fidicines strenue verberat: capones, phasianos, cæteraque bellaria humi projicit, vinumque omne effundit; clavemque nacta, Rosabellam pro scorto deturbat foribus, quæ misera quo eat nescit.

Intrant CUPES, CAUPO.

CUP. **O** Festum diem! multum obsonavi bonarum rerum lepide ex sententia:

Fidicines^a etiam quo simus lætiores conduxim mihi:

Sed

¹ Rosabella weeps.
sires from the window.

² Bounces at the door.
⁴ Exit Polla,

³ Rosabella re-

^a *Fidicines, &c.*—] At the time when this comedy was written, the music of the violin, and sometimes dancing and singing appear to have been the concomitants of a tavern entertainment. *Moryson* in his *Itinerary*, printed in 1617, Part III. p. 151, speaking of the treatment which a traveller in his time used to meet with at an inn, mentions among other particulars, that 'while he eats, if he have company' especially, he shall be offered music, which he may freely take or refuse, and if he be solitary, the musicians will give him the good day 'with music in the morning.' *Ben Jonson* by the *Leges Conviviales* of the academy held in the *Apollo* room at the Devil tavern, prohibits in the following words the admission of fidlers, and yet permits dancing and singing:

^c *Fidicen,*

Sed ubi sunt¹? ² O mei sacerdotes, quæ libastis sacrificia hodie,

Vinum, placentæ, capones, mihi deo vestro perquam accepta sunt.

O gallinagines, phasiani, & perdices, ut ego vos amo & colo!

Vos estis avium nobiles; ecce quam pulchre & magnifice amicti! ut vos fector lubens! anates, anseres, & id genus avium, plebei sunt & rustici, illos nihil moror.

POL.³ Tandem reperi. Hui, quantum suo paravit convivium scorto! subauscultabo paululum⁴.

¹ Looking round for them.
entering unobserved.

² Intrans cantantes.
⁴ Listening.

³ Aside,

‘Fidicen, nisi accersitus, non venito.

‘Admissorifu, tripudiis, choreis, cantu, salibus,

‘Omni gratiarum festivitate sacra celebrantor.’

Which are thus translated:

‘Let no saucy fidler presume to intrude,

‘Unless he is sent for to vary our blifs;

‘With mirth, wit, and dancing, and singing conclude

‘To regale ev’ry sense with delight in excess.’

See *Ben Jonson's Works*, edit. 1716, Vol. V. at the end. And in an ordinance made in 1658, is the following clause, which sufficiently recognizes the practice: ‘And be it further enacted by the authority aforesaid, that if any person or persons commonly called fiddlers or minstrels, shall at any time after the said first day of July’ [1657] ‘be taken playing, fiddling, and making music in any inn, ale-house, or tavern, or shall be taken proffering themselves, or desiring or entreating any person or persons to hear them play or make music in any of the places aforesaid, that every such person and persons so taken, shall be adjudged and are hereby adjudged and declared to be rogues, vagabonds, and sturdy beggars, and shall be proceeded against and punished as rogues, vagabonds, and sturdy beggars, within the said statute, any law, statute, or usage to the contrary thereof in any wise notwithstanding.’

The last instance, as it is imagined, of an itinerant fidler of this class, was one *Thomas Eccles*, who so late as 1735, followed that practice. In the month of *November* in that year, going his round, he called in at a tavern in the city; and being introduced by the waiter to a company of three or four persons, he put this question to them; ‘Gentlemen, will you please to hear any music?’ and being answered in the affirmative, he played to them some of the compositions of *Corelli* and *Mr. Handel*, with as fine and delicate a hand (as a good judge of music then present relates) as he ever heard, and in such a manner, as would command the attention of the nicest ear. This practice is by musicians termed by way of reproach, going a-busking. See *Hawkins's History of Music*, Vol. IV. p. 383, in nota, Vol. V. p. 66, in nota.

CUP.

CUP. O amica mea pinguicula, capo nudus, quanto pulchrior es uxore *Polla* !

POL¹. Ain' vero ?

CUP. Ut te basio lubens ! quam dulce osculum ! multo dulcius osculo uxoris *Pollæ*.

POL¹. Etiam mihi caponem prefers ? at haud inulte.

FID. Fœdam uxorem habes.

POL¹. Ego te etiam——

CUP. Nihil magis ; larva, *Gorgon*, *Styx*, *Scylla*, *Hydra*, *Harpyia*, omne monstrum est.

POL¹. O dii ! vix me reprimo.

CAU. *Cupes*, cantemus, quæso, istam cantiunculam de uxore tua *Polla*.

CUP. Quamne ego apud vos in œnopolio composui modo ?

CAU. Eam ipsam, amabo.

POL¹. Etiam occentor ? væ mihi ; imo væ vobis !

CAU. Cantemus.

CUP. At si rescierit illa——

CAU. Quid tum ?

CUP. *Leæna* rugiens est : vel hyeme cum *Borea*, quam cum ea habitare malim.

POL¹. Vera hariolare ; jam ego vos fulminabo illico.

CAU. Incipe, quæso.

CUP. Circumspiciam primum, hic ne prope sit : tremo cum cogito².

POL³. St, me occultabo.

CUP. Nemo est ; agite jam, fidicines.

POL⁴. Per urbem cantor⁵ verum nisi vos incantem itidem⁵——

CUP. & ALII. *Cupis* uxor *Polla*
O si frangat colla !

Polla,

Colla ;

Dispereat,

Intereat.

¹ To herself, aside.
herself.

⁴ Aside.

² Searching about.

⁵ *Cupes* & alii cantant.

³ Aside, hiding

Uxores pari forte
Pereant pari morte;
Sorte,
Morte;
Dispereant,
Intereant¹.

OMNES. Whooh, ha, ha.

POL¹. O si fulmen haberem, quo ferirem omnes!

CAU. Iterum, quæso².

CUP. & ALII. *Cupis uxor Polla*

O si frangat colla, &c.

POL¹. Durare nequeo. ³ *Polla* vestra colla—thwick,
thwack⁴.

¹ Afide.
self.

² They sing the catch again.
⁴ Strikes *Cupes*.

³ Discovering her-

¹ *Uxor mea, &c.*—] The original tune to this song has been preserved, and is as follows:

A 3. Voc.

UXOR me—a, ux-or Pol-la,
ET ux---o---res pa-ri for-te

O si frangat su-a col-la!
Dis-pe---re--ant pa--ri mor--te!

Pol-la, col-la; col--la, Pol-la.
Sor--te, mor--te; mor--te, for--te.

The above notes, which I am well informed are of that species of musical composition called a catch, or round; but more scientifically a canon in the unison, are set, with some trifling variations, to the first stanza of the above song in the text, and are to be found in a collection entitled *The Musical Companion; collected and published by John Playford, Praefitioner in Music*, edit. 1673, p. 16. The metre of the subsequent stanza, though it varies a little from the former, may yet be accommodated to the same notes, by inserting the conjunction Et, at the beginning of the second stanza and changing the verb pereant into disperseant, and we have accordingly so printed it with the music above.

CUP.

CUP. Occidi ¹.

CAU. Oime!

CUP. Hei mihi ²!

FID. Væ mihi!

POL. Hæc nova cantilena est.

CUP. Obsecro, uxor ³.

FID. O me perditum! fides frēgit; periit victus; perii
ego.

POL. Quid non canitis jam?

CUP. Heus fidicines, lacrymæ⁴.

POL. Hem tibi, fœda sum ego ⁴.

FID. Oi me, oi me ⁵!

POL. Ego fidibus canam; num cātor? Hei mihi, an-
helitus mihi deficit.

CUP. Ubi terrarum sim nescio prorsus, siquis me rogat
nunc.—Vin' bibere vinum, meum mel?

POL. Meum fel, ipsa propinabo tibi, atque invitabo ad
cœnam meretricem⁶.

CUP. Obsonium projicis? Oime, num mittis missilia im-
peratoria ⁷? hem, si proba es, redde redde rursus. Oc-
cidi ⁷, vinum etiam effundis? saltem parce vino. Oime!

¹ Polla strikes *Caupo*.
the fidler's fiddle.

² She strikes *Fidicen*.
⁴ Beats *Fidicen*.

³ Polla breaks
⁵ Exeunt *Caupo* & *Fidi-*
cines. ⁶ Throws the victuals about. ⁷ Spills the wine.

⁴ *lacrymæ*.—] This was the title of a musical work composed by *John Douland* a celebrated lutenist in the time of king *James I.* The title of it at length is as follows: *Lacrimæ, or seaven teares figured in seaven passionate pavans, with divers other pavans, galiards, and almands, set forth to the lute, viols, or violons, in five parts*; the year of its publication is not mentioned, but it is dedicated to *Anne* the queen of king *James I.* and at the time when this comedy was written, was not only well known, but as it should seem, a celebrated work, for *Middleton* in a comedy of his, entitled *No wit like a Woman's*, alludes to it, where a servant tells bad news, and receives this answer:

'Now thou playest *Dowland's Lacrymæ* to thy master.'

See *Hawkins's Hist. of Music*, Vol. III. p. 325.

⁷ *missilia imperatoria*.—] 'Missilia, a mittendo, variarum rerum donaria dicta sunt, quæ in perpetuam memoriam & liberalitatis causa spargere olim solebant, populo colligenda, in Ludis, Consules primum *Romani*, dein imperatores.' *Hoffmanni Lexicon*, art. *Missilia*. The custom of throwing medals among the populace at the time of the coronation of our own kings, seems to owe its origin to this custom among the *Romans*.

X

Pur-

Purpuream vomit ille animam * ——— *Polla*, me interime,
De nobis facile est, scelus est jugulare *Falernum* ^b.

POL. Nunc invocato pellicem ad cœnam, qua digna est.

CUP. Hercle, uxor, non est amica mea.

POL. Da clavem; da, da, da; fores effringam igitur, intro huc irrumpam ^c.

CUP. Nihil audit; illi oblitus fui narrare antea, *Rosabellam* me huc ad ædes adducturum meas ^d.

POL. ^e Meretrix, facesse ædibus, ædibus facesse, meretrix.

ROS. Hei mihi! quo me ejicis?

POL. In lupanar, quo digna es.

CUP. Uxor.

ROS. Probri sum insons. Oime! quo me vīs abire?

POL. Vel in malam crucem, impudens prostibulum ^f.

ROS. Ne me interime.

POL. I modo, i, scortum, i, i.

ROS. Oime! abeo, abeo ^g.

CUP. Abiit, perii; *Rosabella* est, uxor; non est amica mea.

POL. Ego tuas Rosas bellas—tu mortem præoptas mihi. *Polla* frangat colla.

CUP. Uxor, si causam scires, cur tibi mortem optaverim, haud excandesceres ita.

POL. Ain', quid est?

CUP. More fit, mori suam quisque uxorem ut velit.

POL. Siccine te purgitas ^h?

CUP. Oime! oi me! placide, uxor. Ah! *Megara*.

POL. Hæc si prima placet mensa, dabitur secunda insuper.

CUP. Habeo tibi gratias, uxor; primum non placet ferculum.

POL. Ultra me sum aliquantillum.

* *Cupes* gives her the key and she enters the house.

^a *Alide*.

^b Driving *Rosabella* out of the house.

^c Beats *Rosabella* again.

^d Exit *Rosabella*.

^e Beats *Cupes*.

^f *Purpuream vomit, &c.*—] *Virgil, Æneid. Lib. IX. v. 349.*

————— *Purpuream vomit ille animam.*

^g *De nobis, &c.*—] *Martial, Lib. I. Epig. 75, v. 5.*

^h *De nobis facile est; scelus est jugulare Falernum.*

CUP;

CUP. Aliquantillum, ais? si hoc est tuum aliquantillum, quid quæso est tuum aliquantum?

POL. Introibo jam; nisi tu mox introveris, aliter ego intus accipiam te ¹.

CUP. Quid jam faciam?

Saltem cœnam hic meditabor paululum,
Perdices—hum—phasiani—at vinum—oi me ²!

ACTUS III. SCENA II.

ARGUMENTUM. Antonius Cupem de Rosabella rogat, qui miserabiliter de vino dapibusque respondet omnia; recognita, quæsitum ut Antonius amicam suam.

Manet CUPES, Extrat ANTONIUS.

ANT ³. **N**Arravit mihi Cupes modo, salvam esse apud sese Rosabellam;

Quod si sit, quid me lætius est, beatiusve ⁴? atque eccum ipsum;

Tristis est, non placet.

CUP. O felices vos ⁴ qui cœnam habetis meam!

ANT. Cupes,

CUP. Quis vocat?

ANT. Num quis intus est?

CUP. Esset utinam, foris est funditus.

ANT. Ecquid valet?

CUP. Tota periit; nihil hic nisi strages, ejectiones, & miseræ effusiones.

ANT. Me miserum! an effudit?

CUP. Maxime,

ANT. Sanguinem?

CUP. Et succum omnem,

ANT. Oi me!

¹ Exit Polla.
⁴ Auditores alloquitur.

² Manet Cupes.

³ Entering, to himself.

⁴ *Quid me lætius, &c.*—] This line occurs in Catullus's Ode *Ad Veranium*, v. 11.

⁵ *Quid me lætius est, beatiusve?*

CUP. Totam carnem etiam, & ossa, crudelis dispersit undique.

ANT. O monstrum! quomodo hoc?

CUP. Manibus, pedibus, colaphis, verberibus.

ANT. O *Rosabella* mea!

CUP. O vinum, vinulum meum!

ANT. Sine te nolo vivere.

CUP. Sine te nequeo bibere.

ANT. Quis tantum facinus ausus est?

CUP. Uxor *Polla*.

ANT. O scelus! ubi fecit?

CUP. Hoc ipso in loco, vide.

ANT. Quid id est?

CUP. Vinum fuit; sed miserum est fuisse.

ANT. Quin ego de *Rosabella* loquor.

CUP. Quin ego de vino, & cibo meo.

ANT. In malam rem cum vino, cum cibo tuo.

CUP. In malam rem cum *Rosabella*, cum amoribus tuis.

ANT. Igitur, scelestè, ubi est illa jam?

CUP. Huc adduxeram eam, uxor autem amicam suspicata meam, verberibus extruxit domo.

ANT. O feram! nihilne reverita illa formam tam divinam?

CUP. Illane, quæ nihil reverita vinum tam divinum?

ANT. Ubi est, scelus, uxor tua? Ego illam—

CUP. Tu illam?—illa te—ne attingas, neve irritassis, si sapias. Centum illa *Antonios*, & *Cleopatras* etiam¹—

ANT. Quonam abiit *Rosabella*?

CUP. Hac fugit, quo vero, nescio.

ANT. O me insipientem, qui tantum thesaurum crediderim ganeoni! Ibo, atque investigabo ubi ubi est; sed quo me nunc vertam? quod iter ingrediar? hac ivero, illac potius².

¹ Pointing to the ground.

² Exit *Antonius*, manet *Cupes*.

³ *Antonios* & *Cleopatras*—] Alluding at the same time to *Antonius*, the name of the character, and to *Mark Antony*; and the allusion to this last person reminds *Cupes* of *Cleopatra*, *Mark Antony's* mistress.

ACTUS III. SCENA 12.

ARGUMENTUM. Antonius *dē amissa* Rosabella *queritur*, Rosabella *de Antonio*, Cupes *de cœna*. Antonius *quæsitum* it Rosabellam, Rosabella *quæsitum* Antonium, *pecuniam quæsitum* it Cupes, *qua cœnam paret alteram*.

Manet CUPES, intrat ROSABELLA.

ROS¹, **F**ORTUNA vitrea est, quæ cum splendet frangitur²;
Nam quæ cœlum digito visâ sum modo attin-
gere,

Quam subito quasi ad inferos præceps decidi!
Ubi ego nunc inveniam *Antonium* incertum est: cæterum
Aut illum, aut mortem invenire certum est illud mihi³.

CUP. Cœnam adhuc stupens meditor.

Multa vini virtus animo, multusque recurfat,
Dentis honos: hærent caponis pectore vultus⁴.

ANT⁴. Plateas omnes circumcursito, quæro, rogo,
ecquam viderint tali filo virginem; aiunt illa facie hic
vidisse modo, properabo igitur istac⁵.

CUP. Quam sese ore ferens, quam pingui pectore, &
alis⁶!

ROS⁷. Oime! nusquam reperio: sed, si te semel asse-
quar *Antoni*, nunquam amittam postea.

¹ Entering, to herself, and not seeing Cupes.

² Exit Rosabella.

³ Intrat Antonius.

⁴ To himself, and not seeing Cupes.

⁵ Exit

Antonius.

⁶ Intrat Rosabella.

⁷ To herself, not seeing Cupes.

² *Fortuna, &c.*—] This line is borrowed from *Publius Syrus's Sententiae*, v. 238.

⁴ *Fortuna vitrea est; tum, cum splendet, frangitur.*

See *Seneca ac P. Syri Sententiae*, at the end of *Tanaquillus Faber's* edition of *Phædrus's Fables*, edit. *Amst.* 1712, 12mo.

⁶ *Multa vini, &c.*—] Imitated from *Virgil, Æneid. Lib. IV. v. 3.*

⁴ *Multa viri virtus animo, multusque recurfat*

⁴ *Gentis honos. Hærent infixi pectore vultus.*

⁶ *Quam sese, &c.*—] Borrowed, with a very small variation, from *Virgil, Æneid. Lib. IV. v. 11.*

⁶ *Quem sese ore ferens! quam forti pectore, & armis!*

CUP.

CUP¹. O mihi post nullos, perdix, memorande sodales²!

ROS². Dii, date inveniendi copiam; date, obsecro, pudicitiae præmium, Jam istac ibo; dii, ne deferite³.

CUP. Malum me esse certum est; malus sum, fateor, ideoque hoc mali merito evenit mihi malo.

Sed quid fecerunt optima vina mali⁴?

ANT. Ahime, nondum video: quod si adipiscar semel, qui hanc mihi eripiet, vitam eripiet simul: nunquam defatiscar quærere, dum inveniã: illac jam nunc incedam. Dii vertant bene⁵.

CUP. Convivæ meruere tui fortasse perire,

Amphora non meruit tam pretiosa mori⁶,

Hinc cubitum eo; ne sim vitalis metuo⁶.

ACTUS III. SCENA 13.

ARGUMENTUM. Ignoramus missurus pro Torcol cornu Cupis deterretur; valde enim metuit a castratoribus.

Intrat IGNORAMUS.

IGN. **P**UTO eram natus sub *Cancro*, ita omnia mea eunt in retrorsum¹.

CUP,

¹ To himself, not seeing *Rosabella*.

² To herself, not seeing *Cupes*.

³ Exit *Rosabella*.

⁴ Intrat *Antonius*.

⁵ Exit *Antonius*.

⁶ Exit *Cupes*.

¹ *O mihi post nullos, &c.*—] Imitated from *Martial*, Lib. I. epig. 72. v. 1.

² *O mihi post nullos, Jule, memorande sodales.*

Or from *Ovid*, *Tristium* Lib. I. Elegia V. v. 1.

³ *O mihi post ullos numquam memorande sodales.*

⁴ *Sed quid fecerunt*—] *Martial*, Lib. I. Epig. 75. v. 4.

⁵ *Aut quid fecerunt optima vina mali?*

⁶ *Convivæ, &c.*—] *Martial*, Lib. I. Epig. 75. v. 7.

⁷ *Convivæ meruere tui fortasse perire;*

⁸ *Amphora non meruit tam pretiosa mori.*

⁹ *Puto eram natus sub Cancro, &c.*—] The same thought occurs in *Congreve's* *Comedy of Love for Love*, Act. II. Scene 1. where *Forefright* says to a servant, 'I was born, Sir, when the *Crab* was ascending,

CUP¹. ² Etiamne tu rediisti?—Tentabo rursus injicere timorem ei.

IGN. Habebo unum mittimus pro illa forciera, & alium mittimus pro villano socmanno *Torcol*; sed primum ibo & parlabo cum illo.

CUP³. Trin———tran.

IGN. Quid audio? num cornuant iterum hic? super vitam meam est geldator, valde timeo illum riotosum.

CUP⁴. Trin———tran.

IGN. At *Lucanus* ait, cornus tibi cura sinistri⁵.

CUP. Ha, he, nunquam respexit pecus: qui currit, currit; sed qui fugit, volat. Introiens risi, *Pollam* uxorem narrare vicinis modo, pro certo hunc *Ignoramus* esse dæmoniacum, credit illa, credunt illi: optima hinc dabitur occasio amplius, si opus, malefaciendi huic. Quanquam enim de *Rosabella* successit inauspicato, dabo usque operam *Antonio* tamen. Aliqua spero mihi alios extricabo nummos. Intro nunc ibo ad dracænam meam⁶.

¹ Intrat *Cupes*.

⁴ Blows his horn again.
Cupes.

² Aside.

⁵ Exit *Ignoramus* running.

³ Blows his horn.

⁶ Exit

‘ ascending, and all my affairs go backward.’ We have frequently had occasion in the course of this work to remark, that in the time of king *James*, a much greater degree of faith was placed in the science of judicial Astrology than at present. An instance of this is to be found in a small quarto tract printed at London in 1606, entitled *A true and perfect relation of the whole Proceedings against the late most barbarous Traitors, Garnet a Jesuit, and his Confederates*. In this book is inserted the substance of Sir *Edward Coke*’s speech, who was then attorney general, and who in virtue of his office, conducted the prosecution on the trial of *Robert Winter, Guy Fawkes, &c.* on the 27 day of January 1605. After having stated the facts he proceeds to observe upon them, and his ninth observation contains the following words. ‘ 9 That it was in the entering of the sun ‘ into the tropic of *Capricorn* when they began their mine, noting that ‘ by mining they should descend, and by hanging ascend.’

⁵ cornus, &c.—] *Lucan, Pharsalia*, L. 7, v. 217.

‘ ———cornus tibi cura sinistri.’

A C T U S

ACTUS IV. SCENA 1.

ARGUMENTUM. Antonius Rosabellam suam invenit: idque machinantur, ut, cum jam nævum habeat in dextera mala, se esse Antoninum smulet; Rosabella Catharinam, alteram e Manlii filiis, agat, quæ Antonino desponsabatur; utque id melius fiat, uterque ut loquatur Anglice.

Intrant ANTONIUS, ROSABELLA.

ANT. **A**Tqui ego hoc idem, spes mea, spondeo tibi. Nos igitur nisi mors sola nihil separaverit.

ROS. Equidem bene cedit, spero, quoniam tam auspiciato convenimus modo. Cæterum unde, amabo, nævus hic tibi in mala tam subito natus?

ANT. Scies. Londini mihi frater geminus germanus est.

ROS. Antoninus?

ANT. Scilicet; olim narravi tibi.

ROS. Qui tibi tam similis, ut ne vel parentes ipsi vos queant internoscere.

ANT. Recte, nisi Antonino dextræ adnatus malæ nævulus invicem nos distinxerat.

ROS. Intellico.

ANT. Triconis itaque consilio, pictor mihi hunc appinxit nævulum¹, Antoninum uti hoc pacto esse me jam assimulem, quasque Londino veniam a Dorothea matre.

ROS. Quamobrem isthoc quæso?

ANT. Nempe, quo ita in patris simul accipiamur ædibus.

ROS. Tu forsan; verum quid de me fiet interea?

ANT. Tibi prospectum etiam erit itidem ac mihi. Antoninus nuper uxorem duxit Catharinam, e Manlii filiis alteram; tu jam illa es, ergo uxor mea Catharina.

ROS. Tuque Antoninus maritus meus.

ANT. Optime.

¹ Pointing to the mole on his cheek.

Ros.

ROS. At nunquam illam vidit *Catharinam* pater?

ANT. Nunquam: frater autem ex quo cum matre sexennis relictus est *Londini*; neque illi nos, neque nos illos interea intervissimus.

ROS. Qui id?

ANT. Huc ut profecti, bello capti sumus: sci'n' jam quid te velim?

ROS. Scio.

ANT. Loqueris etiam *Anglice*.

ROS. Optime; nam *Fessæ* primo didici ex *Angla* quæ mihi tum pedissequa: post hic etiam, quo melius calleam, cum tui, tum gentis causa, cum *Angla* mihi familiari loqui consuevi *Anglice*.

ANT. Idemque, quod patria est *Anglia*, factitavi cum *Anglis* ego.

ROS. Deinde porro?

ANT. Cum in patrem igitur incidimus, loquemur *Anglice*; illumque qui sit, nescire simulabimus.

ROS. Recte.

ANT. Literas a *Dorothea* matre quasi habeo ad patrem hic¹. *Trico* finxit optime scripturam—At, at, pater ecce egreditur², volebam melius docuisse te; tu vero ut subservias orationi, utcunque opus sit verbis, vide³.

ROS. Faciam.

ANT. Tace⁴.

¹ Producing the letters.
³ Manent ambo.

² Seeing *Theodoros* at a distance.

³ *tu vero ut subservias, &c.*—] This passage, which has always hitherto been printed as prose, is, like many others in this comedy, actually verse, and is borrowed from the *Andria* of *Terence*, Act IV. Scene 3.

⁴ ————tu, ut subservias

⁴ Orationi, utcunque opus sit verbis, vide.

Y

ACTUS

ACTUS IV. SCENA 2.

ARGUMENTUM. *Conveniunt cum Theodoro, illum de Theodoro interrogant; & tandem ex sermone, nœvo, cœterisque signis nominibusque, hos esse Antoninum & Catharinam persuasus est; narratque illis Antonium Londinum hodie navigasse, ut ipsos conveniret: Illi literas Theodoro tradunt quasi a Dorothea.*

Manent ANTONIUS, ROSABELLA; intrat THEODORUS.

THE¹. **N**otarius nunc mihi adeundus est; hercle plena res molestiæ litigare:—

Sed quid video²? filiumne meum *Antonium*? Videtur equidem;

Nequaquam, fieri non potest ut redierit is. Dii boni! is est tamen.

³ *Antoni*, hola *Antoni*; nihil respondet mihi, ipse non est;

Verum illi quam similis! verum ipse est; *Antoni*, *Antoni*, hola!

ANT. *What means the old gentleman?*

THE⁴. Hem, loquitur *Anglice*; quin secum mulierem ducit. Quæ tu⁵ es, aut unde quæso? num intelligis?

ROS. *We both understand your language, sir, but we cannot speak it: do you speak English, sir, I pray?*

THE. Intelligo tantum. *Antoni*, quid non respondes mihi? *Antoni*, inquam.

ANT. *Whom would you speak withal, sir?*

THE. Tecum loquor, quid *Anglice* respondes, impudens?

ANT. *Good words, sir.*

ROS. *You are very uncivil, sir, to strangers: an old man too, fie!*

THE⁴. Num fallor? forte *Antonius* non est, alium ornametum habet, fabulatur etiam *Anglice*, quod neque solet, ne-

¹ To himself, not observing *Antonius* and *Rosabella*.
Antonius.

³ Calling aloud to *Antonius*.

⁵ To *Antonius*.

² Observing
⁴ To himself.

que perite, ut puto, potest; certe alius est: verum facies illi prorsus eadem, proculdubio ipse est, *Antoni*¹.

ANT. *Good old father, can you tell me the way to the Palace?*

THE. Annon tute *Antonius*?

ANT. *Sir, I am not Antony, though my name be very near it.*

THE. Quid ineptis? negas te esse *Antonium*?

ROS. *Pray God, he be well in his wits.*

ANT. *Sure, he is not well.*

THE. Num infanio ego? quatinobrem?

ANT. *You call me Antony, and talk as if you knew me.*

THE. Vel tu *Antonius*, vel ego vere infanio.

ROS. *Prythee let's be gone.*

THE². Quid dicam? navem ut conscenderat, vidi procedere longiuscule. Hæreo aliquantulum.

ANT.³ Bene est, occipit dubitare.

THE.² At tentabo adhuc.

ANT. *Fare you well, sir.*⁴

THE. Mane, quæso⁵: quod tibi nomen esse dicam⁶?

ANT. *You are very inquisitive, sir; but my name is Antoinine.*

THE. *Antoninus!* cujas es?

ANT. *I was born at London, but my parents were of Bourdeaux.*

THE. Patris nomen?

ANT. Theodore.

THE. Matris?

ANT. Dorothy: *but I pray you, sir, why ask you these particulars?*

THE. Aliosne habet liberos mater?

ANT. *One more here in Bourdeaux, my twin-brother: do you know one Theodore here, a gentleman in this city?*

THE. Nostin' illum, si videris, *Theodorum*?

ANT. *No indeed, sir: though he be my father, I have not seen him this fifteen years.*

¹ Calling aloud to *Antonius*.

² Aside to himself.

³ Aside.

⁴ Going.

⁵ *Antonius* returns.

⁶ To *Antonius*.

THE. At ego a dextra in mala nævulo, certo, si videro, novi *Antoninum*; sine, quæso, inspiciam ¹.

ROS. *He is a curious examiner.*

THE. Ecce nævum ², jam scio te meum esse *Antoninum*; veni in amplexus meos, fili, veni ³,

ANT. *What now?*

THE. Tuus ego sum pater *Theodorus*; priusquam enim nævum hunc inspexeram, fratrem tuum *Antonium* tui simillimum credidi.

ANT. *You my father?*

ROS ⁴. Jam in tuto sumus.

THE. O mi *Antonine*.

ANT. *By your pertinent questions, sir, now I believe you are my father; pardon, I beseech you, my former incivilities.*

THE. Mi *Antonine*, gratulor adventum tibi: mater *Dorothea* quid non venit? ut valet?

ANT. *She is well, sir, and remembers her best love unto you by me, and by this letter* ⁵.

THE. Mox perlegam.

ANT *You shall understand there the occasion that detains her.*

THE. Sed quænam est illa, quæso ⁶?

ANT. *My wife, sir, one of Alderman Manly's daughters.*

THE. *Catharina?*

ANT. *The same, sir.*

THE. O *Catharina*, nurus mea charissima ⁷.

ROS. *My dear good father.*

THE. Quam optato *Catharina* etiam! ut mihi præ gaudio nunc exiliunt lacrymæ!

ANT. *I pray, sir, how doth my brother Anthony?*

THE. *Londinum* versus is hodie vos accersitum abiit.

ANT. *I am sorry, sir, I shall not see myself in him so soon as I hoped* ⁸.

¹ Examines *Antonius's* face.
bracing *Antonius*.

⁶ Pointing to *Rosabella*.

² Finding the mole.

⁴ Aside.

⁷ Embraces her.

³ Em-

⁵ Delivers letters.

⁸ Manent omnes.

ACTUS

ACTUS IV. SCENA 3.

ARGUMENTUM. Trico, hujus fraudis machinator, quasi a villa veniens, salutatur hunc quasi Antonium: Theodorus ait esse Antoninum, & Catharinam hanc esse: Trico nolit credere, novit ille, hunc esse Antonium, & illam forsan amicam ejus, non Catharinam; aliquid subesse fraudis; tandem videtur credere.

Manent THEODORUS, ANTONIUS, ROSABELLA; intrat TRICO.

TRI¹. **H**INC ego omnia subauscultavi clanculum; adibo jam, quasi a villa venerim—² Here, sudavi strenue apud villam hodie: phy, immodice calco.

THE. Quid non venit villicus, ut jussieram?

TRI. Bos ille camurus æger est; malum, nescio qui, nunc illi medicatur, cras aderit.

THE. Bene factum.

TRI. O here Antoni³, salve, nimium redisti cito.

THE. Ha, he, quem arbitrare hunc?

TRI. Quem nisi Antonium?

THE. Geminus frater. Antoninus est, illi equidem simillimus.

TRI. Here, ne me ludos facias, ipsissimus est Antonius.

THE. Tace, stulte.

TRI. Quænam est illa mulier⁴?

THE. Catharina uxor ejus.

TRI. Amica forsan, vel sponsa: quid me ludis⁵, here? viden' ut subrideat⁶?

ANT. *What bold companion's² that?*

ROS.

¹ Afide.

² To Theodorus.

³ Addressing himself to Antonio.

nus.

⁴ Pointing to Rosabella.

⁵ Antonio smiles.

⁶ Seeing

Antonio smile.

² companion—] Dr. Johnson in a note on *Cymbeline*, inserted in his and Mr. Steevens's *Shakespeare*, edit. 1778, Vol. IX. p. 214, remarks, that the use of companion was the same as of fellow now. 'It was,' adds he, 'a word of contempt.' Burton in his *Anatomy of Melancholy* before-

ROS. *Some fool, or jester.*

ANT. *It seems so by his manners.*

TRI. Papæ ! quis ille sermo est ?

THE. *Anglicus.*

TRI. Jamne *Anglice* fingit ? here, dic serio, num *Antoninus* ille ?

THE. Maxime.

TRI. Vera loquitor.

THE. Num mentior ?

TRI. Mentiri ? minime^a ; forsan mendacium dicere.

THE. Ha, ha, he.

TRI. Rides jam ? at ne post doleat, cave : moneo, tantum, here, moneo ; scis me fuisse. apud villam ; vide ne culpam in me transferas postea.

THE. Nolo, ita me Dii ament, nolo.

TRI. Memento, here.

ANT. *Come, firrah¹, you and I must jest a little together.*

TRI. In malam pestem *Anglicum* hoc.

THE. Ha, he, quid non jocaris ?

ROS. *Good sir, let him alone, he is not worth your anger.*

TRI. Here, vin' me mentiri etiam ?

THE. Accede huc,

¹ To *Trico*.

fore-cited, p. 653, uses it in the same sense ; for speaking of the papists and their arts, he says ; ' Whom do they begin with but collapsed ladies, some few tradesmen, superstitious old folks, illiterate persons, weak women, discontent, rude, silly companions, or sooner circumvent ? So do all our schismatics and heretics : ' And in *King Henry IV. Part II. Dol Tearsheet* says to *Pistol*, ' I scorn you, scurvy companion.'

Mr. *Steevens* in a note on *King John*, inserted in the above-mentioned edition of *Shakespeare*, vol. V. p. 82, gives the following passage from *Lylly's Midas* 1592, where it occurs in the same sense : ' Melancholy ! is melancholy a word for a barber's mouth ? Thou should'st say heavy, dull, and doltish, melancholy is the crest of courtiers, and now every base companion, &c. says he is melancholy.'

^a *Mentiri ? minime, &c.*—] The distinction here made by *Trico*, seems very judicious. He distinguishes lies into two sorts, viz. such as are told, with intent to deceive, by a person knowing them to be false ; and such as, though credited by the person who utters them, may in themselves be false. From the first sort, that is the utterance of a falsity, knowing it to be so, he readily acquits *Theodorus* ; but intimates a doubt, whether *Theodorus* is not imposed upon, in believing that *Antonius* is really *Antoninus*.

TRI,

TRI. Abscedat ille.

THE. Habet *Antonius* in mala nævum?

TRI. Ille? minime; audiui *Antoninum*.

THE. En, vide¹.

TRI. Hercle, here, jam tecum sentio; extra nævum illum vero cætera quam similis!

THE. Nunc abi tu² ad *Pætum* notarium, cras me venturum dicito.

TRI. Abeo: at tu, *Antonine*, stultitiæ, quæso, ignoscas meæ.

ANT. *Well, be it so.*

THE. Nurus³, fessam te de itinere esse arbitror.

ROS. *A little, sir.*

THE. Amabo, introeas igitur. *Antoninum* enim de rebus *Anglicis* paululum percontari libet.

ROS. *At your pleasure, sir.*

THE. Heus vos⁴ præite; filiæ meæ commonstrate ubi se refocillet commodè⁵. Jam nunc uxoris literas perlegam. O dulces literas⁶!

TRI⁷. O fraus dulcissima! Nunc congerronem *Cupem* adibo, cui præcipiam quid agat insuper, si hæc fallacia in angustum venerit; usque nos excubabimus hic: me miserum⁸, *Pyropum* video, properat quantum potest⁹.

ANT¹⁰. Hei mihi! cujus vestimentis induor, vestiarius adest; nisi jam me *Trico* adjuvat, perii funditus¹¹.

¹ Pointing to the mole on *Antonius*'s cheek.

² To *Trico*.

³ To

Rosabella.

⁴ Calling to those within.

⁵ Exit *Rosabella*.

⁶ Opens the letters and reads them.

⁷ Aside.

⁸ Seeing *Pyro-*

pus at a distance.

⁹ Exit *Trico*.

¹⁰ Aside, seeing *Pyropus* ad-

vancing.

¹¹ Manent *Antonius* and *Theodorus*.

ACTUS

ACTUS IV. SCENA 4.

ARGUMENTUM. Cum omnia jam essent in tranquille, Pyropus vestiarius (cui pro ornamentis subæratum anulum opposuissent pignori) venit querulus: illi se esse Antonium negat Anglice Antonius: sed ille, sua videns ornamenta, confutari nolit, ita ut pene fraus tota detegeretur, dubitare enim cæpit Theodorus.

Manent ANTONIUS, THEODORUS; intrat PYRÓPUS.

PYR¹. **Q**UEM mihi Antonius in pignus dedit pro ornamentis annulum

Monstravi aurifici; subæratum ait, neque carbunculum
Esse hunc, sed nihili prorsus scite tinctum vitrum.

Quam lepide me lactabat versutus ille servus, cum dixi ego
‘ Ut scintillat sane!’ is ingeminabat ‘ Ut scintillat sane!’

Verum quæsticuli causa ego nunc ex animo sane,

Nunc juro plane, fallimus & fallimur invicem:

At ne nunc circumducar ornamentis vereor.

ANT². Totus timeo.

THE. Literas quidem amanter & cordate scriptas.

ANT. Defessus sum,³ pater³; introeamus, I pray.

THE. Nostrum etiam scis sermonem loqui?

ANT. A word or two, sir,—² Profecto mei plane oblitus eram, ita me hic perturbat vestiarius.

¹ Entering, aside to himself.

² Aside.

³ To Theodorus.

³ Defessus sum, &c.—] The author has very artfully here introduced Antonius as forgetting that he had assumed the character of his twin-brother, to the success of which it was necessary, that he should speak only *English*. A similar instance of forgetfulness is archly introduced by Cervantes in his *Don Quixote*, in relating the story of the *Trifaldi*. The countess *Trifaldi*, (who in fact was no other than a man servant of the duke's, at whose house Don *Quixote* then was, dressed up for the purpose) in order to induce the duke and dutchess to compassionate her misfortune, and to prevail on Don *Quixote* to revenge her on *Malambruno* an enchanter, who had punished her, and the other duennas of the queen of *Candaya*, by the addition of beards to their faces, addresses them in these words: ‘ May it please your grandeurs to spare condescending to do a great courtesy to this your valet; I mean your handmaid.’ See *Jarvis's Don Quixote*, 4to. edit. Vol. II. p. 205.

PYR.

PYR¹. Sed eccum ipsum opportune.

THE. Introeamus igitur².

PYR. *Monsieur*³, siccine tui ordinis virum mecum agere?

THE⁴. Eccum etiam alterum, ha, he.

PYR. Ridere paulo minus est quam deridere⁵.

THE. Ha, ha, he, risum continere nequeo, da veniam multis de causis. Hilaris sum hodie, idque meritissimo.

ANT. *Another mistake, sir.*

THE. Quicum putas jam te fabulari?

PYR. Cum juvene illo *Antonio*.

THE. Scibam errare te, ha, ha, he.

ANT⁶. Adhuc salva res est.

PYR. Aio, *Antonium* istum pro ornamentis subæratum pignori opposuisse anulum.

ANT. *Sir, this fellow is some cheater sure.*

THE. Tecum⁷ sentio: quin aio, *Antonium* hinc abiisse *Londinum*.

ANT. *The more I look upon the fellow, the worse I like him: if you mark him well, sir, he hath a knave's look.*

THE. Non placet hercle.

ANT. *Sir, will you give me leave to beat the knave?*

THE. Placide.

PYR. *Anglice* jam? video quam rem facitis.

THE. Quoties iterabo tibi, non est hic *Antonius*?

PYR. Quis est igitur?

THE. Frater *Antoninus*.

PYR. Erat hodie prius is *Antonius*, nunc *Antoninus*, mox erit forsan *Antoninulus*; atque ita ex nominibus diminutivis mea postulatis mihi diminuere vestimenta.

THE. Ha, ha, he, responde, numquis in vultu nævus illi *Antonio*?

PYR. Neutiquam.

THE. Huic est, vide⁸.

PYR. Fallor, annon? Imo non fallor, meis indutum video ornamentis, nullus iis nævus additus est.

ANT. *Sir, he sees I am a stranger, and means to abuse me.*

¹ Seeing *Antonius*.
Antonius, calling after him.

² *Antonius* and *Theodorus* going.

³ To

⁴ Returning.

⁵ Manent *An-*

⁶ Aside.

⁷ To *Antonius*.

⁸ Pointing

to the mole on *Antonius*'s cheek.

Z

THE.

THE. Quid hic tuis ageret vestimentis?

PYR. Dixit se velle quendam facere fycophantam.

ANT. *Come hither, firrah, you.*

PYR. Ornamentis cupis me eludere *Anglice*, reddes tamen *Gallice*.

THE. Obstinatus est de vestimentis; quid sit, animi pendeo.

ANT. Perii, hæsitare incipit. *Sir, it may be Anthony borrowed some clothes of him.*

THE. Alia res est, quicquid est¹.

ACTUS IV. SCENA 5.

ARGUMENTUM. Cupes, ut confirmet hunc Antoninum esse, venit tanquam nauta pecuniam ab Antonio postulatam; minatur Pyropo adeo ut fugiat, & viginti coronatis emungit senem, qui intro it cum filio: Triconi & Cupi jam cura est ut abstineant Ignoratum, quem ex verbis Pollæ tota vicinia habuit pro dæmoniaco, itaque illum exorcizandum statuunt.

Manent ANTONIUS, THEODORUS, PYROPUS; intrant TRICO, CUPES.

TRI². JAM loquere *Anglice*, atque assimula quasi——

CUP³. Scio, ne mone: *Anglus* nauta nunc sum, huc *Antoninum* qui advexi hodie: nisi ego hunc confuto vestiarium——

TRI⁴. Propera, hic ego me interea abstrudam prope⁵.

PYR⁶. Vin' lictores adduci huc qui mea tibi detrahant ornamenta?

THE. Quid sit dubito.

CUP. O Master Antonine, God save you, sir; I come for money, sir, for your passage.

¹ Manent omnes.

Trico.
Antonius.

⁴ Aside to Cupes.

² Entering, aside to Cupes.

⁵ Trico conceals himself.

³ Aside to

⁶ To

ANT.

ANT. *Welcome, mariner.*

CUP. *How doth Mistress Catharine?*

ANT. *She's well within here.*

THE¹. *Quis ille homo est?*

ANT. *The master's mate, sir, that brought us over.*

THE. *Opportune, num tu² hunc Londino advexisti huc?*

ANT. *He understands you not, sir³; he asks if you⁴ brought us from London hither.*

CUP. *Marry did I, sir.*

ANT. *Here is an odd fellow says no.*

CUP. *Doth he in truth?*

ANT. *And says that I am not Antonine.*

CUP. *Very good, i' faith.*

ANT. *And that I wear his clothes.*

CUP. *Better and better: but doth he indeed? The rogue means to cheat me of my hire; shall I beat the slave?*

THE. *Mane; heus⁵, nauta ille Anglus adest, qui advexit hunc; quid jam ais?*

PYR. *Bene, video quid molimini.*

ANT. *This fellow will not believe you.*

CUP. *Is he an Infidel? let me come to the Pagan².*

PYR. *Minatur etiam? quæ hæc res est?*

CUP. *By the faith of a sailor, sir, there be an hundred mariners can testify I brought this Gentleman and Mistress Catharine over in the good ship called The Speedwell.*

THE. *Centum ait³ ad portum nautas hoc idem testaturos.*

PYR. *Video ex compacto agi.*

CUP. *Hang him swabber^b; doth he grumble? If you love me, let*

¹ Pointing to Cupes.
Cupes.

² To Cupes.

³ To Theodore.

⁴ To

⁵ To Pyropus.

² Pagan—] This word is used, by our ancient dramatic writers, to signify one who does not credit a fact related to him. *Beaumont and Fletcher*, in their comedy of *The Woman's Prize*, A&V. Scene 3, use it in that manner:

'Row. I have lost then, and heav'n knows I'm glad on't.

'Let's go, and tell me all, and tell me how;

'For yet I'm Pagan in't.'

^b swabber—] 'Swabber, an inferior officer aboard a man of war, whose business is to see that the ship be kept neat and clean, causing
Z 2 her

let me give him a salt eel^a. Well, I am in haste. Money, sir², for the passage.

ANT. I pray, sir², give him his money, I have not enough to pay him.

THE. Quantum est?

ANT. How much?

CUP. Six pounds, you know, and richly worth it, though I say it; you had as good bisket and salt beef——

THE. Heus, Richarde³, affer huc viginti coronatos^b.

PYR.

¹ To Antonius.

² To Theodorus.

³ Calling to Richardus within.

^a her to be washed well once or twice a-week, especially about the gun-wails and chains.' Phillips's Dict. art. *Swabber*. Hammer, in the glossary to his *Shakespeare*, art. *Swabber*, says, that it means an inferior officer in a ship, whose business it is to keep the ship clean. And Mr. Lye in his edition of *Junius's Etymologicum Anglicanum*, thus explains the noun substantive Swab: 'Swab, peniculus; to swab, peniculo purgare *Su*. swabb, swabba ab *A. S.* *ſpebban*, unde quoque swabber, *B. zwabber*, nauticus minister, cujus est purgare navim.'

^a salt eel—] This phrase, of which I have not met with any explanation, is, I believe, a sea term for a thrashing or beating. In *Congreve's* comedy of *Love for Love*, Act III. Scene 7, it seems used in that sense: the passage is this:

'Miss. Well, and there's a handsome gentleman, and a fine gentleman, and a sweet gentleman, that was here, that loves me, and I love him; and if he sees you speak to me any more, he'll thrash your jacket for you, he will, you great sea-calf.

'BEN. What, do you mean that fair-weather spark that was here just now? Will he thrash my jacket? Let 'n, let 'n—but 'an he comes near me, may-hap, I may give 'n a salt eel for's supper, for all that.'

^b viginti coronatos—] The sum demanded by *Cupes* for the passage is six pounds, and *Theodorus* here calls for twenty crowns, which, at the rate at which a crown is now valued, that is to say, at five shillings each, would amount but to five pounds. To reconcile this difference, therefore, the reader is to recollect, that the scene of this comedy is laid at *Bourdeaux*, in *France*. The money here mentioned is certainly *French* coin; and the reader will find, from the following authorities, that a *French* crown used to pass for six shillings; and twenty *French* crowns, at six shillings each, will be six pounds in the whole. *Moryson*, in *A brief table to understand in the first part the expenses in small coins most commonly spent*, prefixed to his *Itinerary*, edit. 1617, thus renders into their respective values the current coins of *France*:

'For

PYR. Quid viginti nominas? nihil agis, redde ornamenta.

CUP. *I know he speaks ill of me, I must needs bang him¹.*

PYR. Quid agis? perii.

THE. Omitte.

CUP. *What, coney-catchers² here²?*

PYR. Siccine? in jus vocabo vos³.

CUP. *Do you mumble still? 'twas time for you to go i' faith.*

¹ Lays hold of Pyropus.

² Cupes lets Pyropus go.

³ Exit Pyropus.

‘ For France.

‘ Twelve deniers, make a soulz; fourteen soulz and a half, a testoon; fifteen soulz, a quart d’ecu; twenty soulz, a frank; sixty soulz, a French crown, or six shillings *English*.’ The same author, p. 279 of his *Itinerary*, uses these words: ‘ From London into France, the exchange of six shillings *English* useth to be rated at threescore French soulz, or three French pounds, which make a common French crown; but a French crown in specie, and of just weight, is valued there at threescore and four soulz; as in England an angel of gold is worth more than ten shillings silver among the exchangers, though in pences it is given out for no more than ten shillings.’ And in page 294 he expresses himself in this manner: ‘ The French crown is exchanged for three franks, or for four quarts d’ecu, or for little more than four testoons. For fourteen soulz and a half make a testoon; fifteen soulz make a quart d’ecu; and twenty soulz make a frank; and sixty soulz make a French crown; and twelve deniers make a soulz. Yet a gold French crown in specie (that is, in kind) is changed for sixty-five soulz. As in like sort, in England, a French crown is worth no more than six shillings, and the *English* angel is worth no more than eleven shillings in common estimation; yet he that brings a weighty French crown in specie to the goldsmiths, they will give him six shillings six pence for it; and he that brings to them an old angel of gold, they will give him eleven shillings and six pence, or more, for it.’ It appears from the very beginning of *Moryson’s* account of these his travels, that he set out in 1589.

In *Stow’s Chronicle*, edit. 1631; p. 646, we learn, that ‘ on 9th October’ [2 Eliz. viz. 1559] ‘ the French crown, that went current for six shillings four pence, was proclaimed to be six shillings.’

‘ A coney-catcher—] ‘ A coney-catcher, metaphora sumpta ab iis qui insidias tendunt cuniculis. A name given to deceivers, by a metaphor, or borrowed speech, taken from those that use to rob warrens and coney grounds, using all means, sleights, and cunning to deceive them, as pitching of haies before their holes, fetching them in by turnblers, and other such sleights, which they know best that use them.’ *Minshew’s Dict.* edit. 1617. art. *Conie-catcher*.

Your son, sir¹, was never sick all the way: marry, his man and his maid was fain to be set on shore.

THE. Alios tibi² servos dederō³.—En tibi⁴.

CUP. *I marry, sir, I understand this well. Here is a brave wind for us: if it will hold, this week I am for London again: will you any thing to your Mother⁵?*

THE. Salutem meo nomine matri nunciet, jube⁶.

ANT. *Remember my Father's love, and my duty.*

CUP. *I will: adieu.*

THE. Eamus jam intro, fili⁷.

ANT⁸. Mi Cupes, servasti me.

CUP. Abi tu, ne deprehendatur hic⁹.

TRI⁸. O mea fraus! confirmasti *Theodorum* probe.

CUP. Nactus etiam aridum argentum, *Trico*; *Good English*, very good English: hinc alia parabitur cœna; *Polla* haud coquet tamen.

TRI. At quid si nunc *Ignoramus* venerit?

CUP. Veniet, scio, & turbellas dabit; inveni tamen ut illum porro ludificemur.

TRI. Quidum?

CUP. Qua ex ipsius, qua ex *Pollæ* verbis, dæmoniacum esse eum per totam viciniam rumor jam increbuit.

TRI. Illum itaque exorcizabimus.

CUP. Recte. Atque id ipsum me facturum *Pollæ* prædixi antea.

TRI. Redistis ergo in gratiam?

CUP. Scilicet, atque promisit insuper, hac in re velle se optulari mihi: una opera, si nunc *Torcol* venerit, aliqua absterrebimus.

TRI. Sed quis exorcizabit?

CUP. Me vide; atque per tempus en exit frater *Cola*, lepidus compotor meus: mirum ni is, quod solet, me quærit, ut poscat poculis. Eum, certum est, collegam adsciscam mihi⁹.

¹ To *Theodorus*.
and gives *Theodorus* money.

² To *Antonius*.

⁴ Gives *Cupes* money.

³ Enter *Richardus*

⁵ Exit *Theodorus*.

⁶ Afide to *Cupes*.
concealment.

⁷ Exit *Antonius*.

⁹ Manent *Trico* and *Cupes*.

⁸ Coming forth from his

ACTUS

ACTUS IV. SCENA 6.

ARGUMENTUM. *Forte fortuna Trico & Cupes Colam inveniunt, combibonem Cupis & monachum; cum illo agunt de exorcizando Ignoramo, & postea in ejus monasterium deferendo. Cupes, ut sese ornet, Cola, ut pompam traducat ad exorcismum, exeunt.*

Manent CUPES, TRICO; intrat COLA¹.

COL². **H**A, he, ubi nunc *Cupem* inveniam combibonem meum?

CUP³. Scivin' ego?

COL². Confratris mei cucullum hic⁴ & libros vici in alea modo: jurat is quasi auriga nunc, & me diris devovet. Nihilominus *Cupes* hæc⁵ vendat volo, quo laute cœnemus una; nam nequeo semper victitare jusculo. Ibo quæsitum eum.

CUP⁶. O mi confessor.

COL. O mi confessor.

CUP. Mi spiritualis pater.

COL. Mi carnalis frater.

CUP. Bibemus molle vinum.

COL. Sed cyathum ter trinum⁷.

CUP.

¹ With a monk's cowl in his hand, and a parcel of books in his hand also.
² To himself, not seeing *Cupes* and *Trico*. ³ Aside to *Trico*. ⁴ Producing the cowl and the books. ⁵ Pointing to them again. ⁶ Discovering himself to *Cola*.

⁷ *cyathum ter trinum*—] Among the *Romans* it was customary to drink three cups in honour of the Graces, or three times three in honour of the Muses. *Horace*, lib. III. ode 19, has the following lines, v. 11. & seqq. which recognize the practice:

• Da Lunæ propere novæ,
 • Da noctis mediæ, da, puer, Auguris
 • *Mænen*: tribus aut novem
 • Miscentur cyathis pocula commodis.
 • Qui Mufas amat impares,

• Ternos

CUP. Cucullate pater.

COL. Hic est lingua bubula.

CUP. Frons non erit nubila.

COL. Delicate frater,

Ha, he, rideamus, amplexemur invicem¹.

CUP. Frater, tua nunc mihi opera opus est.

COL. Quid est?

CUP. *Ignoramus Anglus* quidam nobis exorcizandus est.

COL. An dæmonem habet?

CUP. Quasi: sed post narrabo tibi, hoc si feceris.

COL. Faciam libens, nam larvatus non sit licet, famam in-

¹ Embracing *Cupes*.

‘ Ternos ter cyathos attonitus petet

‘ Vates. Tres prohibet supra

‘ Rixarum metuens tangere Gratia

‘ Nudis juncta fororibus.’

Mr. *Desprez*, the editor of the *Delphin* edition of *Horace*, explains the above lines by the two following notes:— ‘Tribus aut novem, &c.—]

‘ Cuique fas est tres aut novem cyathos poscere: nimirum qui demereri volet Charites seu Gratias, ob ternarium earum numerum, tria sibi pocula misceri jubebit; qui vero colit Musas novenas Poeta, is novies bibet in honorem illarum. *Auson*.

“Ter bibe, vel totiens ternos; sic mystica lex est.”

‘ Ternos ter cyathos attonitus, &c.—] Etiam si inde fieri debeam attonitus e vino, novies tamen ego poeta bibam; tum ob Musarum numerum, tum quod hilaritatis modum nesciam in isti *Murena* honoris amplitudine. *Auson*. Propter mediam noctem, & novam Lunam, & *Murena* auguratum, ternos ter cyathos attonitus petit vates.’

The line in *Ausonius*, above alluded to, is the first in his eleventh *Edyllum*, which he intitles ‘Gryphus Ternarii numeri.’ The poem is of too considerable a length to be here given, and we shall therefore content ourselves with thus pointing out where it is to be found: but the tendency of it to justify by examples the use of any particular number in preference to the rest, reminds me of the following humorous words of an old catch, which I find in *Playford’s Musical Companion*, edit. 1673, p. 32.

‘ The wise men were but seven, ne’er more shall be for me;

‘ The Muses were but nine, the worthies three times three;

‘ And three merry boys, and three merry boys, and three merry boys are we.

‘ The virtues they were seven, and three the greater be;

‘ The *Cæsars* they were twelve, and the fatal sisters three;

‘ And three merry girls, and three merry girls are we.’

de

De mihi, ut alii itidem, forsan excitavero: Clarus frater *Cola*, sanctus *Cola* fugat dæmones, ha; he.

TRI^a. En tibi cucullum opportune.

COL. Vendatur.

CUP. Nondum: nam frater *Cupes* etiam fugabit dæmones; hoc me ornabo jam in exorcismo, quo te ipse adjuvem.

COL. Ha, he.

CUP. Induam mihi vultum miserabilem: abstipo capite cernuus nutabo. Vide!

COL. Ha, he, optime.

TRI. Postquam exorcizatus est, ad tuum deferri cures monasterium; ubi eum alii detineant fratres aliis exorcismis.

COL. Fiet: post illa, mi confrater, linguam hanc nos bene exorcizabimus.

CUP. Cum aqua minime, sed vino benedicto.

COL. Ha, he, recte; coenabimus ad *Scrofam nentem*^a.
O qu'il y a de bon vin la! cantabimus, saltabimus, hei, hei!
verum tu hæc^a vendas tamen.

CUP. Quid? veteres pocillatores & saltatores^a, frater *Menot*^b,
& fra-

^a To *Cupes*, shewing him the cowl in *Cola*'s hand.
the books.

^b Turning over the books.

^a Giving *Cupes*

^a *Scrofam nentem*—] Probably a tavern at *Bordeaux*, known, at the time when this comedy was written, by that sign.

^b *Menot*—] *Cupes*, who the reader will recollect is described in the former part of this comedy as an itinerant bookseller, is here represented as looking over the books which *Cola* had won at dice, and delivered to him to sell; and among these he finds some, at least, of the works of father *Menot* and father *Maillard*, two singular writers of the sixteenth century. Of the latter of these an account will be given in the next succeeding note; but of *Menot*, *Moreri* in his Dictionary, art. *Menot*, gives the following particulars: '*Menot*, (*Michel*) religieux de l'ordre de Saint François, & docteur de *Paris*, dans le XV. siècle, & au commencement du XVI. est auteur de quelques livres de sermons, où il y a plusieurs façons de parler burlesques, dont *Henri Etienne* se moque dans son *Apologie pour Hérodote*. "Ses œuvres," dit la *Croix du Maine*, dans la *Bibliothèque des Auteurs François*, "sont plus recherchées que celle d'*Olivier Maillard*, ou bien de *Michel Barlette*, & autres semblables écrivains, lesquels ont fait des prédications si hardies & tellement libres, qu'ils n'ont craint en cela aucun, tant ils étoient ardens pour annoncer la parole de

& frater *Maillard* etiam : O ridicularios !

TRI.

“ Dieu. Et si quelques-uns recherchent leurs œuvres par dessus tous
 “ autres théologiens de leur tems, c’est pour voir les abus de tous
 “ états découverts par iceux,” &c. Les Sermons de *Menot* sont plus
 “ comiques que sérieux, remplis de traits burlesques, d’ailleurs pleins
 “ d’ignorance, de mauvaises plaisanteries & d’allusions indécentes.
 “ Ils sont écrits en fort mauvais *Latin*. Le Père *Nicéron*, dans ses
 “ *Mémoires pour servir à l’histoire des hommes illustres*, tome 24. p.
 “ 388, & suiv. rapporte quelques échantillons des Sermons de *Menot*.
 “ Voyez le Père *Nicéron*, & le Supplément de *Paris*, 1736.”

In the *Nouveau Dictionnaire Historique-Portatif* is the following article for *Menot*: ‘ *Menot*, (*Michel*) cordelier, mort en 1518, se fit un nom célèbre par les pieuses farces qu’il donna en chaire. On a publié ses sermons, & ils sont recherchés par le mélange barbare qu’il y a fait du sérieux & du comique, du burlesque & du sacré, des bouffonneries les plus plates & des plus sublimes vérités de l’évangile.’ “ Les bucherons,” dit-il dans un endroit, “ coupent de grosses & de petites branches dans les forêts, & en font des fagots, ainsi nos ecclésiastiques avec des dispenses de Rome entassent gros & petits bénéfices. Le chapeau de cardinal est lardé d’évêchés, les évêchés lardés d’abbayes & de prieurés, & le tout lardé de diables. Il faut que tous ces biens de l’église passent les trois cordelières de l’ave Maria, car le benedicta tu sont grosses abbayes de bénédictins : in mulieribus, c’est Monsieur & Madame ; & fructus ventris, ce sont banquets & goinfrieries.” Tous ses sermons consistent en quatre carêmes, publiés sous différens titres, en 1519, en 4 vol. in 8vo.

The following specimen of *Menot*’s stile is given from his sermons, entitled *R. P. Michaelis Menoti Sermones Quadragesimales ab ipso olim Turonis declamati*. *Tours*, 1519, 8vo. ‘ Est una Maquerella quæ posuit multas puellas au metier ; ad malum ibit, elle s’en ira le grand galop ad omnes diabolos. Estne totum ? Non, elle n’en aura pas si bon marché non habebit tam bonum forum ; sed omnes, quas incitavit ad malum, servient ei de bourrées & de coterets, pour lui chauffer ses trentes côtes.’ This specimen occurs in page 276 of a little book entitled *L’Art de Desoppiler la Rate, sive de modo, C. prudenti*. *En prenant chaque feuillet pour se T. le D.* It professes to be printed ‘ *A Gallipoli de Calabre*, l’an des folies 175884 ;’ and we are much obliged to the kindness of a friend for pointing it out to us.

^a *Maillard*—] Of this person the following account is to be found in *Moreri*’s Dictionary, art. *Maillard* ; ‘ *Maillard* (*Olivier*) étoit Breton, mais on ne fait dans quel lieu de la Bretagne, ni en quelle année il vint au monde. Il se consacra de bonne heure au service de Dieu, en entrant dans l’ordre des Frères Mineurs Conventuels, d’où le desir d’une plus grande perfection le fit dans la suite passer dans celui des Observantins. Il fut trois fois commissaire ou vicaire-général, en 1487, en 1493, & en 1499. Il fut prédicateur de la cour du roi de France & du duc de Bourgogne, sur la fin du XV. siècle. Il témoigna un grand zèle pour la correction des mœurs du peuple de son tems. Il en reprenoit les vices avec une hardiesse
 ‘ surprenante ;’

TRI. Propera, quæso, abi, & orna te.

CUP.

surprenante, ses sermons étoient remplis de traits vifs & animez. Il n'y ménageoit personne, & désignoit si bien dans les portraits des pécheurs ceux qu'il avoit en vue, qu'on ne s'y trompoit jamais. En 1501, il vint à Paris, avec 50 autres Cordeliers de l'Observance, pour introduire la réforme dans le couvent de Paris, mais il ne réussit pas dans son projet. Il mourut peu de tems après, le 13 Juin 1502. Il avoit plus de zèle que de science. Ses sermons sont remplis de fables, de traits burlesques, & d'histoires apocryphes. Ceux qui seront curieux de voir quelques échantillons de sa manière de prêcher, peuvent consulter le Père Nicéron, dans ses *Mémoires pour servir à l'histoire des hommes illustres*, tome 23, p. 52, & suiv. On a d'Olivier Maillard *Sermones de Adventu; Quadragesimale; Sermones dominicales & alii omni tempore prædicabiles, simul cum sedecim Sermonibus de peccati stipendio; Sermones de sanctis; La recollection de la très piteuse passion de notre Seigneur, représentée par les sacrez mystères de la messe, ou bien, Le mystère de la messe conforme & correspondant à la douloureuse passion de notre benoit Sauveur; L'exemplaire de confession, avec la confession générale; Traité envoyé à plusieurs religieuses pour les instruire & exhorter, à se bien gouverner; Contemplatio in salutationem angelicam.* Hoffman in his *Lexicon* gives only this very brief account of him: *Olivier Maillardus, Brito, Franciscanus. Scripsit varia; homilias imprimis, sed Latinitate inculta. Obiit Narbone, A. C. 1502.* Hoffmanni *Lexicon*, art. Olivier. And the author of the article for him in the *Dictionnaire Historique-Portatif*, speaks of him in the following terms: *Maillard, (Olivier) fameux prédicateur cordelier, natif de Brétagne, docteur en théologie de la faculté de Paris, fut chargé d'emplois honorables par le pape Innocent VIII. par Charles VIII. roi de France, par Ferdinand, roi d'Arragon, &c. Il mourut à Toulouse le 13 Juin 1502. Il laissa des sermons remplis de plates bouffonneries & de traits ridicules & indécents. C'étoit ainsi qu'on prêchoit alors. Il y a plusieurs éditions de ces sermons in 8vo, nous connoissons celles-ci: De adventu. Paris, 1511. Opus quadragesimale. Paris, 1512. Alterum opus quadragesimale. Paris, 1515, 1518. Sermones dominicales. Paris, 1515. Sermones de sanctis. Paris, 1513, &c.*

That the reader may be able to judge what degree of foundation for Mr. Rugglè's censure of absurdity the writings of this author afford, the following passage (with which an ingenious friend, to whose kindness we have often before been indebted, has furnished us) is inserted from a sermon of Maillard's for the second Sunday after Advent. *Tempore regis Ludovici, in una civitate hujus regni, erant duo advocati, qui erant compadres. Unus bonus vir venit ad unum illorum, & dicit sibi, "Domine, ego habeo unam causam in curia; vos eritis advocatus meus, si placet." Respondit, "Libenter." Post duas horas venit adversarius suus, qui erat multum pinguis, & dixit ei, "Domine, habeo unam causam contra unum rusticum; rogo sitis*

A 2 2

"advocatus

CUP. Frater, hinc tu nunc eas ad Sancti Severini^a, illinc ad exorcismum pompam huc traducito; ipse continuo, ubi me exornavero, istac in platea tibi obviam dederò.

COL.

"advocatus meus." Respondit, "Libenter." Quando venit dieta, primus, qui non erat tam dives sicut alius, venit ad advocatum, & dixit ei, "Domine, hodie debet teneri dieta; si placet, respondebitis pro me." Tunc dixit ipse, "Amice mi, alia vice quando fuisti nihil tibi locutus sum propter occupationes diversas; ego tamen avisabo de facto tuo. Sed ego non possum esse advocatus tuus, quia sum advocatus partis adverſe; tamen dabo tibi probum virum qui erit advocatus tuus, & scribam ad eum literas." "Bene," dixit iste; "habeo vobis gratias, domine." Tunc iste advocatus scripsit literas in hunc modum: "Comperit mi, venerunt ad me duo capones pingues; ego pinguiorem cepi, & alium vobis mitto; plumetis a parte vestra, & ego plumabo alium." Nunquid ita facitis, Domini advocati?

^a Sancti Severini.—] This is most probably intended for the monastery to which Cola is feigned to belong; for Trico, Aët 4, Sc. 6, when proposing to Cola that he should undertake the exorcizing of Ignoramus, uses this speech to Cola: "Postquam exorcizatus est, ad tuum deferri cures monasterium; ubi eum alii detineant fratres aliis exorcismis." And in all likelihood when this comedy was written, and possibly at this time it may also continue, there was at Bourdeaux, where, as the reader will recollect, the scene of this comedy is laid, a monastery dedicated to Saint Severinus. Justus Zinzerling, the author of a little book entitled *Itinerarium Gallie*, which he published under the fictitious name of Iodocus Sincerus, tells us, in an appendix to his book, in which he professes to speak solely and more at large concerning Bourdeaux, that there are in it eight monasteries for monks, and one convent of nuns, and a college of Jesuits. Iodoci Sinceri *Itinerarium Gallie*, 18mo. 1617, appendix, cap. 7. The names of the monasteries he does not insert; but in the same chapter he mentions the cemetery of St. Severinus; and it seems no very absurd conclusion, from the terms in which he expresses himself, to imagine that the cemetery which he speaks of might be that belonging to the monastery of St. Severinus. His words are these: "Coemiterium imprimis visu dignum est S. Severini extra portam Dijaux, prope amphitheatrum; cum ideo quod antiquius reliquis, tum quod ibi videntur cavi lapides sepulchris impositi, in quibus, secundum lunæ incrementum, aqua augetur & minuitur." Multi hic equites, quos sub Car. Magno conspiratio extinxerat, humati. Legatur tabella in templo suspensa, sic incipiens: "In mundo duo sunt coemiteria," &c." Though it must be confessed that the same person, enumerating the gates of Bourdeaux, mentions as the tenth, that called Dijaux, which he describes in the following manner: "X. Dijaux, quæ, propter vicinum exterius fanum S. Severini, nomen etiam aliud nacta S. Severini." Ibid. cap. 5.

It no where appears in what year this visit to Bourdeaux was made by Zinzerling; any more than it does when the rest of the journey was performed. But the dedication of the appendix 'Viro clarissimo Valen-

tino

COL. Eo; sed linguam hanc, dum redeo, serva diligenter:
Sis fidus *Achates*^a.

CUP.

Exit *Cola*.

* *tino Arithmæo*, J. U. & philosophiæ doctori,* is dated *Lugdani*, No. Aug. 1616: and the author tells us, in the following words at the very beginning of his appendix, that he had been there but a short time before: 'Adita mihi per *Galliarum* partem peregrinanti nuper fuit *Burdigala*.'

It may perhaps afford the reader some satisfaction to be informed who *St. Severinus* was; and for that purpose we shall here insert the account given of him by *Gregory of Tours*; from which it will appear that *St. Severinus* was the patron and tutelary saint of *Bourdeaux*: a reason which of itself, if there had been no other, might in some degree justify *Mr. Ruggle* for inserting his name in the text. 'Habet & *Burdegala* *lenfis* urbs patronos venerabiles, qui sæpius se virtutibus manifestant, sanctum *Severinum* episcopum suburbano murorum summa excolens fide; & licet jam dixerimus in prologo libri hujus, ut ea tantum scriberemus quæ Deus post obitum sanctorum suorum, eis obtinentibus, est operari dignatus, tamen non puto absurdum duci, si de illorum vita memoremus aliqua, de quibus nulla cognovimus esse conscripta. Sanctus igitur *Severinus*, ut ipsorum *Burdegalensum* clericorum fidelis relatio profert, de partibus *Orientis* ad eandem destinatur urbem. Dum autem iter ageret, & ecclesiam *Burdegalensem Amandus* episcopus regeret, adparuit ei Dominus in visu noctis, dicens, "Surge, & egredere in occursum famulo meo *Severino*, & honora eum sicut honorari scriptura sancta docet amicum Divinitatis; melior est enim te, meritisque sublimior." Exsurgens autem *Amandus* episcopus, accepto bacillo in manu sua, perrexit in occursum ejus; nihil de viro sancto sciens, nisi quæ Dominus revelasset. Et ecce Sanctus *Severinus* veniebat quasi obviam ei! Tunc adpropinquantes sibi, ac propriis se nominibus salutantes, riuunt pariter in amplexus; deosculatique, fusa oratione ecclesiam cum magno psallentio sunt ingressi. Quem deinceps in tantum dilexit ac veneratus est *Amandus* episcopus, ut eum in locum suum substitueret, ac ipse quasi junior habebatur. Denique post paucos annos obiit beatissimus *Severinus*; quo sepulto, *Amandus* episcopus recepit locum suum, quem ei non dubium est per obedientiam redditum quam in Dei sanctum exercuit. Ex hoc incolæ, cognita ejus sanctitate, patronum sibi adsciscunt; certi quod si quandoque urbem aut morbus obrepat, aut hostilitas obsideat, aut aliqua querela percellat, protinus concurrentes populi ad basilicam sancti indictis jejuniis vigiliis celebrant, devotissime orationem fundentes; & mox ab imminenti calamitate salvantur. Vitam tamen hujus, postquam hæc scripsimus, a *Fortunato* presbytero conscriptam cognovimus.' *Gregorius Turonensis De Gloria Confessorum*, cap. 45.

^a *fidus Achates*—] The reader, it is imagined, need hardly be reminded

CUP. Virtutem primam esse puta comperere linguam :

TRI. Huc quamprimum venerit, vobis ego renanciabo illico.

CUP. Abeamus quisque ad officium suum¹.

ACTUS IV. SCENA 7.

ARGUMENTUM. Ignoramus currens, utprehendat Dulman, prehensominatur. Trico exit uthæcaperiat Antonio. Dulman affirmat Ignoramo, se illam Rosabellam tradidisse illi, quam sibi Torcol tradidit.

Manet TRICO; intrant IGNORAMUS, DULMAN².

IGN³. SToppa Dulman, stoppa felonem, stoppa Dulman, stoppa⁴.

¹ Exit Cupes. Manet Trico.

³ Calling after and pursuing Dulman.

² Running, and pursued by Ignoramus.

⁴ Exeunt Ignoramus and Dulman.

minded that *Achates* is by *Virgil*, in his *Æneid*, represented as one of the companions of *Æneas*; and that he is almost uniformly mentioned by that author with the epithet of 'fidus *Achates*'. The earliest instance that we have met with, in which he is so termed by *Virgil*, is the following; but many others might be produced.

Constitit hic, arcumque manu celeresque sagittas

Corripuit; fidus quæ tela gerebat *Achates*.

Virgil, Æneid, lib. I. v. 192.

'Fidus *Achates*' seems to have been formerly an usual expression to denote a constant companion. *Burton*, in his *Anatomy of Melancholy*, before cited, p. 183, enquiring into the symptoms of melancholy in the mind, mentions ill-grounded fear as one, and causeless sorrow as another. 'Sorrow', says he, 'is that other character and inseparable companion, as individual as St. *Cosmus* and *Damian*, fidus *Achates*, as all writers witness, a common symptom, a continual, and still without any evident cause.' And again, p. 355, 'Injury is, on the other side, a good man's foot-boy, his fidus *Achates*, and as a lackey follows him wheresoever he goes.'

¹ *Virtutem primam, &c.*—] *Catonis Disticha Moralia*, lib. I. v. 5.

'Virtutem primam esse puta comperere linguam.'

TRI.

TRI. Adibo *Antonium*, rem omnem aperiam illi; inde per angiportum post ad *Cupem* me recipiam¹.

IGN². Stoppa *Dulman*, stoppa—ah vagabunde fets³! habeo te per aures jam, *ne bouge point*.

DUL. Bone magister—

IGN. Ah fugitive, putabas quod non possem gignere te iterum, si eras super faciem terræ? quid ergo fugitabas pro eo?

DUL. Abscurrebam^a a te, quod eras in tam peltante cholera pro *Rosabella*, ut non volebas audire me.

IGN. Bonus annus de te^b; quid audiam? Ubi putatis quod ego inveni eum? per fidem meam erat ille in quodam communi loco jaciendi globos, vocato a *Bowling-Alley*^c, ubi ille

¹ Exit *Trico*.
fuing him.

² Re-enter *Dulman* and *Ignoramus*, *Ignoramus* still pursuing him.
³ Overtaking and seizing *Dulman*.

^a *Abscurrebam*—] Abscurrere signifies to run away from.

^b *Bonus annus de te*—] Dare il buon' anno, signifies in *Italian* 'to give, to bid, or wish one a merry new year, or good hap; also, to give or bestow a new year's gift upon one.' See *Torriano's Italian Dictionary*, art. *Dare il buon' anno*; and from this *Italian* expression it is probable that the passage in the text, in which it seems to be used ironically, may be borrowed.

^c *in quodam communi loco*, &c.—] The passage in the text is part of the form which, while law proceedings continued to be in *Latin* (as it has been frequently before hinted they originally were) was used in an indictment against any one for playing at Bowls; for in *West's Symboleography*, part II. sect. 121. is a precedent of an indictment against one man for keeping a bowling alley, and against others for playing at bowls there. The whole of it is but short; and as it will tend to elucidate the text, and cannot without injury be abridged, it is here given at length:—'Juratores pro domina regina presentant, quod A. B. de C. in comitatu E. tipler, secundo die *Septembris*, anno, &c. & continue post dictum diem anno supradicto, usque primum diem mensis *Octobris* anno supradicto, apud C. prædictam in comitatu E. prædicto, quendam communem locum jaciendi globos (vocatam *Anglice* a Common Bowling Alley) pro lucro ipsius A. B. proprio, & ad ludendum tunc ibidem cum globis (*Anglice* vocatis Bowls) illicite tenuit, custodivit, ac manutenuit, contra formam cujusdam statuti in parlamento domini *Henrici* nuper regis *Anglie* 8. tento, anno regni sui 33, in hujusmodi casu provisi & editi. Et quod J. S. de C. prædicto, in dicto comitatu E. labourer, & tres aliæ personæ ignotæ, dicto secundo die *Septembris*, anno supradicto, dictum communem locum usitaverunt, ac tunc ibidem cum globis (*Anglice* vocatis Bowls) insimul & illicite luserunt, contra formam statuti prædicti, &c.'

Iudebat

indebat ab illicita Iuda contra statutum^a : ibi, scio, lufisti viam meas coronas.

DUL. Videbam super tantum.

IGN. O, tu es supervisor^b ; fuisti meus clericus viginti annos jam, num me vidisti unquam ludere globis ?

DUL. Non ego.

IGN. Non, ego warrantizabo : num es lusor ? gigne tibi aliam deskam, non scribes plus ad deskam meam.

DUL. Si tu ponis me viam a te, sum disfactus ut ostrea^c.

IGN.

^a *contra statutum*.—] The statute here referred to was passed in the 33d year of Henry VIII. viz. 1541, and enacts, chap. IX. sect. 16, in the following words :—‘ XVI. Be it also enacted by the authority afore-
‘ said, That no manner of artificer, or craftsman of any handicraft or
‘ occupation, husbandman, apprentice, labourer, servant at husbandry,
‘ journeyman, or servant of artificer, mariners, fishermen, watermen,
‘ or any serving-man, shall, from the said feast of the nativity of St.
‘ John Baptist, play at the tables, tennis, dice, cards, bowls, clash,
‘ coytting, logating, or any other unlawful game, out of *Christmas*,
‘ under the pain of xx s. to be forfeit for every time ; (2) and in
‘ *Christmas* to play at any of the said games in their masters houses, or
‘ in their masters presence ; (3) and also, that no manner of persons
‘ shall at any time play at any bowl or bowls in open places out of his
‘ garden or orchard, upon the pain, for every time so offending, to for-
‘ feit vi s. viii d.’ The offence, with which *Dulman* is charged in the
text, seems to be a breach of this last clause.

^b *supervisor*.—] By the word *supervidebam*, which *Dulman* uses above, he intended to assure *Ignoramus* that he had not been playing at bowls, but had only been looking at those that were at play ; and he therefore tells him, ‘ *Tantum supervidebam*,’ I only looked on. The mention of the word *supervidebam*, however, suggests to *Ignoramus* a different idea ; and occasions him, as he does in his answer to *Dulman*, to recur to the law sense of the word, which is thus explained by *Cowel* in his *Interpreter*, art. *Supervisor* :—‘ Supervisor is a *Latin* word, signifying
‘ a surveyor or overseer : it was anciently, and still is, a custom
‘ among some, especially of the better sort, to make a supervisor of
‘ a will, but it is to little purpose : however, the intention might be
‘ good, that he should supervise the executor, and see the will truly per-
‘ formed.’ I find, however, the word *supervisor* used by *Shakespeare* purely in the sense of a looker on, and without any reference to its legal signification. In *Othello*, act. III. scene 3, *Iago* says to *Othello*, when the latter requires positive proof of his wife’s dishonesty,

‘ Would you, the supervisor, grossly gape on ?’

^c *disfactus ut ostrea*.—] This is only the *English* proverb, ‘ Undone as a man would undo an oyster,’ translated into *Latin*. The original

English

IGN. Quid ergo non portasti *Rosabellam* mihi?

DUL. Illam *Rosabellam* portabam, quam *Torcol* deliberabat mihi.

IGN. Funis de te! vis me contrarotulare^a adhuc: num habebat curvum collum?

DUL.

English occurs in Mr. Ray's collection, edit. 1678, p. 291, and is introduced into the following stanza of that most singularly humorous ballad, *The second part of St. George for England*, written by Mr. John Grubb, of Christ Church, Oxford, and printed in *The Reliques of ancient English Poetry*, vol. III. p. 313.

- ' The amazon *Thalestris* was
- ' Both beautiful and bold;
- ' She fear'd her breasts with iron hot,
- ' And bang'd her foes with cold.
- ' Her hand was like the tool wherewith
- ' *Jove* keeps proud mortals under;
- ' It shone just like his lightning,
- And batter'd like his thunder.
- ' Her eye darts lightning that would blast
- ' The proudest he that swagger'd,
- ' And melt the rapier of his soul
- ' In his corporeal scabbard.
- ' Her beauty and her drum to foes
- ' Did cause amazement double;
- ' As timorous larks amazed are
- ' With light and with a low bell.
- ' With beauty, and that *Lapland* charm*,
- ' Poor men she did bewitch all;
- ' Still a blind whining lover had,
- ' As *Pallas* had her scritch-owl.
- ' She kept the chastness of a nun,
- ' In armour as in cloyster;
- ' But *George* undid the dragon, just
- ' As you'd undo an oyster.'

And Beaumont and Fletcher, in *The Island Princess*, have introduced the same thought, act II. where one of the characters, lamenting a misfortune, exclaims in these words, 'I'm undone;' and is answered by another in these, 'Like an oyster.'

^a *contrarotulare*—] Dr. Johnson, in a note inserted in his and Mr. Steevens's *Shakespeare*, vol. I. edit. 1778, p. 36, says, that To controul

* ' Her drum.'

DUL. Imo per fidem; & plorabant ita in departo, quod faciebant me plorare quoque.

IGN.

signifies to confute, to contradict unanswerably. *Minsheu*, in his Dictionary, art. *To controll*, thus explains its signification: 'To controll or correct. *G.* Contreroller, metaphoricè dict. ab antigrapho, five officii exactore, cujus est officium aliorum scripta & rationes accepti & expensi, examinare, computare, & (si quid iniquum & injustum in illis inveniat) corrigere. Sed nunc temporis ita invaluit usus, ut pro corrigere tantum sumatur.' In the article *Controller*, he gives the etymology of the word in a very explicit manner; and it has therefore been thought proper here to insert his explication of that word also: 'A controller. It is properly an officer which keepeth a roll of other officers accounts, thereby to discover them if they do amiss. Contrerolleur, a contre: i. e. contra, against; & rolle, vel roule, a roll. Catalogus volumen five accepti & expensi: ut sit ille, cui id muneris injunctum est, ut aliorum, quibus accipiendi & erogandi pecuniam data est potestas, scripta & rationes accepti & expensi examinet, corrigat, & in suum catalogum aut volumen referat; ne quid detrimenti aut damni domino suo ex rationibus eorum proveniat; because his office is to keep a counter-roll of other officers accounts. *I.* Controliere, contrafrittore, q. contra-scriptorem dices. *T.* Rotelschreiber, q. a Roll-writer, catalogi vel voluminis accepti & expensi scriptor. *B.* Controleur, a *Gal.* supra. *L.* vulgo Contrarotulator, qui contra alios rotula memorativa scribit, ut, in computis faciendis, eorum petitiones aut probentur aut reprobenentur. Unde contrarotulare idem est quod corrigere; who keepeth a double or counter roll of other men's doings, that thereby their demands, in making their accounts, may be either allowed or disallowed. Whence also, to controll signifieth to correct: Censor, a censendo. *Camd.* Officii exactor, custos, observator. *Ulpian.* Adnotator. *Bud.* Antigraphus. *Gr.* ἀντιγραφὸς ab ἀντι, i. contra & γράφω, scribo, propter rationem supra offensam.'

It is wonderful that when *Minsheu* was so very near, as he certainly was in many places of the above extracts, to the true etymology of the word, he should yet, as he has done, miss it. The nature of the office of a controller he has sufficiently explained; but the reason which he assigns for terming the officer a controller, because 'contra alios rotula memorativa scribit,' is certainly not a sufficient reason for the term.

It is sufficiently obvious from the above extracts, and might be proved (for Sir *Henry Spelman*, in his Glossary, art. *Ingrossator*, speaking of the clerk of the pipe, an officer so called, says, 'Ingrossator magnæ rotulæ appellatus fuit, qui hodie clericus pipæ est; & duplex ingrossator, qui nunc pipæ contrarotulator') that the controller is a clerk who keeps a duplicate of another clerk's accounts. Now the reader is to know, that accounts, in public offices were anciently entered, like other records, upon rolls of parchment; and this practice is still

IGN. Es magnus vitulus, vocatus a great calf.

DUL. Et dederunt mihi vinum & saccharum etiam.

IGN. Vinum & saccharum? ibi est: es bellus saccharatus stultus, tu vis disfacere tuum magistrum pro una pecia de saccharo.

DUL. Dedit mihi etiam unam peciam de auro.

IGN. Ubi est illa? da mihi.

DUL. Magister, illa est mea jam.

IGN. Es cognoscens latro; ubi est mea Counterpana?

Still continued in some offices belonging to the *Exchequer*. Both the original roll and the counter-roll, or duplicate, were most probably indented at the top of the first skin, answerably to each other; in the same manner as an original deed by indenture, and the counterpart of it, now are; and as, from this circumstance of correspondence between the deed and its counterpart, the latter has confessedly obtained the name of a counterpart, or, as it was formerly called, a counterpain—‘quod sit quasi,’ (says Sir *H. Spelman* in his *Glossary*, art. *Panella & Panellum*) ‘contraria pagina scripti, vel chartæ pariclae,’ why might not the same circumstance of correspondence also give occasion to the term contrarotulator, or in *English* controller?

At the time when I wrote this note, I had not seen the article *Controul* in *Junius's Etymologicum Anglicanum*, and did not therefore know that the above conjectural etymology had been anticipated; nevertheless, as the two passages differ in some respects, though they agree in the main, it has been thought fit here to add the passage from *Junius*, and to close this note with it; and it is therefore as follows:

Controull, redarguere. *G.* controller, contrerollor. *Latino-barbaris* Irrotulare vel Inrotulare erat inscribere in rotulum, i. e. referre in catalogum caufarum. *Angl.* to enroll. *G.* enroller vel enrotuler. Medio nempe ævo rotulus, qui *Anglis* roll vel rowle, *G.* rolle vel rollet dicebatur, erat indiculus vel catalogus non in librum digestus atque ita compactus; sed fluxis (pro more tamen ob commodiorem usum in orbem convolutis) membranis inscriptus. Huic rotulo cum adversarius respondebat, dicebatur contrarotulare. *V. Voss. de Vis. Serm.* lib. IV. c. 2. magis tamen cl. *Salm.* in *Augustæ Hist. scriptt.* p. 449. ubi multis probare nititur hæc non esse a Rotulus, cum nullam chartæ hunc in modum convolutæ similitudinem habeant cum rota vel rotula; sed nomen accepisse vult a rutulus, i. baculus, quo menfurarum cumulus deruitur atque exæquatur: a similitudine itaque hujus rutuli chartam in rotulum convolutam Rutulum vocatam. *Judicet Lector.* [Controll hoc sensu non longe abscedit ab *Arm.* controll, contrarius, controllia, oppugnare, adversari, quod fortasse a con et *Arm.* troill, vel *C. B.* trol, rhombus, cylindrus, q. d. contra glomerare vel contravolvere. *L.*]

B b 2

DUL.

DUL. Dixit, quod portaret statim post me.

IGN. Dixit? etiam talis lobba^a, *Dulman?* *Dulman* revera.

DUL. Profecto, magister.

IGN. Hanga, hanga: putabam quod *Musæus* erat major asinus quam tu; sed tu es major asinus quam unus universitans.

DUL. Spero, non ita.

IGN. Non est major pestilentia quam habere malos servientes: mihi etiam *Pecus* ad *Torcol* pro *Rosabella*, sed ille non venit neque: puto ille currit viam etiam.

DUL. Quæso, magister, pardona hoc, & pugnabo tanquam diabolus pro te, si venerint geldrii.

IGN. Imo ego pugnabo jam: veniant si audent; spero sum bene appunctus pro illis: vide¹, non sum?

DUL, Magister, non est *riota* portare tres dagarias^b?

IGN.

¹ Pointing to three daggers by his side.

^a *lobba*—] ‘A lob, lubber, lobcocke, or clown. Videntur hæc omnia deduci a *Gr.* λωβητης, i. homo contumelia & dedecore dignus: λωβας autem, seu λωβητηρας, ita usurpari pro inscito fatuoque, docet apud *Græcos* proverbium, ηρωων παιδες λωβαι, i. e. generosorum aut heroum filii dedecora sunt, scilicet parentum, cum ab eorum moribus quam longissime absunt, minimeque patrificant. λωβαι, i. e. lobs, stulti, nebulones.’ *Minsheu’s* Dict. art. *A lobbe*. *Phillips*, however, in his Dictionary, renders it in this manner: ‘Lob, lobbe, or lobling, a north sea fish of a huge bulk, whence perhaps a great heavy sluggish fellow is called a lob, looby, or lobcock;’ and *Dr. Johnson*, in a note on *The Midsummer Night’s Dream*, Act II. Sc. 1. says, that ‘lob, lubber, looby, lobcock, all denote both inactivity of body and dulness of mind.’ *Johnson* and *Steevens’s* *Shakespeare*, edit. 1778; vol. III. p. 25. ‘Lobb, lobcock, rusticus, agrestis; λωβητης *Græcis* est homo contumelia & dedecore dignus.’ *Junii Etymologicum Anglicanum*, art. *Lobb*.

^b *Riota portare tres dagarias*, &c.—] By the statute of 2 Edward II. cap. 3. among other things it is enacted in the following words: ‘Enfement accorde est & establi, qe nul grant ne petit de quele condition qil soit, sauve les serjantz le roi en la presence le roi & les ministres le roi enfesantz execution des mandementz le roi, ou de lour office, & ceux qi font en lour compaignies eidantz as ditz ministres, & auxint autri de fait darmes de pees, & ce en lieux ou tielx faitz se feront, soit si hardi de venir devant les justices le roi, ou autres ministres le roi enfesant lour office, a force & armes, ne force mesner en
3 affrai

IGN. *Se defendendo non est* : si occido illos, caveant a me ;
se defendendo quicquid facio, faciam per legem.

DUL. Magister, ego copiavi hoc factum, vide ¹.

IGN. Da mihi ², ego copiabo te ³.

A C T U S IV. S C E N A 8.

ARGUMENTUM. Ignoramus miserat Pecus ad Torcol pro vera Rosabella, quem Torcol suspicatus esse Triconis sycophantam, conjecit in carcerem ; hinc Torcol ad Ignorandum venit & Dulman, qui se emunctos intelligunt. Minatur Torcol Ignoramus, & pro coronis, & quod falso in carcerem conjecisset Pecus ; euntque simul ad Theodorum, ut sycophantas inveniant.

Manent IGNORAMUS, DULMAN ; intrat TORCOL.

TOR ⁴. **L** Epide accepi Triconis sycophantam, qui per posticum ad me venit modo.—‘ Quis es ? ’ ‘ Pecus Ignorami.’

¹ Shewing him a deed.

² Gives it to him.

³ Manent ambo.

⁴ To himself, and not observing Ignoramus and Dulman.

‘ affrai de la pees, ne de chivaucher, ne daler arme, ne de nuit ne de jour, en faire, marcheés, nen presence des justices, ne dautres ministres, ne nule part aillours, sur peins de perdre lour armures au roi & de lour corps a la prisone a la volunte le roi : ’ which in Mr. *Ruffhead’s* edition of the Statutes is thus translated : ‘ Item, it is enacted that no man, great nor small, of what condition soever he be, except the king’s servants in his presence, and his ministers in executing of the king’s precepts or of their office, and such as be in their company assisting them, and also upon a cry made for arms to keep the peace, and the same in such places where such acts happen, be so hardy as to come before the king’s justices, or other of the king’s ministers doing their office, with force and arms, (2) nor bring no force in affray of the peace, (3) nor to go nor ride armed, by night nor by day, in fairs, markets, nor in the presence of the justices or other ministers, nor in no part elsewhere, upon pain to forfeit their armour to the king, and their bodies to prison at the king’s pleasure.’ And *Crompton*, in his

‘*Ignorami.*’—‘*Quid vis tibi?*’ ‘*Herus pro Rosabella vera me ad te misit meus.*’—Ha, ha, he, in carcerem feci ideo compingi *Triconis* hunc tenebrionem *Pecus*. *Portugallum* ut fallat *Trico*?

IGN. Cape hoc, asine¹; semper scribis falsum *Latinum*; si non potes scribere verum *Latinum*, ut ego scribo, abbrevia verba per dimidium; scribe cum dasho, ut multi faciunt, sic nec facies errorem in *Latino*, nec errorem in *Lege*.

DUL. Est valde bona regula.

TOR². O Senior Ignoramo, come sta vestra merced?

IGN. Come sta villano in grano: communis pandorator ut es, ego complementabo tecum.

TOR. Ha, ha, he, mi festivissime cognate, quid agit tua Seniora *Rosabella*? ha, he.

IGN. Num me moccas etiam? at habebò aurès tuas, si pileus tuus sit de lana².

TOR. Num te pulchræ cepit fatietas *Rosabellæ*? ha, ha, he.

¹ To *Dulman*, giving him a box on the ear, to *Ignoramus*.

² Addressing himself

his *Justice*, speaking of Riots, edit. 4to. 1584, fol. 46, a. states the following case, which he declares on the authority of an old author, named *Marrow*, (who wrote on the office of a justice of peace, but whose work was never printed) to come under the denomination of a riot. ‘*Home vyent all sessyons ou al market oue ses servautes in harnes, coment que son intent n’est a faire ascun ryot, uncore est ryot pur le manner de son vener. Ibidem*’ [i. e. *Marrow*] ‘*vide lestatute Edwardi tertii, capit. 4. que nul alera armed in faires, markettes, ne aylours, &c. sur paine denprysonnement et forsayture de lour armour au roye.*’

² *si pileus tuus, &c.*—] ‘If his cap be made of wool,’ is a proverbial expression, and is to be found as such in Mr. Ray’s Collection of Proverbs, edit. 1678, p. 233, with the following explanation: ‘If his cap be made of wool:—In former times, when this proverb came first in use, men generally wore caps; hats were a thing hardly known in England, much less hats made of rabbits or beavers fur. Capping was then a great trade, and several statutes made about it. So that if his cap was made of wool, was as much as to say, most certainly; as sure as the cloaths on his back, Dr. Fuller.’

The form of the cap anciently worn by men in this country is retained in that which the children at *Christ’s Hospital* now wear. In the cuts to *Fox’s Martyrology* most of the men are represented with such a covering for the head,

IGN.

IGN. Rides? Diabolus frangat tuum curvum collum; putas hoc esse rem ridentem?

TOR. Quousque adeo jocabimur? ha, ha, he.

IGN. Rides iterum! bene, ride jam, sed nisi faciam te ululare ad barram ut bubo——

TOR. Hilaris es, gaudeo, ha, ha, he: sed tantum obsecro, serio hæc an joco?

IGN. Joco? Putas jocos pro *Rosabella* mittere unam veterem haggam?

TOR. Quid sit, miror.

IGN. Miras?

TOR. Servus tuus *Dulman* synggrapham mihi dedit & sexcentos aureos, signum etiam indicavit; huic itaque tradidi *Rosabellam*.

IGN. Veni tu ¹ huc, bonus pro nihil, audis quid ille dicit?

DUL. Audio.

TOR. Num ego aliquam mala tibi ¹ mulierem forma dedi?

DUL. Ille cui dedi monetam, is dedit mihi.

TOR ¹. Tibine ego?

DUL. Ego nescio, sed erat talis *Torcol*.

IGN. Tace, tu ¹ bos; & tu ² tace: audi *chargeam*, non responde mihi nisi quod demando vos. Num ¹ hic ille?

DUL. Erat quidam——

IGN. Pax, *firrah*, pax; hah, num hic ¹ est ille, qui—

TOR. Hercle non ego.

IGN. Diabole, non vultis tacere? responde ² cum rogo.

DUL. Magister——

IGN. Vis loqui adhuc? si ego te capio in manum—Num hic est ille, qui dedit tibi illam counterfactam mulierem?

DUL. Ille *Torcol* qui dedit mihi, non erat talis *Torcol*.

IGN. Jam parla tu ²;—num tu dedisti *Rosabellam* illi?

TOR. Ille *Dulman* cui illam dedi, non erat talis *Dulman*.

IGN. Cui dedisti ergo? ego sciam veritatem.

TOR. Alii, qui tuo nomine poscebat eam.

IGN. Jam tu ¹, Qualis erat ille serviens qui habebat meos versus?

DUL. Erat gracilis, gracillimus, & habebat parvam nigram barbam.

¹ To *Dulman*.

² To *Torcol*.

TOR.

TOR. Nigram?

DUL. Imo nigram.

TOR. Væ mihi!

DUL. Et erat cum alio cum curvo collo.

IGN. Quomodo vocabat se?

DUL. *Mendoza*.

IGN. Habes tu ¹ talem servientem? quid non dicis? habes talem?

TOR. Minime, minime; mendax *Trico* is me coniecit in tricas.

IGN. Ergo *forisfacies* ² mille coronas: da ², da, da: taces? cur non rides jam? non respondes? quid? vis esse pressus ad mortem ^b?

TOR. Dolor linguam impedit.

IGN. Habe *Quare* impedit pro ea tum: da coronas, da, da, da.

TOR. *O senior mio mucho honorifico, bezo las manos di—*

IGN. Putas solvere me cum uno *bezo las manos*? solve *bonam et legalen* monetam, solve.

TOR. *O hidalgo de solar conocido, te ruego per aquestas armas de tres dagas.*

IGN. *Parlez Chrestien ou pour tout je gageray ley^c, rencontre toi par medietas lingue.*

TOR. Quid de me fiet nescio: secundo naufragium feci: oime, oime!

IGN. Dixi antea, quod facerem te ululare ut bubo; ego docebo te—

TOR. *Misericordia, mio principale cavaliero.*

IGN. *Non, principal villain; non, principal rascal.*

TOR. Hercle solvendo non sum ^d.

¹ To Torcol.

² Stretching out his hand to receive them.

^a *forisfacies*—] *Forisfacere* signifies to forfeit; see *Cowel's Interpreter*, art. *Forfeiture*; and *Spelman's Glossary*, art. *Forisfactura*.

^b *pressus ad mortem*—] See the Glossary hereto, art. *Pain fort & dure*.

^c *gageray ley*—] See the Glossary hereto, art. *Gager del ley*.

^d *solvendo non sum*—] ^c *Solvendo esse* is a term of art, signifying that a man hath wherewith to pay; or, as we say, is a person solvent. *Cowel's Interpreter*, art. *Solvendo esse*.

IGN.

IGN. Num vis ut faciam unum *Distringas*? ~~recoherabo~~ coronas per egem, si tunica tua est super dorsum tuum ^a.

TOR. Attamen in jus rapi vereor, senior. Quod ille nequam ambos nos decepit probos viros, eamus nos probi ambo, ut illum nequam castigemus probe.

IGN. I tu, si vis; non decepit me, sed te: debet surgere per tempus, qui decipit me ^b.

TOR. Id me angit maxime, quod *Portugallum* fefellit me; O impium illum! *senior illustrissimo*, ut mihi ignoscas obsecro.

IGN. *Non point, l'orcol, non point; vous avez forsaît l'obligation*: causa patet.

TOR. Num tu mihi, quæso, misisti quendam cui nomen *Pecus*?

IGN. Imo, ubi est ille jam?

TOR. Da veniam; illum mandavi carceri, quippe *Triconis* putabam sycophantam.

IGN. Heida! illum in gaolum etiam? *Actio* pro falso imprisonment; nisi firko tuum curvum collum jam—

TOR. Quin eamus, si placet, jam huc ambo ad *Antonium*; is eam deperit: videbimus primo si benigne aliquid possumus expiscari; post id lege agamus ambo fortiter; lege, senior.

IGN. Lege? ne cura pro me, ego habebō & illum & te in lege.

TOR. Heus, hoc agam primum, cape annulum hunc, jube ad ædes meas adducatur *Pecus* ¹.

IGN. Habebō te post tamen. *Dulman*, I tu cum eo, vide illum ire ad largum suum; sed primum cape advisamentum ².

¹ Gives *Dulman* a ring.
Manet *Torsol*.

² Takes *Dulman* aside to give him directions.

^a *si tunica tua est, &c.*—] Alluding to the proverb, 'As sure as the coat's on one's back,' which occurs in Mr. Ray's collection, edit. 1678, p. 289.

^b *debet surgere, &c.*—] Alluding to the proverb, 'He that will deceive the fox must rise betimes.' See Mr. Ray's Collection, p. 10.

ACTUS IV. SCENA 9.

ARGUMENTUM. Rosabella cum Theodoro sedens præ foribus, patrum videt & Ignoramus; illi eam vendicant pro Rosabella; illa Catharinam esse se affirmat Anglice; illi negant: tempestas ingruit, donec introiens Antonius narrat Theodoro, illos esse dæmoniacos, de quibus sic rumor est totam per viciniam.

Manent IGNORAMUS, TORCOL, DULMAN; intrant THEODORUS, ROSABELLA, ANTONIUS.

THE. POSTquam refecta es, nurus¹, tibi haud inamœnum erit sedere hic sub dño; affideas quæso.

ROS². *I thank you, sir.*

IGN³. Fac ut dixi, & cura pro nihil⁴.

TOR. Eamus, senior⁵, & pultemus jam. Tic, toc.

THE. Quis nostras pulsât fores?

ROS⁶. Patruus & Ignoramus adsunt; perii.

THE. Quid vis tu?

IGN. Ego nescio; quid vis tu?

THE. Quis es?

IGN. Roga illum⁷, si vis.

TOR. Senior, est caufidicus Anglus, Senior mio excellentissimo, Senior de titulo, Senior——

THE. Numquid estis madidi⁸?

IGN. Mad? testate vos, actio defamationis.

THE. Quid est quod blateras?

¹ To Rosabella, and not observing Ignoramus and Torcol.
ing Ignoramus and Torcol.

³ Aside to Dulman.

² Not see-

⁴ Exit Dulman.

⁵ To Ignoramus.
ing to Torcol.

⁶ Aside, seeing Ignoramus and Torcol.

⁷ Point-

⁸ madidi—] i. e. Drunk.

IGN.

IGN. Blateras?

TOR¹. Tace, quæso.

THE. *Anglum* aiunt hic larvis agitatum: næ ego hunc ipsum arbitror.

TOR. Senior², filium audio *Antonium* cognatam meam *Rasabellam* in ædes tuas adduxisse hodie.

THE. Nusquam factum.

ROS³. Quam nunc me vellem mortuam!

IGN. Si facias concealamentum ego te——

TOR¹. Clementer.

IGN. Clementer? quid mihi cum *Clementinis*⁴?

TOR. Annon intus est tuus *Antonius*, Senior⁴?

THE. Non est; *Londinum* versus abiit is; sed geminus huc *Antoninus* cum uxore venit *Catharina* hodie.

TOR. Subolet: pro comitate tua, liceat nobis illam spectare *Catharinam*.

ROS³. Occidi.

THE. Illam spectare vos? lepidos homunciones!

IGN. Venire facias, & sequatur sub suo periculo.

¹ To Ignoramus.

² Addressing himself to Theodorus.

³ Aside.

⁴ To Theodorus.

⁴ *Clementinis*—] ‘*Clementina*, nomen libri septimi *Decretalium*, a *Clemente* V. Pontifice Romano compilati. Hic enim sede pontificia *Avenionem* translata novo augmento pontificium jus locupletaturus libris itidem 5. iisdemque titulis (quibus compilationes *Gregorii IX.* & *Bonifacii VIII.* constant) inclusit suas & concilii *Viennensis* constitutiones, sed præpropere mortuus vulgare non potuit, imo moriens vetuit, ut *Adventinus* refert, *Annalium* l. 7. Qua prohibitione non obstante *Johannes XXII.* qui eum excepit, librum publici fecit juris; de qua editione sic *Adventinus*:’ “Septimum Juris Pontificii librum, quem *Clemens* V. decessor ejus composuerat, sed quod multa, quæ simplicitati *Christiana*, libertati religionis imponerent, ibi continerentur, publicare superfederat, atque animam agens aboleri jusserat” ‘(*Johannes XXII.*)’ “edidit, omnia, quæ ibidem scripta erant rata fore constituit, quæ a *Benedicto*, qui *Joanni* successit, rursus antiquata sunt.” Noluit autem has vocari librum VII. *Joannes*, sed *Clementinas* inscripsit, misitque ad universitatem *Bononiensem*, cum præfatione sua, anno 2 sui pontificatus, qui est *Christi* 1317. Glossas ad eas edidit *Fr. Zabarella*, qui & in *Decretales* scripsit. Vide *Gerh. von Mastricht*, *Juris Pontif. seu Eccles. Hist.* p. 371. *Hoffmanni Lexicon*, art. *Clementina*.

THE. Num tu illos nosti, *Catharina*?

ROS. *Who, I? Indeed, sir, I know them not.*

TOR¹. *Per mi sancti—quæda hæc est mea cognata Rosabella.*

IGN¹. *Benedicite! hæc est mea Robertæ Baron, mea Rosabella.*

THE. *Quæ hic fiunt præstigiæ?*

ROS. *If I come now from London, sir, how should I know them?*

TOR. *Anglice jam loquitur; intelligo aliquantulum, quippe qui Londinæ olim mercator fui: non tu mea cognata es Rosabella?*

ROS. *Do I look like one of your kindred?*

IGN. *Nay, I can speak English too—What? mine own country-woman? little pigsnie^a, my little pepper-egg^b, thou knowest me, I am sure.*

THE.

¹ Observing *Rosabella*.

^a *pigsnie*—] ‘*Pigsney* vox est, qua vulgo blandius compellant puellas. *Somnerus* refert ad. *A. S.* *pīga*, puella, virguncula: quomodo *Danis* etiamnum hodie *pige* dicitur Puella.’ *Junii Etymologicum Anglicanum*. ‘*Pigsny* [of *pīga*, a little maid, and eye, *Skinner*] a name of fondness given to a person.’ *Bailey’s Dict.*

^b *pepper-egg*—] In none of the lexicographers whom we have been able to consult is this word to be found. The first printed edition of this comedy, instead of *pepper-egg*, reads *piperidge*; and one, if not more, of the manuscripts gives it thus, *pepridge*; but in the second and the subsequent editions it stands as it does in the text. Of the word *piperidge* or *pepridge* we have met with no other explanation than that given by *Bailey* in his Dictionary, fol. edit. 1736, art. *Piperidge tree*, and in which he tells us that the *piperidge tree* is the *barberry tree*; but in *Skinner’s Etymologicon* we meet with *pepire*, which something resembles it in sound, and for which the word in the text might be mistaken. The explanation given by *Skinner* is as follows: ‘*Pepire*, exp. *philtrum* (i. e.) *pharmacum amatorium*, a drink causing love;’ ‘*nescio an a Fr. G. piper*, imponere, decipere, illudere:’ and *Cotgrave*, in his *French and English Dictionary*, edit. *Howell*, 1673, renders the verb *Piper* ‘to couzen, to deceive, cheat, gull, over-reach, beguile, especially by false cards or dice;’ and the substantive *Piperie* he explains to mean ‘A couzening, deceiving, beguiling, over-reaching, gulling, or cheating.’

It

THE. Sciam quid hoc est. *Antonine* ¹.

TOR. Non tu ² jam nosti patrum tuum, *Torcol*?

ROS. *The man in the moon as well.*

IGN. *I will give thee a good round jointure, i' faith.*

ROS. *I pray, sir, be wise, if you can.*

IGN. *Wise? O me! I am wise and foolish for thee, dear Rosabellam: pity, some pity to a bursting heart; be not so fair and cruel.*

THE ³. *Antonine, prodeas, ut sciam quid tibi velint isti.*

IGN. *I see, though I am blind; I freeze, though burn in love; I live not, but I die; I live to love, I love to live, and live not but in loving: nay, I can speak songs, sonnets——* ⁴

ANT. *Sir, this is the possessed man you heard of.*

THE. Quicquid sit, non hoc de nihilo est.

TOR. Ita vivam, ut is furripuit meam *Rosabellam* mihi.

ANT. *O perjurd——*

THE. Num quis hic dolus fuisse potest?

¹ Calling to *Antonius* within.
again to *Antonius* within.

² To *Rosabellam*.
⁴ Enter *Antonius*.

³ Calling

It is possible, however, that the present word in the text might be intended to allude to the disease called *Morbus Gallicus*. *Bailey*, in his Dictionary, folio edit. 1736, explains, in terms too gross to be here inserted, the phrase *Peppered off* (which he says is a vulgar expression) as applicable to a person infected with that disease; and *Pepper-proof* he says is the contrary, and denotes a person free from any such distemper: and it should seem that formerly eggs were considered as incentives and provocatives to lust; for in *Beaumont and Fletcher's* comedy of *The Woman's Prize, or The Tamer tamed*, Act V. Scene 2. *Pedro* and *Jaques* lamenting the supposed death of their master *Petruchio*, and venting their execrations for it against *Maria* his newly married wife, to whose ferocity and savageness his death is pretended to be owing, the latter says,

‘Stone her to death; may all she eat be eggs,
‘Till she run kicking-mad for men.’

We still use the phrase, to egg on, for to excite another to any action. *Junius*, in his *Etymologicum Anglicanum*, art. *Egg*, to egg forward, renders it ‘Incitare, stimulare;’ and says it is derived from the *Anglo-Saxon* eggian, which in his opinion seems to be also derived from the *Greek*, *ἀνι* or *ἄνι*, acies, an edge.

IGN.

IGN. *Shine on me, bright sun : the sun is no sun, thou art the sun, the moon, and the stars ; and sweeter far than is the Civet Cat.*

THE. *Seorsim*¹, quæso ; tecum pauca colloquar.

IGN. *Bound I'm in frank pledge to thee,*

And yet am in socage free.

Ye goodly tressed nymphs, and simpering Syrens ; O the purple and the white ; ye roses, lilies, and double violets ; spring of enamelled flowers, and diaper'd meads, green shady groves, and chirping birds ; the warbling streams and whistling winds, and dainty Rosabella.

—Dixi. *Ha, sweet Rose ; one habear corpus*².

ANT³. *Hold off, coxcomb, or I'll set you farther.*

IGN. *Es tu ibi etiam ? sum appunctus pro te jam ; hic me voluit geldare hodie.*

ROS⁴. *Quid de me fiet, nescio.*

ANT⁴. *Si tantillum morantur exorcistæ, actum est de nobis*⁵.

ACTUS IV. SCENA 10.

ARGUMENTUM. Polla ostendit & Cupi & Colæ (*monachorum cucullis indutis*) Torcol & Ignoramus esse *dæmoniacos* illos : Theodorus credit, exitque cum Antonio & Rosabella in *ædes suas*. Trico de Pyropo cavet. Illi comprehendunt Ignoramus, tanquam *exorcistæ*. Torcol fugit.

Manent THEODORUS, ANTONIUS, TORCOL, IGNORAMUS, ROSABELLA ; intrant TRICO, CUPES, COLA, POLLA⁶.

COL⁷. O Mi confrater Cupes, quam te hic cucullus condecet ! ha, he.

¹ To Torcol, taking him aside.

² Offering to embrace her.

³ In-

terposing and preventing him.

⁴ Aside.

⁵ Manent omnes.

⁶ With other attendants, and bringing in with them a chair, and other particulars necessary for exorcising.

⁷ Entering, aside to Cupes.

TRI,

TRI¹. Properate, quæso.

COL². Post exorcismum cœnabimus una opipare.

TRI¹. In malam crucem ! De cœna fabulamini, cum nobis tam prope imminet exitium ?

COL. Eamus. His in regionibus dæmoniacum illum aiunt esse *Ignoramus*.

CUP. Bona mulier³, ad illum nos adducito.

POL. Faciam quod vortat bene.

TRI⁴. Jam quid *Pyropus* agat, ibo spectatum⁵.

TOR. Vera hercle dico.

THE. Quanquam vix credibile est, hoc mecum perpendam tamen.

POL. Accedite, pii viri ; hic ille miser est.

IGN. Tune⁶ ades iterum ? profecto habebō te in coram nobis.

POL. Boni fratres, hic⁷ est ille dæmoniacus ; hic alter⁸ illius socius.

TOR. Quid sibi volunt isti ?

IGN. *Torcol*, si est forciera super faciem terræ, hæc est forciera : sum in quandario⁹, si manebo, annon.

TOR. Mane.

THE. Quid hoc ? quid facturi, fratres ?

COL. Opus charitatis, quod boni orarunt nos.

CUP. Hic est dæmoniacus, cave tibi ab illo, si sapias.

THE. Recedam : næ ego hoc suspicabar antea.

ANT. *Lo you, sir, I told you so.*

THE. Profecto hic me *Torcol* deluserat pene.

TOR. Quæ hæc machina¹⁰ ? quid vultis, fratres ?

COL. Tace tu.

CUP. Vel nos te——si turbas sacrum.

COL. Tentemus primum aqua benedicta¹⁰.

¹ Aside to *Cupes* and *Cola*.

² Aside to *Cupes*.

³ To *Polla*.

⁴ Aside to himself.

⁵ Exit *Trico*.

⁶ Seeing *Polla*.

⁷ Pointing out *Ignoramus*.

⁸ Pointing out *Torcol*.

⁹ Pointing to the chair, &c.

¹⁰ Sprinkling *Ignoramus* with holy water.

^a *quandario*—] ^c *Quandary*, dilemma, ἀπορία, a G. qu'n diray se, ^d *Quid* agam, quid dicam, quo me vertam, nescio, *Skin*. *Junii Etymologicum Anglicanum*.

IGN.

IGN. In nomine diaboli, cur jacies aquam in faciem toties?

POL. Væ mihi! invocat diabolum.

CUP. Hic est *Lydius lapis*^a; diabolus horret aquam benedictam.

^a *Lydius lapis*—] *Lydius lapis* cognominatur *Magnes*, qui ferrum trahit, a *Magnete* quodam inventore; & qui dictus est *Heraclius lapis*, quo aurum probatur, in *Tmolo*, *Lydiæ* amne, primum repertus. Vide *Salmas.* ad *Solin.* p. 1103. *Hoffmanni Lexicon*, art. *Lydius lapis*. *Erasmus* in his *Adagiis*, sub tit. *Judicandi recte, secus*, mentions '*Lydius lapis*, five *Heraclius lapis*, λιθος ηρακλεια, η λιθος λυδοι, id est, *Heraclius* five *Lydius lapis*. In eos dicitur, qui vehementer acri exactoque iudicio sunt. Refertur a *Theophrasto* libro *De natura lapidum*. Aut enim lapidem quendam esse, qui *Lydius* seu *Heraclius* dicatur, qui attritu aurum, atque argentum, cuiusmodi sit, arguat. Hunc quidam magnetem putant, velut *Herculanum*, qui ferrum ad sese trahit: unde nomen etiam additum *ειδερν*: sed ex *Theophrasti* verbis satis liquet, *βασαν* significari, quem *Latini* vocant indicem, in quem *Bastus* ille pastor apud *Ovid.* transfiguratus est, manente nimirum etiamnum in lapide prodendi studio. Nec *Heracium* vocatum ab *Hercule*, sed ab *Heraclea*, *Lydiæ* civitate. De hoc meminit *Plin.* lib. XXXIII. cap. 8, his quidem verbis: "Auri argenticque mentionem comitatur lapis, quem coticulam appellant, quondam non solitus inveniri, nisi in flumine *Tmolo* (ut autor *Theophrastus*) nunc vero passim, quem alii *Heracleum*, alii *Lydium* vocant. Sunt autem modici, quaternas uncias longitudinis, binasque latitudinis, non excedentes. Iis coticulis periti, quum e vena lima rapuerint experimentum, protinus dicunt quantum auri sit in ea, quantum argenti, vel æris, scrupulari differentia, mirabili ratione non fallente." Huc allusit *Theocritus* in *Aita*:

"Λυδιον εχον εχειν πετην σωμα"

Id est:

Ut *Lydo* lapidi par os habeam.—

Nimirum quo in variis osculis optime judicaret, cuius essent; sic enim ineptiunt amantes. Scholiasies putat hos lapides apud *Lydos* inveniri, & hinc proverbium ortum. Et ne dubites quin de indice loquatur, sequitur:

"Χρυσον ο ωσιν

"Πειθονται μη φαυλον εστητημον αγγυραμυβοι."

Id est:

Cujus ab affectu explorat mensarius aurum

Sitne probum.

Adagium accommodari potest vel ad personam, vel ad rem. Ad personam hoc pacto: Tu scriptorum meorum optimus iudex, planeque, quod dici solet, ηρακλεια λιθος. Idem hoc modo: In pensitandis, æstimandisque ingeniis emunctissimæ naris, ac prorsum *Lydius*, ut aiunt, lapis. Ad rem transfertur hoc pacto: Adolescentium ingenia libertas appetit, viris commissum imperium, *Lydius*, quod aiunt, lapis est.

THE. Porro, fratres, quod vestrum est facite : miris modis agitur^a.

COL.

^a *miris modis agitur*—] That the character of *Theodorus*, who cannot be deemed any other than a man of experience in the world, may not seem liable to censure for so easily crediting the report which *Polla*, *Cupes*, and *Cola* had industriously circulated, that *Ignoramus* was possessed with a devil, it is necessary that the reader should be made acquainted with the popular persuasions of the age when this play first appeared : and he is therefore, to be informed, that a belief in the doctrine of dæmons, and their power in possessing mortals, was as much a prevailing opinion of the former part of king *James's* reign, as the reality of witchcraft was. The *Jesuits*, it seems, propagated the notion, which they supported by pretending to exorcise the devils or dæmons, and by that method imposed even upon judicious persons. *Fuller* in his *Church History*, Book X. p. 73, relates, that about the year 1617, a boy, named *William Perry*, not full fifteen years of age, though above forty in cunning, and who lived at *Bilson*, in *Staffordshire*, having been tampered with for that purpose by some *Jesuits* resorting to the house of Mr. *Gifford* in that county, pretended himself possessed ; which was done with a view to gain the priests credit, by casting out that devil which was never in, and so grace their religion with the reputation of a miracle. The boy however having gotten a habit of counterfeiting, leading a lazy life, and finding it very profitable, would not be undevised by their exorcisms ; till at last, by the industry of Dr. *Moreton*, bishop of *Lichfield* and *Coventry*, the trick was disclosed to the world by the boy's own confession and repentance ; who being, at the bishop's expence, bound an apprentice, verified, as *Fuller* remarks, the proverb, that an untoward boy may make a good man. *Fuller* in loc. supra cit. gives a list of several of these impostures, which he divides into Papists and no Papists. Of the former class he gives these : ‘ *Sarah Williams*, lying past all sense in a trance, had a devil, ‘ say the *Romanists*, slipped up into her leg. *Grace Sourebuts*, of *Salmisbury*, in the county of *Leicester*, was persuaded by *Southworth*, a priest, to dissemble possession, to gain himself credit by exorcising her. ‘ *Mary* and *Anie*, two maids of *Westminster*, pretended themselves in raptures from the Virgin *Mary* and *Michael* the arch-angel. *Edward Hance*, a popish priest, born at *Lutterworth* in *Leicestershire*, ‘ gave it out that he was possessed by the blessed Trinity.’ Of the latter sort *Fuller* gives these : ‘ *Richard Haydok*, fellow of *New College* in ‘ *Oxford*, preached in his dreams *Latin* sermons against the hierarchy. ‘ He afterwards recanted, lived in good esteem to a great age in *Salisbury*, practising physic, being also an excellent poet, limner, and engraver. *Anne Gunter*, a maid of *Windsor*, gave it out she was ‘ possessed of a devil, and was transported with strange extatical phrenzies. ‘ A maid at *Standon*, in *Hartfordshire*, which personated a demoniac so lively, that many judicious persons were deceived by her.’

Fuller adds, that king *James* was induced to inquire into these deceits, and took various methods to detect them. By his direction, an

D d

handiome

COL. *Quamdiu tu vexatus?*

IGN. *Quid est id ad te? fui toto hoc die terribiliter molestatus.*

THE. *Fatetur etiam.*

CUP. *Qua forma venit cum vexabat te?*

IGN. *Nunc cum curvo collo, ut hic¹; nunc in forma Dulman; nunc ut forciera, ut hæc²; nunc in forma fuis gellatoris, ut hic³; nunc in illa forma Rosæ, Rosæ⁴; multis modis.*

CUP. *Permuli sunt, video.*

THE. *Miserum hominem!*

COL. *Nunquam a te fugit?*

IGN. *Imo Dulman fugit semel hodie, sed est mecum iterum jam.*

ANT. *Keep off; 'tis the very same I saw at London.*

THE. *Apage sis!*

CUP. *Numquis te⁵ affligit etiam?*

TOR. *Vos scilicet: quid vultis? num nos ludos facitis? quid, malum, tam sæpe inspergis aquam mihi.*

COL. *Neque hic aquam benedictam patitur; ambo similiter affecti.*

CUP. *Ita res est, quæruntilam; cave tu⁷.*

¹ Pointing to Torcol.
Cupes.

⁴ Pointing to Rosabella.
sprinkles Torcol with holy water.

² Pointing to Polla.

⁵ To Torcol.
⁷ To Rosabella.

³ Pointing to
⁶ Cupes

handsome courtier made love to one of these bewitched maids; and, as he observes, *Cupid's* arrows quickly expelled the pretended darts of the devil. Another he mentions, the tides of whose possession so ebbed and flowed, that they punctually observed one hour, till the king came to visit her; when, being loth to be so unmannerly as to make the king wait her time, she antedated her fits many hours, and instantly ran through the whole zodiac of tricks which she used to play. A third was strangely affected when the first verse of St. *John's* gospel was read to her in our translation, but was tame and quiet whilst it was pronounced in *Greek*; 'her *English* devil belike,' says *Fuller*, 'understanding no other language.' The frequency of such forgeries produced such an alteration at length in king *James's* judgment, that, receding from what he had advanced in his *Dæmonology*, he grew first diffident of, and then flatly denied, the workings of witches and devils, as but falsehoods and delusions. See *Fuller's Church History*, Book X. p. 73. & seq.

Ros.

ROS. *Alas! alas! For God's sake let's be gone.*

POL. Veniant ad me, si ausint, isti incubi.

COL. Ex ipso vultu videre est hunc esse arreptitium.

ROS. *I am afraid of them; good sir¹, let's be gone.*

THE. Pie facitis, fratres², sed obsecro abscedite longius ab ædibus meis; libenter nolim, neque dæmones, neque dæmoniacos, nostris esse tam prope hic; da quæso aquam benedic-tam³.

ANT. *And me⁴.*

ROS. *And me, sir, I pray you⁵.*

THE. Secedite ab illis.

TOR. Jamne abis, *Rosabella*? redi, quæso, redi.

IGN. *Mea Rosabella*, *retorna* ad me: *Rosabella*, non audis?

TOR. *Rosabella*⁶.

IGN. *Rosabella*, inquam⁶.

THE. Ut vociferantur!

CUP. Sunt hi dæmones incubi⁷; caveant sibi scæminæ.

COL. Quærunt sibi succubas⁸.

THE. Abeamus⁷.

IGN. *Rosabella*⁶, *I say, are you gone? now a pox go with you.*

TOR. Quæ vos intemperiæ tenent? Ite in malam rem.

COL. Comprehendite hunc⁹ dæmoniacum, vincite eum.

TOR. Fugere hinc optimum est, ne male habeant me.

Aliquid scio moliantur mali⁹.

CUP. En fugit: sequimini, sequimini¹⁰.

COL. Abiitne?

IGN. Ego abibo etiam; nam puto hi sunt nebulones fratres¹¹.

¹ To Theodorus.

² To Cupes and Cola.

³ They sprinkle Theo-

dorus with holy water.

⁴ They sprinkle Antonius also.

⁵ They

sprinkle *Rosabella* in like manner.

⁶ Calling aloud after her.

⁷ Exeunt

Theodorus, Antonius, Rosabella.

⁸ To the attendants, pointing to *Ignora-*

mus.

¹⁰ To the attendants.

¹¹ Going.

^a *incubi*—] ‘Incubus, the night mare, a disease that oppresses people in their sleep, and is caused by the rising up of raw humours into the brain, and stopping the course of the animal spirits. Also a devil that has carnal knowledge of a woman under the shape of a man.’ *Phillips’s Dict. art. Incubus.* In this latter sense it is that the word is used in the text.

^b *succubas*—] ‘Succubus, *Lat.* a devil that takes a woman’s shape to lie with a man.’ *Phillips’s Dict. art. Succubus.*

ACTUS IV. SCENA II.

ARGUMENTUM. Ignoramus ad cathedram alligant, & quæcunque ille verba causidicorum more locutus est barbara, tanquam tot diabolorum nomina, suis fugant exorcismis. Cola illum ad monasterium deferri curat: Cupes cum uxore Polla (quacum jam in gratiam rediit) ad ænopolium protinus.

Manent IGNORAMUS, CUPES, COLA, POLLA, &c.

COL¹. VOS qui cum palmis astatis, & herbis benedictis, arcte illum ad cathedram alligate².

IGN. Quid me attachiatis cum funibus & chordis?

CUP. Tace.

IGN. O *Dulman*, *Dulman*, dixisti hodie quod pugnares tanquam diabolus pro me; ubi es nunc, *Dulman*?—

COL. Exorcizo te, *Dulman*; fuge, maledicte *Dulman*, fuge.

IGN. Fugit semel hodie; sed si nunc venit *Dulman*—

COL. Invocat *Dulman*; certe *Dulman* nomen est.

IGN. Cum peste vobis, nomen est *Ignoramus*.

CUP. Discede, *Ignoramus*.

IGN. Discedite vos, nebulones ut estis, cum vestra *fiota et fioura*.

COL. Duplex Dæmon cede, *fiota et fioura*.

CUP. Prodi, nequissime spiritus *Ignoramus*; conjuro te, *Ignoramus*, justitiæ declinator, seductor hominum, sator discordiæ, veri transgressor, dissipator pacis², exorcizo te: quod est nomen magistri tui?

IGN.

¹ To the attendants.
into the chair.

² The attendants seize *Ignoramus*, and tie him

² *nequissime spiritus*, &c.—] It is very evident that in this scene Mr. Ruggle had in view some of those forms of exorcisms, which about or before his time had been published; and particularly in the *Fustis Dæmonum*;

IGN. Ego sum magister.

COL. Est ipse *Beelzebub*; fuge, ipse magister: conjuro te, quam cito vis exire?

IGN. Tam cito quam possum ex vestris nebulonis digitis.

CUP. Conjuro te, quapropter hoc tibi accidit?

IGN. Propter *Rosabellam*: ob eam ita torqueor.

CUP. Abscede, *Rosabella*, abscede.

IGN. Diabole, abscessit.

CUP. Conjuro, unquamne dedisti illi animam antehac?

IGN. Quid ad vos? Imo, dedi animam, & corpus, & bona illi.

POL. O sceleratum!

IGN. Et, præter juncturam, si maritasset me, habuisset post mortem *Francum Bancum*.

COL. Profuge sis, *Francum Bancum*; separa te, *Francum Bancum*.

IGN. Imo jam non habebit, ne timete; sed si amasset me, habuisset multa bona privilegia, *Ansangthes*, *Outsangthes*, *Sac*, *Sor*, *Col*, et *Cem*.

COL. Quam multi sunt! exite omnes *Minantes*, *Monantes*, *Sac*, *Sor*, *Col*, et *Cem*. Exorcizo omnes vos malignos spiritus, five sitis in pileolo diurno aut nocturno, in duplici lingua, aut sub lingua, in barba vel in capite^a.

IGN.

num; for in a form entitled 'Conjuratio,' inserted in the *Fustis Daemonum*, p. 80, the dæmon is addressed by the stile of 'nequissime spiritus.' In another Conjuratio, in the same collection, p. 238, he is termed, among other epithets, 'transgressor veritatis, justitiæ persecutor, dissipator pacis, lator discordiæ;' and in a third, with the title of 'Imperia exprobrantia dæmones,' in the same collection, p. 243, he is stiled, among other appellatives, 'transgressor bonæ vitæ, veritatis & justitiæ persecutor, iniquissime spiritus, justitiæ declinator, seductor hominum, lator discordiæ.' Mr. *Ruggle* has himself mentioned the *Fustis Daemonum*, in Act II. Sc. 3. of his comedy; and the reader will find some account of this book given in a note on that passage.

^a *sive sitis in pileolo diurno, &c.*—] We have remarked, in the preceding note, that in this scene Mr. *Ruggle* intended justly to ridicule some of those forms of exorcisms which occur in many of the books on the subject of dæmonology, and particularly in the *Fustis Daemonum* before mentioned. In the present passage it was certainly his design to ridicule the minute recapitulation of the parts of the body, the particulars of dress, or other trivial particulars, which many of those forms contain; and, as a proof that his censure is well founded, we shall here insert a specimen or two from the *Fustis Daemonum*.

In

IGN. O asini, putatis quod diabolus tenet in capite? tenet in froccis & foccis, & calvis coronis vestris, fratres diaboli.

POL.

In p. 120, the exorcist is directed to lay his hand upon the head of the person affected, and to make use of the following prayer: ‘ Ex-
 pelle, Domine, diabolum ab hac creatura tua N. de capite, de capillis,
 de vertice, de fronte, de oculis, de lingua, de sublingua, de auribus,
 de naribus, de collo, de maxillis, de dentibus, de guttore, de gengivis,
 de ore, de palato, de cerebro, de paniculis cerebri, de ciliis, de su-
 perciliis, de pilis, de pedibus, de tibiis, de genibus, de cruribus, de
 partibus verecundis, de renibus, de lateribus, de intestinis supe-
 rioribus & inferioribus, de femore, de ventre, de stomacho, de corde,
 de spatulis, de humeris, de pectore, de uberibus, de brachiis, de ma-
 nibus, de unguibus, de ossibus, de nervis, de venis, de medullis,
 de pulmone, de compaginibus membrorum suorum, de omnibus junc-
 turis, de toto corpore suo intus & extra, de quinque sensibus cor-
 poris animæ, nullumque locum habeat in ipsa intus & foris amplius,
 ut sana & salva fiat per invocationem,’ &c. In p. 162, 318, 321,
 and 348, are four other forms on precisely the same occasion, and al-
 most in the same words, excepting only that the words are in some in-
 stances transposed.

The Conjuratio, as it is entitled, from which the following passage
 is extracted, occurs in the *Fustis Dæmonum*, p. 307 & seqq. ‘ Con-
 juro vos, dæmones, qui fabricastis, conservastis, & assistitis prædictis
 maleficiis & incantationibus huic creaturæ Dei N. factis; sive illæ
 sint fabricatæ in igne, aëre, aqua, vel terra; sive ex aliqua imagine
 fabricata, ex quacunque materia sint; sive maleficium sit factum in
 auro, argento, ære, plumbo, vel ligno; sive aliquo fillato ex lana, lino,
 vel bombice, vel ex plumis animalium contextum; sive illud sit factum
 ex ossibus hominis mortui, vel animalium quadrupedum, volati-
 lium, piscium, vel serpentium, vel ex omnibus sementibus & fructi-
 bus terræ & arborum, vel maris; sive illud sit fabricatum ex carta
 virginea, vel papirea, vel in ligno, aut in aliquibus herbis vel la-
 pidibus, aut in piscibus maris, fluminum, vel paludum; sive illud
 sit in aliquo *Christianorum* seu *Hebræorum*, vel *Paganorum*, seu
 aliorum infidelium, aut sit in agro vel vinea, sive in montibus, vallibus,
 vel in fontibus, vel extra; & in quacunque parte mundi, sive in *Oriente*,
Occidente, *Meridie*, vel *Septentrione*; aut sit in vestibus, cincturis, &
 omnibus indumentis hujus famuli Dei N.; aut sit in domo, camera, &
 lecto ejus, aut supra lectum, vel sub lecto; sive sit in parietibus, angulis,
 vel officinis, aut in rebus domus ejus, aut in arbore, fovea, vel puteo;
 sive sit in profundo, sive in abyssu, vel in sylva, seu in antris, vel
 speluncis solitariis; & si est in deserto loco, vel in flumine aliquo; sive
 sit in aquis marium, fontium, fluminum, & paludum; vel in quacun-
 que statua aurea, argentea, ærea, plumbea, cerea, vel lignea, aut lutea,
 vel ex quacunque alia materia fabricata; sive tale maleficium sit fac-
 tum in anule, sive sit in juncturis membrorum hujus famuli Dei N.;
 sive

POL. Invocat fratres suos diabolos.

COL. Tace¹: eradicemini, five sitis in diploide manicata, vel tunica, five in manicis, vel in capfulis, vel in calamo, vel in cera, aut figillo, vel in cornugraphio.

IGN. Erat in cornu hodie.

CUP. Conjuro te, pessime dæmon, exi e cornu.

¹ To Polla.

‘ five sit datum illi in cibo, vel potu, a quocunque malefico vel malefica; five sit positum in fundamentis domus ejus, vel sub limine ostii, aut in ingressu domus ejus, & in quibuscunque locis, in quibus ipse habitat & quiescit; five illud sit positum in puteo, fovea, vel sterquilinio; aut via vel semita, in horto vel conducto; aut sit in igne, aëre, aqua, & terra, vel vento, aut in quocunque loco nobis noto vel ignoto, per nomen magnum Dei *Admai*, & per virtutem ejus, vobis præcipio ut non habeatis potestatem conservandi illud,’ &c.

In p. 335 of the same collection is another Conjuratio, very nearly resembling the above, though not quite so extensive; and in p. 314 & seqq. is another, in which latter the dæmons are commanded in the following words: ‘ Quod non habeatis facultatem abscondendi illa in aliqua parte hujus corporis, sc. in sanguine, cholera, flegmate, melancholia, nec in carne, nec in ossibus, neque in medullis, nec in nervis, nec in venis, neque in omnibus juncturis hujus corporis, nec in pedibus, nec in tibiis, neque in lateribus, nec in renibus, nec subtus renes, neque supra renes, nec in dorso, nec in spatulis, neque unguibus, nec in corde, neque in hepate, nec in splene, nec in interioribus, neque in pulmone, nec in intestinis superioribus vel inferioribus, majoribus vel minoribus, nec in stomacho, nec in ventre, neque in pectore, nec in gutture, nec in collo, neque in facie, nec in mento, nec in maxillis, neque in dentibus, nec in gengivis, nec in lingua, neque subtus linguam, neque supra linguam, neque in palato, nec nare, neque in oculis, nec in auribus, nec in cerebro, neque in paniculis cerebri, nec in arteriis, nec in fecibus, neque in aliis rebus, vel locis corporis, vel extra corpus ejus, nec intrinsece, neque extrinsece, neque superficialiter, nec in capillis, nec in pilis, neque in vestimentis, nec in genitalibus, nec in umbilico, neque in partibus verecundiis, neque in partibus illis circumstantibus, neque in aliis locis ubi ire vel stare debeat; sed invicti & coacti, atque virtute Dei compulsi, nunc cogamini omnia illa remove ab omnibus partibus corporis istius creaturæ Dei *N.* ubicunque sint a planta pedis usque ad verticem, & illa educatis extra ipsum corpus per illam viam quæ sit magis libera & expedita, ut per os stomachi, per guttur, & per os, cum signo manifesto, & sine ulla læsione animæ & corporis hujus creaturæ Dei *N.* & illa ducatis ad loca arida, sterilia, & inaquosa, atque inhabitabilia, ubi non sit habitatio hominum.’

IGN. Pestilentia de vobis & omnibus cornubus, nisi de cornu quod cornuat ad prandium^a.

COL. Explantemini, five fitis in syngraphis, membranis, chartis scriptis, vel non scriptis, verbis cum sensu, vel sine sensu.

IGN. Vel in *Grey-Fryers*, vel in *Black-Fryers*, vel in *Croched-Fryers*.

COL. Exorcizo vos; fugite, pessimi dæmones *Grey-Fryers*, *Black-Fryers*, *Croched-Fryers*; fugite, five fitis in braccis oblongis vel rotundis, vel in intestinis majoribus vel minoribus, vel in coleotheca.

POL. Ibi est video.

IGN. Ibi est in te video: nisi facio te tenere manum sursum^b. ¹ O felonæ, quis habet manum in pocketto ibi? Eftis *Backbarend* et *Handabend*?

CUP. Fugite, *Backbarend* et *Handabend*.

IGN. Si fugiunt est directæ felonía.

¹ Polla picks his pocket.

^a *cornu quod cornuat*, &c.—] The method of calling the students of the inns of court to dinner and supper, is by blowing an horn; and this it is the office of the Pannierman, as he is called, to perform at stated hours. Sir *William Dugdale* mentions, among the officers belonging to the Middle Temple, the Panyer-man, and gives the following description of his office: 'The Panyer-man, by the winding of his horn, summons the gentlemen to dinner and supper. He also provides mustard, pepper, and vinegar for the hall; and hath for his wages yearly iiii l. vis. viii d. and the fragments of certain tables, viz. the bar table, and those others in the middle of the hall which he serves and is to attend unto.' *Dugdale's Origines Juridicales*, edit. 1671, p. 200.

In a little book, entitled *Recreations for ingenious Head-pieces*, printed in 18mo. 1667, the following inscription occurs, which likewise recognizes this practice.

'On T. H. the Pannierman of the Temple.

- 'Here lies *Tom Hacket* this marble under,
- 'Who often made the cloyster thunder;
- 'He had a horn, and, when he blew it,
- 'Call'd many a cuckold that never knew it.'

^b When a prisoner is tried for any offence, in a court of common law, he is directed by the clerk who reads the indictment against him, to hold up his hand (probably with a view to distinguish him from the bystanders); and the jury who try him are at the same time directed to look upon the prisoner and 'hearken to the charge.' To this practice *Ignoramus* here alludes.

CUP.

CUP. Sive estis in oculis, aut in crumenta, vel in auro, vel in argento, sive bona parto, sive mala parto.

IGN. Illud est dæmonium quod desideratis, scio, robbatores ut estis.

COL. Adjuro vos, nequissimi spiritus, si estis in femoribus, vel inter femora, exite simul ab omnibus membris hujus creaturæ.

IGN. Hoc est bene, si vult ire sic.

COL. Et in pollicem sinistri pedis veniatis.

POL. Ibi est, video; contundam ne ascendat ¹.

IGN. O, O meos cornos! O *Pythoniſſa* ², quid vis? Unum magnum cape de magno diabolo capiat vos omnes et singulos, magnos & parvos.

CUP. Jam sævit, frater ²; da ſalem exorcizatum, ignem benedictum: exorcizo te ³, profumigo te.

IGN. Ignis ardeat vos: ſi dagarias capio, rumpam calvas coronas veſtras.

COL. Conjuro re, prodi, dagarias.

IGN. Utinam poſſit ſe defendendo.

COL. Tentemus ſi ſit obediens. Repete nunc quod dico tibi in aurem. Buz, buz, buz.

¹ Polla treads on his toes.

² To Cola:

³ To Ignoramus.

^a *Pythoniſſa*—] *Pythoniſſa*, at the time when this comedy was written, was ſynonymous with the appellative witch. *Phillips* in his Dictionary renders *Pytho* ‘a venomous ſerpent, alſo a familiar or prophecy-ing ſpirit, or one poſſeſſed with it;’ and explains *Pythoneſs* to ſignify ‘a woman ſo poſſeſſed, a prophetess, a ſorcereſs, or witch.’ *Minsheu* alſo in his Dictionary, art. *Pitbon*, ſays that a *Pitbon-lier* is a man witch, and that a woman witch, or lier, is in Latin *Pythoniſſa*. Lord Bacon, in his Eſſay on *Prophecies*, terms the witch of *Endor* the *Pythoniſſa*. ‘Saith the *Pythoniſſa* to *Saul*, “To-morrow thou and thy ſon ſhall be with me.” Bacon’s *Eſſays*, tit. *Of Prophecies*. And Roger Bacon, in his book *De Miraculis Naturæ & Artis*, ſpeaks of ſuch perſons in the following words: ‘*Pythoniſſæ* vocum varietatem ventre & gutture fingentes, formant voces humanas a longe vel prope, prout volunt, ac ſi ſpiritus cum homine loqueretur, & ſonos brutorum fingunt, &c.’ See *Burton’s Anatomy of Melancholy*, p. 211. And laſtly *Junius*, in his *Etymologicum Anglicanum*, renders *Pythoneſs* by the Latin *Saga*, venefica.

E e

CUP.

CUP. Adjuro te responde quod quæro. Mum, mum, mum.

IGN. Nihil intelligo.

CUP. Mum, mum.

IGN. Quid mummat & moppatis¹ ita ut sumia?

COL. Mum, mum, non jam sentis abiisse dæmones?

IGN. Sentio ad minimum tres adesse hic.

POL. Tres adhuc?

IGN. Imo tres: puto hodie sum indiabolatus in bono serio; si sum, tu² es forciera quæ fecisti primum, & vos estis ejus condiaboli, qui abettatis illam.

COL. Frater, ut video, opus adhuc opera multa; ad fratres deferatur si placet ad monasterium

CUP. Fiat. Aliqui vestrū eum intro huc auferte³.

IGN. In nomine diaboli quo portatis me? *Foul porridge-bellied Fryers, Harrot, Harrot, Je scay Le grand customier de Normandy⁴ Harrot; the devil take you all⁵.*

COL. Quamprimum hunc nostris tradidero, mox ad te rediero; cœna parata sit interea, vide—

CUP. Fiet⁴.

POL. Ha, he, lepidos ludos, frater⁵.

CUP. Ha, he, soror, nunc eamus ad cœnopolium; hoc meum est monasterium.

¹ To Polla.
he is.

² The attendants take Ignoramus up in the chair, tied as

³ Exeunt the attendants with Ignoramus.

⁴ Exit

Cela.

⁵ To Cupes.

¹ a moppatis—] Bailey in his Dictionary, art. *Mop*, says, that to mop and mew signifies to make mouths at a person; and that the probable etymology of the word is from mompelen, *Du.* the mumps.

² *Le grand customier, &c.*—] A book so called. Sir William Dugdale in his *Origines Juridicales*, edit. 1671, p. 56, among a catalogue of law writers and law books, which composes the twenty-third chapter, mentions this by the following description, '*Le grand customier du pays & duche de Normandie*, impr. a Rouen, an. 1539.' In this work is contained an explanation of the above-mentioned law term, Harol; for *Convel* in his *Interpreter*, 4to. edit. 1607, art. *Hue and Cry*, mentions that the Normans had such a cry, which they called Haro; 'whereof,' says he, 'you may read the *Grand Customarie*, cap. 54. Some,' adds he, 'call it Harol.'

POL. Ob hoc factum, mi frater *Cupes*, mecastor quo vis ibimus.

CUP. Scis me te amare, mea *Polla*? quæso amemus invicem. Scis uti argentum tibi dedi: quod si mansueta eris, dabo, & dabo; nihil deerit tibi.

POL. Amabo te dehinc. Eamus quo vis igitur¹.

ACTUS IV. SCENA 12.

ARGUMENTUM. *Pyropus cum lictoribus, ut Triconem & Antonium in carcerem conjiciant: comprehendunt Triconem, quem Antonius non agnoscit; statim & ipse Antonius comprehenditur, quem tum Trico non agnoscit, ut par pari referat: Trico dimittitur; Antonius ense se suo liberat.*

Intrant ANTONIUS, TRICO.

ANT. O *Trico*, *Ignoramus* isthinc spectavi modo abreptum in coenobium. Sed quid tu tristis es?

TRI. Alia jam tempestas ingruit, here.

ANT. Me miserum! quid est?

TRI. *Pyropum* adire judicem vidi modo; canes assignavit illi is venaticos.

ANT. Quos venaticos? *The sheriff's hounds?*

TRI. Lictores; te qui venantur ut capiant, & in carcerem ducant: patri jam demum palam fient omnia.

ANT. Comminiscamur aliquid, mi *Trico*².

PYR³. Vos apud vos este nunc, nam illos qui mea habent ornamenta video: de hero non usquequaque liquet adeo; verum servum illum mihi prehendi volo⁴.

TRI. Perii: quid me vultis?

PYR. In carcerem eas, vel mea mihi restituas ornamenta; jam captus es.

¹ Exeunt ambo.
to the officers.

² Intrant *Pyropus* & *Lictores*.
⁴ The officers seize *Trico*.

³ Entering,

E c 2

TRI.

TRI. Eccum ipsum herum², ab ipso poscito; servus ego sum.

ANT². Quid agam? dissimulandum est.

PYR. Vin'³ mea mihi reddi, vel hunc in carcerem trahi?

ANT. *Let him go whither he will for me: what have I to do with him? Shame you not² to speak with so little respect to a gentleman, and to a stranger?*

TRI. Here³, jam mitte Anglicum, quæso, & sua illi reddas ornamenta.

ANT. *Who are you? I know you not.*——⁴ Simulabo quasi te nesciam.

TRI. Jam simulabis quasi me nescias?

ANT⁴. St! Tace & simula.

TRI. Tace & simula? cum id quod vis nactus es, nunc me nescire postulas.

PYR. Non tu³ illum nosti?

ANT. *I know him? not I.*——⁴ Sine ut te nesciam.

TRI. Triconem nescis tu? nescis Triconem, here?

ANT. *What Trick? What Trico?*

TRI. Utinam nunquam fuisset Trico! Vin' me illi hinc abripiant?

ANT. *What have I to do with you?*——⁴ Simula, inquam, & tace.

TRI. Non auditis ut me tacere & simulare jubeat?

ANT. *What a lying knave is this! do I so?*

PYR. Si illum jam hinc abripio, haud inclementer ago.

ANT. *What is it to me, what you do with him?*

TRI. Domini sic servos tractant: cum eorum opera nacti quod cupiunt, illos perdunt postea. Siccine ingratus, here? siccine autem annulos dari adulterinos homini probo & sincero sane?

² Pointing to *Antonius*.

² Aside.

³ To *Antonius*.

⁴ Aside to *Trico*.

² *Shame you not*—] This verb, which we now only use passively, appears to have been formerly used actively; for in *Beaumont and Fletcher's* comedy of *The Woman's Prize, or The Tamer tamed*, Act V. Scene 4. *Petronius* asks *Maria*, speaking of her severe treatment of her husband, supposed to be dead, this question:

PETRO. Dost thou not shame?

PYR.

PYR. Jam sane iterum? at me non sanabis sic cum tuo sane; alius nunc fio.

ANT. *Well, I will go about my business: fare you well.*
 1 Dolet me hunc deferere; verum quid facerem²?

TRI. Abiit ille improbus? Sed, frater³, ea quæ mihi dedisti ornamenta salva hic habeo omnia in illis ædibus; ea jam si placet ipse reddam tibi; reliqua meus, uti vides, gestat herus.

PYR. Abeant cum illo aliqui — Interim vos hic operiar⁴. — Quota pars hominum ita sunt ut præ se vultum ferant! Plerique ut annulus ille aurum specie simulant; & subæratum, cum probes, tinniant⁵.

TRI. En tibi⁶. Ego, quod ad me attinet, vide, sum probus sane.

PYR. Imo sane, liber esto igitur. Sed num is qui nævum jam habet, tuus idem qui mane herus est?

TRI. Annon censet?

PYR. Censeo equidem: in eum si rursum incidam, certum est in carcerem compingam: atqui eccum, ipse redit opportune⁷.

ANT⁸. *Triconem* reliquisse sic profecto pœnitet.

PYR⁹. Circumcingite eum¹⁰.

ANT. *What means this?*

PYR. *Anglice* loqui non valebit amplius: jam quo dignus es hinc abieris.

ANT. *Trico*, *I pray thee work some trick now, that I go not to prison.*

TRI. Hercle non intelligo.

ANT. Aliquid contechnare, ne in carcerem abripiar, *Trico*,

TRI. Jamne ego *Trico* sum? tu me non nosti modo, neque nunc ego te.

ANT. Fabrica, quæso, aliquid.

PYR. *Æquum* est hunc abducier.

TRI. Quo lubet; ego hunc non novi. —¹¹ Simulabo quasi te nesciam.

¹ Aside.

² Exit *Antonius*.

³ To *Pyropus*.

⁴ Ex-

eunt *Trico* & *Liflores*.

⁵ Enter *Trico* & *Liflores* with a bundle of cloaths.

⁶ Delivering the cloaths to *Pyropus*.

⁷ Enter *Antonius*.

⁸ To

himself.

⁹ To the officers.

¹⁰ They surround *Antonius*.

¹¹ Seemingly aside.

ANT.

ANT. Num tu me jam nescis, *Trico*?

TRI¹. St! Tace & simula.

ANT. Agnosce me tandem, *Trico*.

TRI¹. Simula, inquam, & tace.

ANT. Heus tu, hic me novit satis, meus est.

TRI. Non ego, non novi eum ego—² Sine ut te nesciam.

PYR. Jam alia lingua loquitur: eamus.

ANT. *Trico*, vin' me rapiant hinc?

TRI. Quo placet. Ah, cum ingratum dixeris, omnia dixeris³: ego abeo nunc².

PYR. Age³, ambula, in jus abripite.

ANT. *If I go to prison, 'tis my utter undoing.*

PYR. *Anglice iterum?*

ANT. *I'll rather die: away, knaves, villains, or I'll kill you all⁴.*

PYR. Oime! Quo malum fugitis? Heus, redite vos, O me miserum⁵!

ANT. Aufugere tamen, sed quid nunc agam? Veritas filia temporis proferet hæc in lucem: tandem resciscet pater, quem me tot malis pudet delusisse dolis: atqui amoris causa multos multa fecisse scio. Sed quid cum rescierit pater? ob- jurgabit, increpabit, severe accipiet primulum; verum ira pa-terna non potest durare diu. At quicquid futurum est, *Rosabella* nunc mea est, mea erit; illa salva, salva mihi omnia. Ibo nunc ad amicum meum, quicum consilium capiam⁶.

¹ Seemingly aside.

² Exit *Trico*.

³ To the officers.

⁴ *Antonius* draws his sword, and the officers run away.

⁵ Exit *Pyropus*.

⁶ Exit *Antonius*.

² *Cum ingratum, &c—*] This line is borrowed from the following Trochaic verse of *Publius Syrus*:

⁶ *Dixeris maledicta cuncta, cum hominem ingratum dixeris.*

ACTUS

ACTUS V. SCENA I.

ARGUMENTUM. *Dorothea, uxor Theodori, Antoniiue mater, Londino jam Burdigalam venit, puerumque Antoninum cum Catharina sua relinquit ad portum fessos de itinere; itque in ædes mariti Theodori, secumque affert puerum & puellam Anglicam.*

Intrant DOROTHEA, VINCE, NELL, &c.

DOR¹. *Salve, patria; natalis urbs Burdigala, salvet.*
Nunc, Dorothea, demum annos post Londini exactos quindecim
Theodorum virum, Antoniumque filium, coram licebit visere.
Hos postquam bello fuisse captos inaudiveram,
Nullum exinde mihi lætum affulsit tempus: cæterum hæc
dies

Una omnes mihi eximet ægritudines. At me moror nimis,
Quadriga enim ad portum mittenda est mihi, nurum huc
Quæ advehat Catharinam; cumque ea Antoninus manet etiam
In diverforio portui propinquo. Namque e mari lassæ est,
Adeo ut vix aut ne vix possit ire pedibus. Jam illos accersî
fecero huc.

VIN. *Good Madam², speak our language: here's Nell and I,*
and a great many more², understand not a word what you say:
what shall we do in this country?

DOR. *Why, Vince, understandest thou nothing yet?*

VIN. *Scarce a word: yet I was in France before.*

DOR. *Nor you neither, Nell?*

NEL. *No truly. I would I were at home at London again.*
They speak finely forsooth here.

¹ Entering, to herself.

² To Dorothea.

² *many more—*] From this passage it is evident that *Dorothea* is in this scene accompanied by more attendants than have any parts assigned them in the comedy.

DOR.

DOR. Yes, you understand a few words: I taught you something. What's caput, Nell?

NEL. A head, forsooth.

DOR. Well said, Nell. What's manus?

NEL. A hand, forsooth.

DOR. What is brachium, Nell? Nell, say.

VIN^a. Nell, 'tis a horse-tool.

NEL². What is it?

VIN^a. A horse-tool, say.

NEL. Shall I, forsooth?

DOR. Say then, what is brachium?

NEL. A horse-tool^a, forsooth.

DOR. Fie on thee.

¹ Aside to Nell.

^a Aside to Vince.

^a horse-tool—] This word we have in vain searched for in all the dictionaries and glossaries which we have been able to meet with; nor can we assign to it any sense that will at all be consistent with the context. For these reasons we are inclined to think it may have been erroneously inserted instead of some other; and though it is to be feared the passage will be found such an one as the reader will not wish to dwell on; yet, as the duty of an editor seems to require that all difficulties in his author's text should be cleared, we shall endeavour to remove this: premising only, that the reader is to consider this exposition and conjecture not as a voluntary one, but as one extorted from us by necessity.

It has been told me by a friend, that in the management and training of horses such an instrument is sometimes made use of as a brake; that this is what is meant by the *Latin* word *brachium* above; and that in this sense *Nell* understands it, when in her answer she remarks that it is a horse-tool, i. e. a tool for breaking or managing unruly horses. I do not, however, on enquiry, so certainly learn the truth of the position on which the whole of this exposition depends, as not, in the first place, to doubt whether such an instrument is now known for that purpose: and, in the next, if a brake is now used, I am by no means persuaded that this is the sense which is here to be admitted; for it is very clear to me, from the nature of the scene, that the word which *Vince* prompts is not the true signification of the word *brachium*; and, from the reluctance which *Nell* shews to uttering it, it is also evident that the idea which it conveyed was not very decent. More particular than this I do not choose to be in an exposition, which, if possible, I should have wished wholly to have avoided; and shall therefore only hint that the word horse-tool should possibly have been where's tool, the sense of which the reader is at liberty to investigate, if he thinks it worth his while, by considering the significations of the two words of which it is compounded.

VIN.

VIN. *Ha, he.*

NEL. *Indeed forsooth, Vince told me so.*

DOR. *Vince is an unhappy^a boy; well, ye shall both learn.*

VIN. *I, but it will be such a while first.*

DOR. *Why so, boy?*

VIN. *They say that women teach this language best; and it will be this six years first ere I shall get me a mistress.*

DOR. *I will be thy mistress myself.*

VIN. *I, but old women never pronounce well: but I pray, Madam, let me alone with my mother-tongue: I love my natural speech. I am a gentleman^b.*

DOR.

^a *unhappy*—] This word formerly not only bore the confined sense which we now assign to it, as applying to any disastrous or unfortunate accident, but also signified a waggish, mischievous, or unlucky propensity, in the same manner as we now use the word *unlucky*. We at this day say of any untoward event, that it was *unlucky*; and we also term a mischievous or comical trick, played by a boy upon any person, an *unlucky* trick, and the boy who performs it an *unlucky* lad or rogue. In support of the former part of this assertion the following authorities may be produced. *Howell* in his *Letters*, edit. 4to. 1645, sect. I. p. 38, in a letter to his brother Dr. *Howell*, speaking of the murder of the Marquis of *Ancres*, who had been the favourite minister of *Mary de Medicis* during the minority of *Louis XIII.* of *France*, says, that after his death ‘*Ancres*’ body was buried that night in a church hard by the court; but the next morning the laquays and pages (who are more unhappy here than the apprentices in *London*) broke up his grave, tore his coffin to pieces, ripped the winding sheet, and tied his body to an ass’s tail, and so dragged him up and down the gutters of *Paris*, &c.

In the same sense the *English* proverb, ‘An unhappy lad may make a good man,’ or, as it is sometimes given, ‘An unhappy boy may make a good man,’ is certainly to be understood; though Mr. *Ray* in his collection, p. 116 and 165, considers it as synonymous with ‘A ragged colt may make a good horse;’ and consequently says of the former as well as of the latter, that it is ‘used sometimes to signify that children, which seem less handsome when young, do afterwards grow into shape and comeliness; as on the contrary we say, “Fair in the cradle and foul in the saddle;” and the *Scots*, “A kindly aver will never make a good horse.”’ Now it is imagined that no instance can be produced in which *unhappy* was ever used, unconnected with any other word to explain it (as it is in this proverb) for the purpose of expressing ugliness or deformity; and Mr. *Ray* is therefore undoubtedly mistaken in his interpretation of it.

^b *gentleman*—] The character here before us is no other than that of a page attending on *Dorothea*, the wife of an opulent merchant; and

F f

DOR. *This is a fine tongue for a gentleman^a.*

VIN. *I know a tongue worth two of it.*

DOR.

that one in so low a station should insist, as he does here, on his gentility, may perhaps be deemed by the reader unaccountably singular. He is therefore to be informed that servitude was not formerly regarded as disgraceful, or considered as derogatory from gentility, or even from nobility itself. The feudal system, which prevailed in most parts of *Europe*, had so arranged the several orders, as that the lower were uniformly dependent on the higher; and had given a sanction to that kind of subordination which the relation between master and servant had introduced and implies, and which is also recognized in the constitution of the *Germanic* body; for although the empire of *Rome* has, from the time of *Charlemagne*, subsisted only in idea, yet the emperor is the sovereign, and the electors are his officers or servants. In the several kingdoms of *Europe* the like system of subordination has prevailed; and in our own it is sufficiently notorious, that the principal offices of the king's court and household are discharged by some of the first nobility; and many other persons of the same rank are, on the day of the coronation, in-consequence either of hereditary offices, or as being possessed of particular manors or other estates, bound to perform to the sovereign those services, which are at other times executed by less noble ones, and in private families by menial servants. See *Sandford's Coronation of King James II.* p. 120. 129. & seqq. and *Ogilby's Coronation of King Charles II.* p. 188. In the history of the peerage of our own country likewise the same subordination is observable; for the retinues of the higher nobility were made up of the sons and daughters of those of the lower. Cardinal *Wolsey* had in his train earls, barons, and knights. Sir *William Cavendish*, the founder of the present *Devonshire* family, was his gentleman usher of his chamber; and was afterwards preferred, on the cardinal's fall, to the service of king *Henry VIII.* by whom he was knighted. The cardinal had at that time a retinue of 800 persons; and amongst them nine or ten lords, who had each of them two at least, if not three, servants allowed them at the cardinal's cost; and the earl of *Derby* had no less than five. *Life of Cardinal Wolsey by Cavendish*, p. 19, 20, as cited by the author of the art. *Cavendish*, Sir *William*, in the *Biographia Britannica*. Archbishop *Parker's* family is recorded to have consisted of the youth of both qualities; that of gentlemen, and that of the plebian degree. *Strype's Life of Parker*, p. 502. And a still later instance may be produced in *Henry*, afterwards earl of *Kent*; who, being a younger brother, had in the former part of his life been compelled by necessity to serve in a noble family; but was afterwards preferred to the service of queen *Elizabeth*, and died in the year 1614, at the age of seventy-four. See a note of Dr. *Birch's* on a Letter of Mr. *Chamberlain's*, dated 9 Feb. 1614, *Birch MSS. British Museum*, No. 4173.

DOR. *What's that?*

VIN. *Marry, a neat's tongue with venison sauce^b.*

DOR. *Thou art a very wdg, Vince. — Well, I'll go find out thy Master Theodorus's house; they say it is near the Palace, and that is here. I'll knock and see: Tic, toc¹. Num hæ Theodori ædes?*

¹ Knocks at the door, and *Richardus* opens it.

To descend still lower, *Erasmus*, in one of his colloquies, entitled '*Pietas Puerilis*,' represents *Gasper*, a boy, giving the following account of himself, 'GA. Adornata parentibus mensa, recito consecrationem; deinde prandentibus ministro, donec jubeor & ipse prandium sumere. Aëtis gratiis, si quid vacat, lusu quopiam honesto laxo animum cum sodalibus, donec hora revocat in ludum a lusu.' And in both our universities the same subordination is acknowledged in that rank of students, which in the one is denominated sizers, and in the other servitors; and whose duty it still is, in some colleges, to attend at meals on the master and fellows of their respective societies: to which we may add, that *Fuller*, in his *Church History*, Book VI. p. 289, notices that 'the bible-clerks in *Queen's* college in *Cambridge* (waiting on the 'Fellows at dinner) have a table by themselves, their stomachs being 'set to go an hour after all the rest.'

^a *fine tongue for a gentleman*—] This passage seems to me an allusion to a proverb which occurs in Mr. *Ray's* collection, edit. 1678. p. 160. and points out the ability to speak *French* as the characteristic of a gentleman. '*Jack* would be a gentleman if he could but speak *French*;' which Mr. *Ray* thus interprets: 'This was a proverb when the gentry brought up their children to speak *French*. After the conquest, the first kings endeavoured to abolish the *English* language, and introduce the *French*.' The reader is to recollect that *Dorothea*, who utters the speech in the text, is herself, as appears from the former part of this scene, where she styles *Bourdeaux* 'natalis urbs *Burdigala*,' a native of *Bourdeaux* in *France*; that, at the time of uttering the words in the text, she is represented as actually being at *Bourdeaux*; and that it is in answer to *Vince*, who declines learning *French*, because he is content with his mother-tongue, his natural speech, and is a gentleman, that she replies, 'This is a fine tongue for a gentleman;' which, to give it paraphrastically, will be as follows: 'To be able to speak this *French* language, about which we have been talking, is a fit, proper, and necessary qualification for a gentleman.'

^b *venison sauce*—] i. e. Such sauce as venison is usually eaten with.

F f 2

RIC.

RIC. Imo, sunt.

DOR. Intusne?

RIC. Maxime: quid vis?

DOR. Eum cupio alloqui.

RIC. Introeas, si placet.

DOR. *Little ones*¹.

NEL. *Forsooth*.

DOR. *This is your Master Theodorus's house; come with me*².

NEL. *I, forsooth*³.

ACTUS V. SCENA 2.

ARGUMENTUM. Vince & Nell *jocantur invicem; viso Ignoramo, quem pro insano habent, aufugiunt.*

Manent VINCE & NELL.

VIN⁴. *S*Tay, Nell, *stay*.

NEL. *I cannot*⁵; *O Lord, you are such another truly, I think.*

VIN. *O Lord, you are such another trull, I think.*

NEL⁶. *I tell you, I must wait of my Lady.*

VIN. *I tell you, you must wait of me.*

NEL⁷. *I will, sir.*

VIN. *How now, maid; where is your courtesy? down*⁸——
down⁸——down⁸——descend⁸——lower yet⁸——lower yet⁸
——sweep me the ground with your breech, and swim away⁸.

NEL. *Now I'll go*⁹.

VIN. *Nell, Nell*¹⁰, *Didst thou ever see the man in the Moon?*

NEL. *No, faith: pr'ythee let me see it.*

¹ To Vince and Nell.
ing after Nell.

² Exit Dorothea.

³ Going.

⁴ Call-

get away.
a second time.

⁵ Lays hold of her.

⁶ Struggling with him to

⁷ Returning.

⁸ Makes him a courtesy.

⁹ Going

¹⁰ Calling after her, and she returns.

VIN.

VIN. *Look here*^a.

NEL. *Beshrew your heart blood, you had almost made me bite my tongue in two.*

VIN. *What skills it^a for ears and tongues in this Country? we are both deaf and dumb here.*

NEL. *'Tis a strange Country, all the little bearns can speak French here, and yet we cannot.*

VIN. *So do the pigs too.*

NEL. *What?*

VIN. *Ouy, ouy, ouy*^b.

NEL. *Here's one thing I shall never endure.*

VIN. *What, I pr'ythee?*

NEL. *They say we maids must drink nothing but water.*

VIN. *That's true; but 'tis no matter: you'll make water though you drink nothing but wine*^c.

NEL.

^a Points upwards, and chucks her under the chin.

^a *What skills it, &c.*—] i. e. Of what importance are ears and tongues in this country? In *Shirley's* comedy of *The Gamester*, A& II. it is used in the same sense. 'It skills not' (says one of the characters) 'whether I be kin to any man living.' The editor of the fifth edition of this comedy of *Ignoramus* has, without any apparent authority, changed the obsolete phrase, 'What skills it for ears and tongues in this country?' in the text, for a more modern one. He reads it, 'No matter for ears and tongues in this country.'

^b *Ouy, ouy, ouy*—] The *French* adverb *Ouy*, yes, which is here made to serve for that part of speech, and also to signify the squeaking of a pig.

^c *you'll make water, &c.*—] Monsieur *Du Chat*, in his edition of *Rabelais*, L. I. c. 40, gives in a note the following lines, which he says are part of a song, beginning '*Aimable jeunesse*,' in *Quinault's Psyche*.

' Le jus de la treille
' Dans une bouteille
' Court trop de danger,
' On le doit mieux loger.
' Mon gras et gros ventre
' Doit être son centre.
' Il ne fut jamais un vaisseau
' Ni plus sûr ni plus beau;
' Où quand le vin entre,
' Rien n'en sort que l'eau.'

which I find thus rendered in the translation of *Rabelais*, revised by *Ozell*, edit. 1750.

• The

NEL. *Fie, Vince, how you talk!*

VIN. *As though you do not! what a simpering's here!*

NEL. *Vince, Vince, they wear fine clothes here.*

VIN. *I, but terrible foul shirts. But, Nell, you must be very bold.*

NEL. *Why, are their women so?*

VIN. *Yes; all with their blind bayards^a.*

' The juice of the grape
' May make its escape,
' If you in a bottle do lodge it;
' But it's safe, let me tell you,
' When stow'd in my belly;
' Nought but water comes out of that budget.'

^a *blind bayards*—] Alluding to the proverbial expression, 'As bold as blind bayard,' as it is given by Ray in his *Proverbs*, edit. 1678, p. 280; or, according to Camden, 'Who so bold as blind bayard?' See Camden's *Remains*, tit. *Proverbs*. The proverb, 'As bold as blind bayard,' is at least as old as the time of Chaucer; for in the Chanoncs Yeman's Tale is the following passage:

' Ye ben as bold as is Bayard the blind,
' That blondereth forth, and peril casteth non;
' He is as bold to renne agains a ston,
' As for to go besides in the way.'

Chaucer's *Canterbury Tales*, edit. 8vo. 1775.
Vol. III. p. 121, line 16881.

Junius, in his *Etymologicum Anglicanum*, says, 'Bayard proprie est equus badius, spadicei coloris equus, vide Al. Gl. D. 6, ubi de badio equorum colore agitur. Galli tamen ac Belgæ Bayardi nomen cujusvis coloris equo indiderunt, quod Chaucer quoque fecisse deprehendimus.' The very learned editor of the above-cited edition of *The Canterbury Tales*, informs us, in his Glossary, that Bayard is a French proper name, and originally signified a bay horse, though it since has been used for a horse in general. And lastly, Cotgrave in his *French Dictionary*, edit. Howell, art. *Bayar*, notices that a bay horse is termed a bayard.

Burton in his *Anatomy of Melancholy*, p. 377, censures the temerity of good wives, as he terms them, for administering medicines, particularly *Hellebore*, in too large quantities. He says that Dr. Turner in his *Herbal* notices that they ordinarily gave it in powder to ii d. weight, which Turner is not much against; 'but,' adds Burton, 'they do commonly exceed, for who so bold as blind Bayard? and prescribe it by pennyworths,' &c. And the same author, p. 653, speaking of the papists, says, 'What are most of our papists but stupid, ignorant, and blind Bayards?'

NEL.

NEL. You are always flouting.

VIN. You must learn to mock too, frump^a your own father here on occasion.

NEL. I have a pretty wit for a frump, though I say it. But, good Vince, if you love me, take heed of one thing.

VIN. What's that?

NEL. Of eating grapes, for fear you take a surfeit.

VIN. I love them not, quoth the fox^b, I would I could come by them.

NEL. Faith you'll be sick then.

VIN. I sick? what, heart of oak, body of brass? I am not such a puler^c as Mistress Catharine, to be sea-sick, and have a coach sent for me; well fare, old bell metal.

NEL. Lijf, I think I am called^d: nay, fie, Master Vince^e, you spoil my ruff: faith I'll give you no more sweet-meats when I go to the closet.

VIN. Peace, Nell, I'll carry you in by the arm after the French fashion. O my mad damosel^d.

^a Going, but Vince again lays hold of her and prevents her.
going with him to get away.

^e Struggling with him to get away.

^a *frump*—] ‘To frump, to flout, to jeer, to taunt, or snub.’ Phillips’s Dict. art. *Frumpe*. Minshew thus explains it: ‘To frump or mock, ex Germ. Krumb, i. crooked, because frumping is a crooked kind of dealing; vel ex frumpelen, Belg. vel rumpelen, quod est nasum crispare, ut in irrisionibus fieri videmus; unde & Lat. naso suspen-dere dicimus.’ Minshew’s Dict. art. *Frumpe*. Junius in his *Etymologicum Anglicanum*, art. *Frumpe*, thus renders it, ‘Frumpe, Illudere. Frump, Sanna.’

^b *I love them not, &c.*—] Alluding to the well-known fable of the Fox and Grapes, in which, after several fruitless attempts to get at them, the fox is represented as affecting to think them not worth having. ‘Fie upon heps (quoth the fox) because he could not reach them,’ is a proverbial expression of the same signification, and occurs in Mr. Ray’s collection, edit, 1678, p. 142.

^c *puler*—] Puling signifies sickly, weakly, crazy. See Phillips’s Dict. art. *Puling*. A puler therefore must mean a person in such a condition.

^d *mad damosel*—] A quibble seems here intended between the two English words, mad damosel [i. e. mad damsel or girl] and the French substantive *Mademoiselle*.

NEL.

NEL. *O my Monsieur.*

VIN. *Go, yonder comes a mad man¹.*

ACTUS V. SCENA 3.

ARGUMENTUM. Ignoramus *servis suis* Dulman & Pecus narrat, quo pacto tractarunt illum in monasterio, & quomodo evasit de monachorum manibus.

Intrant IGNORAMUS², PECUS, DULMAN.

IGN. **D**iabolus volet viam cum omnibus his frateribus & fraterculis etiam: si haberem focum, puto focarem hoc monasterium, in mente qua nunc sum; sed est *felonia*³, puto non focarem. At ite mecum, vos magni nebulones, ab hoc monasterio ad *Westmonasterium*^b, si audetis pro ambis auri-
bus; si capio vos ibi——

DUL. Quid jam? num est in uno fumo adhuc³? Magister⁴, ego liberavi *Pecus*, vide.

PEC. Spero troumfabis *Torcol* pro hoc.

IGN. Troumfabis? ego fui troumfatus hodie, ut puto nunquam homo fuit in mundo troumfatus. Pro hoc solo nunquam indurabo faciem Fratris neque Clerici dum vivo.

DUL. Ubi erant dagariæ tuæ tunc se defendendo?

IGN. Dagarias meas ceperunt et asportarunt, contra pacem regis, coronam et dignitatem ejus^c; reliquerunt tantum tres scaberdas, & spoliarunt meam ruffam, & obligationem hic⁵.

DUL.

¹ Seeing *Ignoramus* at a distance. Excunt ambo.

his hand. ³ To himself.

⁴ To *Ignoramus*.

² With a bond in

bond which he holds in his hand.

⁵ Pointing to a

^a *felonia*—] See the Glossary hereto, art. *Felony*. The offence here alluded to is that which the law terms *Arson*, and which consists in the wilful burning of houses; and that this is *Felony* is expressly asserted in *Cowel's Interpreter*, art. *Felony*.

^b *Westmonasterium*—] The courts of law in *England* being held there.

^c *ceperunt & asportarunt, &c.*—] These words, when law proceedings were in *Latin*, formed an essential part of an indictment for theft.

In

DUL. Profecto est cancellata.

IGN. Volebant etiam facere me mille res : voluit unus me plorare, & in despectu mei nafi faciebat me plorare ; & alius mummabat nescio quid ; & quicquid dicebam, erat diabolus cum illis.

DUL. Quomodo dicis per illud nunc ? in bona veritate hic erat terribilissimus dies.

IGN. Dies ? Festum *Omnium Sanctorum* ^a præterit : puto hodie esse Festum *Omnium Diabolorum*.

DUL. Tu convenies ^b cum illis uno die.

IGN. Habebo illos in præmunire.

DUL. Fac, & mendica hanc Friariam a Rege ^c.

IGN.

In *West's Symboleography*, Part II. Sect. 84, is the form of an indictment against one who had committed a burglary, and stolen twenty pounds out of a cupboard in the house. The charge of the fact is, that he feloniously and burglariously broke open and entered the house of *N. G.* 'et viginti libras legalis monetæ *Angliæ* de bonis predicti *N. G.* 'in quodam abaco in dicta domo existente inventas, tunc & ibidem 'felonice cepit & asportavit, contra pacem dictæ dominæ reginæ nunc 'coronam & dignitatem suam.'

^a *Festum Omnium Sanctorum*.—] The feast of *All Saints* is the first of *November* : but the feast of *All Saints* is here intended to be opposed to the supposititious one of *All Devils* ; or, as *Ignoramus* terms it, '*Festum Omnium Diabolorum*,' mentioned below.

^b *convenies*, &c.—] *Convenire* here signifies to meet with ; and to meet with, denotes to counteract, to play stratagem against stratagem. See a note of Dr. *Johnson's* in his and Mr. *Steevens's Shakespeare*, vol. I. edit. 1778, p. 93.

^c *mendica hanc Friariam*, &c.—] Alluding to the prodigality exercised by *Henry VIII.* in disposing of the estates which fell into his hands in consequence of the suppression of monasteries. An instance of this kind is related by Dr. *Fuller*, in his *Church History*, on the authority of *Carew's Survey of Cornwall*, and is here inserted in *Fuller's* own words : 'Master *John Champernoun*, son and heir apparent of Sir '*Philip Champernoun*, of *Modbery* in *Devon*, followed the court ; 'and by his pleasant conceits wan good grace with the king. It happened, two or three gentlemen, the king's servants, and Mr. *Champernoun's* acquaintance, waited at a door where the king was to pass 'forth, with purpose to beg of his highness a large parcel of abbey 'lands, specified in their petition. *Champernoun* was very inquisitive to 'know their suit, but they would not impart the nature thereof. This 'while out comes the king : they kneel down, so doth Mr. *Champernoun* ; 'being assured by an implicit faith that courtiers would beg nothing 'hurtful to themselves. They prefer their petition ; the king grants it ; 'they render him humble thanks, and so doth Mr. *Champernoun*.

G g

: Afterwards

IGN. Nisi quidam *Angli*, inter quos feci aggregamentum, venissent in monasterium tunc per casum, qui me noverint universi, & certificabant quod non eram indiabolatus, per meam fidem, puto murderassent me.

DUL. Quomodo dicis per illud nunc ?

IGN. Ita super eorum verba sinebant me ire ad iargum.

PEC. Hic est casus meus : hæc est villa villanissima.

IGN. *Bourdeaux*, *Bourdeaux* in diaboli nomine, ego abibocras; & si gigno *Bourdeaux* semel super dorsum meum, si iterum returno ad *Bourdeaux*, dabo illis veniam geldare me. Ibo nunc ad *Torcol* nebulonem; & nisi ille mihi det coronas meas, & bonam satisfactionem, capiam illum in manum alio modo.

PEC. Habes illum super clunem^a nunc pro falso imprisonmento.

IGN. Eamus tres fortes, *nous sommes trois*.

‘ Afterwards he requires his share ; they deny it ; he appeals to the king ; the king avows his equal meaning in the largess. Whereupon his companions were fain to allot this gentleman the priory of S. *German*, in *Cornwall*, (valued at two hundred forty-three pound and eight shillings of yearly rent, since by him or his heirs sold to Mr. *Eliot*) for his partage. Here a dumb beggar met with a blind giver ; the one as little knowing what he asked as the other what he granted. Thus king *Henry* made cursory charters, and in transitu transacted abbey lands. I could add how he gave a religious house of some value to *Mistress* for presenting him with a dish of puddings which pleased his palate.’ *Fuller’s Church History*, Book VI. p. 336.
Stow, in his *Survey of London*, edit. *Mundy*, 4to. 1618, p. 273, describing *Aldgate* ward, and the streets and buildings near *Aldgate*, says, ‘ Then is there a fair house, with divers tenements near adjoining, some time belonging to a late dissolved priory, but since possessed by *Mistress Cornwallis*, widow, and her heirs, by the gift of king *Henry VIII.* in reward of fine puddings (as it was commonly said) by her made, wherewith she had presented him ; such was the princely liberality of those times. Of later time Sir *Nicholas Throgmorton*, Kt. was lodged there.’

There can be no doubt that the Mrs. *Cornwallis*, mentioned by *Stow*, is the person to whom *Fuller* alludes in the passage above inserted, and for whose name he has left a blank ; nor can it be doubted that the estate which *Stow* has here pointed out is that which *Fuller* means.

^a *super clunem*—] *Shakespeare*, in *The Merchant of Venice*, Act I. Scene 3, and in *Othello*, Act II. Scene 2, uses the phrase ‘ to have one on the hip ;’ which Dr. *Johnson*, in both places, remarks is a phrase borrowed from the practice of wrestlers. See *Johnson and Stevens’s Shakespeare*, edit. 1778, vol. III. p. 146. and vol. X. p. 496.

DUL. Ne time, magister, ibimus cum una vindicta ; eamus, nam video unum ¹.

ACTUS V. SCENA 4.

ARGUMENTUM. Dorotheam cum Theodoro colloquentem audiens Trico, se perditum novit, totamque periisse machinam, omnesque jam patere fraudes. Dorothea Theodoro affirmat, verum Antoninum veramque Catharinam manere ad portum ; Theodorus supposititiam Catharinam evocat ; Trico se abscondit.

Intrat TRICO.

TRI ². *Antonium* modo conveni herum meum, qui multa loquens blandis ita me demulsit dictis, ne possim non ignoscere ³—at quid video ⁴ ? herum *Theodorum* amplexantem sceminam ? Ha, he, etiam senex amat ? hercle gaudeo.

THE. Vix tandem osculando amplexandoque pausam dare queo, tantis sum in gaudiis.

DOR. Non minor voluptas mihi est quam tibi, mi *Theodore*.

TRI ⁵. Mi *Theodore*, mea animula. Ha, he.

THE. Tuo ex adventu videor, *Dorothea*, reviviscere.

TRI ⁵. *Dorothea* ?—tuo adventu perii.

DOR. Quo magis gaudeas, effedum, quæso, jam ad portum mittas, nostram huc quod advehat *Catharinam*, quacum una est *Antoninus*.

THE. Modo in urbem exiit *Antoninus* ; sed jam nunc intus *Catharina* est.

DOR. Quin illos jam reliqui apud portum ; post illa ad te nunc venio primulum.

¹ Seeing *Trico* at a distance. Exeunt omnes.
³ Intrant *Theodorus* and *Dorothea* at a distance, embrace *Dorothea*.
⁵ Aside.

² Entering, to himself.
⁴ Seeing *Theodorus*

TRI¹. Abi, *Trico*, suspende te².

THE. Huc evocavero illam, uti videas.

DOR. Fieri non potest.

TRI¹. Malum! quid non illa cervices fregit antea in itinere?

DOR. Ne vivam, nisi e mari ægra est adeo, ut vix pedem moveat.

THE². Hola, jubete huc ad me accedat *Catharina*.

TRI¹. Bene te intrcasti, *Trico*; tu es ille vafer & versutus *Trico*; nunc quid agis? quid si huc? nihil est: si illuc? tantundem³: nulla spes est prorsus.

THE³. Hola, *Catharina*, huc ad me ocyus.

TRI¹. Hei mihi! sed quod futurum est, *Trico*, futurum est.

THE². Huc ad me *Trico* etiam, si sit intus.

TRI¹. *Trico* etiam? at *Trico* non est intus; hic me abscondam prope⁴.

ACTUS V. SCENA 5.

ARGUMENTUM. *Prodit Rosabella; se esse Catharinam affirmat; negante Dorothea, tandem rem totam confitetur: minatur illi Theodorus.*

Manent THEODORUS, DOROTHEA; intrat ROSABELLA.

ROS⁵. *W*hat's your pleasure, sir?

THE. Dorothea, eccam *Catharinam* tibi.

¹ Afide. ² Calling to those within. ³ Calling to *Rosabella* within.
⁴ *Trico* conceals himself. Manent *Theodorus* and *Dorothea*. ⁵ Entering.

² *Abi, Trico, &c.*—] A similar passage occurs in the *Andria* of Terence, Act I. Sc. 5.

³ *Præteriens modo*

⁴ *Mihi apud forum, Uxor tibi ducenda 'st, Pamphile, hodie, inquit pater;*

⁵ *Abi domum. Id mihi visus est dicere, Abi cito, & suspende te.*

⁶ *quid si huc, &c.*—] This passage very much resembles the following in the *Heautontimorumenos* of Terence, Act IV. Scene 2,

'Quid si hoc nunc sic incipiam? nihil est: quid si sic? tantundem egero.'

DOR.

DOR. Ubinam *Catharina*?

THE. Illam astare vides, & tamen rogitas?

DOR. Falleris: hæc *Catharina* non est.

ROS.¹ Væ miseræ mihi! quo me vertam?

THE.² Quo te avertisti? quid nunc ais?

ROS. *Are not you my mother-in-law?*

DOR. *Good Lord, who are you trow³?*

THE. Specta bene, obsecro.

DOR. Quid vis spectem, mi vir? hanc ego nec novi, nec vidi uspiam.

ROS.⁴ O si nunc essem mortua! mori felix est antequam mortem invocet^b.

DOR. Mihi crede, *Catharina* non est.

THE. Quænam igitur es tu³? quid non loqueris?

ROS. *If she will not be my mother-in-law, alas, sir, I cannot help it.*

DOR. *Thou art a good one, I warrant thee.*

THE. Quænam es? jam enim specimen specitur: quid non respondes mihi?

ROS. *Good sir, I know not what to answer.*

THE. Etiam taces? Num dignus videor, quem sic ludos facias, impudens prostibulum?

ROS. *Whosoever I am, sir, I am not dishonest; the respect I bear unto you makes me forbear to answer these false and foul terms.*

DOR. *I pray you³ do not dissemble, then I will speak for thee.*

THE. Measne ædes ego fervere flagitiis, meque impleri adeo infamiæ & dedecoris patiar? Nunquam inultum feres.

ROS. Ahime! *I was born in an unfortunate hour⁴.*

DOR. *Confess, then, I prythee do.*

¹ Aside,

² Overhearing her.

³ To *Rosabella*,

⁴ Weeps.

^a *trow*—] *Trow*, I *trow*, is in *Junius's Etymologicum Anglicanum*, art. *Trow*, explained by Mr. *Lye*, the editor, to signify 'Confido, opinor.' 'To *trow* [of *τρῶπιαν*, *Sax.* *trouwen*, *Du.* *trouen*, *G.*] to believe, to think; also to trust.' *Bailey's Dict.*

^b *Mori felix est, &c.*—] This is a verse of *Publius Syrus*:

† *Mori est felix antequam mortem invocet.*

THE.

THE. Cum nullus subest color, ad lachrymas recurritur : at te fictæ non juvabunt lachrymæ. Quid non distringo & expio hoc scelus? Nonvis fateri? nonvis fateri quæ sis, impudica?

ROS. Da veniam, quæso, & fatebor omnia. Infelix ego sum *Rosabella*, at pudica tamen.

THE. O jam nostras es! jam vera redit facies.

DOR. Quis te huc adduxit? age, vera loquitor.

ROS. *Antonius*.

DOR. Illum esse doleo istiusmodi.

THE. Hoc illud est : a navi rediit, ac *Antoninum* simulavit sese, malæque appinxit nævum; nonne?

ROS. Scilicet.

THE. O tempora, filii cum tam secure irrideant patres! Verum tu illum in fraudem pellexisti, pellex.

ROS. Pellex ego non sum; ignosce, quæso : uxor sum *Antonii*.

THE. Tu, uxor? uxor, tu? cave dixeris, illecebra, linguam ne ego illam præcidam tibi.

ROS. Quod factum est, infectum fieri nequit^a : pro comitate tua itaque obtestor, ut prudentia tua feras, non culpes, quod immutari non potest^b.

THE. At immutabo tamen, vel invitis fati; connubii & vitæ simul tuæ divortium fecero.

ROS. Bona mors est quæ extinguit vitæ mala^c.

THE. O *Dorothea*, filium nos pene perdidimus *Antonium*.

DOR. Nullum, video, in hac vita sincerum est gaudium.

THE. Non censet exemplum in eam edi oportere?

^a *Quod factum est, &c.*—] The very same sentiment, though not precisely in the same words, is inserted in *Burton's Anatomy of Melancholy*, p. 357. in these words : ' Quod fit, infectum non potest esse.' I am inclined to think, though *Burton* has not referred to any authority, that this passage is taken from some one of the classics. In the *Aulularia* of *Plautus*, Act IV. Scene 10. v. 11. we meet with the following :

' LY. Quid vis fieri? factum est illud. Fieri infectum non potest.'

^b *feras, non culpes*.—] This line occurs among those of *Publius Syrus* :

' Feras, non culpes, quod mutari non potest.'

^c *Bona mors, &c.*—] This line is borrowed from the following of *Publius Syrus*, v. 91.

' Bona homini mors est, vitæ quæ extinguit mala.'

DOR.

DOR. Censeo; sed clementer.

THE. Clementer? utpote quæ nobis corruptit filium, cui ditem uxorem ego & nobilem dare jam decreveram.

DOR. Cuivis dolori remedium est patientia¹.

THE. Ignoscas mea mihi *Dorothea*, si minime te nunc (quod decet) obsequio prosequar, animus enim mihi valde perturbatus est; fessam te de itinere esse scio: introeas itaque, & te recrees paululum; *Bannacar* etiam *Maurum* huc ad me meis evocato verbis.

DOR. Faciam ut vis; sed tu ne sævi nimis¹.

THE. O me miserum! nimirum die hoc uno plus vixi quam vivendum fuit. Sed causam hanc doloris eximam ipse mihi: die hoc uno non vivet illa amplius.

ROS². Quid meditatur scio; sed me lubens paro³.

ACTUS V. SCENA 6.

ARGUMENTUM. Trico in insidiis: Theodorus Maurum Bannacar jubet ut interficiat Rosabellam: nolit ille, præsertim quod jam novit illam esse Rosabellam Alphonsi filiam heri sui, qui fessæ moriens illum reliquit liberum. Abit Trico, ut hæc narret Antonio. Rosabella, dolore simul ac metu victa, deliquium patitur.

Manent THEODORUS, ROSABELLA; intrat BANNACAR.

TRI⁴. PROdi, *Trico*, e latebris, quasi umbra ex orci faucibus, & specta quid rerum in terris hic *Theodorus* agat.

BAN. Ecquid me vis, here?

THE. Quem potius, mi *Bannacar*? quippe te novi fidelem servum mihi.

BAN. Itidem te sensi benignum herum mihi.

THE. Et si sensisti meam benignitatem antehac, senties

¹ Exit *Dorothea*.
bella.

² Aside.

³ Manent *Theodorus* and *Rosabella*.

⁴ To himself, aside.

⁵ Cuiusvis dolori, &c.—] *P. Syri Sententiæ*, before cited, v. 145.

⁶ Cuiusvis dolori remedium est patientia.

nunc magis magisque, *Bannacar*, si id quod rogo haud ad-
versere mihi.

BAN. Vel jube me interfici, haud subterfugiam, here.

THE. Te interfici? ne dii sinant: verum alium te mihi
velim interficere——

TRI¹. Certe me innuit.

THE². En tibi, quæ meas incestavit ædes; magnum fla-
gitium fecit, quod tolli non potest, nisi illa tollitur simul;
tua itaque manu, tincta colore noctis, noctis hoc facinus
tollī & mori decet².

TRI.

¹ Afide.

² Pointing to *Rosabella*.

² *mori decet*.—] To this scene, which is not in the *Italian*, and the effect of which is to excite, in the highest degree, compassion for the sufferings of *Rosabella*, and indignation and resentment against *Theodorus*, it may probably be objected, that to represent him in other parts of this comedy as a grave, moral, and virtuous man, and here as urging the commission of an act, at the bare thought of which human nature recoils, is a manifest inconsistency: and lest therefore this censure should be hastily passed on it, it will be necessary here minutely to investigate this part of the character of *Theodorus*. But first it must be observed that in the scene now before us we see a man of confessedly good inclinations and propensities betrayed and hurried by an excess of anger, and an impetuosity of resentment, into a resolution, and an attempt in consequence of such resolution, to sacrifice to his rage an innocent victim; and in so doing to commit a crime, on which in his cooler moments he reflects with the utmost abhorrence and detestation. The mind of man cannot in any instance be imagined, while his reason maintains her proper ascendant, so corrupt as wilfully, calmly, and deliberately, to make choice of evil; but as long as reason preserves her due authority, will naturally return to any temptation, especially to the commission of such a crime as this before us, a similar answer to that which *Bannacar* gives a little lower: ‘*Quemquamne ut interimam ego Christianus?—aliter hinc didici.*’ The light of reason may however, we all know, be obscured, and, in some cases, almost, for the time, quite extinguished, by the passions, which will sometimes lead men into the greatest crimes, and at others deceive them into an opinion that the act they are about to commit is not a crime but an act of justice. Of the truth of this position every man’s experience will furnish him with proof; I shall therefore forbear to avail myself of those instances which history would afford in support of the assertion; and shall content myself with remarking, that all our best dramatic poets have thought the instruction, as well as the entertainment, of their auditors, an essential part of their duty; and have rightly conceived that this could not be better effected than by earnestly inculcating the grand precepts of religion

TRI¹. Volabo, ut hæc renunciem ad *Artonium*, quo illam ac me, si possit, servet miseros².

THE. Quid te, *Bannacar*, retrahis? quid non respondes mihi?

¹ Aside.

² Exit *Trico*.

ligion and morality, by exemplifying on the stage the natural tendency of vice, and the ill consequences of indulging the appetites and yielding to the dictates of the passions; and by warning their auditors to be on their guard against the temptations which these hold out, and to exert against them that degree of resistance which is necessary to keep them in proper subjection. This was unquestionably the intention of *Shakespeare*, in his character of *Othello*, whom he represents as endowed with many noble and generous qualities; till, by the suggestions of a villain, his latent jealousy is awakened, and his reason being clouded by this passion, he is induced to believe that his wife's dishonesty is abundantly proved; in consequence of which opinion, he determines to sacrifice her as a victim to his justice. That these are his sentiments cannot be doubted; for in that scene, Act V. Scene 2. in which he destroys her, and which no one of any feeling ever read without the greatest emotion, after *Desdemona* has denied the giving to *Cassio* any token whatever, *Othello* says,

- ' By heav'n I saw my kerchief in his hand.
- ' O perjur'd woman! thou dost stone my heart,
- ' And mak'st me call what I intend to do,
- ' A murder, which I thought a sacrifice.'

The provocations upon which *Theodore* acts in the text, are, the disgrace which his family would incur from his son's marriage with a person of mean and low condition, and of no fortune; and his own disappointment in finding his son thus married, when he had in view for him a wife of a noble and opulent family; and these provocations are aggravated by his fury, in proportion to his sense of the reputation, which, as a very wealthy merchant, he holds in the world, and his love for his son, and the anxiety for his welfare, which he manifests throughout the play. These considerations induce him to view *Rosabella's* marriage with his son as a crime on her part, which can only be atoned for by her death, and he therefore resolves on her death as an act of justice.

In the scene now under consideration, it may be very fairly and reasonably contended that Mr. *Ruggle* had also a similar view; and sought, by this method, to impress on the minds of his auditors this important truth, that he who in one instance gives way to his passions, and submits to their guidance, knows not into what crimes they may hurry him; and to demonstrate that it is both incumbent on, and the true interest of, every individual, to resist with all his might the very first attacks of enemies at once so subtle, so potent, and so destructive.

H h

BAN.

BAN. Quemquamne ut interimam ego, *Christianus* tuo factus beneficio? aliter hinc didici, here: quamobrem ab inceptu desistas, quæso; consilio melius vincas, quam iracundia.

THE. Quid paves? rem salvam ipse præstabo tibi: age ergo, mi *Bannacar*, quo letho censes potissimum^a. Quid si in mare præcipitem des? vel alicubi includas, ubi pereat fame?

ROS. At si necesse sit mori, quæso finito me mori semel: nam lenta qui perit morte, moritur sæpius.

THE. Qua morte pereas nihili pendo, dum pereas modo.

ROS. En insons asto victima; lubens permoriar, nam sine *Antonio* non est quod velim vivere: quin tantus me jam invadit dolor, nec me vitalem futuram spero diu.

THE. Frustra es¹, si speras: quid non exequeris imperium meum, *Bannacar*?

ROS. Age, *Bannacar*, novi te satis ego *Fessæ*; tu olim eras servus patris mei, qui te liberum fecit moriens: age, *Bannacar*, ergo, clementer me occidito.

BAN. Hei mihi! *Rosabella* hæc est.

ROS. Ipsa sum, ut vides, misera *Rosabella*.

BAN. Filia hæc est *Alphonfi*, heri mei olim optimi, cui *Fessæ*, dum vixit, servitutem servii. Ne facias hoc, here, quæso, quod inceptas, facinus.

THE. Num ex composito, scelus, agis? vel tu illam, vel ego te—

BAN. Me, si placet, jugula, non illam ego. Illamne ego, quæ hera olim mea tam mitis indolis? Illamne ego, cujus me fecit liberum benignus pater?

THE. Quid narras fabulas? vin' ergo ipse ad mortem rapiam hanc? Ne me specta², faciendum enim est.

ROS. Non opus est, jam enim nimio dolore cor meum findi sentio: vale, *Antoni*; æternum vale, *Antoni*³.

THE. At non sic juvabit simulare tamen.

BAN. Oime! mortua est.

THE. Fingit, scelus, fingit, & tu fingis; at ego personam ut deponat faciam³.

¹ To *Rosabella*.

² *Rosabella* cadit.

³ Manent omnes.

^a *quo letho, &c.*—] This passage very much resembles the following in *Plautus's* comedy of *Mercator*, Act II. Scene 2. v. 15.

‘Responde, quo leto censes me ut peream potissimum?’

ACTUS V. SCENA 7.

ARGUMENTUM. Antonius venit; interfectam a patre Rosabellam credens, sese parat interficere. Reviviscit, illam in uxorem petit; pater de genere quærit. Respondet illa, se esse filiam Alphonfi, Portugalli nobilis, qui, Fessæ moriens, illam reliquit patruo suo Rodrigo Torcol, qui vi venti in has actus oras, naufragium faciens, hic habitabat postea. Interrogatus Bannacar, dicit non esse Alphonfi filiam (quamvis pro sua semper habuerit) sed mercatoris cujusdam Londinensis, Detfordiæ raptam per Urtado, filiam Manlii & Dorotheæ; nutricem habuisse Ursulam; nomen esse Isabellam: ex quibus signis, una cum imagine succino artificio sculpta, cognoscit Theodorus hanc esse eam Manlii filiam, quæ tot abhinc annis filio suo Antonio despondebatur; ergo jam nuptias Antonii & Isabellæ, quæ Rosabella fuit supposititia, non æversatur.

Manent THEODORUS, BANNACAR, ROSABELLA; intrat ANTONIUS.

ANT.¹ **O** Ccidi! sero nimis veni; jam interempta est, jam jacet mortua: O meam nunc tibi ut possim impertire animam! O te, O me infelicem, cujus tu hæc causa sustinuisti insons! quid non in me isthoc potius expetit? nihil tu commerita, nihil poteras.

THE.² Quidnam vult ille sibi?

ANT. Abistin' ergo, mea vita? abistin'? at te sequar ego³.

THE.² Næ, male eum metuo; quid facturus, fili⁴?

ANT. Filiusne ego, aut tu pater, qui tam infandum facinus patraſti hoc? at quem non siviſti vivere, non prohibebis mori.

THE. Satin' sanus?

¹ Entering, and seeing Rosabella.
to draw his sword.

² To himself.

³ Endeavours

⁴ Lays hold of and prevents him.

H h 2

ANT.

ANT. Sanus? sanus non sum, nec sanus esse cupio. Nam qui possum, quem tu sic insanum infania reddidisti tua?

THE. Certe tu insanus es.

ANT. Sum hercle; nam insanus essem, nisi jam insanirem. Nonvis autem ut infaniam, non ut nunc infaniam? *Rosabella*, mea salus, periit, quæ omnes, dum vixit, anteivit foeminas. Certe avertisti oculos, cum fecisti hoc; nam si illius spectasses pulchritudinem & suavem innocentiam, nunquam fecisses, scio. Quin unum hoc te jam oro postremum, pater, ut quos noluisti vivos frui invicem, saltem finas una sepeliri mortuos.

THE. Priusquam moriari, fili, discas quid sit vivere ¹.

ANT. Qui possum, cum tu vitam eripuisti mihi?

THE. Accede huc, quæso.

ANT. Ne me appropinques, ne juvenilis id faciat, quod fecit senilis furor.

THE. Quid conare? num certum est mori tibi?

ANT. Tam certo quam hæc mortua est.

THE. Vive modo, quidvis concedam tibi.

ANT. Jam concedes, cum mihi nil concedi potest.

THE. Certe nos eam non attigimus, tentemus illi revocare animam.

ANT. Animam nunc revocare? Num tu insanis? redire non potest illa: igitur ad te venio, *Rosabella*, venio ¹.

THE ². O fili mi, parce modo tibi; respice canos hos capillos, vel me interface prius; mea jam ætas exacta est, tu in ætatis flore.

ROS ³. Ubi sum?

THE. Audi, audi, reviviscit: gaudeo.

ROS ⁴. Ubi es, *Antoni*, *Antoni*?

ANT ⁵. O mea vita! num respiras? servasti vitam meam.

THE. Censent' voluisse me illam, fili, interimere? .

¹ Again endeavouring to draw his sword.
preventing him.
serving *Antoni*us.

² Again interposing and
³ Recovering from her swoon.
⁴ Not ob-
⁵ Raising her up.

¹ *Priusquam moriari, &c.*—] This seems borrowed from the following passage in the *Heautontimorumenos* of *Terence*, Act V. Scene 2:

¹ CL. Emori cupio. CH. Prius, quæso, disc, quod sit vivere.

ROS. Funestum ego somniavi somnium: putabam me esse mortuam; erat enim, qui me volebat interficere.

ANT. Ne time.

THE. Ne time; non fiet, non fiet.

ANT. O me beatum nunc! nam quod tu¹ vivis, ipse nunc incipio vivere.

THE. Næ vivam rediisse gaudeo.

ROS. Vivo, opinor, sed tuo² beneficio.

ANT. Nunc obtestor te, pater, permitte quod fata volunt, hanc, tua voluntate, mihi uxorem fore.

THE. Quietus sis modo, forsân tua erit.

ANT. Forsân, pater? aliter fieri non potest.

THE³. Furor filii vicit furem patris; violenter ambo iracundi sumus. Næ ille meus mihi natus est: ⁴ verum dic, fili, quid dotis cum illa datur?

ANT. Ampla; scilicet, nobilitas, & illa forma.

THE. At, fili, nobilitate & forma in foro nihil emitur^a. Equidem formosam video fatis, sed qui scis esse nobilem? peregrina videtur: certe ignota mihi.

ANT.

¹ To Rosabella.

² To Theodorus.

³ Aside.

⁴ To Antonius.

^a *nobilitate & forma, &c.*—] This is a translation of the following *English* proverb, 'Gentry sent to market is not worth a bushel of corn,' which occurs in Mr. Ray's collection, edit. 1678, p. 145. The same argument with that in the text is adduced, and for the same purpose, by the lord Treasurer *Burgbley*, in his ten precepts to his second son *Robert Cecil*, afterwards Earl of *Salisbury*, and which are to be found at length in *Peck's Desiderata Curiosa*, fol. edit. lib. I. p. 63. The whole ten, though too long to be here inserted, are, for the piety and admirable wisdom of them, well worthy the serious and attentive perusal of any reader; and I cannot produce a better comment on the text than by giving so much of the first of these precepts as is to our purpose, in the very words of its author: 'When it shall please God to bring thee to man's estate, use great providence and circumspection in chusing thy wife. For from thence will spring all thy future good or evil; and it is an action of life, like unto a stratagem of war, where in a man can err but once. If thy estate be good, match near home and at leisure; if weak, far off and quickly. Enquire diligently of her disposition, and how her parents have been inclined in their youth. Let her not be poor, how generous soever; for a man can buy nothing in the market with gentility. Nor chuse a base and uncomely

ANT. Vel me tacente, mores loquuntur fati: sed tibi melius narrabit ipsa, eam si permittas loqui.

THE. Nihil aufim contradicere: narra tu¹, sed fice nihil.

ROS. Nisi vera loquar, arguat me *Bannacar*, qui olim patris erat servus mei.

THE. Num tu² patris illius servus? dix'ti, opinor, antea.

BAN. Admodum, *Fessæ*, antequam ad te accessi huc: nam patre ejus mortuo, in *Portugalliam* postea profectus sum, quo aliquam mihi conditionem quærerem; quam non reperiens, in *Galliam* veni errans; tandem huc *Burdigalam*, famulum ubi fecisti tibi me, & *Christianum* simul.

THE. Bene; age jam¹, & si quid illa falsi dixerit, tu² redargue.

ROS. Pater mihi dux belli erat, *Alphonfus*, *Portugallus* nobilis.

THE. *Bannacar*—

BAN. Ita est.

ROS. Ex *Portugallia* *Fessam* se militatum contulit, qui illic moriens mandavit me fratris *Rodrigo Torcol* fidei; aderat enim ille tum forte *Fessæ*, mercaturam faciens; mecum itaque inde in *Portugalliam* rediens, vi venti in has actus oras, naufragium faciens, hic habitavit postea.

THE. Num vera hæc omnia, *Bannacar*?

BAN. Vera opinor, quantum novit illa.

THE. An quid tu nosti, quod non novit illa?

BAN. Credo equidem; atque, si vacat, rem ipsam narrabo commode.

THE. Age, vacat.

BAN. Non erat igitur vera *Alphonfi* filia.

ROS. Modo dix'ti, *Bannacar*, jam nec recte ais.

ANT. Mentiris etiam, tenebrio?

THE. Tace, fili, paululum.

BAN. Vera dico; & dicam, si vultis, amplius.

THE. Perge.

¹ To *Rosabella*.

² To *Bannacar*.

* comely creature altogether for wealth; for it will cause contempt in others, and loathing in thee. Neither make choice of dwarf or fool; for by the one thou shalt beget a race of pigmies; the other will be thy continual disgrace, and it will irk thee to hear her talk: for thou shalt find it, to thy grief, that there is nothing more fulsome than a she-fool.

BAN.

BAN. Prius *Alphonfi* servus quam eram ego, *Portugallo* serviebam cuidam mercatori, qui tum agebat in nostra *Mauritania*^a, nomen ei *Urtado*; navigabat is inde *Londinum*, mercaturæ causa, quicum & ego una: sed cum merces illinc venirent male, *Anglos* quos potuit infantes clam surripuit, eos ut rediens in *Mauritaniam* venderet: ut navis igitur nostra in statione ad *Thamesin*, prope *Detfordiam*, erat, forte illius nutrix ulnis gestans eam venit per ripam ambulans; casu tum etiam *Urtado* in scapha aderat ibi; nutricem is itaque, quod potuit, *Anglice* compellavit blande; atque ex uno in alium sermonem ut inciderunt, levis illa & inepta nutrix navem, nescio quid, cupit animi causa visere; invitavit is libens, atque adeo ad navem vectam in *Mauritaniam* cum aliis transfert, ac magna pecunia distrahit; hanc autem *Fessæ*, meque etiam tum una, *Alphonso*, quem dixi, vendidit; qui, quod careret liberis, illam non nisi quadrimulam pro filia sibi adoptavit sua: mihi vero, jam servomejus, ne cuiquam vulgarem hoc, graviter interdixit. Celavi igitur; neque illam post mortem *Alphonfi* heri, nisi jam primum video.

THE. Sed ubi illa illius, quam dix'ti, nutrix est?

BAN. In ipso itinere, ut navi vecta, mortua est.

THE. Scin' quod ei nomen?

BAN. *Ursula*.

THE. *Ursula*, & *Detfordia*? quanta spes est! sed nunquam narravit nutrix, quænam, aut cujus, esset hæc?

^a *Mauritania*.—] ^a *Mauritania*, *Africa* regio, extrema versus *Gaditanum* fretum, & *Occidentalem* oceanum, in quo *Antæus* gigas regnasse dicitur, ab *Hercule* victus. Est autem duplex; *Cæsariensis*, a *Cæsarea*; & *Tingitana*, a civitate *Tingi*.—Gignit simias, dracones, struthiones, & elephantes. Ejus incolæ *Mauri* dicuntur. Invaluit autem jam apud nostros consuetudo, ut omnes *Africa* & *Asia* populi, *Mahometanæ* superstitioni dediti, *Mauri* dicantur. Incolis *Numidia*, vulgo *Barbaria* hodie. *Hoffmanni Lexicon*, art. *Mauritania*. The same author, art. *Mauri*, gives the following account of the *Moors*: *Mauri*, populi, qui *Mauritaniam Africa* regionem *Occidentalem*, versus *Gaditanum* fretum, incolunt. Eos fuisse *Indos*, & *Hercule* duce, cum innumer. aliarum gentium multitudine, in hæc loca pervenisse, multi crediderunt, uti *Strab.* l. ult. scribit. Sane *Sallustius*, in *Jugurthino*, c. 18, *Mauros* & *Numidas*, reliquosque qui maritimam *Africa* cultiorem reddiderunt *Medos*, *Armenios*, *Perjas*, & *Phænices*, fuisse indicat.

BAN. Imo, *Londinensem*, filiam senatoris, cujus nomen *Manileus* reor.

THE. Forte *Manlius*.

BAN. Ita est: huic item nomen dixit *Isabellam*.

THE. O dii! *Isabella* etiam?

BAN. Nam *Rosabellam* pater illius *Alphonsus* supposititius postea ei indidit.

THE. *Detfordia* — *Ursula* — *Manlius* — *Isabella* — signa quam conveniunt! vix me contineo ab amplexibus. Sed ecquid meministin' amplius?

BAN. Nihil, nisi nutrici mortuæ surripui quandam icunculam succino cælatam, quam usque adhuc in crumena gestavi mecum propter artificium.

THE. Eam commonstra, *Bannacar*.

BAN¹. Ecceam tibi.

THE. *Antoni* mi, adesdum. Scis ut olim *Manlius*, *Dorotheæ* maritus meæ, duas ex priore habuit uxore filias; *Catharinam*, quæ jam *Antonini* uxor est; & *Isabellam*, quam tibi desponsavimus olim, cum eratis parvuli. Nam balbutientes etiam, illa te virum, illam tu uxorem, appellitastis invicem; nos in sponsalibus vero consimiles utriusque imagines vobis succino artificio sculptas dedimus, atque hæc illa ipsa² quæ tum *Isabellæ* data est; en, pueri & puellæ hæc est effigies: vide, hæc tui imago, illa *Isabellæ*; en dexteras junctas hic in conjugii fidem, geminas illic constrictas faces vides, & cornices duas symbolum nuptiarum; en literas etiam utrinque has inscriptas *A.* & *I.* id est, *Antonius Isabellæ*.

ANT. Intus gemmam plane similem habeo cum literis *I.* & *A.*

THE. Nempe *Isabella Antonii*, ipsamet eadem quæ tunc tibi data; itidem jam certo novi, quæ tibi desponsata olim, tua *Isabella* hæc est.

ANT. O mirum! stupens gaudeo.

THE. O mea³ chara *Isabella* nurus! nunc sine me te amplecti, indignum licet⁴.

¹ Producing from his purse a medal.

³ To *Rosabella*.

⁴ Embraces her.

² Shewing him the medal.

Ros.

ROS. Fortuna blanditur iterum, nunc iterum captatum venit ^a.

THE. Non venit; Fortunam tuo nunc temperes arbitrio ^b.

ANT. *Rosabella* quæ eras antea, *Isabella* nunc mea es; bis te inveni, videor bis vitam vivere.

THE. Euge, amplexemini invicem ^c; & ego utrosque vos, fili & filia ²; ignoscas tu ³ mihi, quæso, quod temere facturum modo.

ROS. Si quid fecisti male, non meminî, pater; sed, quod nunc boni facis, nunquam dememinero.

THE. Quam bene dixit! O *Antoni*, quam beatus es!

ANT. Fateor: at tu jam, pater, da veniam, quæso, quod stulte feci apud te mentiens hodie; amare enim & sapere nemini conceditur ^c.

THE. Sapis tu, sapit illa: vobis ego, vos mihi ignoscite; solus ego insipiens. O *Bannacar*, quanto tu me prudentior! fed nisi ego tibi bona multa faciam, nemo me natum putet.

ANT. Etiam ego, *Bannacar*——

¹ *Antonius* embraces *Rosabella*.
³ To *Rosabella*.

² Embracing *Antonius* and *Rosabella*.

^a *Fortuna blanditur, &c.*—] This line is certainly borrowed from the following verse of *Publius Syrus*:

‘Fortuna, cum blanditur, captatum venit.’

^b *Fortunam tuo, &c.*—] Borrowed, no doubt, from the following passage in *Petronius Arbitrator, Satyr*. cap. 137.

‘Quisquis habet nummos, secunda naviget aura,
‘Fortunamque suo temperet arbitrio.’

^c *Amare, &c.*—] Alluding to the following line among those of *Seneca* and *Publius Syrus*:

‘Amare & sapere vix Deo conceditur.’

Burton, in his *Anatomy of Melancholy*, in the preface, which he entitles *Democritus to the Reader*, edit. 1660, p. 72, gives this verse as follows:

‘Amare simul & sapere, ipsi Jovi non datur.’

and cites *Seneca* for it. In p. 518 of the book itself he also inserts it, in the very same words; adding to it these words, ‘as *Seneca* holds.’

Cicero, when he was invited to a second marriage, replied, he could not ‘simul amare & sapere’. See *Burton’s Anatomy of Melancholy*, in the passage first above referred to.

ROS. At ego plurimum——

BAN. Tam bene vobis gaudeo mea evenisse opera.

ANT. Pater, *Triconi* etiam, quæso, faxis veniam.

ROS. Faxis, obsecro, nam absque illo concubina fuisset
Ignorami hodie.

THE. Meritus est jam ille, & vos, ut hoc, & illud, & omnia,
quæ vultis, faciam¹.

ACTUS V. SCENA 8.

ARGUMENTUM. Bannacar & Triconi *aguntur gratiæ* :
intus sunt Catharina & Antoninus, *ad quos* Rosabellam in-
ducit Theodorus.

Manent THEODORUS, ROSABELLA, BANNACAR ; intrat
TRICO.

TRI². **M**EO hinc ex latibulo fausto accepi singula : adibo
jam confidenter. Exaudivi, here³, bene ceci-
disse omnia. Ecquid me laudas ? non ego nunc bonus *Trico*
sum ?

THE. Bonus es, *Trico*, & beatus, quod bene cecidit.

TRI. Næ ego homines istos odi mendaces, here. Tuus
Trico, & tibi, & *Torcol*, vera semper narravit hodie.

THE. Verum id etiam, mi *Trico*, sudasse te apud villam.

TRI. Verum id etiam, mentali nempe reservatione, here ;
certe ego hic eram, sed apud villam animus.

THE. Ha, ha, he, quam doctus !

TRI. Didici ex *Cupis* libris. Agetur, si placet, Comœdia
in nuptiis mea, nomen ei *Æquivocus*.

THE. At *Loiolita*⁴ tantum venit in Tragœdiam, apage.

ANT.

¹ Manent omnes.

² Aside.

³ Addressing *Theodorus*.

⁴ *Loiolita*—] Under this name the *Jesuits* are most certainly meant,
their order having been founded by *Ignatius Loiola*, of whom the fol-
lowing

ANT. Pater, ne quis mœror nostris immisceatur nuptiis,
suppositio patruo *Isabellæ Torcol*, quæso sexcentos des pro ali-
mentis

lowing account is given in the *Nouveau Dictionnaire Historique-Portatif*; ' *Ignace* (Saint) *de Loyola*, né au château de ce nom en *Biscaye*, en 1491, d'abord page de *Ferdinand V.* porta ensuite les armes sous le duc de *Najara* contre les *François*, qui vouloient en vain retirer la *Navarre* des mains des *Espagnols*. Le siege ayant été mis devant *Pampelune* en 1521, le chevalier *Biscayen*, qui montra dans cette occasion plus de courage que de prudence, fut blessé d'un éclat de pierre à la jambe gauche, & d'un boulet de canon à la droite. Une *Vie des Saints* qu'on lui donna pendant sa convalescence lui fit naître le dessein de se consacrer à Dieu. La galanterie, & la galanterie romanesque l'avoit occupé jusqu' alors. Né avec une imagination vive, & disposée à l'enthousiasme, il la porta dans la religion. Les mœurs de son pays & de son tems jetterent sur les commencemens de sa dévotion une apparente singularité. Quand il fut guéri il se rendit à Notre-Dame de *Montferrat*, fit la veille des armes, s'arma chevalier de la *Vierge*, voulut se battre avec un *Maure* qui avoit voulu contester la virginité perpétuelle de celle dont il étoit chevalier, s'habilla en mendiant & partit pour la Terre-Sainte, où il arriva en 1523. Le pieux pèlerin, de retour en *Europe*, étudia quoiqu' âgé de 33 ans, dans les universités d'*Espagne*; mais les traverses que son genie ardent lui occasionna, & la confusion que l'étude de la langue *Latine*, de l'éloquence, de la métaphysique, de la physique, & sur-tout de la théologie scholastique jetterent dans sa tête, le déterminèrent à passer à *Paris*. Il recommença ses humanités au college de *Montaigne*, mendiant son pain de porte en porte pour subsister, & montrant un esprit plus singulier que solide & pénétrant. Il fit ensuite sa philosophie au college de sainte *Barbe*, & sa théologie aux *Dominicains*. Ce fut à sainte *Barbe* qu'il s'associa, pour l'établissement d'un nouvel ordre de religieux, *François Xavier*, *Pierre Le Fevre*, *Jacques Lainez*, *Alphonse Salmeron*, *Nicolas Alphonse Bobadilla*, *Simon Rodriguez*. Les premiers membres de la société se lierent par des vœux en 1534 dans l'église de *Montmartre*. Ils passerent ensuite à *Rome* où *Ignace* présenta au pape *Paul III.* un projet de son institut. Le fondateur en espéroit de si grands avantages pour l'église, qu'il ne voulut jamais entrer dans l'ordre des *Téatins*, quelques instances que lui fit le cardinal *Cajetan*. Son zele étoit trop ardent pour qu'il pût le subordonner à un supérieur. Le pape fit d'abord quelque difficulté d'approuver son ordre, mais *Ignace* ayant ajouté aux trois vœux de pauvreté, chasteté, & d'obéissance, un quatrième vœu d'obéissance absolue au pontife *Romain*, *Paul III.* confirma son institut en 1540, sous le titre de *Compagnie de Jésus*. *Ignace* avoit donné ce nom à sa nouvelle milice pour marquer que son dessein étoit de combattre les Infideles sous la bannière de *J. C.* Ses enfans prirent ensuite le nom de *Jésuites*, du nom de l'église de *Jésus* qu'on

mentis aureos, quos ille resolvat *Ignoramus*, qui tanto quassemerit hodie hanc.

THE.

qu'on leur donna à *Rome*. *Ignace*, élu général de la famille dont il étoit la pere, eut la satisfaction de la voir se répandre en *Italie*, en *Espagne*, en *Portugal*, en *Allemagne*, dans *Les Pays-Bas*, dans le *Japon*, dans la *Chine*, en *Afrique*, & en *Amérique*. *François Xavier* & quelques autres missionnaires sortis de sa société portèrent son nom jusqu'aux extrémités de la terre. Sa compagnie, qui n'avoit encore pu pénétrer en *France*, y eut un établissement en 1550, l'année même que *Jules III.* donna une nouvelle bulle de confirmation. Elle y essuya de grandes traverses. Le parlement de *Paris*, la sorbonne, l'université, alarmés de la singularité de ses privileges, & de ses constitutions, s'éleverent contre elle. La sorbonne donna un décret en 1554, par lequel elle la jugea plutôt née pour la ruine que pour l'éducation des fideles. La patience & la politique dissiperent peu à peu ces orages. Le saint fondateur mourut content en 1555, à 65 ans. Il avoit vu l'accomplissement de trois choses qu'il desiroit le plus : son livre des *Exercices spirituels* approuvé par le saint siege ; sa société confirmée ; & ses constitutions rendues publiques.

In support of the assertion in the text, '*Loiolita tantum venit in tra-*
gœdiam,' I shall only cite the following passage from *Paquier's*
Recherches de la France, Book VIII. chap. 20, containing an enu-
meration of those plots in which the *Jesuits* have at different times en-
gaged, either for the destruction of individuals or of whole communi-
ties. 'Tout de cette même façon les *Jesuites* ont introduit en leur
republique, un nouveau formulaire d'estat, non seulement contre ceux
qui pretendent guerroyer leurs roys, comme contre le feu prince
d'*Orange*, qu'ils firent assassiner dedans *Anvers* l'an mil cinq cens
quatre vingts quatre par un *Baltasard Girard* ; & encores contre le
prince *Maurice*, son fils, l'an mil cinq cens quatre vingts dix-neuf,
par *Jean Parme* : mais contre les roys & roynes mêmes en & au
dedans leurs royaumes : ainsi l'attenterent-ils par quatre fois contre
la defuncte royne *Elisabeth d'Angleterre*, par leur *Jesuite Campian*
ou *Campien*, l'an mil cinq cens septante-huict. Par *Guillaume*
Parry, l'an mil cinq cens octante-quatre à ce poussé & induit par
Benedetto Palmio dedans la ville de *Venise*, & depuis confirmé dedans
Paris, par *Hannibal Coldreto* : par *Patrice Culan* 1588, persuadé par
un méchant *Jesuite*, nommé *Holt*. Et par *Edouard Squire*, l'an
mil cinq cens nonante-sept, par les inductions de leur Pere *Richard*
Vvalpod. Ainsi deux fois contre nostre grand roy *Henry IV.* re-
duit sous l'obeyssance du saint siege de *Rome*, l'une en l'an mil
cinq cens nonante-trois, par *Pierre Barriere*, dit *La Barre*, dedans la
ville de *Melun*, au beau milieu de la trefue ; l'autre en celle de *Paris*,
l'an mil cinq cens nonante-quatre, par *Jean Chapel*, dedans la Paix :
celuy la mené à la main par les instructions & memoires de *Varade*
& *Commole Jesuites*, & cestuy-cy nourry en leur escole dedans *Paris* :
ainsi

THE. Libenter, & hoc, & amplius. *Trico*, cape hunc torquem aureum ¹; & *Torcol* illum & *Ignoramus* simul ad me adducito; dato hanc arrham, iis daturum me quod placuerit. Illos, & quantum est hominum venustiorum, ad me ad cœnam, nunc, cras, perendie invoces, ibi lusus ridebimus tuos; tristis abibit nemo.

TRI. Jam herus meus es, jam tibi nomen quæris.

THE. Da dextram, *Trico*, hercle amo te.

TRI. Nisi te redamem, here; at nescis quid nunc sentio; abi, amo te medullitus.

THE. Mi *Trico*, mi *Bannacar*, vobis benefaciam.

TRI. Nigellus *Bannacar* & *Trico*, here, servi quantivis prætii sunt.

THE. Dix'ti; sed abi nunc tu.

TRI. Torquis hujus fide abeo nunc ad *Torcol*, post ad *Ignoramus*; huc ad te ambos adducam, si potest, ocyus ².

VIN. Sir ³, my Lady would desire you to come in to Master Antonine and Mistress Catharine; they are new come in; the coach is at the other gate.

THE. Mi formose puer, da mihi manum ⁴.

VIN. Manus? O, that's a hand. Nell can tell you, sir, what's brachium too.

THE. Eamus, *Isabella*, ad *Dorotheam*, ut eam hoc impertiamur gaudio ⁵.

¹ Gives *Trico* a chain from his neck.

² Exit *Trico*, intrat *Vince*.

³ To *Theodorus*.

⁴ Shaking hands with *Vince*.

⁵ Exeunt *Theodorus* & *Isabella*.

Manent *Antonius* & *Vince*.

† ainsi l'ont-ils voulu de fraîche memoire pratiquer, en l'an mil six cens cinq, par leur *Garnet* contre *Jacques* roy d'Angleterre, *Ecosse*, & *Hibernie*, c'est à dire *La grande Bretagne*.

The *Jesuits* were the inventors of the doctrine of equivocation; for which reason it is that by the word *Æquivocus*, which *Trico* uses, *Theodorus* understands a *Jesuit*. *Shakespeare*, in his *Macbeth*, says, 'here's an equivocator that could swear in both the scales against either scale, who committed treason enough for God's sake, yet could not equivocate to heaven;' which Dr. *Warburton* explains as referring to, the *Jesuits*, and their practices against the state in the reigns of queen *Elizabeth* and king *James*. See *Johnson* and *Steevens's Shakespeare*, edit. 1778, Vol. IV. p. 507.

A C T U S

ACTUS V. SCENA 9.

ARGUMENTUM. *Pyropo vestuario satisfacit Antonius pro ornamentis.*

Manent ANTONIUS, VINCE ; intrat PYROPUS.

PYR. **I**llic iterum conspicio ; quanquam timeo, compellabo eum : heus, heus ^a.

VIN. *Is your name Heus, sir ^a ? Here 's one called Heus, or Hughs ^a.*

ANT. Quis est ?

PYR. Redde, quæso, mihi ornamenta.

ANT ^a. O *Pyrope*, i intro mecum, jam statim dabuntur tibi.

PYR. Jamne ergo nostras es ? Jamne *Antonius* ?

ANT. Sum ; accede huc, quæso, & introeas.

PYR. Blandior est quam fuit, mali aliquod suspicor : antea verberavit me *Anglice* ; nunc capere cupit iterum, ut verberet *Gallice*.

ANT. Ades, mi amice ; quo recedis ?

VIN ^a. *He looks fearfully, and peaking ^b, like one that went to steal deer.*

^a Calling after *Antonius*.

^a To *Antonius*.

^a Returning.

^a Aside, observing *Pyropus*.

^a *Here's one called Heus, &c.—*] i. e. Here's one who called *Heus* or *Hughs*.

^b *peaking, like one, &c.—*] Some of the printed editions hitherto, and some of the manuscripts, give this passage thus, ' and speaks like one,' &c. and others thus, ' and speaking like one,' &c. Now, as it is scarcely probable that one who went to steal deer would be tempted to speak, lest the very sound of his voice should betray him, it is pretty clear that this reading is not correct. I had once thought, that instead of ' speaks ' or ' speaking,' we should read ' sneaking : ' but I have since met with a manuscript which exhibits ' peaking ' as the true reading. Either of these latter words conveys a better sense than that in the room of which they are offered ; and both may be supported by the following passage in *Beaumont and Fletcher's* comedy of *The Wild Goose Chase*, Act II, Scene 3.

' ——— Why stand'st thou here then,

' Sneaking, and peaking, as thou wouldst steal linen ?'

ANT,

ANT. Obsecro, quid times?

PYR. Hercle ut benigne conveniat, partiar potius tecum dimidium, quam rursus vapulem.

ANT. Mea fide non fiet.

PYR. Num fide hujus annuli¹?

ANT. Imo, bona fide jam: Necessitas facere nos sæpe subigit quod disconvenit; quamobrem veniam tu mihi dederis, nam alius fio nunc.

PYR. Credamne blanditiis tuis?

ANT. Audacter licet.

VIN². *What a shy buzzard^a it is! a man can scarce get a shoot at him with a stalking horse^b; he hath been scared sure.*

PYR³. Nullum nunc nævum video.

ANT. Nullus est, ne metue; cape hanc tuam penulam primum⁴, en projicio⁵.

VIN. *Shall Heus have your coat, sir? I would he would go to dice with me for it; I have high men and low men here^c. O ye little French pages, I'll sting you i' faith.*

ANT. Eamus; cœnabis tu⁶ hic mecum: reliquæ vestes, & nummi etiam auctario, intus dabuntur tibi.

PYR. Equidem credam tibi: eamus⁷.

¹ Producing *Trico's* ring. ² Aside, observing *Pyropus*. ³ Observing *Antonius's* face. ⁴ Pulls off his outer coat. ⁵ Throws it to *Pyropus*.
⁶ To *Pyropus*. ⁷ Exit *Antonius* and *Pyropus*. Manet *Vince*.

^a *shy buzzard*—] It has been suggested to me, that this should probably be read 'shy buzzard' instead of 'fly buzzard'; but I have not found any such reading in any of the printed editions or manuscripts.

^b *stalking horse*—] A stalking horse was a horse either real or factitious, by which the fowler anciently sheltered himself from the sight of the game. See a note of Mr. Steevens's, in *Johnson and Steevens's Shakespeare*, edit. 1778, Vol. II. p. 295. *Bailey* in his Dictionary thus explains it: 'Stalking horse [with fowlers] an horse, an old jade who will walk gently up and down, as you would have him, in water, &c. beneath whose shoulder the sportsman shelters himself and gun; used in tunneling for partridges.'

^c *high men and low men*—] High men and low men, at the time when this comedy appeared, were the cant names for false dice, used by cheating gamesters. The dice were made hollow, and then were loaden, so as to run, if high, 4, 5, or 6; if low, 1, 2, or 3. See *Johnson's Works* by *Whalley*, Vol. II. p. 30, in a note on *The Alchemist*.

VIN.

VIN. *What sport shall I have now? If 'twere not too late, I would go to loggets^a with the mariners: Well, I'll go pass comers by, and snatch hats^b with the pages; or I'll go throw stones at somebody or other; O I love that sport a-life^c: But first I'll go and pin this fox-tail^d at somebody's back^e; oh, fine and pat, here^f comes company^g.*

ACTUS

^a Produces a fox's tail.
and *Musæus* at a distance.

² Seeing *Torcol*, *Trico*, *Ignoramus*, *Dulman*,
³ *Manet Vince*.

^a *loggets*.—] This game is, as Mr. *Steevens* informs us, played in several parts of *England*, even at this time; and is thus described by him: 'A stake is fixed into the ground; those who play throw loggets^a at it, and he that is nearest the stake wins. I have seen it played,' says he, 'in different counties at their sheep-sheering feasts, where the winner was entitled to a black fleece, which he afterwards presented to the farmer's maid to spin for the purpose of making a petticoat, and on condition that she knelt down on the fleece to be kissed by all the rustics present.—It is one of the unlawful games enumerated in the statute of 33 of *Hen. VIII.*' *Johnson and Steevens's Shakespeare*, edit. 1778. Vol. X. p. 377.

^b *snatch hats*, &c.—] A propensity to this instance of boyish merriment appears to have been thought of so great importance, as to give to the person a surname alluding to the practice; for *Camden*, in his *Remains*, tit. *surnames*, mentions that '*Hugh Capet*, from whom,' says he, 'this last house of *France* descended, was so called, for that he used, when he was young, to snatch off his fellows' caps, if we believe *Du Tillet*.' *Camden's Remains*, edit. 1674. p. 162.

^c *a-life*.—] Mr. *Tyrwhitt*, in a note on *The Winter's Tale*, inserted in *Johnson and Steevens's Shakespeare*, edit. 1778. Vol. IV. p. 390, informs us that this word should be printed thus, a' life; and supposes it to be an abbreviation of at life, as a' work is of at work. The passage on which this note of Mr. *Tyrwhitt*'s occurs is as follows:

'I love a ballad in print a' life.'

^d *pin this fox-tail*, &c.—] *Horace* in his *Satires*, Lib. II. Sat. 3, v. 51, alludes in the following words to the practice of pinning the tail of any animal at any one's back, in order to render him the object of ridicule;

'———Hoc te
'Crede modo insanum, nihilo ut sapientior ille,
'Qui te deridet, caudam trahat.'

Upon

A C T U S V. S C E N A 10.

ARGUMENTUM. Ignoramus & Torcol *historiam de Isabella & Antonio a Tricone audierunt; sed fuisse Anglam Rosabellam antea cognovit Torcol: & quia ille pecuniam suam, & Ignoramus sexcentas suas coronas recipiet, uterque jam desinit Rosabellam sibi vendicare, utpote diu antehac alterius sponsam. Vince puer sarcasmis Ignoramus accipit, & a tergo illi caudam vulpinam affigit.*

Manet VINCE; intrant TORCOL, TRICO, IGNORAMUS, DULMAN, MUSÆUS.

TRI¹. **H**ercle ita res est, ut dixi.
IGN. *Bien, bon prou leur face^a.*

¹ Entering, to Ignoramus.

Upon which passage Mr. *Desprez*, the editor of the Delphin edition, inserts this note, 'Caudam trahat—] *Æque, ut tu, ridiculus & insanus habendus. Distio proverbialis ex eo facta, quod ebriis & insaniis pueri soliti sint tergo appendere quidpiam, instar caudæ, ad ludibrium, veluti exprobrantes sic hominibus illis quod in bestię naturam & speciem degenerarint. Absurdi sunt qui caudam trahere interpretantur, superbe incedere, & terram syrmate verrere.*'

Rabelais, Book I. chap. 9, mentioning some quibbling allusions to or transpositions of names, terms them 'so absurd and witless, so barbarous and clownish, that a fox's tail should be pinned at his back, and a fool's cap be given to every one that should henceforth offer, after the restoration of learning, to make use of any such fopperies in *France*.' These are the words in which the passage is rendered in the *English* translation of *Rabelais*, revised by *Ozell*, edit. 1750, where is also the following note, referring to the words 'A fox's tail,' of the above passage: 'A fox's tail, &c.—] A way of speaking borrowed from the ancients, who were wont to treat in this manner such as they had a mind should be laughed at.' "Veteres," says the *Scaligeriana*, "iis quos irridere volebant, cornua dormientibus capiti imponebant, vel caudam vulpis, vel quid simile."

In *Beaumont* and *Fletcher's Scornful Lady*, A& IV. Scene 1. *Abigail* says to Sir *Roger*, the curate, 'Never more will I despise your learning, never more pin cards and coney-tails upon your cassock.' And Mr. *Ray* in his *Proverbs*, edit. 1678, p. 314, notices, that when St. *Austin* and his companions preached *Christianity* to the Pagan Britons, they are said to have tied fish tails to their backs by way of derision.

^a *Bon pro, &c.—*] This I take to be a translation of the *Italian* phrase, 'Buon pro vi faccia,' 'Much good may it do you;' 'God give you joy.'

K k

TOR,

TOR. Quoniam pecunia reddetur nobis, *Trico*, *Rosabellanz Antonii* inventam *Isabellam* gaudeo: *Anglam* fuisse antea scivi surreptitiam, quam frater *Alphonfus* filiam adoptavit sibi; hoc autem, & illam, & alios, spe lucri, huc usque celavi sedulo.

IGN. Si *Rosabella* erat *Antonii* espousa antea, & per consequens^a, in couvert *baron*, gaudeo me non maritalle eam, ne fuisset maritragium amissum per defaltam.

TRI. Per defaltam, patrone; recte ais.

IGN. Clien, ergo ego sum contentus, si magister tuus *en ce cas de dissein* reddet mihi meas sexcentas coronas.

TRI. Torquis hujus fide¹ reddet quod placuerit.

VIN². *A pox on't, 'twill not stick: lend me a great pin somebody³: O⁴ here's one.*

TOR. Interea dum numeret herus, torquem da mihi, *Trico*,

IGN. Tibi? imo mihi; *donnez moy, ou je feray distresse.*

¹ Shewing the chain which *Theodorus* before gave him. ² Aside, and endeavouring, but in vain, to pin a fox's tail to *Ignoramus*'s back. ³ To the lenders by. ⁴ Searching and finding a pin in some part of his own clothes.

^a *per consequens*—] This phrase seems to have been in very frequent use about the time when this comedy was written: 'They' (says *Burton* in his *Anatomy of Melancholy*, p. 205, speaking of some particular persons) 'are miserable in the mean time, that cannot pity themselves, the common good of all, and, per consequens, their own estates.' Again, the same author, p. 246, says, 'If it be solid earth, it is the fountain of metals, waters, which by his innate temper turns air into water, which springs up in several chinks, to moisten the earth's superficies; and that in a tenfold proportion, as *Aristotle* holds, or else these fountains come directly from the sea by secret passages, and so made fresh again, by running through the bowels of the earth; and are either thick, thin, hot, cold, as the matter or minerals are by which they pass; or, as *Peter Martyr*, *Ocean. Decad.* lib. 9: and some others hold, from abundance of rain that falls, or from that ambient heat and cold which alters that inward heat, and so, per consequens, the generation of waters.' The same author, p. 317, remarking, that almost in every kingdom the most ancient families have been at first princes bastards, and that their worthiest captains, best wits, greatest scholars, bravest spirits, in all our annals, have been base, proceeds in these words: '*Cardan*, in his *Subtilities*, gives a reason why they are most part better able than others, in body and mind, and so, per consequens, more fortunate.' And lastly, to produce one more instance, the same author, p. 681, has the following passage: 'Besides, if there be infinite planetary and firmamental worlds, as some will, there be infinite genii or commanding spirits belonging to each of them: and so, per consequens, (for they will be all adored) infinite religions.'

TOR.

TOR. Habeas, senior, habeas.

TRI. Sed primum inter nos bonam componi gratiam volo : da manum, senior *Torcol*.

TOR. Quoniam tam lepide me versavisti, *Trico*, en tibi ¹.

TRI. Patrone, da dextram tuam ; atque eccam catenam pro arrhabone tibi.

IGN. Age, cliens, pone eam primum circa collum meum ² : nunc do manum tibi, & tibi, *Torcol* ³ ; amici erimus jam.

TOR. O senior, *bezo las manos*.

IGN. Sed tangam hoc primum ⁴ ; ut videam si sit legale aurum ⁵ : oh est bonum ; jam ero curtesius dum habeo coronas solutas : post, faciam ut volo ; O mi cliens, cape ambas manus, imbraso te ⁶.

TRI. O patrone, ut ego amo te !

IGN ⁶. *I am full of courtesy now, and full of craft : for all this, if I catch them at Westminster, I'll tickle them ⁷ : who's behind me there ? ha !*

VIN. O sir, I perceive you are mine own countryman ; I have a Latin to make, for God's sake, help me. What's Latin for an Alehouse-keeper ?

IGN. Tiplator cervifiæ ^b, boy.

VIN.

¹ Shakes hands with *Trico*. ² *Trico* puts the chain about *Ignoramus*'s neck. ³ *Ignoramus* shakes hands with *Trico* and *Torcol*. ⁴ Tries the chain by a touchstone. ⁵ Shakes hands with and embraces *Trico*.
⁶ Aside. ⁷ *Vince* pins the fox's tail to his back.

² *tangam hoc primum*—] It is evident from these words that the author here intended that *Ignoramus* should, in order to ascertain whether it were made of pure or adulterated gold, here try the chain which he had received from *Trico* by a touchstone, with which, as in the course of his profession he was likely to have frequent occasions of receiving money, he may well be supposed to be constantly provided, and as constantly to carry it about with him.

In *Shakespeare's Timon of Athens*, Act III. scene 3. a servant is introduced, who, speaking of *Timon*'s friends, and their behaviour on his applying to them to lend him money, says,

' Oh, my lord !

' They've all been touch'd, and all are found base metal,

' For they have all deny'd him.'

upon which Dr. *Johnson* says, ' They have all been touch'd, that is, tried, alluding to the touchstone.' *Johnson and Steevens's Shakespeare*, edit. 1778, Vol. VIII, p. 376.

Tiplator cervifiæ—] In *West's Symbolography*, Part II. Sect. 356,

K k 2

is

VIN. *I thank you, sir; and what's Latin for a tester?*

IGN. *Sixpence, Anglice a tester^b.*

VIN. *Why, this is sixpence for a tester, what have I got by it? And what's for a shoemaker, sir?*

IGN. *In dicto comitatu, shoemaker^c.*

VIN.

is the form of an indictment 'against one for keeping a common
' tipping house, that he is a common barrator,' and for various other
offences, which begins in these words: 'Juratores, &c. Quod A. P.
' de E. &c. est communis tiptator cervisiæ & communis barrestator &
' pacis domini regis perturbator,' &c.

^a *tester*—] Bishop Fleetwood, in his *Chronicon Preciosum*, Chap. III. mentions this coin in the following words: 'Testons, or, as we commonly call them, Testers, from a head that was upon them, were coined, as is before said, 34 H. 8. Sir H. Spelman says, they are a French coin, of the value of 18 d. and he does not know but they might have gone for as much in England. He says it was brass, and covered over with silver, and went in H. 8th's days for 12 d. but 1 Ed. 6. it was brought down to 9 d. and then to 6 d. (which still retains the name) and in an. 1559, to 4 d. ob. Stow says there was a second sort of Testons, which in 1559 was cried down to 2 d. q. and a third sort that was made unpassable at any rate. 'Tis certain there were very good ones coined in E. 6th's time; and they have still continued under all princes, under the same name, and are the usefullest pieces we have.' Edit. 1745, p. 32.

^b *Sixpence, Anglice a tester*—] I have no doubt that this expression in the text was borrowed from the form of an indictment 'for counterfeiting, making, and uttering of false money, viz. Sixpences, made with coining irons, of false metal,' which occurs in West's *Symbolography*, Part II. Sect. 295, and in which it is charged that W. H. the defendant, 'cuneam dictæ dominæ reginæ, viz. Sixpences, Anglice testerns, ex falsis metallis contrafecit & cunaverit,' &c.

^c *In dicto comitatu, shoemaker*—] This seems to refer to the Latin form of an indictment, and most probably to one of those which we are now about to mention. In West's *Symbolography* are no fewer than three precedents of indictments for various offences, in which the occupation of a shoemaker is mentioned; and in two of them, as it happens, it is introduced with the previous description of 'in dicto comitatu.' The first is against a gaoler for permitting a shoemaker, committed on suspicion of felony, to escape, and begins thus; 'Juratores pro domina regina præsentant quod ubi quidam A. B. nuper de G. in dicto comitatu K. shoemaker,' &c.: the second is against a shoemaker for manslaughter, and these are the initial words of it; 'Juratores præsentant pro domina regina quod A. B. de C. in dicto comitatu E. shoemaker,' &c.: and the third is also against a shoemaker for stealing a cow, and has this beginning; 'Juratores pro domina regina præsentant quod A. B. de C. in comitatu E. shoemaker,' &c. See West's

VIN. *And what, sir, is a black velvet cap upon the hinder part of a red speckled hog's head?*

IGN. *By'r lady, that's hard; it is pileus de nigro velvet super occiput capitis porci coloris red-speckle^a.*

VIN. *I can make as good Latin as this, in bas and in bus, in orum and arum; as thus, your Worshipporum is a Noddicockorum in a velvet capparum.*

IGN. *I'll tell your master, sirrah; I'll bring you to a noun, your hose go down.*

VIN. *Nay, good sir, make me one Latin more: what's a fox tail pinn'd at a fool's back? a fool is hic stultus^a, I know.*

IGN. *Is it even so, indeed? a rod, a rod: What's your master's name, sirrah?*

VIN. *As in præsentib, sir; you know him well enough.*

IGN.

^a Pointing at Ignoramus.

West's Symboleography, Part II. sect. 105, 138, and 207. The reader is to know, that the name of the county referred to by the words 'in dicto comitatu,' is supposed in these forms to be written in the margin, and mentioned also in the title, or caption, as it is called, of the indictment, declaring in what court and before what jurors it was found.

^a *porci coloris red-speckle*—] In this passage it is highly probable that the author had in view the form of an indictment, inserted in *West's Symboleography*, Part II. Sect. 227, for stealing a hog in a common, and by which F. B. is charged with entering upon the common and stealing thence 'unum porcum coloris red-speckled.' *West's* book had been printed long before this comedy was written; the dedication to the second part is dated in 1594, and the copy of the second part, which I have now before me, and in which this form occurs, is printed in 1601.

^b *As in præsentib*—] The poem here mentioned, and which, from the initial words of it, is called '*As in præsentib*,' was written by *Lilly* the grammarian. See the *Biographia Britannica*, art. *Lilje*, or *Lily*, (*William*) note H. and is one of those copies of memorial verses inserted in *Lilly's*, and almost all other *Latin* grammars, for the purpose of imprinting upon the minds of boys the various changes which a word, whether it be a verb or noun, undergoes in the several stages of its conjugation or declension. The phrase, '*As in præsentib*,' seems, however, to have been used formerly as the designation of a pedant, for, in one of the cuts, which accompany an old *Latin* comedy, entitled *Pedantius*, is a representation of *Pedantius* himself, attended by two boys. He has a rod in his right hand, and out of his mouth issues a label, with the words '*As in præsentib*' upon it. This comedy of *Pedantius* was played at *Cambridge* before the Earl of *Essex* (see Sir *John Harington's* translation of *Orlando Furioso*, in the notes at the end of the fourteenth book, but he does not mention in what year) and printed

IGN. *What? qui, quæ, quod, here i'faith? I'll tell your master. What's that they look and laugh at, Dulman? what's behind me there?*

DUL. *Profecto est vulpis cauda, tenes in for tail², jam; vis me virgare hunc puerum?*

IGN. *Fac, si potes*——

DUL. *Si ego capio te*——

VIN. *Come, come, and you dare; I have stones here, i'faith.*

DUL. *Will you? will you throw stones?*

VIN. *I, that I will¹.*

DUL. *O my shins!*

VIN. *It was well hit: now I'll away².*

IGN. *Sine eamus hinc, ut accipiamus coronas.*

TOR. *Eamus.*

TRI. *Herus vult etiam vos cœnare hic.*

IGN. *Qu'il soit, allons.*

TRI. *Dulman, da manum etiam³.*

DUL. *Pestis de te, tu es Mendoza.*

TRI. *Vinum & saccharum jam, Dulman.*

DUL. *Bene, pardono te pro saccharo.*

IGN⁴. *Jam tu venis, Musæe? tu servis tibi: allons, allons⁵.*

¹ *Vince* throws a stone at *Dulman*, and hits him on the shins.
Vince.

³ *Trico* shakes hands with *Dulman*.

² Exit

⁴ Seeing *Musæus*.

⁵ Intrant omnes *Theodori* ædes.

ed at London in 1631. It was written, as Mr. Noble, in his *Memoirs of the Protectorate House of Cromwell*, Vol. I. p. 323, informs us, by Dr. Beard, Oliver Cromwell's schoolmaster, a puritan, and the author of a book in folio, entitled *The Theatre of God's Judgments*. Mr. Noble adds, that the figure of *Pedantius*, in the above-mentioned cut, is a portrait of Dr. Beard himself; and refers his reader for the date of Dr. Beard's death, and some particulars of his family, to *Peck's Desiderata Curiosa*, where no such account is to be found.

² *tenes in fox tail*—] To hold an estate is a method of expression peculiar to the profession of the law, and signifies the manner in which the owner is entitled to it. If it be granted to him and his heirs, he is said to hold it in Fee; but if it be to him and the heirs of his body, this is called an Estate Tail, and he is then said to hold it in Fee Tail; and to this latter phrase the passage in the text certainly alludes. The meaning of the law phrase Fee Tail, as also the manner in which it differs from other species of tenures, may be seen more particularly in the Glossary hereto, art. *Tail special*.

ACTUS

ACTUS V. SCENA II.

ARGUMENTUM. Cupes & Cola cum caupone & meretricibus; quibus accedit Polla; quam metuens Cupes sub toga Confessoris sui Colæ sese abscondit: ibi inter cætera tacitus latens, audit Pollam confitentem solere Colam aliquoties cum illa cubare: prodit e latebris Cupes; nec mora, cum ambo sint pessimi, mutuum sibi veniam concedunt, redeuntque in gratiam.

Intrant CAUPO, CUPES, COLA, MERETRICES.

CAU¹. I STAS, ut vides, nos non parvo pretio huc ad te perduximus.

CUP. En ergo quod promisi præmium²: fac istis continuo apud vos convivium nitide appareatur, dum cantione³ illæ interea hic nos oblectent paululum.

¹ Entering, to Cupes.

² Gives Caupo money.

³ *dum cantione, &c.*—] We have before noticed, p. 145, that in our author's time music, dancing, and singing were frequently a part of a tavern entertainment. It further appears, that on such occasions women, and no one can doubt of what class, were not denied admittance; for Ben Jonson, in his *Leges Convivales* for the academy held at the Devil tavern, gives, in the following words, express permission to them to be present:

‘Nec lectæ fæminæ repudiantor.’

See Ben Jonson's *Works*, edit. 1716, Vol. VI. at the end; where they are accompanied by an *English* translation, in which the above passage is thus rendered:

‘And the more to exalt our delight while we stay,

‘Let none be debarr'd from his choice female mate.’

In another part of the *Leges Convivales* is this passage:

‘Amatoriis querelis, ac suspiriis liber angulus esto.’

Which the translation gives thus in *English*:

‘For generous lovers let a corner be found,

‘Where they in soft sighs may their passions relieve.’

CAU.

CAU. Curabitur quod jubes ¹.

CUP. Nunc vos ², amicæ lepidæ, aliquam accinite lepidam cantiuunculam.

COL. Agite, mellitulæ, vos ego absolvam singulas.

POL ³. Nuntiatum est mihi in caupona modo, virum cum scortis meum esse hic; quod si invenero, faxo ut hominum hodie facile sit miserrimus.

CUP ⁴. Perii funditus, si me viderit illa: Confessor, sub toga finito me, quæso, abstrudi tua, tantisper dum hæc abierit ⁵.

COL ⁶. Age, si quæfierit, vidisse te pernegavero.

POL ⁷. O, vos illa estis scorta delinifica, quæ meum corumpitis adeo virum mihi; abite pessimum, abite mercimonium ⁸.

COL ⁹. Hunc librum in manum capiam, simulabo quasi meditabundus sum.

POL ¹⁰. Sodalem ejus video, non longe is abest, scio: Cola ¹⁰, Frater Cola, Cola, inquam! quid malum! furdaster es? Cola, omitte librum, & responde mihi.

COL. Abscede, quæso, ne me jam interpella; meditor ego nunc acriter conciones meas *Quadragesimales* ¹¹.

POL.

¹ Exit <i>Caupo</i> .	² Ad <i>Meretrices</i> .	³ To herself, entering
and looking about, but not seeing <i>Cupes</i> .	⁴ Afide to Cola.	⁵ <i>Cupes</i>
hides himself under Cola's gown.	⁶ Afide to <i>Cupes</i> .	⁷ Excunt
<i>Meretrices</i> , Polla driving them out.	⁸ To himself, taking out a book and	
pretending to be reading.	⁹ To herself.	¹⁰ Calling aloud to Cola.

¹¹ *conciones Quadragesimales*.—] *Quadragesima*, or *Lent*, seems to have been formerly, by the ancient foreign divines, considered as a season which required a different sort of instruction from that which they usually gave to their auditors. In other instances they selected for their sermons what subjects they thought proper; at some times they preached on the merits of particular saints; at others, on the birth and passion of our Lord: some of their sermons were appropriated to *Advent*, others were only proper for Sundays, and others only for *Lent*, which last they termed 'Sermones,' or sometimes 'Conciones *Quadragesimales*.' Each of these sorts formed a peculiar class, and their sermons, whenever they were published, were ranged under the denominations of *Sermones de Sanctis*, *Sermones de Adventu*, *Sermones Dominicales*, and *Sermones Quadragesimales*. Of all these several sorts instances might be produced in the works of one and the same author, viz. *Oliver Maillard*.

POL. Attamen accede, obsecro, paululum ut tecum loquar.

CUP. Profecto jam non vacat: abi, quæso; optima pene mihi excidit meditatio.

POL. Sed paulilulum.

COL. Næ, næ, me perturbas nimis.

POL. Saltem narra mihi nunc, ubi bellissimus meus vir est.

COL. Hic non est, vides; sed ubi ubi est, jam Fratris cucullo tectum esse scio^a.

POL. Jamne ergo Fratris habitu alienas ille exorcizat fœminas? O si nunc deprendere possem eum! sed bene est, sic fino; consimili modo illi parem referam gratiam. Eamus sodes huc intro ad me, mi Frater.

COL. Occupatissimus nunc sum: cæterum quid intus facerem?

POL. Tu me illo exorcizabis pacto, meus quo vir alienas exorcizat fœminas; Talionis lege illum ulcisci cupio.

COL. Ne tu tam male cogites..

POL. Male! antehac dix'ti mihi, Casum esse hunc conscientiaæ.

COL. Quis Casus? tace.

POL. Nempe maritus si cum alienis cubet, uxori licere idem: memini verba; Idem jus dix'ti Titio quod Sempronio^b.

COL.

Maillard, of whom an account has before been given in a note, page 174.

Claude de Lingendes, a Jesuit, who, as appears from Moreri's Dictionary, art. *Lingendes*, Claude de, was born in 1591, and died in 1660, wrote three volumes of *Sermones Quadragesimales*, which were printed in octavo, at Paris, in 1664, with the title of *Conciones in Quadragesimam Reverendi Patris De Lingendes, e Societate Jesu, editio secunda*.

^a *Fratris cucullo, &c* —] This is a very Jesuitical and artful answer, for though it seems at first to be a confession of the fact, that Cupes is hidden under Cola's gown, it will be found capable of another signification, in which alone Pella understands it. The reader will recollect, that in order to assist Cola in exorcising Ignoramus, Cupes had dressed himself in a friar's gown, which, Act IV. scene 6, Cola tells us had been won by himself at dice from one of his acquaintance. To this change of habit Pella had been privy, and the passage in the text is so artfully worded as to refer at the same time to both these facts, and to be applicable to either. The words are spoken by Cola as referring to the concealment of Cupes, but with intent, however, that they should be misunderstood; and Pella misunderstands them, and applies them to Cupes's change of habit only.

^b *Titio quod Sempronio* —] Titius and Sempronius are names used by the

L 1

COL. Egon' hoc tibi? quando?

POL. Ut diffimulas! tum cum postremo tu cubabas mecum. Scis me vera dicere.

COL. Tace, nunquam factum quidem¹, Oh, oh, oh!

POL. Quid est?

COL. Sub tunica nunc nescio quis me pungit pulex.

POL. Et nunc me etiam nescio sub tunica quis pungit pulex: eamus.

CUP². Eamus! Imo mane, propudium; nunc quasi ex equo *Trojano*^a prodeo huc. Jam capta es *Troja*, & tu magnæ *Trojæ* vastator *Achilles*^b.

POL.

¹ Cupes pincheth him by the legs.

² Starting from under *Cola's* gown.

the civil lawyers in stating supposititious cases; and *Braſſon*, a common lawyer, who wrote in the time of *Henry III.* *De legibus et consuetudinibus Angliæ*, eternally uses, as *Mr. Barrington* remarks, the names of *Titius* and *Sempronius*, instead of the *A.* and *B.* of an *English* lawyer. *Barrington's Observations on the Statutes*, edit. 1775, p. 89, in nota.

^a *tanquam ex equo Trojano*—] This allusion to the *Trojan* horse seems almost to have been proverbial. *Cicero* says of the school of *Isocrates*, 'ex universa ejus schola, tanquam ex equo *Trojano*, innumeri principes extiterunt.' *Pasquier*, *Recherches de la France*, Lib. III. cap. 43. *Pasquier* does not, however, inform us in which of *Cicero's* works the passage which he cites is to be found. In a *Latin* comedy, entitled *Pedantius*, which we have before had occasion to mention, *Pedantius* thus comments upon the verse, 'Cedant arma togæ, concedat laurea linguæ.' 'PED. Proponam, quod erit & ætati tuæ aptissimum, & authoritati meæ, "Cedant arma togæ, concedat laurea linguæ." Serio iussor *Juvenali*, qui poeticam *Ciceronis* facultatem non laudibus, sed sannis persequitur. In aureo hoc versiculo unumquodque verbum est sane efficacissimum, & ita gravidum pregnansque significationibus, ut erat equus *Trojanus* principibus *Græciæ*.' *Pedantius*, Aët. V. Scena 2. And in the same comedy, *Pedantius* speaking of himself, says, 'Sciebam me oratorem, non aratorem, ad curiam me natum non ad currum esse; quid dico, natum? ab aliquo Deo factum, ad quem tanquam ad mercaturam bonarum artium omnes confluant. Nam ex ludo meo innumerabiles oratores (tanquam ex equo *Trojano*) prodierunt.' Ibid. Aët. III. Scena 1.

^b *Trojæ vastator*, &c.—] Probably borrowed from the following line of *Statius*:

'Tene, inquit, magnæ vastator debite *Trojæ*.'

Statii Achil. Lib. II. v. 318.

Statius

POL. Quid hoc rei est? num tu¹ ex alvo egeffisti hunc?

CUP. O *Polla*, O *Cola*, pulex pungit vos; ah impudicissimos!

POL. Mi vir, per jocum dixi omnia ego.

COL. Certe per jocum illa.

CUP. Per jocum? ficcine jocamini? ah *Polla*, ex industria delitui hic ego, ut te caperem.

POL. Imo flagitii conscius hic te occuluisti; scivi bene, *Cupes*.

CUP. *Polla*, jam sumus ergo pares².

COL. Cum sitis similes paresque vita,
Uxor pessima, pessimus maritus,
Miror non bene convenire vobis³.

POL. At posthac convenerit, mi *Cupes*.

CUP. Ain'? signemus osculo².

COL. Vivite posthac concordēs & unanimes.

CUP. Nec Benedictiones, Frater, tuas, nec Casus volo conscientiae; cætera amo te.

POL. Egø eo intro, mi vir, nisi me quid vis.

CUP. I præ, *Polla* mea, mox te sequar².

¹ To *Cola*.

² Kisses *Polla*.

³ Exit *Polla*.

Statius is the only author whom we have met with that terms *Achilles* *vastator Trojæ*, and is referred to both by *Littleton* and *Ainsworth*, in their Dictionaries, as an authority for the word *vastator*,

² *jam sumus, &c.*—] *Martial*, Lib. II. Epig. 18.

³ In *Maximum*.

¹ Capto tuam, pudet heu, sed capto, *Maxime*, cœnam:

² Tu captas alias: jam sumus ergo pares.

³ Mane salutatum venio: tu diceris iste

⁴ Ante salutatum: jam sumus ergo pares.

⁵ Sum comes ipse tuus, tumidique anteambulo regis:

⁶ Tu comes alterius: jam sumus ergo pares.

⁷ Esse sat est servum: jam nolo vicarius esse.

⁸ Qui rex est, regem, *Maxime*, non habeat.

⁹ *Cum sitis, &c.*—] *Martial*, Lib. VIII. Epig. 35.

¹⁰ Ad pessimos conjuges.

¹¹ Cum sitis similes, paresque vita,

¹² Uxor pessima, pessimus maritus:

¹³ Miror, non bene convenire vobis.

L 1 2

COL.

COL. Nunc jam eamus ad amicas nostras.

CUP. Eamus. Quanquam scelestus es, me amas, scio.

COL. Medullitus ¹.

ACTUS V. SCENA 12.

ARGUMENTUM. Cupes & Trico *quid per totam fabulam uterque egerit hac in scena memorant; & vice Epilogi, saluti domini Regis libant auspicato cyathum.*

Manet CUPES; intrat TRICO ².

TRI ³. HEUS Cupes, Cupes!

CUP ⁴. O mi congerro, Trico!

TRI. Hoc suppilavi ⁵, Cupes, pro meritis, uti ipse libarem tibi; nam comice apud nos transacta sunt omnia. *Ignoramo Theodorus* sexcentos resolvit aureos; *Torcol* etiam benigne satisfecit. Hic intus itaque nihil nisi epulæ, concordia, gratia, saltatiuncula, risiones, cachinni, joci, amplexus, suavia super suavia.

CUP. Atque id nunc serio ego triumpho, *Trico*, nam mea opera effecta sunt hæc omnia.

TRI. Imo mea, *Cupes*, qui primo a navi reduxi huc *Antonium*.

CUP. At ego, *Trico*, cornu absterrui *Ignoramus* hinc.

TRI. At ego, *Cupes*, causa proposita illum detinui antea; post ego ad te deduxi *Dulman* etiam.

CUP. At *Trico*, quis se *Torcol* simulavit? pro *Rosabella* quis dedit *Pollam* subdititiam? quis se etiam *Dulman* finxit? & *Rosabellam* quis subduxit postea? annon ipse *Cupes*?

TRI. At quis *Antonium* docuit, qua patrem nævo & *Anglico* sermone falleret? annon ipse *Trico*?

CUP. At *Trico*, quisnam Frater fuit exorcista? quis in errore firmavit *Theodorum*?

¹ Exit *Cola*. Manet *Cupes*.

³ Calling after *Cupes*.
of wine.

² *Trico* lagenam vini affert & cyathum.

⁴ Returning.

⁵ Shewing the flagon

TRI.

TRI. At, *Cupes*, —

CUP. At, *Trico*, —tace, nunquam tu me vinces hodie in nequitia.

TRI. Bene utrinque factum esse scio: at, *Cupes*, quis invenit? —

CUP. Invenit *Trico*, sculpsit *Cupes*².

TRI. Bene, sic itaque componantur hæc. Sed eventus, *Cupes*, rebus præstat omnibus.

CUP. Eventum times? non est quod desperes: namque secundum fore, Domini nostri^b, viri optimi maximi, clementiâ spem dat, quem penes est eventus: prospero itaque eventui, quod felix faustumque sit, nunc libemus auspicato cyathum.

TRI. Quin potius ipsius eventus summo Imperatori sacram illam salutem voveamus, in cuius unius salute omnium nostrum continetur salus —

CUP. Accipio omen¹ — Nunc vos obstringo, Spectatores, ut hoc noctis, cras saltem, hoc idem suscipiatis & solvatis votum.

TRI. Quod qui non lubentes voverint, solverintque, uxores *Polla* infestiores habeant.

CUP. Idemque stupido *Dulman* stupidiores, & inficeto *Ignoramo* audiant inficetiores.

TRI. Idemque, opera carnificis, torto collo fient, magis quam ipse *Torcol*.

CUP. Idemque bona verba simul cum *Surda* audiant.

TRI. Idemque bibant, illos quod nunquam transeat.

CUP. Igitur qui magnum vitare vultis infortunium —

TRI. Quique omnia evenire vobis feliciter vultis —

CUP. Saluti Domini nostri, pii, felicitis, semper augusti, uti nos modo, ex animo læte apprecemini.

TRI. Eidemque universi omnes, quod decet, clare PLAUDITE².

¹ *Trico* drinks.

² Exeunt omnes.

^a *Invenit Trico, &c.* —] Alluding to the practice of engravers, who to prints, copied from the pictures of any master, usually put the name of the original painter, as well as that of themselves by whom the plate is engraven.

^b *Domini nostri* —] Meaning king *James I.* who was present at both performances of this comedy at *Cambridge*.

E P I L O G U S.

Intrat IGNORAMUS¹.

ST, sit, pax, pax, servate pacem cum manibus; vos ridetis & plauditis: sed quid jam postea fiet de vestro povero *Ignoramo*? nam nisi habemus *supersedeas* de non molestando, fratres mei *Ignorami* nos molestabunt sine moderata misericordia: & vester poverus *Ignoramus* est bootatus & spuratus (ut videtis) ire ad *Londinum*; sed sine protectione regali non audet ire ultra *Barkeway*², aut *Ware*^b ad plus, ut eleganter quidam legalis poeta^c. Quare, Serenissime Domine^d, supplico ut concedas

¹ Booted and spurred.² Addressing himself to the king.

^a *Barkeway*—] ‘*Barkway*, a town in *Hertfordshire*, which had formerly a market on *Fridays*, and has one fair on *July 20*, for pedlars’ wares. It is on the great road from *London* to *York*, and is 18 miles S. of *Cambridge*, and 35 N. of *London*.’ *Brookes’s Gazetteer*, art. *Barkway*.

^b *Ware*—] ‘*Ware*, a town in *Hertfordshire*, with a market on *Tuesdays*, and one fair, on the first *Tuesday* in *September*, for horses and other cattle. It is seated on the river *Lea*, and is a handsome thoroughfare place, with several good inns; and is particularly noted for its great bed, and for the *New River* which begins to be cut not far from thence, which brings water to *London* for the service of that city. It is 35 miles S. by E. of *Huntingdon*, and 21 N. of *London*. There are corn and malt almost constantly sent from thence to *London* by the river *Lea*, which falls into the *Thames* near *Bow*.’ *Brookes’s Gazetteer*, art. *Ware*.

^c *Barkeway aut Ware ad plus, &c.*—] In the first and second printed editions of this comedy, the words in the text are followed by these, ‘ut eleganter quidam legalis poeta,’ and one of the manuscripts reads, ‘ut ingeniose legalis poeta.’ The editor of the third edition, in 1658, has omitted this latter passage, which we have, on the above-mentioned authorities,

cedas per literas tuas patentes solum conductum mihi, & consortibus meis. Vos, *Monsieurs*¹, huic supplicationi, si placet, vestras manus apponite².

¹ Addressing himself to the rest of the auditors.

² Exit *Ignoramus*.

thorities, ventured to restore. The passage in the text, however, contains an allusion to a poem, written, as it should seem, between the time of the first and second representations of this comedy, in the character of *John a Stile*, student in the common law, and addressed to the comedians of *Cambridge* in consequence of this play. It has been lately recovered from a manuscript collection of miscellaneous poems in the *Museum, Sloane MSS. No. 1775*, and is as follows :

‘ To the comedians of *Cambridge*, who in 3 acts before the king
 ‘ abused the lawyers with an imposed *Ignoramus*, in two ridiculous
 ‘ persons, *Ignoramus* the master, and *Dulman* the clerk ; *John a Stile*,
 ‘ student in the common law, wisheth a more sound judgment and
 ‘ more reverent opinion of their betters :

‘ Faith, gentlemen, I do not blame your wit,
 ‘ Nor yet commend, but rather pity it ;
 ‘ Attribing this, your error and offence,
 ‘ Not unto malice, but to ignorance ;
 ‘ Who know the world by map, and never dare,
 ‘ If beyond *Barkeway* ride past *Ware*,
 ‘ But madly spurgall home unto your schools,
 ‘ And there become exceeding learned fools.’

Very unfortunately the sixth line of the above poem, which is also that referred to by the text, is defective in the manuscript, and a space is left for the insertion of a word to fill up the line ; perhaps we should read,

‘ If beyond *Barkeway* gone, to ride past *Ware*.’

By the words ‘ ut eleganter quidam legalis poeta,’ it is very evident that the author of this poem was meant, who having assumed the character of *John a Stile*, student in the common law, might properly be referred to as being ‘ quidam legalis poeta.’

^d *Serenissime Domine*—] We have before remarked that the king was present both times when this comedy was acted at *Cambridge*.

GLOSSARY.

G L O S S A R Y.

N. B. The articles marked with the letter C. are taken from *Cowel's Interpreter*.

A.
Abettare. To abet. ' Abet, ' abettare, may, without ab- ' surdity, be said to proceed ' from the *French*, *bouter*, i. po- ' nere, apponere; impellere, pro- ' pellere. It signifieth in our ' common law, as much as to ' encourage, or set on. The ' substantive abetment, abet- ' tum, is used for an encourag- ' ing or setting on; and also ' abettor, for him that encou- ' rageth or setteth on: but ' both verb and noun is alway ' used in the evil part.' C. art. *Abet*.

Abcariare. To carry away. *Townsend*, in his *Preparative to Pleading*, p. 44, spells it *Abcariare*, but assigns to it the same signification.

Acquiantantia. An acquittance or discharge. Dr. *Cowel*, in his *Interpreter*, edit. 4to. 1607, thus explains it, art. *Acquittance*: ' Acquittance, acquie- ' tantia, cometh from the *French* ' *quicter* or *quitter*, i. *accepto* ' *ferre*, or *quittance*, i. *accepti-* ' *tatio*, *apocha*, and signifieth a ' release or discharge from a ' debt formerly due.'

Actio defamationis. ' Defama- ' tion is, when a man speaks ' slanderous words of any other ' man, court of justice, magis- ' tracy, or title of land; for ' which the party shall be pu-

' nished according to the nature ' and quality of his offence, ' sometimes by action upon the ' case for slander, at the common ' law, and other times in the ec- ' clesiastical court. As if a man ' contrive any false news, or ' horrible and false lies, of pre- ' lates, dukes, earls, &c. then ' an action de scandalis magna- ' tum will lie against him, by ' the statute of 2 R. II. cap. 5. ' and this being proved, the ' party offending shall be grie- ' vously punished; but for ' words of defamation against ' a private man, there the party ' grieved shall have his action ' upon the case for the slander, ' and shall recover in damages ' according to the quality of ' the fault, wherein the quality ' of the person who is so de- ' famed is much to be confi- ' dered.' *Termes de la Ley*.

Actio de intrusione. Intrusion is defined by *Bracton*, who wrote temp. Hen. III. *De Consuetudinibus Angliæ*, in the following words, which are inserted from him in *Cowel's Interpreter*, art. *Intrusion*: ' *Intrusio est*, ' *ubi quis, cui nullum ius com-* ' *petit in re nec scintilla juris,* ' *possessionem vacuum ingredi-* ' *tur, quæ nec corpore nec ani-* ' *mo possidetur, sicut hæredita-* ' *tem jacentem antequam adita* ' *fuerit ab hærede, vel saltem a* ' *M m* ' *domino*

domino capitali ratione custodiz, vel ratione eschaetz, si forte hæredes non existant, vel si post mortem alicujus per finem factum, vel per modum donationis, ubi successio sibi locum vendicare non possit, vel si post mortem alicujus qui tenuit ad vitam debeat tene-
mentum reverti ad proprietarium, ponat quis se in feifum nam antequam tenementum illud veniat ad illum ad quem pertinere deberet ex prædictis causis.

Actio pro falso imprisonmente.

A writ so called, the nature of which will be sufficiently obvious from the following explanation of the evil which it is intended to redress: 'False imprisonment, falsum imprisonmentum, is a trespass committed against a man by imprisoning him without lawful cause; it is also used for the writ which is brought upon this trespass.' C.

Actio super casum. An action on the case; which is thus explained by *Covent*, in his *Interpreter*, art. *Action upon the case*: 'Action upon the case, actio super casu, is a general action given for redress of wrongs done without force against any man, and by law not especially provided for. For where you have any occasion of suit, that neither hath a name nor certain form already prescribed, there the clerks of the chancery in ancient time conceived a fit form of action for the fact in question, which the civilians call *Actionem in factum*, and our common lawyers *Action upon the case*.'

Ad luda illicita contra statutum.

In *West's Symbolography*, Part II. tit: *Indictments*, Section 324, is the form of an indictment for keeping a bawdy-house, and using of unlawful games. It is as follows: 'Juratores præsentant quod N. W. de A. & I. Taylor, & E. uxor ejus, &c. sunt communes lupinatores, & diversis diebus & vicibus ante diem hujus inquisitionis, in domibus suis scituatis, &c. manutenere hospitium lupinarium, necnon diversas personas suspectas ibidem ludentes ad luda illicita, viz. tables, cards, tam in die quam in nocte, post horas debitas & legitimas, ad gravamen inhabitantium ibidem, ac malum exemplum omnium aliorum legeorum domini regis, &c.' And in the same author, Sect. 356, is another indictment for various offences, amongst which are the following: 'quod A. P. de E. &c. est communis tiplator cervisiæ, & communis barrestator, & pacis domini regis perturbator, & custodit & manutenet quotidie & noctanter, in domo sua apud, &c. diversas personas suspectas, tam homines quam mulieres, & vagabundos ibidem bibentes, jurantes, & ludentes ad luda illicita, viz. apud cards and dice, in noctibus post horas debitas & legitimas, & qui vigilant in nocte & dormiunt in die, &c. By the statute 3^d Henry VIII. Chap. IX. Section 16. several games, and amongst others, tables, dice, and cards, are prohibited. The clause itself is inserted at length, p. 180, in a note, and an indictment against any one

one for breach of that statute would, while law proceedings continued in *Latin*, have charged the offence to be playing ad ludam illicita contra statutum, &c.

Ad terrorem liegei populi domini regis. These words seem to be part of the *Latin* form of an indictment for an affray. In *Wess's Symboleography*, Part II. tit. *Indictments*, Sect. 186, 187, are two forms of an indictment of this kind, in the latter of which the defendants are charged with the offence in these words: 'insultum & magnam affraiam adtunc & ibidem invicem fecerunt, & commiserunt, in magnum timorem, tremorem, & perturbationem, tam prædictorum justiciariorum dictæ dominæ reginæ adtunc & ibidem existentium, quam totius populi & liegeorum subditorum dictæ dominæ reginæ de comitatu S. prædicto, adtunc & ibidem confluentium,' &c. In the former of these two it is thus charged: 'inter se insultum & affraiam maximam tunc & ibidem fecerunt, sese invicem verberantes, & vulnerantes, in magnum terrorem tam dictorum justiciariorum tunc ibidem in curia sedentium, quam totius populi dictæ dominæ reginæ ad dictam sessionem pacis tunc & ibidem convenientis,' &c.

Advifamentum. Advice. 'Advifare, advifamentum. Confulere, deliberare, ruminare de re aliqua. Gall. Advifer, seu avifer. Vox *Glanvilli* & fori, etiam theologorum.' *Spelman's Glossarium*, art. *Advifare*. *Spenser* uses the substantive advizement in the following passage:

'Gramercy, fir, said he, but
'mote I wote,
'What strange adventure do
'you now pursue?
'Perhaps my succour or ad-
'vizement meet
'Mote stead you much your
'purpose to subdue.'

Spenser's Fairy Queen,
B. II. Cant. 9, Stanza 9.

And *Shakespeare*, in his comedy of *The Merry Wives of Windsor*, Act I. Sc. 1. puts into the mouth of Sir *Hugh Evans* these words: 'It is not meet the council hear of a riot; there is no fear of Got in a riot; the council, look you, shall desire to hear the fear of Got, and not to hear a riot; take you vizaments of that.'

Aggreatum accorbatum et condensationum. When deeds and law proceedings were in *Latin*, as they formerly were, it is more than probable that these words were in frequent use. I have not found any instance in which they actually occur; but in *Wess's Symboleography*, Part I. Sect. 59. I meet with the form of a deed of covenant, in which are these words: 'the said parties to these present indentures bin condiscended and agreed in manner and form following,' &c.

Agnelli. Lambs.

Alias Capias is a kind of writ, which *Cowel*, in his *Interpreter*, art. *Sicut alias*, thus describes: 'Sicut alias is a writ sent out in the second place, whereas the first sped not. It is so called of these words expressed in it; for example, "*Jacobi*, Dei gratia, &c. vicecomiti *Kan.* salutem: Præcimus

M m 2

"pimus

“pimus tibi (sicut alias præcepimus) quod non omittas propter aliquam libertatem in balliva tua, quin eam ingrediaris, & capias *A. B. de C.* in comitatu tuo, labourer.” &c.

Alnetum. ‘Alnetum est ubi alni arbores crescunt, a place where alder trees grow.’ *C. folio edit. 1727.*

Appellum de plagis et mahemio. ‘Appeal of mahem (appellum mahemii) is an accusing of one that hath maimed another; but that being no felony, the appeal thereof is but in a sort an action of trespass, because there is nothing recovered but damages. *Bracton* calleth this appellum de plagis & mahemio, and writeth of it a whole chapter, li. 3. tract. 2. ca. 24. *C.*

Aquaticum, i. e. Molendinum aquaticum. A water mill. See *C. edit. 1727, art. Molendinum.*

Attachiare. To attach. *Corwel* thus explains it: ‘Attache, attachiare, cometh of the *French* attacher, i. figere, nestere, illigare, desigere, alligare. In our common law it signifieth to take or apprehend by commandment or writ.’ *C. art.*

Attache.

Audita querela. ‘Audita querela is a writ that lieth against him, who having taken the bond, called statute-merchant, of another, and craving, or having obtained, execution of the same at the mayor and bailiff’s hands, before whom it was entered; at the complaint of the party who entered the same, upon suggestion of some just cause why execution should not be granted, as a release, or other exception, this writ

‘is granted by the chancellor of *England*, upon view of the exception suggested, to the justices of the common bank, or of the king’s bench, willing them to grant summons to the sheriff of the county where the creditor is, for his appearance, at a certain day, before them.’ *C.* These are the words in which *Corwel* explains this writ; but as they are not sufficiently intelligible to any but a lawyer, it has here been thought necessary to add the following explication from a well-known law book, entitled *Les Termes de la Ley.* ‘Audita querela is a writ that lies where one is bound in a statute-merchant, or where judgment is given against him for debt, and his body in execution thereupon; then if he have a release, or other matter sufficient to be discharged of execution, but hath no day in court there to plead it, then he shall have this writ against him which hath recovered, or against his executors.’

B.

Backberend. ‘Backberend is a *Saxon* word, and almost *English* at this day, signifying as much as bearing upon the back or about a man. *Bracton* useth it for a sign or circumstance of manifest theft, which the civilians call furtum manifestum. For, dividing furtum in manifestum & non manifestum, he defineth furtum manifestum in this sort; “Furtum vero manifestum est, ubi latro deprehensus est”

“ est seifitus de aliquo latrocinio,
 “ sc. handhabend & backberend,
 “ & infecutus fuerit per aliquem
 “ cujus res illa fuerit,” lib. 3.
 “ tract. 2. cap. 32.” *C. art.*
Backberend.

Balliare. To bail, or give bail
 for. ‘ Bayle’ (says *Cowel*, art.
Bayle) ‘ ballium, plevina, ma-
 ‘ nucapio, cometh of the *French*
 ‘ bailler, i. attribuer, trade-
 ‘ re, tribuere. It is used in
 ‘ our common law properly
 ‘ for the freeing or setting at
 ‘ liberty of one arrested or
 ‘ imprisoned upon action, ei-
 ‘ ther civil or criminal, under
 ‘ surety taken for his appear-
 ‘ ance at a day and place cer-
 ‘ tainly assigned. The reason
 ‘ why it is called bayle, is, be-
 ‘ cause by this means the par-
 ‘ ty restrained is delivered into
 ‘ the hands of those that bind
 ‘ themselves for his forthco-
 ‘ ming.’

Billa vera. *Cowel*, in his *Inter-
 preter*, explains this phrase in
 the following words: ‘ Billa
 ‘ vera is, as it were, a word of
 ‘ art in our common law: for,
 ‘ the grand inquest empaneled
 ‘ and sworn before the justices
 ‘ in Eyre, &c. indorsing a bill,
 ‘ whereby any crime, punisha-
 ‘ ble in that court, is presented
 ‘ unto them, with these two
 ‘ words, do signify thereby that
 ‘ the presenter hath furnished
 ‘ his presentment, or denunci-
 ‘ ation, with probable evidence,
 ‘ and worthy of farther con-
 ‘ sideration; and thereupon the
 ‘ party, presented by the same
 ‘ bill, is said to stand indicted
 ‘ of the crime, and so tyed to
 ‘ make answer unto it, either
 ‘ by confessing or traversing
 ‘ the indictment.’ In the *Termes*

de la Ley it is thus explain-
 ed: ‘ Billa vera is the indorse-
 ‘ ment of the grand inquest up-
 ‘ on any presentment or indict-
 ‘ ment which they find to be
 ‘ probably true.’

Bladium. Corn. ‘ Bladum, qui-
 ‘ busdam Bladium. Nostro fo-
 ‘ ro de segete tantum intelligen-
 ‘ tur, præsertim etiam in herba.’
Spelmanni Glossarium.

Bona et Catalla. Goods and
 Chattels. What this latter
 word signifies may be seen in-
 fra, art. *Chattel*.

Bona et legalis moneta. Vide
Bonum ac legale.

Bonum ac legale. These words
 were anciently a part of the form
 of a bond. In *West's Symboleo-
 graphy*, Part I. Sect. 102, is
 the following form of an obli-
 gation, as he terms it, which
 is, in fact, no other than a
 bond. ‘ Noverint universi per
 ‘ præsentem me *W. G. de R.* in
 ‘ comitatu *S. generosum, tene-*
 ‘ ri & firmiter obligari *W. B.*
 ‘ in decem libris, bonæ & lega-
 ‘ lis monete *Angliæ*, solvendis
 ‘ eidem *W. B.* aut suo certo at-
 ‘ tornato vel executoribus suis,
 ‘ in festo *S. Michaelis* Archan-
 ‘ geli proxime futuro post da-
 ‘ tum præsentium,’ &c. In the
 same author, Part I. in the
 same Sect. is also another form
 of the like kind, in which the
 phrase, ‘ bonæ & legalis mone-
 ‘ tæ *Angliæ*’ again occurs.

Boscus. Wood. ‘ Boscagium,
 ‘ boscus. Hoc sylva, illud ali-
 ‘ mentum quod e sylva referunt
 ‘ animalia: juxta *Boetium* pascere.’
Spelmanni Glossarium, art. *Bos-
 cagium, Boscus*. In *Cowel's*
Interpreter, edit. 1727, *Boscus*
 is thus rendered: ‘ *Boscus* is
 ‘ an ancient word used in the
 ‘ law

• law of *England* for all man-
• ner of wood.'

Breve. A Writ. 'Writ, breve, is
• that, with our common law-
• yers, in Sir *Tbo. Smith's*
• judgment, Lib. II. *De Repub.*
• *Anglorum*, cap. 9. which the
• Civilians call *Actionem*, five
• formulam. But I am rather
• of his judgment that hath
• added the marginal note unto
• him, saying, that *Actio* is the
• parties' whole suit, and that
• Breve is the king's precept,
• whereby any thing is com-
• manded to be done touching
• the suit or action; as the de-
• fendant or tenant to be sum-
• moned; a distress to be taken;
• a disseisin to be redressed, &c.'

C. art. Writ. The same author,
art. *Brief*, gives a more explicit
explanation of this term, in the
following words: 'Brief, bre-
• ve, cometh from the *French*
• bref, ou brief, i. brevis, and
• in our common law signi-
• fieth a writ, whereby a man
• is summoned to answer to any
• action, or, more largely, any
• precept of the king in writing,
• issuing out of any court,
• whereby he commandeth any
• thing to be done for the fur-
• therance of justice or good or-
• der.' In the *Termes de la*
Ley is the following expli-
cation, on which *Corwel's* inter-
pretation seems to be founded:

'Brief, breve, signifies, most
• properly, in our law, the pro-
• cess that issues out of the
• chancery, or other court, com-
• manding the sheriff to sum-
• mon or attach *A.* to answer
• to the suit of *B.* &c. But,
• more largely, it is taken for
• any precept of the king, in
• writing, under seal, issuing out

• of any court, whereby he com-
• mands any thing to be done
• for the furtherance of justice
• and good order; and they are
• therefore called briefs, because
• they briefly comprehend the
• cause of the action.'

Breve de idiota examinando. This
writ is styled by *Corwel*, 'Idiota
• inquirenda vel examinanda;
' and is thus defined in his *In-
terpreter*: 'Idiota inquirenda
• vel examinanda, is a writ that
• is directed to the escheator, or
• the sheriff of any county
• where the king hath under-
• standing that there is an idiot,
• naturally born so weak of
• understanding that he cannot
• govern or manage his inheri-
• tance; to call before him the
• party suspected of idiocy, and
• examine him, and also to in-
• quire, by the oaths of twelve
• men, whether he be sufficient-
• ly witted to dispose of his
• own lands with discretion or
• not, and to certify according-
• ly into the chancery. For
• the king hath the protection
• of his subjects, and, by his
• prerogative, the government
• of their lands and substance,
• that are naturally defective in
• their own discretion.'

Breve de recto. A writ of right.
Recto is a writ, called in *En-
glish* a Writ of Right, which
• is of so high a nature, that
• whereas other writs in real
• actions be only to recover the
• possession of the land or tene-
• ments in question, which have
• been lost by our ancestor or
• ourselves, this aimeth to re-
• cover both the seisin, which
• some of our ancestors or we
• had, and also the property of
• the thing, whereof our ances-
• tors

* tors died not seised as of fee ;
 * and whereby are pleaded and
 * tried both the rights together,
 * viz. as well of possession as
 * property, inasmuch, as if a
 * man once lose his cause upon
 * this writ, either by assize or
 * battel, he is without all reme-
 * dy, and shall be excluded
 * per exceptionem rei judicatæ.
 C. art. *Reſto*.

Writhe Erroris. A writ of error.
Cowel, in his *Interpreter*, art.
Error, in the first place explains
 what is deemed error, and then
 proceeds to explain the writ
 founded on that error, in the
 following words: 'Error (Er-
 * ror) cometh of the *French*
 * Erreur, and signifieth, more
 * specially in our common law,
 * an error in pleading or in the
 * process; and thereupon the
 * writ which is brought for re-
 * medy of this oversight is cal-
 * led a writ of error, in *Latin*
 * De errore corrigendo, thus de-
 * fined by *Fitzherbert*, in his
 * *Natura Brevium*, fol. 20. "A
 * writ of error is that properly
 * which lieth to redress false
 * judgment, given in any court
 * of record, as in the common
 * bench, *London*, or other city,
 * having power by the king's
 * charter, or prescription, to
 * hold plea of debt or trespass
 * above the sum of twenty shil-
 * lings." 'This is borrowed
 * from the *French* practice, which
 * they call proposition d'erreur.'

Bructum. Heath and heath-
 ground. 'Bruarium vox for-
 sed emendatus bruyrium, a
 * *Gall.* bruyere, i. *Latine*, eri-
 * ca; quasi ericetum, *Angl.*
 * Heath, and heath-ground. Hac
 * autem appellatione forenses
 * vocant steriles camporum so-

* litudines, licet ericam non e-
 * dant, heath-ground.' *Spelman-
 ni Glossarium*, art. *Bruarium*.

C.

Cannabis. 'Cannabis, or Can-
 * nabum, hemp-canvas.' *Phil-
 lips's Dict.*

Capias infinita. The nature of the
 writ Capias, or Cape, is explain-
 ed infra, art. *Magnum Cape*. The
 present term, Capias infinita,
 does not occur in *Cowel*, *Spel-
 man*, or any other dictionary or
 glossary which we have been
 able to consult; its significa-
 tion may however be decided
 with tolerable precision and ac-
 curacy, by comparing it with
 that kind of distress (against
 a man who is obstinate in his
 refusal) which is denomina-
 ted Distress infinite. *Cowel*, in
 his *Interpreter*, art. *Distress*,
 defines distress to be a com-
 pulsion in certain real actions,
 whereby to bring a man to
 appearance in court, or to pay
 debt or duty denied; and in
 art. *Distress*, resuming the
 subject, he notices, that distress
 in this sense is divided into fi-
 nite and infinite; that finite is
 that which is limited by law,
 how often it shall be made to
 bring the party to trial of the
 action, as once, twice, but that
 distress infinite is without limita-
 tion, until the party come, 'as
 * against a jury,' says he, 'that
 * refuseth to appear super certifi-
 * catione assise, the process is a
 * venire facias, habeas corpora,
 * and distress infinite.' There can
 be no doubt that the same sense
 which it bears, when applied to
 the word distress, is to be as-
 signed to the adjective infinita,
 when applied to Capias, as in
 the

the present instance; and it is more than probable that the several writs of *parvum cape*, *magnum cape*, *alias capias*, *pluries capias*, and *capias infinita*, all of which are mentioned in that page of the foregoing comedy where the *capias infinita* occurs, are the necessary and usual process against an obstinate defendant, who refuses to appear in consequence of the first writ.

Capias ut legatum. 'Capias ut legatum, is a word' [rectius forsan, writ] 'of execution, or after judgment, which lieth against him that is outlawed upon any suit, by the which the sheriff, upon the receipt thereof, apprehendeth the party outlawed, for not appearing upon the exigent, and keepeth him in safe custody until the day of return assigned in the writ, and then presenteth him unto the court, there farther to be ordered for his contempt.' *C.*

Capitale messuagium. A capital messuage. These are the words by which manor-houses were formerly usually described in deeds when they were in *Latin*, and since that time the phrase is only translated into *English*. The signification of the word messuage may be seen *infra*, art. *Messuagium*; and the adjective capitale, was, I conceive, added to distinguish those houses, to which it was applied, from common outhouses or other erections of the same kind, all of which would be included under the general denomination of messuages.

Catalla felonum, i. e. The Chattels of Felons. *Corwel*, in his *Interpreter*, art. *Felonie*, notices,

that one of the punishments for felony is loss of goods; his words are these: 'Felony is al-
' so punished by loss of lands
' not entailed, and goods or
' chattels, as well real as per-
' sonal.' For the precise signi-
fication of the term chattel, vide
infra, art. *Chattel*.

Chargea. A charge against an offender. On the trial of an indictment, the clerk first directs him to hold up his hand, and next directs the jury to look on him and hearken to the charge. The words to the jury, as they are now generally used, are as follow: 'Gentlemen of the jury,
' look upon the prisoner, and
' hearken to his charge; he
' stands indicted,' &c.' And to this practice *Ignoramus* unquestionably alludes in the phrase 'Audi chargeam,' which in A& IV. Scene 8. he addresses to *Torcol*.

Chattel. Of this word *Corwel*, art. *Catals*, *catalla*, *alias Chattels*, gives the following explanation: 'Catals, catalla, alias
' chatels, cometh of the *Nor-*
' *mans*. For in the 87 chap-
' ter of *The Grand Custu-*
' *marie*, you shall find that
' all moveable goods with them
' are called chatels, the contra-
' ry whereof is sief, *ibid.* which
' we do call fee. But as it is
' used in our common law, it
' comprehendeth all goods move-
' able and immoveable, but
' such as are in the nature of
' freehold, or parcel thereof,
' as may be gathered out of
' *Stawms. Præro.* ca. 16, and
' anno *Eliz.* 1. cap. 1. How-
' beit, *Kitchin*, in the chapter
' *Catalla*, fo. 32, saith, that rea-
' dy

dy money is not accounted
any goods or catels, nor
hawks, nor hounds. The rea-
son why hawks and hounds
be not, he giveth, because they
be feræ naturæ; why money
is not, though he set not down
the cause, yet it may be ga-
thered to be, for that money
of itself is not of worth, but
as by consent of men for their
easier traffick or permutation
of things necessary for com-
mon life, it is reckoned a
thing rather consisting in ima-
gination than in deed.

Chattel personal. In the next
preceding article we have, not
only on the authority, but in
the words of Dr. *Cowel*, suffi-
ciently ascertained the meaning
of the term chattel. The same
author, in the article *Catals, ca-
talla, alias Chatels*, before re-
ferred to, after expounding the
term itself, proceeds to observe,
that 'Catals be either personal
or real. Personal may be so
called in two respects; one, be-
cause they belong immediately
to the person of a man, as a
bow, horse, &c. the other, for
that being any way withheld
injuriously from us, we have
no means to recover them but
by personal action. Chatels
real be such as either apper-
tain not immediately to the
person, but to some other
thing, by way of dependency,
as a box with charters of
land, the body of a ward, ap-
ples upon a tree, or a tree it-
self growing on the ground;
or else such as are necessary,
issuing out of some immove-
able thing, to a person, as a
lease or rent for term of years.
Also to hold at will is a cha-

tel real.' The subject about
which *Ignoramus* and *Trico* are
talking, in the only place of
this comedy where this phrase
occurs, is a horse; and *Ignora-
mus* asks *Trico*, 'Annon ille
'black cheval erat tuus chattel
'personal?' From this circum-
stance, and his classing it as he
does under that species of prop-
erty, personal chatels, it is highly
probable that in this passage
Mr. *Ruggle* had in view the
above-mentioned article in *Cow-
el's Interpreter*. It is observ-
able that the author of the
Termes de la Ley (which, as we
learn from the preface to Sir
Edward Coke's Reports, Part X.
was originally written by Mr.
Justice *Rastall*, one of the judges
of the court of common pleas
temp. *Eliz.*) art. *Catals*, defines
them in words so nearly resem-
bling *Cowel's*, as to leave no doubt
that his exposition is founded on
that definition. The same divi-
sion into real and personal is also
observed in the *Termes de la Ley*;
and the only instance there pro-
duced to illustrate the nature of
personal chattels, is that of a
horse.

Clausula curia. This is an allusion
to the writ, called *Curia clau-
denda*. 'Curia claudenda,'
(says *Cowel*, in his *Interpreter*)
'is a writ that lieth against him
'who should fence and close up
'his ground, if he refuse or de-
'fer to do it.' In the *Termes
de la Ley* it is thus defined:
'Curia claudenda is a writ or
'action to compel another to
'make a fence or wall, which
'the defendant ought to make
'between his land and the
'plaintiff's.'

Columbarium. A dove or pi-
N n geon.

geon-house. ' Columbarium, ' a pigeon-house; a dove-cote. ' *Littleton's Dict.*

Commendam. ' Commendam (commenda) is a benefice ' that, being void, is commend- ' ed to the charge and care of ' some sufficient clerk to be sup- ' plied, until it may be conve- ' niently provided of a pastor. ' C. The person to whom it is ' thus committed is said to hold ' it in commendam.

Communia pasturæ. Common of pasture. *Corwel*, in his *Interpreter*, art. *Commen*, uses these words: ' *Commen* (com- ' munia) cometh from the ' *French* commun, i. quod ad ' omnes pertinet, and signifieth, ' in our common law, that soil, ' or water, whereof the use is ' common to this or that town ' or lordship; as common of ' pasture, communia pasturæ, ' &c. In the *Termes de la Ley*, common is thus defined: ' Com- ' mon is the right that a man ' hath to put his beasts to pas- ' ture, or to use the ground that ' is not his own.'

Concealmentum. A concealment. *Dr. Corwel*, in his *Interpreter*, art. *Concealers*, thus defines them: ' Concealers be such as ' find out concealed lands, that ' is, such lands as privily are ' kept from the king by com- ' mon persons having nothing ' to shew for them, anno 39 ' *Eliz.* ca. 22: They be so cal- ' led a concealando, as mons a ' movendo, per antiphrasin. ' *Ben Jonson*, in his comedy of *Every Man in his Humour*, puts into the mouth of *Well bred* this speech: ' Come and cherish this ' tame poetical fury in your ser- ' vant, you'll be begg'd else

' shortly for a concealment; ' upon which passage the follow- ' ing note of *Dr. Grey*'s is insert- ' ed in *Mr. Whalley*'s edition, ' Vol. I. p. 94: ' Come and che- ' rish this tame poetical fury in ' your servant, you'll be begg'd ' else shortly for a conceal- ' ment—] Alluding to the prac- ' tice in queen *Elizabeth*'s time ' of begging lands which had ' formerly been appropriated to ' superstitious uses. These were ' then called concealed lands. ' Commissions for discovery be- ' ing much abused, were cal- ' led in by proclamation, in ' the year 1572. See *Strype*'s ' *Annals of Queen Elizabeth*, ' Vol. II. p. 209. There was ' a second proclamation to the ' same purpose, in the year 1579. ' Ibid. p. 602. Fresh commissi- ' ons were granted for the disco- ' very of them in the diocese of ' *Lincoln*, in 1582, with queries ' from the commissioners to ' the clergy and church-war- ' dens. *Annals*, Vol. III. p. 112, ' &c.' The account given by ' *Strype*, in his *Annals*, before ' cited, Vol. II. p. 209. is still ' more explicit as to the nature ' of concealments, and is as fol- ' lows: ' This year' [viz. 1572]: ' a command from the queen ' went forth, for the withdraw- ' ing her commissions for con- ' cealments, from all to whom ' she had granted them, which ' gave a great quieting to her ' subjects, who were excessively ' plagued with these commis- ' sioners. When monasteries ' were dissolved, and the lands ' thereof, and afterwards col- ' leges, chantries, and frater- ' nities, were all given to the ' crown, some demean here and ' there.

‘there pertaining thereunto were
 ‘still privily retained and pos-
 ‘sessed by certain private per-
 ‘sons, or corporations, or
 ‘churches. This caused the
 ‘queen, when she understood
 ‘it, to grant commissions to
 ‘some persons to search after
 ‘these concealments, and to re-
 ‘trieve them to the crown;
 ‘but it was a world to consider
 ‘what unjust oppressions of the
 ‘people and the poor this occa-
 ‘sioned by some griping men
 ‘that were concerned therein.’

Contra statutum in eo casu pro-
visum et edicunt. *West*, in his
Symbolography, Part II. tit.
Indictments and Offences, Sect.
 70, speaking of the form of in-
 dictments, and directing what
 particular phrases must be used
 in charging the offence accord-
 ing to the circumstances of the
 case, among other things says,
 ‘And in an indictment found
 ‘upon statutes, it seemeth not
 ‘needful to recite the statute
 ‘verbatim, as hath been here-
 ‘tofore used, and, namely, if
 ‘the statute be general, 5 *H.*
 ‘5. 11. 30 ass. 38; but fully
 ‘and certainly to describe the
 ‘offence against the tenor of
 ‘the same statute, and then
 ‘conclude with these words:
 ‘Contra formam statuti in hu-
 ‘jusmodi casu provisi & editi,
 ‘if there be only one statute of
 ‘that offence.’

Copiea. A Coppiece. *Townsend's*
Preparative to Pleading, p. 54.

Coram nobis. These words were
 anciently a part of the form in
 which a defendant was com-
 manded, by a subpoena, to ap-
 pear in the court of Chancery,
 and to answer a complaint there
 exhibited by bill against him.

In *West's Symbolography*, Part
 II. tit. *Proceedings in Chancery*,
 Sect. 20. is the following form
 of a subpoena, in which these
 words occur: ‘*Elizabeth*, Dei
 ‘gratia, *Anglia*, *Francia*, &
 ‘*Hibernia* regina, fidei defen-
 ‘sor, &c. *A. C.* salutem. Qui-
 ‘busdam certis de causis eorum
 ‘nobis in Cancellaria nostra
 ‘propositis, tibi præcipimus, fir-
 ‘miter injungentes, quod, omni-
 ‘bus aliis pretermisiss & excu-
 ‘satione quacunque cessante, in
 ‘propria persona tua sis co-
 ‘ram nobis in dicta Cancellaria
 ‘nostra, die *Pasche* proxime fu-
 ‘tura, in unum menssem, ubi-
 ‘cunque tunc fuerit, ad respon-
 ‘dendum super hiis quæ tibi ob-
 ‘jicientur tunc ibidem,’ &c.
 The phrase, coram nobis, is
 not peculiar to a subpoena, but
 occurs in other writs requiring
 the defendant to appear in that
 court out of which they issue;
 but in the passage of this co-
 medy, where this phrase is to be
 found, it is used to signify any
 writ in general; and the words
 ‘Habebo te in coram nobis,’ or,
 to give them in *English*, ‘I will
 ‘have you in a coram nobis,’
 only mean, ‘I will cause a
 ‘writ to be issued against you.’

Corpus cum causa. i. e. An habeas
 corpus cum causa. A writ so
 called. ‘Corpus cum causa is
 ‘a writ issuing out of the Chan-
 ‘cery to remove both the body
 ‘and the record touching the
 ‘cause of any man lying in ex-
 ‘ecution, upon a judgment for
 ‘debt, into the King's Bench,
 ‘&c. there to lie until he have
 ‘satisfied the judgment.’ *C.*

Costæ. Costs. Expensæ litis, the
 charges and expences of a suit.
 See *Cowel's Interpreter*, art.

Næ Damage.

Dammage. Sir Henry Spelman, art. *Custagium*, spells this word *custa*, which he thus explains: 'Custagium, &, ni fallor, *custa*. 'A Gall. *coust*, & *coustange*. 'Voces fori. *Expensæ*.' *Spelmani Glossarium*, art. *Custagium*.

Cottagium. A Cottage. 'Cotage' (cotagium) is a house without land belonging unto it, anno 4 Ed. pri. statut. primo, and the inhabitant of such a house is called a cotager; but by a later statute, no man may build a cotage, but he must lay 4 acres of ground unto it, 31 Eliz. ca. 7.' C. art. *Cotage*.

Robert Baron. Cowel, in his *Interpreter*, art. *Coverture*, says, that 'Coverture is a French word, signifying any thing that covereth, as apparel, a coverlet, &c. and deduced from the verb *couvrir*, i. tegere. It is particularly applied' (adds he) 'in our common law, to the estate and condition of a married woman, who, by the laws of our realm, is in potestate viri, and therefore disabled to contract with any to the prejudice of herself or her husband, without his consent and privity, or at the least without his allowance and confirmation.'

Cobin. 'Covine (covina) is a deceitful assent or agreement, between two or more, to the prejudice or hurt of another. It cometh of the French verb *convenancer*, i. *depacisci*, or rather *convenir*, i. *convenire*.' C.

Covina. See the preceding article.

Counterpana. Vide *Counterpana Indentura*.

Counterpana Indenturae. The counterpart (or counter-pain, as

it was formerly called) of an indenture. Sir Henry Spelman, in his *Glossary*, art. *Panella & Panellum*, renders *Panella* and *Panellum*, 'Schedula vel pagina, proprie pagella, atque inde deducta, g in n transeunte.' He then proceeds to observe, that the law words *panellare* & *impanellare*, which signify, 'in pagellam conscribere,' are derived from the above word, *panella* or *panellum*, and that a jury is said to be impanelled 'cum in ejusmodi pagellam vel schedulam (velut in matriculam) sint redacti.' After which he makes use of the following words: 'Et the counter-pain of an indenture, sum inde appellationem ascrivit, quod sit quasi contraria pagina scripti, vel chartæ paricla; propterea quod cum bipartita vel multipartita semper sint indenturae: earum una pagina penes partem unam; alia vero quas the counter-pains, i. contrarias paginas appellamus, penes alias conservantur. Sed nec prætereundum est chartas ipsas veteres paginas appellasse.'

Courtesie d'Angleterre. 'Courtesie of England (lex Angliæ) cometh of the French courtesie, i. benignitas, humanitas, but with us hath a proper signification, being used for a tenure. For if a man marry an inheritrice, that is, a woman seised of land in fee simple, or fee tail general, or seised as heir of the tail special, and getteth a child of her that cometh alive into the world, though both it and his wife die forthwith, yet, if she were in possession, shall he

he keep the land during his life, and is called tenant per legem *Angliae*, or by the courtesy of *England*. C.

The above expolition is, it must be confessed, too much entangled with law terms to be easily intelligible; we shall therefore here insert, from Sir *Henry Spelman*, the following explanation of this tenure, which he terms

Jus curialitatis Angliae: 'Jus curialitatis *Angliae* vel *Scotiae*. Qui uxorem duxerit habentem prædia, in quibus hæreditarie succedat proles ex illis nuptiis oriunda, nasciturque aliquando ejusmodi proles quæ ejulando intelligatur vivere: maritus, moriente uxore, prædiis gaudebit quo usque hic vixerit ex gratia legis *Angliae*. Et dicitur ista gratia curialitatis *Angliae*, maritusque ipse tenens per curialitatem, alias per legem *Angliae*, tenant by the courtesy of *England*.'

Spelmani Glossarium, art. *Jus curialitatis*. In the *Termes de la Ley*, which the reader is to be informed is written both in *English* and *French*, is an explanation of this tenure, which in the *English* part is there called *Curtelie of England*, and in the *French* *Curtelie de Angleterre*. The reason there also assigned for its appellation is, 'because this is not used in any other realm, but only in *England*.' Sir *Henry Spelman*, however, in loco supradicti. remarks, that the *Scots* and *Normans* have this tenure, but that it does not prevail in any other country that he knows of.

Croftum. A croft. 'Croft, croftum, is a little close or pittle, joining to a house, that some-

times is used for a hemp-ground, sometime for corn, and sometime for pasture, as the owner listeth. It seemeth to come of the old *English* word craeft, signifying handy-craft, because such grounds are for the most part extraordinarily dressed and trimmed by the both labour and skill of the owner.' C.

Curia leta. A court-leet. Dr. *Cowel*, in his *Interpreter*, art. *Leete* (*leta*) says, that leete is otherwise called a law day, and that the word seems to him to be derived from the *Saxon* lethe, which, as appears by the laws of king *Edward*, was a court or jurisdiction above the wapentake, or hundred, comprehending three or four of them, otherwise called thrything, and contained the third part of a province or shire. He then proceeds in these words: 'These jurisdictions, one and other, be now abolished and swallowed up in the county court, except they be held by prescription or charter in the nature of a franchise, as I have said in *Hundred*. The liberty of hundreds is rare, but many lords, together with their courts baron, have likewise leets adjoined, and thereby do enquire of such transgressions as are subject to the enquiry and correction of this court.' In the *Termes de la Ley*, the term *Leet* is thus defined: 'Leet is a court derived out of the sheriff's Turn, and enquires of all offences under the degree of high treason, that are committed against the crown and dignity of the king; but those offences which

‘ which are to be punished with
 ‘ loss of life or member, are
 ‘ only enquirable there, and to
 ‘ be certified over to the justices
 ‘ of assise.’

D.

Damage faitant. ‘ Damage
 ‘ faitant is when a stranger’s
 ‘ beasts are in another man’s
 ‘ ground without licence of the
 ‘ tenant of the ground, and
 ‘ there do feed, tread, and other-
 ‘ wise spoil the corn, grass,
 ‘ woods, and such like; in
 ‘ which case the tenant whom
 ‘ they damage may therefore
 ‘ take, distrain, and impound
 ‘ them, as well in the night as
 ‘ in the day: but in other cases,
 ‘ as for rent and services, and
 ‘ such like, none may distrain
 ‘ in the night.’ *Les Termes de*
la Ley, art. *Dammage faitant*.

Damagis. Damages. ‘ Dam-
 ‘ age cometh of the *French*
 ‘ *dam* or *damage*, signifying
 ‘ generally any hurt or hin-
 ‘ drance that a man taketh in his
 ‘ estate; but in the common
 ‘ law it particularly signifieth
 ‘ a part of that the jurors be to
 ‘ enquire of, passing for the
 ‘ plaintiff or demandant in a
 ‘ civil action, be it personal or
 ‘ real. For after verdict given
 ‘ of the principal cause, they
 ‘ are likewise asked their con-
 ‘ sciences touching costs, which
 ‘ be the charges of suit, called
 ‘ by the civilians *expensæ litis*,
 ‘ and damages, which contain
 ‘ the hindrance that the plaintiff
 ‘ or demandant hath suffered
 ‘ by means of the wrong done
 ‘ to him by the defendant or
 ‘ tenant.’ *C. art. Dammage*.

Debet et sestet. Dr. *Corwel*, in his
Interpreter, art. *Debet et solet*,

remarks, that these words are
 frequently used by the writers
 of the common law, and may
 trouble the mind of a young
 student, except he have some ad-
 vertisement of them. He then
 produces a number of instances
 in which they occur, and then
 proceeds to explain them in the
 following terms: ‘ Those writs,
 ‘ that be in this sort brought,
 ‘ have these words in them, as
 ‘ formal words not to be omit-
 ‘ ted. And, according to the
 ‘ diversity of the case, both de-
 ‘ bet and solet are used, or de-
 ‘ bet alone; that is, if a man
 ‘ sue to recover any right, by a
 ‘ writ, whereof his ancestor was
 ‘ disseised by the tenant or his
 ‘ ancestor, then he useth only
 ‘ the word *debet* in his writ,
 ‘ because *solet* is not fit, by rea-
 ‘ son his ancestor was disseised,
 ‘ and the custom discontinued;
 ‘ but if he sue for any thing
 ‘ that is now first of all denied
 ‘ him, then he useth both these
 ‘ words, *debet et solet*, be-
 ‘ cause his ancestors before him,
 ‘ and he himself, usually en-
 ‘ joyed the thing sued for; as
 ‘ suit to a mill, or common of
 ‘ pasture, until this present re-
 ‘ fusal of the tenant.’

Decimæ. Tythes. *C. art. Tithe*.

Decларare. To declare. In law-
 language it signifies to file a de-
 claration, i. e. to exhibit the
 complaint of the plaintiff in writ-
 ting against the defendant.

Deeds. ‘ Deeds (*facta*) signify
 ‘ in our common law’ (says
Corwel, in his *Interpreter*, art.
Deedes) ‘ writings, that contain
 ‘ the effect of a contract made
 ‘ between man and man, which
 ‘ the civilians call *litterarum ob-*
 ‘ *ligationem*.’ He then divides
 deeds,

deeds into two sorts, deeds indented, and deeds poll, which distinction he further notices on the authority of *West's Symboleography*, Lib. I. Sect. 46, arises from their form, the one being cut to the fashion of teeth in the top or side, and the other being plain. And on the same authority he further informs us, that the reason why the former sort are indented is, that being of many parts, 'each part is indented or cut one of them into the other, that by the cut it may appear they belong to one business or contract.' Deeds are in *Latin* called *facta*, and in *French* *faits*; and by the appellation of *fait* they are described in the *Termes de la Ley*, art. *Fait*. The author of the *Termes de la Ley* notices, sub tit. *Fait*, that every deed consists of three principal points (without which it is no perfect deed to bind the parties) namely, writing, sealing, and delivery. By writing, he says, is shewed the parties names to the deed, their dwelling places, their degrees, the thing granted, upon what considerations, the estate limited, the time when it was granted, and whether simply or upon condition, with other such like circumstances. He also informs us, that sealing is a farther testimony of assent to what is contained in the deed, and that the words, 'In witness whereof,' &c. which occur in deeds, are intended to refer to that circumstance; but that after a deed is written and sealed, if it be not delivered, all the rest is to no purpose, and that this delivery ought to be done by the party himself, or his sufficient

warrant, and so it will bind him whosoever wrote or sealed the same. The present usual form, in which the execution of a deed is attested by the witnesses, is this, 'Sealed and delivered in the presence of,' &c. While deeds continued to be in *Latin*, the above form was, in all probability, expressed in the following words: 'Sigillatum, & datum, & deliberatum,' as it is given in Act I. Sc. 4. of this comedy; or, as it is elsewhere given, Act III. Sc. 6. 'Sigillatum & deliberatum,' &c. *West*, in his *Symboleography*, Part I. Sect. 56. after directing in what manner deeds are to be executed, says, 'These things so finished, the sealing and delivery of such deeds must be certified upon the backside thereof, or in some other convenient place thereof, thus: "Sealed and delivered in the presence of A. B. C. D. E. F. &c."'

Defalta. A Default. 'Default, cometh from the *French* default, and is an offence in omitting that which we ought to do.' *G. art. Default.*

Defendant. 'Defendant (defens) is he that is sued in an action personal, as tenant is he which is sued in an action real.' *G.*

Deliberare. To deliver. See the *Syllabus vocabulorum quorundam forensium*, at the end of *Littleton's Latin Dictionary*.

Demurra. A demurrer. 'Demurer (demorare) cometh of the *French* demeurer, i. manere in aliquo loco vel morari. It signifies, in our common law, a kind of pause upon a point of difficulty

‘ difficulty in any action, and
 ‘ is used substantively : for in
 ‘ every action the controversy
 ‘ consisteth either in the fact, or
 ‘ in the law ; if in the fact, that
 ‘ is tried by the jury ; if in law,
 ‘ then is the case plain to the
 ‘ judge, or so hard and rare as
 ‘ it breedeth just doubt. I call
 ‘ that plain to the judge where-
 ‘ in he is assured of the law,
 ‘ though perhaps the party and
 ‘ his council yield not unto it ;
 ‘ and in such, the judge, with
 ‘ his assessors, proceedeth to judg-
 ‘ ment without farther work :
 ‘ but when it is doubtful to him
 ‘ and his associates, then is there
 ‘ stay made, and a time taken,
 ‘ either for the court to think
 ‘ farther upon it, and to agree,
 ‘ if they can, or else for all the
 ‘ justices to meet together in the
 ‘ chequer chamber, and, upon
 ‘ hearing of that which the ser-
 ‘ geants shall say of both parts,
 ‘ to advise and set down what
 ‘ is law ; and whatsoever they
 ‘ conclude standeth firm, with-
 ‘ out farther remedy. *West* call-
 ‘ eth it a Demurrer in Chan-
 ‘ cery, likewise, when there is
 ‘ question made, whether a par-
 ‘ ty’s answer to a bill of com-
 ‘ plaint, &c. be defective or not,
 ‘ and thereof reference made to
 ‘ any of the bench for the exa-
 ‘ mination thereof, and report
 ‘ to be made to the court.’ *C.*
 art. *Demurrer*.

Disparagatio. A disparagement.
 ‘ Disparidgment, disparagatio,
 ‘ is by our common lawyers
 ‘ used especially for matching
 ‘ an heir in marriage under his
 ‘ or her degree, or against de-
 ‘ cency.’ *C. art. Disparidgment.*
 Disparage seems used in the same
 sense by *Chaucer*, in the Clerk of
Oxford’s Tale,

‘ For out of doubt this old
 ‘ poor man
 ‘ Was ever in suspect of
 ‘ her mariage;
 ‘ For ever he deemed, sin it
 ‘ first began,
 ‘ That when the lord fulfil-
 ‘ led had his courage,
 ‘ Him woulde think it
 ‘ were a disparage
 ‘ To his estate so low for to
 ‘ alight,
 ‘ And voiden her as soon as
 ‘ ever he might.

Chaucer’s Canterbury Tales,
 edit. 8vo. 1775, Vol. II.
 p. 39, l. 8780.

Disseisin. ‘ Disseisin, disseisina,
 ‘ cometh of the *French* disseisir,
 ‘ and signifieth, in the common
 ‘ law, an unlawful dispossessing
 ‘ of a man of his land, tene-
 ‘ ment, or other immovable or
 ‘ incorporeal right.’ *C. art. Dis-*
seisin.

Distress. ‘ Distresse, districtio,
 ‘ ditricthus, cometh of the
 ‘ *French* distresse, angustia. It
 ‘ signifieth most commonly, in
 ‘ the common law, a compul-
 ‘ sion in certain real actions,
 ‘ whereby to bring a man to
 ‘ appearance in court, or to
 ‘ pay debt or duty denied.
 ‘ The effect whereof most com-
 ‘ monly is to drive the party
 ‘ distrained to replevy the dis-
 ‘ tress, and so to take his action
 ‘ of trespass against the distrai-
 ‘ ner, or else to compound neigh-
 ‘ bourly with him for the debt
 ‘ or duty for the which he
 ‘ distraineth.’ *C. art. Distress.*
 To distrain is frequently ex-
 pressed by the words, ‘ To
 ‘ make a distress ;’ and to this
 latter mode of expression *Ignoramus*
 alludes, *Act V. Scene 10.*
 when

when he says, 'Donnez moy,
'ou je feray distresse.'

Distringas. A writ so called.
'Distringas is a writ directed
'to the sheriff, or any other of-
'ficer, commanding him to
'distrain one for debt to the
'king, &c. or for his appear-
'ance at a day.' C.

Dominus feudi. The lord of the
fee. *Cowel*, art. *Fee* (*Feodum*,
alias feudum) says, that the
term fee is derived from the
French fief, i. *prædium* bene-
ficiarum, vel res clientelaris,
and is used, in our common law,
for all those lands which we hold
by perpetual right. *Somner*, in
his *Glossary* at the end of Sir
Roger Twysden's edition of the
*Decem Scriptores Historiæ An-
glicanæ*, art. *Feodum*, defines
fee in the following words:
'Feodum, feodus, feudum, feu-
'dus, vox olim varie, ut vide-
'mus, scripta: hodie vero apud
'nos ubique feodum. Ea sig-
'nificatur genus clientelæ, quo
'vel prædium, vel dignitas, vel
'vestigal, cuiquam datur, ut
'& ipse, & posteri, beneficii
'auctorem agnoscant pro patro-
'no, ejusque caput, honorem,
'ac fortunas, defendant. Præ-
'diatores *Angli* vocem duplici-
'ter accipiunt: pro terris sc.
'vel prædiis (tenementa vocant)
'quæ quis perpetuo jure sibi &
'suis, sub domino feudi possi-
'det: item pro circuitu integro,
'terræ siquidem portione, quæ
'ad talem dominum spectat, &
'inter diversos feudatorios distri-
'buitur.' From these passages
it is evident, that the phrase
dominus feudi, or lord of the
fee, signifies the absolute owner
of the inheritance of an estate,
in contradistinction from him

who is merely entitled to the
usufruct of it; and it is used in
that sense in *Act I. Scene 4*,
of this comedy.

E.

Escapium. An escape. 'Es-
'cape, escapium, cometh' (says
Cowel) 'of the *French* eschap-
'per, i. aufugere, effugere, and
'signifieth, in the law, a violent
'or privy evasion out of some
'lawful restraint. For exam-
'ple: If the sheriff, upon a ca-
'pias directed unto him, take
'one, and endeavour to carry
'him to the gaol, and he in the
'way, either by violence or by
'flight, break from him, this
'is called an escape.' C. art.
Escape. The usual phrase is,
'To make an escape;' and *Ignoramus* accordingly, *Act II.*
Scene 8, says, 'Ut, si possim,
'faciam escapium.'

Escheate. An escheat. 'Escheate,
'eschaeta, cometh of the *French*
'escheoir, i. cadere, accidere,
'excidere, and signifieth, in our
'common law, any lands, or
'other profits, that fall to a lord
'within his manor, by way of
'forfeiture, or the death of his
'tenant, dying without heir
'general or especial, or leaving
'his heir within age or unmar-
'ried. C. art. *Escheate*.

Essonium. 'Essoin, essonium,
'cometh of the *French* essonie,
'or exonnië, i. causarius miles,
'he that hath his presence for-
'borne or excused upon any
'just cause, as sickness, or other
'incumbrance. It signifieth, in
'our common law, an alledg-
'ment of an excuse for him
'that is summoned or sought
'for to appear and answer to
'an action real, or to perform

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‘suit to a court baron, upon
 ‘just cause of absence. It is
 ‘as much as excusatio with the
 ‘civilians. The causes that
 ‘serve to essoin any man sum-
 ‘moned, be divers and infinite,
 ‘yet drawn to five heads;
 ‘whereof the first is ultra mare,
 ‘the second de terra sancta, the
 ‘third de malo veniendi, which
 ‘is also called the common es-
 ‘soin, the fourth is de malo
 ‘lecti, the fifth de servitio re-
 ‘gis.’ *C. art. Essoine.* *Spenser*
 ‘uses the word essoin in its pro-
 ‘per and legal signification, as an
 ‘excuse, when he says of *Idlene-
 ness*:

‘For every work he challeng-
 ‘ed essoin
 ‘For contemplation sake: yet
 ‘otherwise
 ‘His life he led in lawless
 ‘riotise.’

Spenser's Fairy Queen,
 Book I. Canto 4. Stanza 20.

Extrahura. A stray. ‘*Estrey*,
 ‘extrahura, in our common law,
 ‘signifieth any beast, not wild,
 ‘found within any lordship,
 ‘and not owned by any man;
 ‘for in this case, if it, being
 ‘cried according to law in the
 ‘market towns adjoining, shall
 ‘not be claimed by the owner
 ‘within a year and a day, it is
 ‘the lord's of the soil.’ *C. art.*
Estrey.

F.

Factum. A deed, i. e. a wri-
 ‘ting so called. For its na-
 ‘ture, see art. *Deed*.

Fact. A deed or writing. Vide
 supra, art. *Deed*.

Fact pol. A deed pol. It is so
 ‘called to distinguish it from an
 ‘indenture. The difference be-

tween the one and the other may
 be seen, art. *Deed*.

Faldagium. Faldage. ‘*Falda-*
 ‘gium est privilegium erigendi
 ‘& circumagendi faldæ seu
 ‘ovilis, per certam camporum
 ‘extentionem: eorumdem iterco-
 ‘randi gratia, & gregis fovendi.
 ‘Faldæ agium, nam sic *Festus*
 ‘aquagium dixit, q. aquæ agi-
 ‘um. Vulgo cursus faldæ, &
 ‘cursus faldagii appellatur, a
 ‘Foldcourse.’ *Spelmani Glossa-*
rium, art. *Falda*, *Faldagium*,
Faldsoca.

Falsum imprisonamentum. Vide
 supra, *Actio pro falso imprisona-*
mento.

Famosus libellus. A libel. ‘*Li-*
 ‘bell, libellus, literally signi-
 ‘fieth a little book, but by use
 ‘it is the original declaration of
 ‘any action in the civil law.
 ‘It signifieth also a criminous
 ‘report of any man cast abroad,
 ‘or otherwise unlawfully pub-
 ‘lished in writing; but then,
 ‘for difference sake, it is called
 ‘an infamous libel, famosus li-
 ‘bellus.’ *C. art. Libell*.

Fee simple. *Cowel*, art. *Fee*, after
 having defined fee to signify ‘all
 ‘those lands which we hold by
 ‘perpetual right,’ notices, that
 ‘there are two sorts of fee: fee
 ‘absolute, otherwise called sim-
 ‘ple, and fee conditional, other-
 ‘wise termed fee tail. ‘Fee sim-
 ‘ple’ (adds he) ‘is that where-
 ‘of we are seised in these gene-
 ‘ral words, “to us and our
 ‘heirs for ever.”

Felo. A felon or thief. For its
 etymology and precise significa-
 tion, vide infra, art. *Felonia*.

Felonia. Felony. In the *Termes*
de la Ley, felony is thus defi-
 ned: ‘Felony is a general term,
 ‘which comprehends divers
 ‘heinous.

' heinous offences, for which
 ' the offenders ought to suffer
 ' death and lose their lands.
 ' And it seems that they are
 ' called felonies, of the *Latin*
 ' word *fel*, which is in *English*
 ' gall, in *French* *fiel*; or of the
 ' ancient *English* word *fell*, or
 ' fierce, because they are in-
 ' tended to be done with a fell,
 ' fierce, or mischievous mind.
 ' When a man, without any
 ' colour of law, steals the goods
 ' of another, amounting to the
 ' value of twelve pence, or more,
 ' that is larceny; but if he ap-
 ' proaches the person of ano-
 ' ther in the highway, and robs
 ' him of his goods, although
 ' it be but to the value of one
 ' penny, it is felony, and that
 ' is called robbery, and there-
 ' fore he shall be hanged.' *Cow-
 el*, art. *Felonie*, says, that felony
 ' compriseth divers particulars
 ' under it, as murder, theft,
 ' killing of a man's self, sodo-
 ' metry, rape, wilful burning
 ' of houses, and divers such
 ' like, which are to be gather-
 ' ed especially out of statutes,
 ' whereby many offences are
 ' daily made felony that before
 ' were not.'

Fornum. Hay. *Littleton's Latin Dict.*

Francum Bancum. Free bench. A tenure so called. ' Frank-
 ' bank' (says *Cowel*, art. *Frank-
 Bank*) ' francus bancus, in true
 ' *French* franc banc, signifieth,
 ' word for word, a free bench
 ' or seat; and among our law
 ' writers it seemeth to be used
 ' for copyhold lands, that the
 ' wife, being espoused a virgin,
 ' hath, after the decease of her
 ' husband, for dower.'

Frank pledge. ' Frank pledge,

' *franciplegium*, is compounded
 ' of franc, i. liber, and pleige, i.
 ' fide jussor, and signifieth, in our
 ' common law, a pledge or surety
 ' for free men. For the ancient
 ' custom of *England*, for the pre-
 ' servation of the public peace,
 ' was, that every free-born
 ' man, at fourteen years of age,
 ' (after *Bracton*) religious per-
 ' sons, clerks, knights, and
 ' their eldest sons excepted,
 ' should find surety for his
 ' truth toward the king and his
 ' subjects, or else be kept in
 ' prison, whereupon a certain
 ' number of neighbours became
 ' customably bound one for an-
 ' other, to see each man of their
 ' pledge forth-coming at all
 ' times, or to answer the trans-
 ' gression committed by any
 ' broken away. So that who-
 ' ever offended, it was forthwith
 ' enquired in what pledge he
 ' was, and then they of that
 ' pledge either brought him forth
 ' within 31 days to his answer,
 ' or satisfied for his offence.
 ' This was called frank pledge,
 ' *causa qua supra.*' C.

Fullonicum, i. e. *Molendinum*
fullonicum. A fulling mill. See
C. edit. 1727, art. Molendinum,
and Townsend's Preparative to
Pleading, p. 253.

G.

Gager del ley. Wager of law.

In the *Termes de la Ley*, art.
Ley, it is defined in the follow-
 ing words: ' Law is when an ac-
 ' tion of debt is brought against
 ' one upon some secret agree-
 ' ment or contract had between
 ' the parties, without especialty
 ' shewed, or other matter of re-
 ' cord; as in an action of de-
 ' tinue for some goods or chat-
 ' tels,

'tels lent or left with the defendant, then the defendant may wage his law, if he will, that is, swear upon a book, and certain persons with him, that he detains not the goods, or owes nothing to the plaintiff, in manner and form as he hath declared. And it is allowed only in cases of secrecy, where the plaintiff cannot prove the surmise of his suit by any deed or open act, for the defendant might discharge it privily between them without any acquittance or public act.'

Garba. 'Garbe, garba, cometh of the *French* garbe, alias gerbe, i. fascis. It signifieth, with us, a bundle or sheaf of corn, and garba sagittarum is a sheaf of arrows.' *C.* art. *Garbe*.

Gardinum. A garden. 'Gardinum, vulgo a garden, a *Gallico* gardin, al. jardin, i. hortus, quod forte a gader, i. e. conservare, quia ibi conservantur herbæ & olera. Nisi malis, a *Sax.* gýpðan, i. cin gere, quod, in frugum conservationem, hortus septo undique incingatur.' *Somner's Glossary*, at the end of the *Decem Scriptores Historiæ Angliæ*, edit. *Twysden*.

Granum. *Littleton*, in his *Latin Dictionary*, renders granum, 'a grain of any corn; a kernel of fruit; a corn, the least of measures.'

Grantee. The person to whom a grant of any thing is made. *C.* art. *Graunt*.

Granteur, or, as *Cowel* terms him, grantour. The person by whom a grant of any kind is made to another. *C.* art. *Graunt*.

Gultwit. 'Gultwit seemeth to be compounded of gult, i. noxa, and wit, which is said by some skilful men to be an ancient termination of the words in the *Saxon* tongue, signifying nothing in itself, but as dom or hood, and such like, be in these *English* words, Christendom and manhood, or such others; others say, and it is true, that wit signifieth blame or reprehension. Gultwit, as *Saxon*, in his Description of *England*, ca. 11, doth interpret it, is an amends for trespass.' *C.*

H.

Habeas corpus. 'Habeas corpus is a writ, the which a man indicted of some trespass before justices of peace, or in any court of any franchise, and upon his apprehension being laid in prison for the same, may have out of the King's Bench, thereby to remove himself thither at his own costs, and to answer the cause there.' *C.*

Habere ad rectum. This phrase I do not any where find explained, and must therefore, in order to ascertain its meaning, have recourse to those expressions to which it is analogous. *Sir Henry Spelman*, in his *Glossary*, art. *Rectum*, says, that rectum is used 'pro accusatione;' and in art. *Restatus*, he thus explains restatus: 'Restatus, suspectus, ad rectum vocatus.' In *Cowel's Interpreter*, edit. 1727, art. *Rectum*, *commune rectum*, we are informed, that rectum, commune rectum, signifies a trial at law,

or

or by common course of law, and that 'stare ad rectum' means 'to stand trial,' or, as it is defined in the art. *Rectum*, *stare ad rectum*, 'to stand or abide the justice of the court.' From these instances it may surely be inferred that habere ad rectum must signify, 'to have to trial,' i. e. ad rectum vocare. *Ignoramus*, who utters this expression, uses frequently, it is to be observed, a similar phrase: In act IV. sc. 10, he says to *Polla*, 'Profecto habebō te in coram nobis,' (which last words are part of the writ directing the apprehension of him against whom it issues); and in act V. scene 3, speaking of those by whom he had been exorcised, he threatens, 'Habebō illos in premunire,' i. e. I will have them in a premunire; for the meaning of which latter word, vide art. *Premunire*.

Habere facias visum. A writ so called. 'Habere facias visum' is a writ that lieth in divers cases where view is to be taken of the lands or tenements in question.' C.

Hondabend. 'Hondabend is compounded of two Saxon words, hond, i. hand, and habend, i. having, and signifieth a circumstance of manifested theft, when one is deprehended with the thing stolen in his hand.' C. art. *Hondabend*.

Warrol. Dr. *Corwel*, art. *Hue and Crie*, after explaining hue and cry in the words which may be seen infra, art. *Hutesum & clamor*, says, that the Normans had such a pursuit with a cry after offenders, which they called *Harro*, 'whereof,' adds he, 'you

' may read the *Grand Customary*, cap. 54;' and then proceeds in the following words: 'Some call it harol, the reason whereof they give to be this; that there was a duke of Normandy, called *Rol*, a man of great justice and severity against grievous offenders, and that thereupon, when they follow any in this pursuit, they cry, "Ha-Rol!" as if they should say, "Ah Rol! where art thou that wert wont to redress this? or what wouldst thou do against these wretches, if thou now wert living?" But, in truth, I think it cometh from harier, i. flagitare, inquitare, urgere. C. art. *Hue and Crie*.

Homagium. Homage. 'Homage, homagium, is a French word, signifying fidem clientularem; for in the original grants of land and tenements by way of fee, the lord did not only tie his tenants, or feed men to certain services, but also took a submission, with promise and oath to be true and loyal to him as their lord and benefactor. This submission was, and is, called homage, the form whereof you have in the second statute, anni 17 Ed. II. in these words: "When a free man shall do homage to his lord, of whom he holdeth in chief, he shall hold his hands together between the hands of his lord, and shall say thus: "I become your man from this day forth, for life, for member, and for worldly honour, and shall owe you my faith for the land I hold of you, saving the faith that I do owe unto

" our

" our sovereign lord the king,
 " and to mine other lords,"
 " And in this manner the lord
 " of the fee, for which homage
 " is due, taketh homage of every
 " tenant as he cometh to the
 " land or fee." *C. art. Homage.*
 Sir Henry Spelman, in his *Glossary*, art. *Homagium*, *Hominium*,
Hominatus, *Hominatio*, *Hominif-*
cum, *Hominifcatus*, thus defines
 Homage: " *Homagium* sullen-
 " nius, arctius, & humilior servi-
 " tii genus est, quod liber homo
 " tenuræ vel beneficii ratione, do-
 " mino suo præstiterit: prisco Ro-
 " manocivi incognitum, sed græ-
 " scantibus per imperium barba-
 " ris, introductum, & feodali mi-
 " liti, quem hominem vocant, im-
 " positum. Conditiones & duras
 " admodum servitutes, supra ex-
 " posuimus in voce *Feodum*. Nunc
 " professionis formulam, quæ a-
 " pud plerasque gentes eadem
 " fuit, indicabimus. Novus quif-
 " que in hæreditatem feodalem
 " successor tenetur infra annum
 " se domino sistere, atque iner-
 " mis, disinctus, nudus capite,
 " & provolutus in genua, sup-
 " plicibus item manibus inter
 " sedentis domini manus com-
 " prehensus, eum (velut adoratu-
 " rus) in hunc modum alloqui."
 " Devenio homo vester ab hac
 " die in posterum, de vita, de
 " membro, & de terreno honore:
 " verus & fidelis vobis ero, &
 " fidem vobis portabo ob terras
 " quas a vobis teneo; salva fide
 " domino nostro regi & hære-
 " dibus suis." " His dictis,
 " dominus osculum ei impinget,
 " & vassallus erectus, iururan-
 " dum fidelitatis (quod supra
 " vide) extemplo præstabit. Ma-
 " nibus vassalli (seu ut nos dici-
 " mus tenentis) inter manus do-

" mini conclusis," " significa-
 " tur," " (inquit *Bracton*, lib.
 " II. cap. 35, num. 8.)" " ex
 " parte domini protectio, defen-
 " sio, warrantia; & ex parte te-
 " nentis reverentia & subjec-
 " tio." Sir Henry Spelman
 further remarks, in loco supra
 cit. that homage must be done
 by the vassal in person to the
 lord in person; and in proof
 of this assertion he relates that
Philip the Fair, king of *France*,
 refused to receive from an am-
 bassador, sent by our king *Ed-*
ward III. for that purpose,
 homage for the dutchy of *Aqui-*
tain and the earldom of *Plantif-*
 but insisted that king *Edward*
 should himself do homage to
 him in person; and that *Ed-*
ward was obliged to comply
 with the demand, and accord-
 ingly did so in the year 1328.
 The kings of *Scotland* were
 used, soon after their accession,
 to come into *England*, and do ho-
 mage for the county of *Cumber-*
land, and other fiefs held by
 them of the crown of *England*,
 and *Scotland Yard* was the place
 where they resided during their
 stay. *Maitland's Hist. of Lon-*
don, edit. 1756, p. 134. From
 which circumstance it undoubt-
 edly had its name. *Stow* says
 it was anciently a temporary re-
 sidence for the kings of *Scotland*,
Strype's Stow, Book IV. p. 4.
Hutesum et clamor. Hue and
 cry. " Hue and crie, hutesu-
 " um & clamor, cometh of two
 " *French* words, huier and cri-
 " er, both signifying to shout or
 " cry aloud. Mr. *Manwood*,
 " Part II. of his *Forest Lawes*,
 " ca. 19, nu. 11, saith, that
 " heu is *Latin*, meaning be-
 " like the interjection, but, under
 " reformation

reformation, I think he is deceived: this signifieth a pursuit of one having committed felony by the highway; for if the party robbed, or any in the company of one murdered or robbed, come to the constable of the next town, and will him to raise hiew and crie, or to make pursuit after the offender, describing the party, and shewing, as near as he can, which way he is gone, the constable ought forthwith to call upon the parish for aid in seeking the felon, and if he be not found there, then to give the next constable warning, and he the next, until the offender be apprehended, or at the least until he be thus pursued to the sea side.' C. art. *Hue and Crie*.

I.

Ignoramus. 'Ignoramus is a word properly used by the grand inquest empannelled in the inquisition of causes criminal and public, and written upon the bill, whereby any crime is offered to their consideration, when as they mislike their evidence as defective or too weak to make good the presentment; the effect of which word so written is, that all farther inquiry upon that party for that fault is thereby stopped, and he delivered without farther answer. It hath a resemblance with that custom of the ancient *Romans*, where the judges, when they absolved a person accused, did write *A.* upon a little table provided for that purpose, i. *absolvimus*; if they judged him guilty, they writ

C. id est, condemnamus; if they found the cause difficult and doubtful, they writ *N. L. id est, non liquet*.' C.

Imprimis presentant. Vide infra, art. *Indictare*.

In capite. 'Capite is a tenure, which holdeth immediately of the king as of his crown, be it by knights-service or socage, and not as of any honour, castle, or manour, and therefore it is otherwise called a tenure that holdeth merely of the king.' C. art. *Capite*. Sir *Henry Spelman*, in his *Glossary*, art. *Caput*, thus explains tenure in capite: 'Caput pro rege, unde tenere in capite est tenere de rege omnium terrarum capite.'

Indentare. To enter into a covenant by indenture. *Ben Jonson*, in his comedy of *The Staple of News*, Act II. Scene 3, uses the verb to indent, in the same sense, in the following dialogue between *Penny-boy*, sen. and his cook *Lickfinger*.

P. SEN. ——— and when
I have friends that I invite at
home, provide me
Such, such, and such a dish as
I bespeak;
One at a time, no superflu-
ity:
Or, if you have it not, return
me money.
You know my ways.
LIC. They are a little
crooked.
P. SEN. How, knave?
LIC. Because you do in-
dent.
P. SEN. 'Tis true, sir,
I do indent you shall return
me money.
LIC. Rather than meat, I
know it; you are just still.

Indentura.

Indentura. An indenture. 'Indenture, indentura, is a writing, comprising some contract between two, and being indented in the top answerably to another that likewise containeth the same contracts.' *C.*

Indenture. A kind of deed. For its specific difference from other kinds, vide *supra*, art. *Deed*. The form of an indenture, as I find it given in *West's Symboleography*, Part I. Sect. 47, is as follows: 'Hæc indentura, facta inter A. B. de C. in comitatu Ebor. H. ex una parte, & E. F. de G. in comitatu H. Y. ex altera parte, testatur, quod prædictus A. B. dedit, concessit, & hac præsentî charta indentata confirmavit præfato E. F. & hæredibus suis xx acras terræ, &c. habendum, &c. In cujus rei testimonium, partes prædictæ sigilla sua præsentibus alternatim apposuerunt. Datum, &c.' In loco *supra* cit. *West* also gives the following form, in which the date of the deed is inserted in the beginning. 'Hæc indentura, facta xx die Januarii, anno regni, &c. inter A. B. &c. & C. D. &c. testatur, &c.'

Indictare. To indict. To prefer an indictment against one. *Cowel*, art. *Enditement*, thus explains what an indictment is: 'Enditement, indictamentum, cometh of the *French* enditer, i. deferre nomen alicujus, indicare, or from the *Greek* ἐνδικνυμι, because M. *Lambard* will have it so. *Eirenar*. lib. IV. cap. 5, pag. 468. It signifieth, in our common law, as much as accusatio in the civil law, though it have not in all points the like effect.' In

West's Symboleography are many forms of indictments, several of which begin thus: 'Juratores pro domina regina præsentant, quod,' &c. but, though I do not find such a form in *West*, it is possible they might sometimes begin with words nearly similar to these: 'Juratores pro domina regina præsentant in modo & forma sequente, viz. Imprimis, præsentant, quod,' &c. and that such a form might have come within Mr. *Ruggle's* knowledge.

Infangthef. 'Infangthef, or hinfangthese, or infangtheof, is compounded of three *Sax.* on words; the preposition in, fang or fong, to take or catch, and thef. It signifieth a privilege granted unto lords of certain manors to judge any thief taken within their fee.' *Bracton*, lib. III. tracta. 2, cap. 8. In the laws of king *Edward*, set out by M. *Lambard*, nu. 26, you have it thus described: "Infangthese, justitia cognoscentis latronis sua est, de homine suo, si captus fuerit super terram suam: illi vero qui non habent has consuetudines, coram justicia regia rectum faciant hundedis, vel in wapentachiis, vel in scyris." *C.*

Infeoffare. To infeoff is thus explained in *Somner's Glossary*, at the end of the *Decem Scriptores*, art. *Infeodare*. 'Infeodare est feudum, vel feodum, prædium, scilicet, beneficiarium alicui dare vel conferre: terram vel prædium in feudum, more scilicet beneficiario possidendum, alicui tradere vel concedere. *Gallis* infeuder, nobis to infeoff. *Chaucer*, in his *Court of Love*,

v. 934

v. 9., uses the verb to fesse in the same legal sense.

- ‘ Nay, God forbid to fesse
‘ you so with grace,
‘ And for a word of su-
‘ gar’d eloquence,
‘ To have compassion in so
‘ little space.’

And in *Troilus and Cressida*,
Book V. v. 1687;

- ‘ Was there none other broche
‘ you list to lete
‘ To fesse with your new
‘ love? quoth he,
‘ But thilke broche that I
‘ with teres wett,
‘ You gave as for a remem-
‘ brance of me.’

And still more remarkably in
the *Merchants Tale*, v. 1211;

- ‘ I trow it were too long you
‘ to tary,
‘ If I told you of every scrite
‘ and bond
‘ By which she was feoffed in
‘ all his land.’

In forma pauperis. ‘ Forma pau-
‘ peris, or in forma pauperis,
‘ is when any person has cause
‘ of suit, and is so poor that
‘ he cannot dispend the usual
‘ charges of suing at law, or in
‘ equity. In this case, upon
‘ his making oath that he is not
‘ worth 5*l.* his debts being
‘ paid, and bringing a certifi-
‘ cate from some lawyer that he
‘ has just cause of suit, the judge
‘ admits him to sue in forma
‘ pauperis, that is, without pay-
‘ ing fees to counsellor, autor-
‘ nies, or clerk. And this had
‘ beginning from the statute 1*1*
‘ H. VII. c. 12.’ C. edit. 1727,
art. *Forma Pauperis*.

Ingrossare. To engross. *Spelman*,

in his Glossary, art. *Ingrossator*,
explains ingrossator, in the first
place, to signify him ‘ qui in-
‘ tegrā rei alicujus copiam e-
‘ mendo satagit comparare, ut
‘ distrahendo potius charius ven-
‘ dat;’ after which he proceeds
in the following words: ‘ In-
‘ grossator longe alio sensu dic-
‘ tus est, qui, forensi charactere
‘ acta & instrumenta forensia pa-
‘ ginis inscribit membraneis, un-
‘ de ævo *Henrici* 6. ingrossa-
‘ tor magnæ rotulæ appellatus
‘ fuit, qui hodie clericus pipæ est,
‘ & duplex ingrossator, qui nunc
‘ pipæ contrarotulator.’

In modo et forma sequente. ‘ Mo-
‘ do & forma are words of art
‘ in a process, and namely in
‘ the answer of the defendant,
‘ whereby he denieth himself to
‘ have done the thing laid to his
‘ charge modo & forma decla-
‘ rata. *Kitch.* fol. 232. It sig-
‘ nifieth as much as that clause
‘ in the civil law, negat allega-
‘ ta, prout allegantur, esse vera.’
C. Besides the above explana-
tion, it may be necessary to re-
mark, that in deeds, especially by
indenture, the phrase ‘ in manner
‘ and form following’ frequently
occurs. In *Wiff’s Symboleogra-
phy*, Part I. Sect. 81, is the
form of an instrument, contain-
ing ‘ covenants of marriage and
‘ jointure to be made,’ which
begins with the following words:
‘ This indenture, made, &c. be-
‘ tween *W. P.* and *T. S.* &c.
‘ witnesseth, that it is covenant-
‘ ed, concluded, and agreed, by
‘ and between the said parties,
‘ in manner and form following;
‘ that is to say,’ &c. It is very
probable that when deeds were
in *Latin*, the phrase ‘ in man-
‘ ner and form following’

P p

might

might be rendered 'in modo & forma sequente.' In the same author, Part II. Sect. 200, is an indictment 'against a school-master, being a recusant, for teaching school in a widow's house without licence, and against the widow for keeping him in her house, knowing him to be a recusant,' in which the charge of the fact against the widow is expressed in these words: 'Et quod prædicta E. A. voluntarie in domo sua prædicta, per totum tempus prædictum custodivit & tenuit præfatum K. M. modo & forma prædictis, erudientem & docentem, sciens ipsum K. modo & forma prædictis, se absentasse.'

In propria persona. This is part of the form in which the proceedings on the levying a fine and recovery are entered on the roll in the court of Common Pleas. In *West's Symboleography*, Part II. p. 81, is an exemplification of a recovery, in which all the proceedings are recited as they appear on the roll, and in stating the demand made by the demandants these words are used: 'Fr. W. & R. S. in propriis personis suis, petunt versus J. R. duodecim acras prati, cum pertinentiis, in M. & K. ut jus & hæreditatem suam.' In another part of the same form mention is made of R. H. one of the parties, in the following terms: 'R. H. qui præfens est hic in curia in propria persona sua.'

In tail special. Vide infra, art. *Tail special*.

Inventarium. An inventory. 'Inventory, inventarium, is a description, or repertory, order-

ly made of all dead men's goods and catels, prized by four credible men, or more, which every executor or administrator ought to exhibit to the ordinary, at such times as he shall appoint the same.'

C.

Ire ad largum. 'Ire ad largum, to go at large, to be set at liberty, to make an escape.' See the *Syllabus vocabulorum quorundam forensium*, at the end of *Littleton's Latin Dictionary*.

Issue. *Corwel*, art. *Issue, exitus*, says, that it is derived from the *French* *issir*, i. emanare, or the substantive issue, i. exitus, eventus. He then observes that it has several applications; that sometimes it is used for children begotten between a man and his wife; sometimes for profits growing from an amercement or fine, or expences of suit; sometimes for profits of lands or tenements; 'sometimes,' adds he, 'for that point of matter depending in suit, whereupon the parties join and put their cause to the trial of the jury; and in all these it hath but one signification, which is, an effect of a cause proceeding, as the children be the effect of the marriage between the parents, the profits growing to the king or lord from the punishment of any man's offence is the effect of his transgression, the point referred to the trial of twelve men is the effect of pleading or process.'

J.

Jampnum. Furze or gorse. See the *Syllabus vocabulorum quorundam forensium*, at the end of *Littleton's Latin Dictionary*.

Archaic.

Jeofaille. ' Jeofaille is compound-
' ed of three *French* words, j'ay
' faille, i. ego lapsus sum, and
' signifieth, in our common law,
' an oversight in pleading, touch-
' ing the which you have a sta-
' tute, anno 32 *H. VIII.* cap. 30,
' whereby it is enacted, that if
' the jury have once passed upon
' the issue, though afterward
' there be found a jeofaille in the
' pleading, yet judgment shall
' likewise be given according to
' the verdict of the jury. See
' *Brooke*, tit. *Repleader*. The au-
' thor of the *New Terms* of
' *Law* saith, that a jeofaille is,
' when the parties to any suit
' have in pleading proceeded so
' far that they have joined issue,
' which shall be tried, or is tri-
' ed, by a jury or inquest, and
' this pleading or issue is so
' badly pleaded or joined, that
' it will be error if they proceed;
' then some of the said parties
' may, by their counsel, shew it
' to the court, as well after
' verdict given and before judg-
' ment, as before the jury be
' charged, the shewing of which
' defects before the jury charged
' was often when the jury
' came into the court to try the
' issue; then the counsel which
' will shew it shall say, " this in-
' quest you ought not to take;"
' and if it be after verdict, then
' he may say, " to judgment
' you ought not to go;" and be-
' cause of this many delays grew
' in suits, divers statutes are
' made to redress them, viz. 32
' *H. VIII.* c. 30, and others in
' queen *Elizabeth's* days, and yet
' the fault little amended.' *C.*

Joint-tenant. ' Joynt tenants,
' simul tenentes, *Liber Intratio-*
' *num*, titulo *Formdon in vien*, 3.

' be those that come to and
' hold lands or tenements by one
' title, pro indiviso, or without
' partition.' *C.* The same au-
' thor, art. *Tenant*, speaking a-
' gain of joint-tenants, describes
' them as being ' they that have
' equal right in lands and tene-
' ments, and all by virtue of one
' title.'

Joyniture. ' Joyniture, junctura,
' is a covenant, whereby the
' husband, or some other friend
' in his behalf, assureth unto his
' wife, in respect of marriage,
' lands or tenements, for term
' of her life or otherwise. See
' *West*, Part II. *Symbol. Lib. II.*
' titulo *Covenants*, Sect. 128,
' and *The New Exposition of the*
' *Law Terms*. It seemeth to be
' called a joyniture, either be-
' cause it is granted ratione
' juncturæ in matrimonio, or
' because the land in frank-mar-
' riage is given jointly to the
' husband and the wife, and after
' to the heirs of their bodies,
' whereby the husband and wife
' be made joint-tenants during
' the coverture.' *C.*

Juncaria. ' Juncaria, or jonca-
' ria, from juncus, the *Latin*
' word for a rush, is a soil or
' place where rushes grow.' *C.*
edit. 1727, art. *Juncaria*.

Junctura. A jointure. Vide su-
pra, art. *Jointure*.

Jungeret issue. To join issue. Vi-
de supra, art. *Issue*.

L.

Liberatura. Livery. *Corvel*,
in his *Interpreter*, art. *Liwe-*
rie, *liberatura*, says, it is deri-
ved from the *French* livree, i. in-
signe, gestamen, centuriale discrimen,
nota centurialis, turmalis, or
else from livrer, i. tradere, and

accordingly has, as he observes, three significations. In one it is used for a suit of cloth, or other stuff, that a gentleman giveth in coats, cloaks, hats, or gowns, with cognizance or without, to his servants or followers. 'In the other signification,' adds he, 'it betokeneth a delivery of possession unto those tenants which hold of the king in capite, or in knights service; for the king by his prerogative hath primer seisin, or the first possession of all lands and tenements so holden of him, anno 52 H. III. cap. 16, & an. 17 Ed. II. cap. 3. that is, when any such tenant dieth, the king forthwith entereth and holdeth it until the heir do his homage, and so pray his land to be delivered unto him; which act in the king is called livery.' The third signification is thus expressed by *Cowel*: 'Livery, in the third signification, is the writ which lieth for the heir to obtain the possession or seisin of his lands at the king's hands.' It is in the second signification alone that liberatura is used in this comedy.

Libera warrenna. A free warren. 'Warren, warrenna, alias varrenna, cometh of the *French* garrenne, i. vivarium, vel locus in quo vel aves, vel pisces, vel fere, continentur, quæ ad victum duntaxat pertinent. *Calapine*, out of *Aulus Gellius*, Lib. II. *Noft. Attica*. cap. 20. A warren, as we use it, is a prescription or grant from the king to a man, of having pheasants, partridges, conies, and hares, within certain of his lands. *Crompton's Jurisliet*.

fol. 148, where he saith, that none can have warren but only the king, no more than forest or chace; because it is a special privilege belonging to the king alone. And a little after, he hath words to this effect: The king may grant warren to me, in mine own lands, for pheasants and partridges only, and by this grant no man may there chafe them without my licence; and so of hares, but not of conies, for their property is to destroy the fruits of the earth, as to eat corn, and pille the bark of apple-trees. *M. Manwood*, in his first part of *Forest Laws*, saith thus of it: "A warren is a franchise, or privileged place of pleasure, only for those beasts and fowls of warren, tantum campestres & non sylvestres, viz. for such beasts and fowls as are altogether belonging to the fields, and not unto the woods, and for none other beasts or fowls. There are but two beasts of warren, that is to say, hares and conies; and there are also but two fowls of warren, viz. pheasants and partridges; and none other wild beasts or birds have any firm peace, privilege, or protection, within the warren. If any person be found to be an offender in any such free warren, he is to be punished for the same by the course of the common law, and by the statute, anno 21 Ed. III. called the statute *De malefactoribus in parcis & chaceis*, &c. For the most part there are no officers in a warren but the master of the game, or the keeper. A free
" warren

“ warren is sometime inclosed,
 “ and also the same sometime
 “ doth lie open, for there is no
 “ necessity of inclosing the same
 “ as there is of a park; for if a
 “ park be suffered to lie open, it
 “ ought to be seised into the
 “ king’s hands.” ‘ Thus far
 ‘ M. *Manwood*.’ C.

Licentia surgendi. Licence to arise, a writ so called, which is thus explained by Dr. *Cowel*, art. *Licence to arise*. ‘ Licence to arise, *licentia surgendi*, is a liberty given by the court to a tenant that is effoined de malo lecti in a real action; for the law is, that in this case he may not arise out of his bed, or at least go out of his chamber, until he have been viewed by knights thereunto appointed, and so, upon view of his sickness, have a day assigned him to appear, or esse lie until he be licensed by the court to arise. And the reason of this is, as I take it, because it may appear whether he caused himself to be effoined deceitfully, yea or not. And therefore if the demandant can prove that he be seen out of his chamber, walking up and down his grounds, or else going abroad unto any other place, before he be viewed, or have licence of the court, he shall be adjudged to be deceitfully effoined, and to have made default.’ C. And in art. *Licentia surgendi*, Dr. *Cowel* further says, that ‘ *Licentia surgendi* is the writ whereby the tenant, effoined de malo lecti, obtaineth liberty to rise.’ For the meaning of the word effoin, vide *supra*, art. *Effonium*.

Liegeus populus. Liege people.
 ‘ Liege, *ligius*, is a word bor-

‘ rowed from the Feudists, and
 ‘ hath two several significations
 ‘ in our common law, sometime
 ‘ being used for liege lord, anno
 ‘ 34 & 35 H. VIII. cap. 1, &
 ‘ anno 35 ejusdem, cap. 3; and
 ‘ sometimes for liege man, anno
 ‘ 10 R. II. cap. unico, & anno
 ‘ 11 ejusdem, cap. prim. Liege
 ‘ lord is he that acknowledgeth
 ‘ no superior. *Duarenus*, in *Comment de Consuetud. Feudorum*,
 ‘ cap. 4, num. 3. Liege man
 ‘ is he that oweth legancy to
 ‘ his liege lord. M. *Skene*, *De*
 ‘ *verb. sign.* verbo *Ligeantia*,
 ‘ saith, that it is derived from
 ‘ the Italian word *liga*, i. a
 ‘ band, league, or obligation, in
 ‘ whom read more of this matter.’ C. In *Chaucer*’s Clerk
 ‘ of *Oxford*’s Tale, v. 1094, are
 these lines, in which the term
 lieges is used for subjects.

‘ A marquis whilom lord was
 ‘ of that land,
 ‘ As were his worthy el-
 ‘ ders him before;
 ‘ And obeyfant, ay ready to
 ‘ his hand,
 ‘ Were all his lieges, both
 ‘ lefs and more.’

And in his *Romant of the Rose*,
 v. 4643, liege man occurs.

‘ Thou fell in mischief thilke
 ‘ day,
 ‘ When thou diddest, the foth
 ‘ to say,
 ‘ To him obeisance and ho-
 ‘ mage:
 ‘ Thou wroughtest nothing as
 ‘ the sage,
 ‘ When thou became his liege
 ‘ man;
 ‘ Thou diddest a great folly
 ‘ then.

In this latter passage *Chaucer*
 seems

seems to have had in view the form of doing homage; which may be seen, art. *Homagium*, supra.

Minum. Flax. *Littleton's Latin Dictionary.*

Littera attornati. 'Letter of attorney, *littera attornatus*, is a writing authorizing an attorney, that is, a man appointed to do a lawful act in our reads. *West*, parte prim. *Symbol.* Lib. II. Sect. 559. It is called in the civil law mandatum, or procuratorium.' C.

Loppare. To lop. See *Townsend's Preparative to Pleading*, p. 65, where loppatus is rendered lopped.

M.

Magnum cape. 'Cape is a writ judicial, touching plea of land or tenements, so termed, as most writs be, of that word in itself which carrieth the especiallest intention or end thereof. And this writ is divided in cape magnum and cape parvum, both which (as is before said in *Attachment*) take hold of things immovable, and seem to differ between themselves in these points; first, because cape magnum, or the grand cape, lieth before appearance, and cape parvum afterward; secondly, the cape magnum summoneth the tenant to answer to the default, and over to the demandant; cape parvum summoneth the tenant to answer to the default only, and therefore is called cape parvum, or in *French-English*, petit cape. *Old Nat. Br.* fol. 161. Yet *Ingham* saith, that it is called petit cape, not because it is of small force, but

that it consisteth of few words. Cape magnum, in the *Old Nat. Br.* is thus defined: 'This writ is a judicial, and lieth where a man hath brought a præcipe quod reddat of a thing that toucheth plea of land, and the tenant make default at the day to him given in the writ original, then this writ shall go for the king, to take the land into the king's hands; and if he come not at the day given him by the grand cape, he hath lost his land, &c.' 'A precedent and form of this writ you may see in the *Register judicial*, fol. 1 b. It seemeth, after a sort, to contain in it the effect missionis in possessionem ex primo & secundo decreto among the civilians: for as the first decree seizeth the thing, and the second giveth it from him that the second time defaulteth in his appearance, so this cape both seizeth the land, and also assigneth to the party a farther day of appearance, at which if he come not in, the land is forfeited. Yet is there difference between these two courses of the civil and common law; first, for that missionis in possessionem toucheth both movable and immovable goods, whereas the cape is extended only to immovable; secondly, that the party being satisfied of his demand, the remanet is restored to him that defaulted, but by the cape all is seized without restitution; thirdly, missionis in possessionem is to the use of the party agent, the cape is to the use of the king.' C.

Maimed. 'Maimed him,

him, mahemium, cometh of the old *French* mehaigne, as *M. Skene* saith, *De verbo. signific. verbo Machanum*, and signifieth a corporal hurt, whereby a man loseth the use of any member that is, or might be, any defence unto him in batel. The canonists call it membri mutilationem, as the eye, the hand, the foot, the scalp of the head, his foretooth, or, as some say, of any finger of his hand. C.

Manerium. A manor. *Maner*, manerium, seemeth to come of the *French* manoir, i. domicilium, habitatio. *M. Skene, De verbo. significatione, verbo Manerium*, saith, it is called manerium, quasi manerium, because it is laboured with handy-work by the lord himself. It signifieth, in our common law, a rule or government, which a man hath over such as hold land within his fee. Touching the original of these maners, it seemeth that in the beginning there was a certain compass or circuit of ground, granted by the king unto some man of worth (as a baron or such like) for him and his heirs to dwell upon, and to exercise some jurisdiction, more or less, within that compass, as he thought good to grant, performing him such services, and paying such yearly rent for the same, as he by his grant required: and that afterward this great man parcelled his land to other meaner men, enjoining them again such services and rents as he thought good, and by that means, as he became tenant to the king, so the infe-

riors became tenants unto him. See *Perkins's Reservations*, 670, and *Andrew Horn's* book, intitled *The Mirror of Justices*, Lib. I. cap. *Du roy Alfred*. See the definition of a maner, *Fulb. fol. 18*. And this course of benefitting or re-warding their nobles for good service have our kings borrowed from the emperors of *Rome*, or the *Lombard* kings, after they had settled themselves in *Italy*, as may well appear by *Antonius Contius*, in *Methodo feudorum*, cap. 1. *De origine, & libris Feudorum*. And I find that, according to this our custom, all lands holden in fee throughout *France*, are divided into siez and arrier siez: whereof the former are such as are immediately granted by the king, the second such as the king's feudatories do again grant to others, *Gregorii Syntagm. Lib. VI. cap. 5, nu. 3*. But the inconstancy of man's estate, and the mutability of time, hath brought to pass, that those great men, or their posterity, have alienated these manions and lands, so given them by their prince, and others, that had none, have by their wealth purchased many of them: and again, that many for capital offences have forfeited them to the king, and that thereby they still remain in the crown, or are bestowed again upon others; so that at these days many be in the hands of mean men, such as by their skill in law or physic, by merchandize, grazing, or such other good husbandry, have gathered wealth, and

‘ and enabled themselves to purchase them of those that by descent received them from their ancestors in greater abundance, than wit to keep them. But whosoever possesseth these maners, the liberty belonging unto them is real and predial; and therefore remaineth still, though the owners be changed. In these days a maner rather signifieth the jurisdiction and royalty in corporeal, than the land or site: for a man may have a maner in gross (as the law termeth it) that is, the right and interest of a court baron, with the perquisites thereunto belonging, and another or others have every foot of the land thereunto belonging. *Kitchin*, fol. 4, *Broke hoc titulo per totum*, *Bracton*, Lib. IV. cap. 31, num. 3, divideth manerium in capitale & non capitale. See *Bracton*, Lib. V. tracta. 5, cap. 28, nu. pri. See *Fee*. The new expositor of Law Terms saith, that “Manour is a thing compounded of divers things, as of a house, land arable, pasture, meadow, wood, rent, advowson, court baron, and such like; and this ought to be by long continuance of time, to the contrary whereof man’s memory cannot discern,” ‘&c.’ *C*.

Manu forti. This is part of the form in an indictment. In *West’s Symboleography*, Part II. Sect. 91, is an indictment for a riotous assault and affray made upon a vicar in his church, and for the imprisoning of him in a pair of stocks, which begins thus: ‘Inquiratur, &c. *A. T.* &c. *H. S.* &c. & *W. K.* aggrega-

‘ti, &c. 22 die *Julii*, &c. vi & armis, &c. apud *C.* in comitatu *S.* riotose, &c. in *R. L.* vicariam ecclesiæ parochialis de *C.* præd. in pace Dei & dictæ dominæ reginæ, in ecclesiâ prædictâ, tunc violenter & manu forti extraxerunt, & usque cippos duxerunt, & ipsum imprisonaverunt, &c.’ In another form, in the same collection, Sect. 116, founded upon the statute of 8 *H. VI.* for entering with force into a barn, in the possession of the farmer thereof, and for keeping of the same with force, the defendants are charged with having entered in these words: ‘In unum horreum, apud *W.* prædict. ad tunc existentem liberum tenementum *R. W.* generosi, vi & armis, viz. gladiis, &c. manu forti & illicite super possessionem cuiusdam *A. M.* tunc firmarii prædicti *W.* horreum prædictum intraverunt & ingressum fecerunt, & ipsum *A.* vi & armis prædictis, ac manu forti & illicite, tunc inde expulerunt & eiecerunt.’ And in a third form, in the same collection, Sect. 117, containing an inquisition upon the same statute, wherein it is found that one was with force and arms expelled out of the possession of a manor and lands, are these words: ‘*R. W.* armigerum, de manerio de *G.* cum pertinentiis, in *A.* in comitatu prædicto, & de ducentis acris terræ, xx acris prati, & centum acris pasturæ, cum pertinentiis, in *A.* prædicto, in comitatu prædicto, vi & armis, & manu forti, viz. gladiis, baculis, & cultellis, propulerunt & disseisiverunt,’ &c.

Mariscus

Mariscus freschus. A fresh marsh. *Townsend*, in his *Preparative to Pleading*, p. 171, renders a fresh marsh by the *Latin* *mariscus frescus*.

Mariscus salus. A salt marsh. See *Townsend*, in loc. supra citat.

Maritagium amissum per defaltam. Dr. *Corwel* terms this *maritagio amisso per defaltam*, and explains it in the following words: 'Maritagio amisso per defaltam is a writ for the tenant in franck-marriage to recover lands, &c. whereof he is deforced by another, *Reg.* fol. 171.'

Medietas lingue. 'Medietas lingue signifieth an inquest impanelled upon any cause, whereof the one half consisteth of denizens, the other of strangers. It is called in *English* the half tongue, and is used in pleas, wherein the one party is a stranger, the other a denizen. See the statute, anno 28 *Ed.* III. cap. 13. & anno 27 ejusdem, statut. 2, cap. 8, commonly called the statute of the staple, & an. 8 *H.* VI. cap. 29. & anno 2 *H.* V. cap. 3. & anno 11 *H.* VII. cap. 21. & anno 1 & 2 *Phil.* & *Mar.* cap. 8. And before the first of these statutes was made, this was wont to be obtained of the king by grant made to any company of strangers, as *Lombards*, *Almains*, &c. *Starwford*, *Pl. Cor.* Lib. III. cap. 7.' C.

Mesnuagium. 'Mesuage, mesuagium, is a dwelling-house, *West*, Parte II. *Symbol.* titulo *Fines*, Sect. 26. But by the name of a mesuage may pass

also a curtilage, a garden, an orchard, a dove-house, a shop, a mill, as parcel of an house, as he himself confirmeth out of *Bracton*, Lib. V. cap. 28, Sect. prim. and *Plowden*, fol. 199, 170, 171. and of himself he avoucheth the like of a cottage, a toft, a chamber, a cellar, &c. yet may they be demanded by their single names. Mesuagium, in *Scotland*, signifieth the principal dwelling place or house within a barony, which in our land is called a manor house, *Skene De verb. signific. verbo Mesuagium*, where he citeth *Valentine Leigh*, that in his book of survey he affirmeth mesuagium to be the tenement or land earable; and the dwelling-house, or place, or court-hall thereof, to be called the site, in *Latin* called *situs*.' C.

Misprison. 'Misprison, misprision, cometh of the French *mespris*, i. fastidium, contemptus. It signifieth, in our common law, neglect, or negligence, or over-sight: as, for example, misprison of treason, or of felony, is a neglect or light account shewed of treason or felony committed, by not revealing it when we know it to be committed, *Starwfs. Pl. Cor.* Lib. I. ca. 19, which read at large; or by letting any person committed for treason or felony, or suspicion of either, to go, before he be indicted. Misprison signifieth also a mistake, anno 14 *Ed.* III. stat. prim. cap. 6.' C.

Mittimus. 'Mittimus signifieth a precept sent by the king, out of his Bench, to those that
Qq have

‘ have the custody of fines levied, that they send them, by a day assigned, to his Bench, *West*, Parte II. *Symb.* titulo *Fines*, Sect. 138 F. & 134 B. and also to the Exchequer, for certificate that judgment is given for the livery of lands to such or such a one out of the king’s hands; whereupon he is dismissed also out of the Exchequer, an. 5 R. II. cap. 15. Of divers other uses and applications of this mittimus, see the *Register originall* in the table of the book.’ C.

Moderata misericordia. ‘ *Moderata misericordia* is a writ that lieth for him that is amerced in court baron or other, being not of record, for any transgression or offence beyond the quality of a fault. It is directed to the lord of the court, or his bailiff, commanding them to take a moderate amercement of the party; and is founded upon *Magna charta*, cap. 14. “Quod nullus liber homo amercietur nisi secundum qualitatem delicti,” &c. The rest touching this writ, see in *Fitzh. Nat. Br.* fol. 75.’ C.

Modo guerrino arraiatus. This is sometimes part of the form of an indictment for a riot. In *West’s Symbolography*, Part II. Sect. 187, is an indictment for a riot in a park, upon the keeper of the park and his servant, and for hurting the keeper’s servant with an arrow, which begins with the following words: ‘Inquiratur pro domina regina, si E. P. &c. H. P. &c. & R. B. &c. aggregati, &c. riotose & route, & modo novæ insurrectionis, in conventiculis illi-

citis, & modo guerrino arraiati, vi & armis, viz. &c. 30 die apud H. in com. E. prædicto,’ &c. This form is followed, Sect. 188, by another, for a riot in pulling down of hedges and ditches, in which is the following passage: ‘Inquiratur pro domina regina, si J. R. nuper de B. in comitatu prædicto, yeoman, R. A. nuper de G. in comitatu prædicto, husbandman, & F. B. nuper de D. in comitatu prædicto, groom, cum multis aliis malefactoribus eis aggregatis, & pacis dictæ dominæ reginæ perturbatoribus ignotis, modo guerrino arraiatis, unitatis, assembleatis, & congregatis.’ &c.

Molendinum. A mill. See *Townsend’s Preparative to Pleading*, p. 253, and C. edit. 1727, art. *Molendinum*.

Moor. A moor, moorish ground. *Townsend’s Preparative to Pleading*, p. 67 and p. 171.

Moschetum. This word, I am inclined to suspect, should be spelt *mossetum*, as I do not anywhere meet with such a word as *moschetum*: *mossetum* means mossy ground. See *Townsend’s Preparative to Pleading*, p. 67.

N.

Nihil dicit. ‘Nihil dicit is a failing to put in answer to the plea of the plaintiff by the day assigned, which if a man do commit, judgment passeth against him, as saying nothing why it should not.’ C.

Non compos mentis. ‘Non compos mentis is of four sorts: first, he that is an idiot born; next, he that by accident afterwards wholly loseth his wits;

• wits; thirdly, a lunatic, that
 • hath sometime his understand-
 • ing, and sometime not; lastly,
 • he which by his own act de-
 • priveth himself of his right
 • mind for a time, as a drun-
 • kard. *Coke*, Li. IV. fol. 124.
 • b. C.

Non est inventus. These are the words of the answer returned by the sheriff on a writ, when he has not been able to find the person whom it commanded him to arrest. When law proceedings were in *Latin*, this answer was contained in these words, which were written by the sheriff on the back of the writ: 'In-
 • fra nominatus A. B. non est
 • inventus in baliva mea.' The present *English* form is this:
 • 'The within-named A. B. was
 • not found within my baili-
 • wick.' But notwithstanding that (since *Latin* was laid aside) no such words as non est inventus appear now in this return, yet it is still constantly known by the appellation of a non est inventus. *West*, in his *Symbolography*, Part II. p. 185, has given the sheriff's return of a non est inventus in these words:
 • 'Infra nominatus R. M. non
 • est inventus in baliva mea.'

Non suit. 'Non suit is a renun-
 • ciation of the suit by the plain-
 • tiff or demandant, when the
 • matter is so far proceeded in,
 • as the jury is ready at the bar
 • to deliver their verdict, anno
 • 2 H. IV. cap. 7. See the new
 • book of Entries, verbo *Non suit*.
 • 'The civilians term it litis re-
 • nunciationem.' C.

Noverint universi. While deeds continued in *Latin*, these were the initial words of an obligation, or what we now under-

stand by the appellation of a bond. Many precedents of this kind occur in *West's Symbolography*, Part I. Sect. 102, & seqq. but we shall content ourselves with giving from him the following instance: 'No-
 • verint universi per presentes,
 • me W. G. de R. in comitatu S.
 • generosum, teneri & firmiter ob-
 • ligari W. B. in decem libris
 • bonæ & legalis monetæ An-
 • glia,' &c. See *West's Symbolography*, Part I. Sect. 102. The usual *English* form is now,
 • 'Know all men by these pre-
 • sents,' &c.

Noverint universitates. These words I suspect to be corrupt, and that for noverint universitates we should read noverit universitas. The phrase noverint universitates I no where find used, but noverit universitas were formerly sometimes used as the initial words of deeds. *William Thorne*, a monk of St. *Augustine's* monastery, *Canterbury*, in his *Chronica de rebus gestis abbatum St. Augustini, Cantuariæ*, inserted among the *Decem Scriptores Historiæ Anglicanæ*, edit. *Twysden*, inserts two instruments, the former of which begins with the following words:
 • 'Noverit universitas vestra, quod
 • cum de mandato sedis apos-
 • tolicæ,' &c. The other with these: 'Noverit universitas ves-
 • tra, nos compositionem factam,' &c. They both are placed under the reign of *Henry III.* the former is expressly said to have been made in the year 1238, and the latter in 1240. See the *Decem Scriptores*, col. 1885, 1886. To the above conjecture, that the words noverint universitates are corrupt, it may probably be
 Qq 2 objected,

objected, that in the *Encomiasticon Ignorami*, where only this phrase occurs, universities, in the first line, seems intended to rhyme to diversities in the second, thus :

- ‘ Noverint universities, quod
- ‘ hic est *Ignoramus*,
- ‘ Jocorum hic diversities, est
- ‘ liber vere famous.’

But I see no reason why the word diversities may not be deemed itself a corruption ; and am strongly inclined to think that, instead of the two lines above, we should read,

- ‘ Noverit universitas, quod hic
- ‘ est *Ignoramus*,
- ‘ Jocorum hic diversitas, est
- ‘ liber vere famous.’

O.

Obligatio. ‘ Obligation, obligation, and bill be all one, saving that when it is in *English*, it is commonly called a bill, and when it is in *Latin*, an obligation. *West*, Part I. *Symbol.* Lib. II. Sect. 146. True it is that a bill is obligatory ; but we commonly call that an obligation which hath a condition annexed. The former author in the same place saith thus farther : An obligation is a deed, whereby the obligor doth knowledge himself to owe unto the obligee a certain sum of money, or other thing ; in which, besides the parties names, are to be considered the thing due, and the time, place, and manner of payment, or delivery. Obligations be either by matter in deed, or of record. An obligation by matter in deed,

- ‘ is every obligation not ac-
- ‘ knowledged and made in some
- ‘ court of record. Hitherto
- ‘ master *West*.’ C.

Obligation. Vide supra, *Obligatio*.
Octabis Hilarii. The octave of *St. Hilary*. *St. Hilary* is the 13th of *January*, and the octave, or eighth day after, is the 21st of that month. For the use and application of this phrase in law proceedings, vide infra, art. *Return*.

Omnes et singuli. These words appear to have been sometimes used as part of an indictment for an unlawful assembly, for in *West’s Symboleography*, Part II. Sect. 74, is an indictment upon the statute of an. 1 *Mar.* cap. 12, for the assembly of twelve persons assembled together to the intent to cut down a conduit-head, and staying there three hours after proclamation made that they should depart, in which, after stating the fact of their assembling, are these words : ‘ Et ulterius quod super querimonia inde facta coram *T. W.* uno justiciariorum pacis dictæ dominæ reginæ, in comitatu *E.* prædicto, omnes & singuli prædicti *A. B. C. D. E. F.* &c. tunc & ibidem per eundem justiciarium requisiti sunt ac jussi,’ &c.

Omnia et singula. All and singular. This phrase frequently occurs in deeds. In *West’s Symboleography*, Part I. Sect. 421, is a deed for a sale of lands reserving rent, in which are these words : ‘ To have and to hold all and singular the said messuage, &c. to the said *R. M.* and to the heirs, &c.’ And in the same collection, Part I. Sect. 424, is a gift of goods and chattels,

tels, with covenants to find the donor necessities, and perform his will, in which these words occur: 'To have and to hold the said leases, farms, and terms of years, and all and singular the said goods and chattels, and other the premises (except before excepted) to the said T. S. his executors and assigns, to his and their own proper use and uses.' When deeds were in *Latin*, the phrase all and singular was unquestionably rendered omnia & singula; for in a gift or grant in tail, inserted in *West's Symboleography*, Part I. Sect. 254, is the following passage: 'Habendum & tenendum omnia & singula prædictas terras, tenementa, hæreditamenta, & cætera omnia & singula præmissa, superius expressa & specificata, cum omnibus & singulis suis pertinentiis, præfato F. B.' &c.

Ouster le main. 'Ouster le main, ambvere manum, word for word, signifieth to take off the hand, though in true *French* it should be oster la main. It signifieth, in the common law, a judgment given for him that tendeth a travers, or sueth a monstiance de droit, or petition: for when it appeareth upon the matter discussed, that the king hath no right nor title to the thing he seised, then judgment shall be given in the Chancery, that the king's hands be removed, and thereupon amoveas manum shall be awarded to the escheator; which is as much as if the judgment were given, that he should have again his land. Vide *Stawm. Prærog.* cap. 24. See anno 23 *Ed. I.* stat. 3, ca.

19. It is also taken for the writ granted upon this petition. *Fitzh. Nat. Br.* fol. 256 C. It is written oter le maine, anno 25 *Hen. VIII.* cap. 22. C.

Outfangthef. 'Outfangthief, alias utfangthef, is thus defined by *Bracton*, Lib. III. tra. 2, cap. 34. "Utfangthef dicitur latro extraneus veniens aliunde de terra aliena, & qui captus fuit in terra ipsius, qui tales habet libertates;" but see *Britton* otherwise, fol. 91 b. It is compounded of three *Saxon* words, out, i. extra, fang, i. capio vel captus, and thef, i. fur. It is used, in the common law, for a liberty or privilege, whereby a lord is enabled to call any man dwelling within his own fee, and taken for felony in any other place, and to judge him in his own court. *Rastal's Expos. of Words.* C.

P.

Pain fort et dure. 'Pain fort & dure, poena fortis & dura, is in true *French* peine fort & dure. It signifieth, in our common law, an especial punishment for those that, being arraigned of felony, refuse to put themselves upon the ordinary trial of God and the country, and thereby are mute, or as mute in interpretation of law. This, as *Stawm.* thinketh, *Pl. Cor.* Lib. II. cap. 60, is founded upon the statute of *Westm.* prim. cap. 12, anno 3 *Ed.* prim. His reason is, because *Bracton*, who writ before that parliament, maketh no mention of it; and *Britton* writeth, after that

‘ that time, touching it, in his
 ‘ 4th chapter, fol. 11, viz. in
 ‘ words to this effect: If they
 ‘ will not acquit themselves, let
 ‘ them be put to their penance
 ‘ until such time as they do de-
 ‘ fire trial; and let the penance
 ‘ be such, viz. Let them be
 ‘ bare-legged, without girdle,
 ‘ and without hat or cap, in
 ‘ their coat only, and lie in pri-
 ‘ son upon the naked earth, day
 ‘ and night; and let them eat
 ‘ no bread, but of barley and
 ‘ bran, nor drink any other
 ‘ than water, and that upon
 ‘ that day when they eat not;
 ‘ and let them be chained.
 ‘ *Starwford* in his said 60th
 ‘ chapter of his second book,
 ‘ expounded it more plainly and
 ‘ particularly in this sort: And
 ‘ note, that this strong and
 ‘ hard pain shall be such; sc.
 ‘ He shall be sent back to the
 ‘ prison whence he came, and
 ‘ laid in some low dark house,
 ‘ where he shall lie naked upon
 ‘ the earth, without any litter,
 ‘ rushes, or other cloathing, and
 ‘ without any raiment about
 ‘ him, but only something to
 ‘ cover his privy members; and
 ‘ he shall lie upon his back with
 ‘ his head covered and his feet;
 ‘ and one arm shall be drawn
 ‘ to one quarter of the house
 ‘ with a cord, and the other
 ‘ arm to another quarter; and
 ‘ in the same manner let it be
 ‘ done with his legs; and let
 ‘ there be laid upon his body
 ‘ iron and stone, so much as he
 ‘ may bear, or more: and the
 ‘ next day following he shall
 ‘ have three morsels of barley
 ‘ bread without drink; and the
 ‘ second day he shall have drink
 ‘ three times, and as much at

‘ each time as he can drink, of
 ‘ the water next unto the pri-
 ‘ son door, except it be running
 ‘ water, without any bread;
 ‘ and this shall be his diet un-
 ‘ til he die.’

Paruum cape is thus explained
 by *Cowel*, art. *Cape parvum*.
 ‘ Cape parvum, in the *Old Nat*.
 ‘ *Br.* fol. 162, is thus defi-
 ‘ ned: “ This writ lieth, in case
 ‘ where the tenant is summoned
 ‘ in plea of land, and cometh
 ‘ at the summons, and his ap-
 ‘ pearance is of record, and,
 ‘ after, he maketh default at the
 ‘ day that is given to him;
 ‘ then shall go this writ for the
 ‘ king,” &c. Of this like-
 ‘ wise you have the form in the
 ‘ *Register judicial*, fol. 2 a.’
 Vide *supra*, art. *Magnum cape*.

Patria. ‘ *Patria*, pro comitatu
 ‘ vel pago; sic in *Capitul. Lib*.
 ‘ IV. cap. penult. “ De liber-
 ‘ tate & hæreditate lis agenda
 ‘ est in patria pulsati.” ‘ *Pa-*
 ‘ *tria*, pro compaginensibus, sic
 ‘ in legum formulis, ubi dicitur
 ‘ inquiratur per patriam: et af-
 ‘ fisa, vel recognitio per affisam,
 ‘ idem est quod recognitio pa-
 ‘ triæ.’ *Spekmanni Glossarium*.
 ‘ *Patria* properly signifies the
 ‘ country, but in the law it de-
 ‘ notes the men of a neighbour-
 ‘ hood; so when we say inqui-
 ‘ ratur per patriam, we mean a
 ‘ jury of the neighbourhood; in
 ‘ like manner, affisa, vel recog-
 ‘ nitio per affisam, idem est quod
 ‘ recognitio patriæ.’ *G. edit.*
 1727. The phrase *ponere su-*
per patriam, referred to in *Act*
III. Sc. 8, of this comedy, fre-
 quently occurs in law proceed-
 ings, and to give one instance
 of it, though many might be
 produced, makes part of the form
 of

of an exemplification of a recovery. This exemplification, which contains a history of the suits, states, first, that the plaintiff came in his own proper person and claimed such an estate, (describing it); that the defendant afterwards came and alledged such and such a circumstance in his defence; and then follow these words: 'Et de hoc ponit se su-
' per patriam.' See *West's Symboleography*, Part II. tit. *Recoveries*, Sect. 13.

Per presentes. These words frequently occur in law proceedings. The initial words of a bond or obligation, when they were in *Latin*, were, 'Noverint
' universi per presentes, me,' &c. See *West's Symboleography*, Part I. Sect. 102. They now are, 'Know all men by these pre-
' sents, that I,' &c.

Petit treason. 'Petit treason,
' parva traditio, in true *French* is
' petit trahizon, i. proditio mi-
' nor, treason in a lesser or low-
' er kind. For whereas treason
' in the highest kind is an of-
' fence done against the security
' of the commonwealth, *West*,
' Parte II. *Symb.* titulo *Indite-*
' ment, Sect. 63, petit treason
' is of this nature, though not
' so expressly as the other. Ex-
' amples of petit treason you
' shall find to be these: if a ser-
' vant kill his master, a wife
' her husband, a secular or re-
' ligious man his prelate, anno
' 25 *Edw.* III. cap. 2. Where-
' of see more in *Stow's Pl.*
' Cor. Lib. I, cap. 2. See also
' *Crompton's Justice of Peace*,
' fol. 2, where he addeth divers
' other examples to those of
' *Stow's*. For the punish-
' ment of petit treason, see the

' statute an. 25 *H. VIII.* cap.
' 14, and *Crompton*, ubi supra.
' C.

Picagium. 'Piccage, piccagium,
' is money paid in fairs for
' breaking of the ground to set
' up booths or standings.' C.

Piscaria. 'Piscarie, piscaria, co-
' meth of the *French* pesharie, i.
' piscatio. It signifieth, in our
' common law, a liberty of fish-
' ing in another man's waters.' C.

Placitum. 'Plea, placitum, co-
' meth of the *French* ploid, i.
' lis, controversia. It signifieth,
' in our common law, that
' which either party alledgeth
' for himself in court; and
' this was wont to be done in
' *French* from the conquest, un-
' til *Edward* the III. who or-
' dained them to be done in
' *English*, a. 36. cap. 15.' C.

Plaintiff. 'Plaint, querela, is
' a *French* word, signifying
' as much as questus, querimo-
' nia. In our common law it is
' used for the propounding of
' any action personal, or real, in
' writing. So it is used in
' *Brook*, titulo *Plaint in Assise*,
' and the party making this
' plaint, is called plaintiff.
' *Kitchin*, fol. 231.' C.

Pluries capias. 'Pluries is a writ
' that goeth out in the third
' place: for first goeth out the
' original capias; which if it
' speed not, then goeth out the
' sicut alias; and if that fail,
' then the pluries. See *Old Nat.*
' *Br.* fol. 33, in the writ *De*
' *excom. capiando*. See in what
' diversity of cases this is used in
' the table of the *Original Re-*
' gister.' C.

Pontagium. 'Pontage, pontagi-
' um, is a contribution toward
' the maintenance or re-edifying

of bridges. *Westm.* 2, cap. 25, anno 13 *Ed.* pri. It may be also toll taken to this purpose of those that pass over bridges, anno 39 *Eliz.* cap. 24, anno 1 *H. VIII.* cap. 9. and see the statute anno 22 *H. VIII.* cap. 5. *C.*

Præcipe quod reddat. 'Præcipe quod reddat is a writ of great diversity. This form is extended as well to a writ of right, as to other writs of entry or possession, *Old Nat. Br.* fol. 13, and *Fitzher. Nat. Br.* fol. 5. *C.* And the same author, art. *Ingressu*, says, 'Ingressu is a writ of entry, that is, whereby a man seeketh entry into lands or tenements; it lieth in many divers cases, wherein it hath as many diversities of forms. This writ is also called in the particular præcipe quod reddat, because those be formal words in all writs of entry.'

Præmunire. 'Præmunire is taken either for a writ, or for the offence whereupon this writ is granted. The one may well enough be understood by the other. It is therefore to be noted, that the church of *Rome*, under pretence of her supremacy, and the dignity of St. *Peter's* chair, grew to such an encroaching, that there could not be a benefice (were it bishopric, abbath, or other) of any worth here in *England*, the bestowing whereof could escape the pope by one means or other; insomuch as, for the most part, he granted out mandates of ecclesiastical livings, before they were void, to certain persons by his bulls, pretending therein a great care

to see the church provided of a successor before it needed. Whence it grew that these kind of bulls were called gratiæ expectatiæ, or provisiones, whereof you may read a learned discourse in *Duarenus*, that worthy civilian, in his tractate *De beneficiis*, Lib. III. cap. 1, and in his treatise *De immunitate ecclesiæ Gallicanæ*. These provisions were so rife with us, that at the last king *Edward* the third, that heroical prince, not disgesting so intolerable an oppression, made a statute in the 25th year of his reign, stat. 5. cap. 22, and another, stat. 6, ejusdem anni, cap. pri. and a third anno 27, against those that drew the king's people out of the realm, to answer of things belonging to the king's court; and another, anno 28, stat. 2, c. 1, 2, 3, and 4, to the like effect, whereby he greatly restrained this liberty of the pope. Yet such was the wantonness that grew out of his power, and the impatience of princes in those days, that he still adventured the continuance of these provisions; insomuch as king *Richard* the second made likewise a statute against them in the twelfth year of his reign, ca. 15, and the 13th year, stat. 2, ca. 2, making mention of the said first statute of *Edward* the third, ratifying the same, and appointing the punishment of those that offended against it to be perpetual banishment, forfeiture of their lands, tenements, goods, and chattels, as by the same doth more at large appear. And again, in the 16th year of his reign, cap. 5, to meet

" meet more fully with all the
 " shifts invented to defraud these
 " former statutes, he expresseth
 " the offence more particularly,
 " and setteth the same punishment
 " to it that he ordained in
 " the last former statute; for
 " there, toward the end, he hath
 " these words: " If any pur-
 " chase or pursue, or do to be
 " purchased or pursued, in
 " the court of *Rome*, or else-
 " where, any such translations,
 " processes, and sentences of
 " excommunication, bulls, in-
 " struments, or any other
 " things," &c. After him,
 " king *Henry* the fourth, in
 " like manner, grieved at this
 " importunity by other abuses
 " not fully met with in the for-
 " mer statutes, in the second year
 " of his reign, cap. 3 and 4, add-
 " eth certain new cases, and lay-
 " eth upon the offenders in them
 " the same censure, whereunto,
 " for shortness sake, I refer you;
 " admonishing likewise to add
 " the statute anno 9 ejusdem,
 " cap. pri. & anno 7, cap. 9.
 " & 8 & anno 9 ejusdem, cap.
 " 8. & anno 3 *H. V.* cap. 4.
 " Out of which statutes have our
 " professors of the common law
 " wrought many dangers to
 " the jurisdiction ecclesiastical,
 " threatening the punishment
 " contained, in the statute anno
 " 27 *Edw. III.* & 38 ejusdem,
 " almost to every thing that the
 " court Christian dealeth in,
 " pretending all things dealt
 " within those courts to be the
 " disherison of the crown, from
 " the which, and none other
 " fountain, all ecclesiastical ju-
 " risdiction is now derived;
 " whereas in truth *Sir Thomas*
 " *Smith* saith very rightly and

" charitably, that the uniting of
 " the supremacy ecclesiastical
 " and temporal in the king ut-
 " terly voideth the use of all
 " those statutes; nam, cessante
 " ratione, cessat lex. And what-
 " soever is now wrought or
 " threatened against the jurisdic-
 " tion ecclesiastical, by colour of
 " the same, is but in emulation
 " of one court to another; and
 " by consequent a derogation to
 " that authority from which all
 " jurisdiction is now derived,
 " and the maintenance whereof
 " was by those princes especial-
 " ly purposed. But of this read
 " *Sir Thomas Smith*, Li. III.
 " *De Rep. Ang.* cap. 9. Some
 " later statutes do cast this pu-
 " nishment upon other offenders;
 " as namely the statute anno
 " 1 *Eliz.* cap. prim. upon him
 " that denieth the king's supre-
 " macy the second time, &c.
 " and the statute anno 13 *Eliz.*
 " cap. 2, upon him that affirm-
 " eth the authority of the pope,
 " or that refuseth to take the oath
 " of supremacy; and the statute
 " an. 13 *Eliz.* cap. 1, such as
 " be seditious talkers of the in-
 " heritance of the crown, or af-
 " firm the queen's majesty to
 " be an heretic. And the word
 " is applied most commonly to
 " the punishment first ordained
 " by the statutes before-mention-
 " ed, for such as transgressed
 " them; but in latter times im-
 " posed upon other offences:
 " for that, where it is said that
 " any man for an offence com-
 " mitted shall incur a præmunire,
 " it is meant that he shall incur
 " the same punishment which is
 " inflicted against those that
 " transgress the statute made
 " anno 16 *R. II.* c. 5, which is
 " R 1 commonly

‘commonly called the statute of
 ‘*præmunire*, which kind of re-
 ‘ference is not unusual in our
 ‘statutes; for example, I shew
 ‘only the statute anno 5 *Eliz.*
 ‘cap. 5, where it is enacted,
 ‘that if any man preach or
 ‘teach by writing, that the com-
 ‘mon council of the realm do,
 ‘by that statute, forbid flesh to
 ‘be eaten, as of necessity for
 ‘the saving of man’s soul, that
 ‘he shall for such preaching, &c.
 ‘be punished as they be which
 ‘be spreaders of false news;
 ‘having reference thereby to
 ‘those statutes which contain the
 ‘punishment of such offenders.
 ‘Now touching the etymology
 ‘of this word *præmunire*, some
 ‘think it proceedeth from the
 ‘strength given to the crown by
 ‘the former statutes, against the
 ‘usurpation of foreign and un-
 ‘natural power; which opinion
 ‘may receive some ground from
 ‘the statute anno 25 *Edward*
 ‘III. stat. 6, cap. pri. But
 ‘other think it to grow from
 ‘the verb *præmonere*, being bar-
 ‘barously turned into *præmu-*
 ‘*nire*, which corruption is ta-
 ‘ken from the rude interpreters
 ‘of the civil and canon laws,
 ‘who indeed do use the effect
 ‘*præmunire* many times, for
 ‘the efficient cause *præmonere*,
 ‘according to the proverb, He
 ‘that is well warned is half
 ‘armed. And of this I gather
 ‘reason from the form of the
 ‘writ, which is thus conceived
 ‘in the Old *Nat. Br.* fol. 143.”
 ‘*Præmunire facias præfatum*
 ‘*præpositum & I. R. procura-*
 ‘*tozem, &c. quod tunc sint co-*
 ‘*ram nobis,*” ‘&c. for these
 ‘words can be referred to none

‘but parties charged with the
 ‘offence.’ *C.*

Prohibitio. ‘Prohibition, pro-
 ‘hibitio, is a writ framed for
 ‘the forbidding of any court,
 ‘either spiritual or secular, to
 ‘proceed in any cause there de-
 ‘pending, upon suggestion that
 ‘the cognition thereof belongeth
 ‘not to the said court, *Fitzh.*
 ‘*Nat. Br.* fol. 39 *G.* but is
 ‘most usually taken, especially
 ‘in these days, for that writ
 ‘which lieth for one that is im-
 ‘pleaded in the court Christian,
 ‘for a cause belonging to the
 ‘temporal jurisdiction, or the
 ‘cognizance of the king’s court,
 ‘whereby as well the party and
 ‘his council, as the judge him-
 ‘self, and the register, are for-
 ‘bidden to proceed any farther
 ‘in that cause; for that it ap-
 ‘pertaineth to the disinheri-
 ‘tage to the crown of such right as
 ‘belongeth unto it.’ *C.*

Pro toto et in solido. These words,
 when deeds and law proceedings
 were in *Latin*, were part of the
 form of a bond or obligation. In
West’s Symboleography, Part I.
 Sect. 102, are, among others,
 three forms of obligations, which
 contain the following passage:
 ‘Ad quam quidem solutionem
 ‘bene & fideliter faciendum, ob-
 ‘ligamus nos, & quemlibet nos-
 ‘trum per se, pro toto & in so-
 ‘lido,’ &c. The phrase *pro*
toto & in solido seems to have
 been formerly equivalent in
 meaning to the words ‘jointly
 ‘and severally,’ which are now
 ‘used in our modern bonds.

**Quare im-
 pedit.** ‘Quare im-
 ‘pedit is a writ that lieth for
 ‘him

him who hath purchased a manor, with an advowson thereunto belonging, against him that disturbeth him in the right of his advowson, by presenting a clerk thereunto when the church is void; and it differeth from the writ called *assisa ultimæ præsentationis*, because that lieth where a man or his ancestors formerly presented, and this for him that is the purchaser himself. See the Expofitor of the Terms of the Law, and *Old Nat. Brev.* fol. 27. *Brañon*, Lib. IV. tractat. 2, ca. 6. *Britton*, ca. 92. and *Fitzh. Nat. Brev.* fol. 32. and the *Register original*, fol. 30. C.

Quid pro quo. 'Quid pro quo is an artificial speech in the common law, signifying so much as the Greek *συλλαγμα* among the civilians, which is a mutual protestation or performance of both parties to a contract; as a horse and ten pound between the buyer and the seller. *Kitchin*, fol. 184. C.

Quindena Paschæ. Fifteen days after *Easter*. For the application of this phrase, vide infra, art. *Retorna*. *Easter*-day, in the year 1614, was the 30th of May; in 1615 it was the 19th of April, as appears from a table inserted in *Du Cange's* Glossary, art. *Annus*. *Quindena Paschæ*, in 1615, must therefore have been the 4th of May. This comedy was played first in March 1614-15, and for the second time on the 13th of May 1615, and to this latter time the passage in this comedy, A&I. Sc. 3, refers, though it is there erroneously stiled the 15th of May; the difference between the 4th and

13th, the day of representation, it is difficult to account for.

R.

Recoverare. To recover by a law suit.

Replevin. *Corwel* terms this replevie, and explains it as follows: 'Replevie, plevina, is the bringing of the writ called *replegiari facias*, by him that hath his cattle or other goods distrained by another for any cause, and putting in surety to the sheriff, that upon the delivery of the thing distrained, he will pursue the action against him that distrained. *Terms of Law.* C.

Retorna. 'Returne, returna, cometh of the French *retour*, i. reditio, reversio, recursus, and in our common law hath two particular applications, as, namely, the return of a writ by sheriffs and bailiffs, which is nothing but a certificate made to the court, whereunto the writ directeth him, of that which he hath done touching the serving of the same writ; and this, among the civilians, is called *certificatorium*. Of returns in this signification speak the statutes of *Westm.* 2, cap. 39, anno 13 *Ed. prim.* and *Tractatus contra Vicecomites & Clericos*, with divers other, collected by *Rastall*, titulo *Returne of Shyrevees*. So is the return of an office, *Stawf. Prærog.* fol. 70, a certificate, into the court, of that which is done by virtue of his office. See the statutes *Of days in bank*, anno 51 *H. III.* & anno 32 *H. VIII.* cap. 21. And in this signification *Hilary Term* is said to have

R r 2

four

four returns, viz. Octabis *Hilarii*, Quindena *Hilarii*, Crastino Purificationis, Octabis Purificationis; and *Easter Term* to have 5 returns, viz. Quindena *Pasche*, Tres *Pasche*, Menſe *Pasche*, Quinque *Pasche*, & Crastino Ascensionis; and *Trinity Term* 4 returns, i. Crastino *Trinitatis*, Octabis *Trinitatis*, Quindena *Trinitatis*, Tres *Trinitatis*; and *Michaelmas Term* 3 returns, sc. Octabis *Michaelis*, Quindena *Michaelis*, Tres *Michaelis*, Menſe *Michaelis*, Crastino *Animarum*, Crastino *Martini*, Octabis *Martini*, Quindena *Martini*. The other application of this word is in case of replevy: for if a man distrain cattle for rent, &c. and afterward justify or avow his act, that it be found lawful, the cattle before delivered unto him that was distrained, upon security given to follow the action, shall now be returned to him that distrained them. *Bro. ke*, titulo *Retourne d'avers & hommes*, fol. 218. You shall find this word often used in *Fitzb. Nat.* *Br.* as appeareth in the word *Returne* in his table; but in all those places it hath the one or the other of these two significations. *C.* In the latter sense it is not used in any instance in this comedy.

Retornare. To return.

Riota. Riot, riotum, cometh of the *French* rioter, i. rixari. It signifieth, in our common law, the forcible doing of an unlawful act, by three or more persons assembled together for that purpose. *West*, Parte II. *Symbol.* titulo *Indictments*,

Sect. 65 *P.* The differences and agreements between a riot, rout, and unlawful assembly, see in *M. Lamb. Eirenarcha*, Lib. II. cap. 5, &c. See the statute 1 *M.* 1. cap. 12, and *Kitchin*, fol. 19, who giveth these examples of riots: The breach of inclosures, or banks, or conduits, parks, pounds, houses, barns, the burning of stacks of corn. Mr. *Lamberd*, ubi supra, useth these examples: To beat a man, to enter upon a possession forcibly. *C.* Vide infra, art. *Routa*.

Riotosus. Riotous. Vide supra, art. *Riot*. The adverb riotose, formed from this adjective, was made, when law proceedings were in *Latin*, a part of the form of an indictment for a riot. In *West's Symbolography*, Part II. Sect. 186, is an indictment for an affray at the sessions, in which it is charged that the defendants 'illicite, routose, & riotose, sese assemblaverunt;' and in another form in the same collection, Sect. 187, the following words are used: 'sese illicite, riotose, & routose, assemblaverunt.'

Routa. Route, routa, is a *French* word, signifying a company or flock: as, une grande route de gents ou de cerfs, &c. grex hominum, longa servorum series. It signifieth, in our common law, an assembly of three persons, or more, going on about forcibly to commit an unlawful act, but yet do it not. *West*, Parte II. *Symbol.* titulo *Indictments*, Sect. 65 *O. M.* *Lamberd* thus saith of it: "A rout is the same, which the *Germans* yet call "rot,

“rot, meaning a band or great company of men gathered together, and going about to execute, or executing indeed, any riot or unlawful act; and”
 “faith more,” “it is said properly of the multitude that assembleth themselves in such disorderly sort for their common quarrels: as, if the inhabitants of a township do assemble to pull down a hedge, or pale, to have their common, where they ought to have none, or to beat a man that hath done them some public offence or displeasure. But the statute of 18 Ed. III. stat. prim. cap. unico, which giveth process of outlawry against such as bring routs in to the presence of the justices, or in affray of the people, and the statute of 2 Richard II. cap. 6, that speaketh of riding in great routs to make entry into lands, and to beat others, and to take their wives, &c. do seem to understand it more largely: and it is a rout, whether they put their purpose in execution or no, if so be that they do go, ride, or move forward after their meeting. *Brook*, titulo, *Riot*, 4 & 5. So, as it seemeth, a rout should be a special kind of unlawful assembly; and a riot the disorderly fact committed generally by any unlawful assembly. Howsoever it be, two things are common both to riot, rout, and unlawful assembly; the one, that three persons at the least be gathered together, for so it is commonly taken at this day, as I have learned; the other, that they being to-

gether, do breed disturbance of the peace, either by signification of speech, shew of armour, turbulent gesture, or actual and express violence, so that either the peaceable sort of men be unquieted and feared by the fact, or the lighter sort and busy bodies emboldened by the example.”
 Thus far *M. Lamberd*, in his *Eirenarcha*, Libro II. cap. 5, &c. where you may read more worth the noting, though too long to be copied out. *Kitchin* giveth the same definition of a rout, fol. 20. C. Vide supra, art. *Riote*.

Routousus. Routous, i. e. tumultuous. Vide supra, art. *Routa*, and art. *Riotofus*.

S.

Salvus conductus. Safe conduct. ‘Saulve conduit,’ salvus conductus, is a security given by the prince, under the broad seal, to a stranger, for his quiet coming in and passing out of the realm; touching which you may see the statutes anno 15 H. VI. cap. 3, & anno 18 ejusdem, cap. 18, & anno 28 Hen. VIII. cap. pri. The form of this see in the *Register originall*, fol. 25. C.

Sac. ‘Sac, saccha vel sacca, is a royalty or privilege touching plea, and correction of trespasses of men within a manor. *Rastal*, titulo *Exposition of Words*; where he addeth this reason: because, faith he, sac in *English* is encheson in *French*; as to say, for sick sack, pur quel encheson, i. for what hurt. That which our common lawyers call encheson,

' encheſon, the true *Frenchman*
 ' termeth achoiſe, i. occaſio-
 ' nem, as achoiſe fort grande,
 ' occaſio ampla; or elle may
 ' encheſon come of encheoir,
 ' i. incidere, which we in *En-*
 ' *gliſh* call an accident or inci-
 ' dent. But all this is far e-
 ' nough from ſack, and from
 ' the interpretation thereof, as
 ' it is a liberty or privilege.
 ' *Bracton* hath the word, as
 ' *Stawford* noteth out of him,
 ' *Pl. Cor.* Lib. pri. cap. 23,
 ' but neither of them both do
 ' particularly interpret it. *Brac-*
 ' *ton's* words be theſe, Lib. III.
 ' tract. 2, cap. 8, " vel ſi ſit
 ' aliquis qui de conceſſione do-
 ' mini regis talem habeat liber-
 ' tatem, ſicut ſock & ſack, tol-
 ' netum, team, inſangtheſe,
 ' & hutſanghheſe, qui inven-
 ' tus fuerit ſeiſitus de aliquo
 ' latrocinio, ſicut hondhabende
 ' & backberend, tales ha-
 ' bent regalem poteſtatem; &
 ' unde qui tales libertates ha-
 ' bent, habebunt priſonam ſu-
 ' am de talibus, quia poſſunt
 ' tales in curia ſua judicare."
 ' Of the which matter he ſpeak-
 ' eth alſo in Lib. II. cap. 24,
 ' nu. 2 & 3. and again Lib. III.
 ' tract. 2, cap. 35; but in
 ' none of theſe places he giveth
 ' any interpretation of the word.
 ' *Saxon*, in his deſcription of
 ' *England*, deſigneth ſack to be
 ' a forfeiture, as doth *Raſtall*,
 ' ubi ſupra, fol. 132. *M. Cam-*
 ' *den*, in his *Britannia*, pag.
 ' 415, ſpeaking of *Lincoln*,
 ' hath theſe words: ' *Edwar-*
 ' *do* Conſeſſore regnante, erant
 ' (ex cenſuali libro loquor)
 ' 1070 manſiones hoſpitalæ, &
 ' duodecim lageman habentes
 ' ſocam & ſacam." ' To all

' theſe add *Bracton*, Lib. II.
 ' cap. 5, where he writeth thus :
 ' " Sunt & aliæ res quali ſacræ,
 ' quæ perſonam regis reſpici-
 ' unt, & aliquando transferri
 ' non poſſunt, niſi juſticiarius
 ' domini regis, ſicut viſus fran-
 ' ciplegiū, placita de vetito man-
 ' nio, emendatio tranſgreſſionis
 ' aſſiſarum, judicium latronum,
 ' ſicut de illis qui habent ſock
 ' & ſack & hujusmodi omnia,
 ' quæ pertinent ad pacem, &
 ' per conſequens ad coronam."
 ' I am informed, that the word
 ' ſack, in the *Saxon* tongue,
 ' doth properly ſignify ſo much
 ' as cauſa with the *Latins*;
 ' whence we in *Engliſh* have the
 ' word ſake, as, for whoſe ſake.
 ' *M. Skene*, *De verb. ſignif.*
 ' verbo *ſacke*, writeth thus :
 ' " In ſome old books it is called
 ' placitum & emenda de tranſ-
 ' greſſione hominum in curia
 ' noſtra." ' In the laws of
 ' king *Edward*, ſet forth by
 ' maſter *Lamberd*, fol. 132, it
 ' is written ſacha; ' " Sacha
 ' autem eſt, ſi quilibet aliquem
 ' nominatim de aliquo calum-
 ' niatus fuerit, & ille negaverit,
 ' foriſfactura probationis, vel
 ' negationis (ſi evenerit) ſua
 ' erit;" ' which may be cal-
 ' led the amercement paid by
 ' him who denieth that thing
 ' which is proved againſt him
 ' to be true, or affirmeth that
 ' thing, the contrary where-
 ' of is true. Thus far *M.*
 ' *Skene*. *Fleta* of this hath theſe
 ' words: ' " Sake ſignificat ac-
 ' quietantiam de ſecta ad co-
 ' mitatum, & hundredum."
 ' Lib. I. ca. 47, §. *Sake*. But
 ' by all theſe I find not any rea-
 ' ſon of the word, that is, why
 ' this liberty ſhould be ſo called,
 ' and

‘and therefore I must leave it
‘to better antiquaries or lin-
‘guists. See *Roger Hoveden*,
‘*parte poster. suorum Annali-*
‘*um*, fol. 345.’ C.

Scandalum magnatum. ‘Scan-
‘dalum magnatum is the espe-
‘cial name of a wrong done
‘to any high personage of the
‘land, as prelates, dukes, earls,
‘barons, and other nobles; and
‘also of the chancellor, trea-
‘surer, clerk of the privy seal,
‘steward of the king’s house,
‘justice of the one bench or of
‘the other, and other great of-
‘ficers of the realm; by false
‘news, or horrible and false
‘messages, whereby debates
‘and discords betwixt them
‘and the commons, or any
‘scandal to their persons, might
‘arise. Anno 2 R. II. cap. 5.’
C.

Sciant præsentēs et futuri.
While deeds were in *Latin*,
these were frequently the initial
words of some sorts of them;
and in *West’s Symboleography*,
Part I. Sect. 46, is a prece-
dent of a deed, of which these
are the initial words. Sir *Hen-*
ry Spelman, in his tract *Of*
ancient Deeds and Charters,
speaking of the directions of
deeds, says, ‘Others, about the
‘time of *Henry* the . . . used
‘more general directions, as
‘“*Sciant præsentēs & futuri*,”
‘which hath ever since been
‘received.’ *Reliquiæ Spelman-*
ianæ; The posthumous Works
of Sir Henry Spelman, edit.
1723, p. 238: and in the same
tract, p. 242, he expresses him-
self in the following words:
‘Near the time of the conquest
‘they used no additions at all,
‘but wrote simply thus: “*Sciant*

‘*præsentēs & futuri*, quod ego.”
‘About, or somewhat before,
‘*Henry III.* they began to
‘write themselves lords of their
‘castles or chief seat, as’ “*Sciant*
‘*præsentēs & futuri*, quod ego,
‘*dominus Johannes Le Strange*,
‘*dominus de Knokyn*,” ‘where
‘*dominus* in the first place signi-
‘fieth sir, and in the second
‘place lord or baron.’

Se defendendo. ‘*Se defendendo*
‘is a plea for him that is
‘charged with the death of an-
‘other, saying that he was
‘driven unto that, which he
‘did, in his own defence, the
‘other so assaulting him, that,
‘if he had not done as he did,
‘he must have been in peril of
‘his own life; which danger
‘ought to be so great as that it
‘appear inevitable, as *Starun-*
ford saith in his *Pleas of the*
Crown, Lib. I. cap. 7. And
‘if he do justify it to be done
‘in his own defence, yet is he
‘driven to procure his pardon
‘of course from the lord chan-
‘cellor, and forfeiteth his goods
‘to the king, as the said au-
‘thor saith in the same place.”
C.

Seisina. ‘*Seisin*, *seisina*, is bor-
‘rowed of the *French* *seisine*,
‘i. possession, and so it signi-
‘fieth in our common law;
‘and to seise is to take posses-
‘sion. *Primier seisin*, *prima*
‘*seisina*, is the first possession.
‘Of the *French* word *seisir* is
‘made a *Latin*, *seisire*, used by
‘the canonists, cap. *Clericis*,
‘§. *Nos igitur non semel de im-*
munitate Ecclesiæ, num. 6, as
‘also the civilians. *Guido Pap.*
‘*Singula*, 865. *Seisire est eti-*
‘*am possessionem tradere. Ti-*
‘*raquellas*, in tractatu *Le*

‘*more*

‘*mort saist le vis*. pag. 53, num. 3.’ *C.*

Sigillare et deliberare. To seal and deliver. Vide *supra*, art. *Deed.*

Signatae communi sigillis. Sealed with the common seal. *West*, in his *Symbolography*, Part I. Sect. 46, says, the ensealing of a deed by a corporation is commonly expressed thus: ‘In ejus rei testimonium, sigillum nostrum commune praesentibus apposimus, datum in Guildhalda burgi praedicti, &c.’

Situs. The site. ‘Site or scite, situs, the standing of any place, the situation of a capital house or messuage, a territory or part of a country, as the site of the late dissolved monastery of, &c. i. the place where it stood; the word is mentioned in the statute 32 *H.* VIII. cap. 20, and 22 *Car.* II. cap. 11, and is there written scite.’ *C. edit.* 1727.

Soc. ‘Soc, foca, is a word signifying a power or liberty of jurisdiction, as appeareth by these words out of *Bracton*:’

“Sunt quidam barones, & alii libertatem habentes, sc. soc & sac, tol & thean, infangtheke & utfangtheke, & isti possunt judicare, in curia sua, cum qui inventus fuerit infra libertatem suam seiscitus de aliquo latrocinio manifesto;”

& Li. III. tractat. 2, cap. 8.

In the laws of king *Edward*, set out by *M. Lamberd*, fol. 132, you have these words:’

“Socha est quod si aliquis querit aliquid in terra sua, etiam furtum, sua est justitia, si inventum fuerit, an non.”

Saxon, in the *Description of*

Britany, cap. 11, saith, that

“sock is a suit of court, and that thereof cometh sokken; but the signification of the word, as I have been credibly informed, is as much as inquisition, which we in modern *English* term seeking. Of this sok *Skene*, *De verborum signific.* speaketh to this effect:’

“Sok is an old word used in charters and feofments, which in sundry old books, containing the municipal law of this realm, is called festa de hominibus suis in curia, secundum consuetudinem regni.

“So, after my opinion, he that is infeoffed with sok, which now we call soite, but we in *England* suit, hath power to hold courts within his own barony, in which homines sui should give soyt.”

“Thus far *M. Skene*, Of this *Fleta* hath these words:’

“In hujusmodi vero maneriis,” speaking of the king’s manors, erant olim liberi homines libere tenentes, quorum quidam cum per potentiores e tenementis suis ejecti fuerant, & eadem postmodum in villenagium tenenda resumpserunt; & quia hujusmodi tenentes cultores regis esse dinoscuntur, eis provisum fuit quies ne sectas facerent ad comitatus vel hundredos, vel ad aliquas inquisitiones, assisas vel juratas, nisi in manerio tantum, dum tamen pro terra, quorum congregationem tunc focam appellarent; & hinc est quod focmanni hodie dicuntur esse.

“A foco enim derivantur, quorum tenementa sunt villenagium domini privilegium,

“ &

“ & ideo dicuntur glebæ ascripti-
 “ titii, eo quod ab hujusmodi
 “ glebis amoveri non deberent,
 “ quamdiu solverent debitas pen-
 “ siones: nec compelli poterunt
 “ ad hujusmodi tenementa te-
 “ nenda contra suas voluntates,
 “ eo quod corpora sua sunt li-
 “ bera. Nec obstat longa fer-
 “ vitutis possessio ad libertatem
 “ extinguendam, quamvis ad
 “ merchetum sanguinis sui com-
 “ pulsus fuerit quis pro tene-
 “ mento reddendo. Nulla e-
 “ nim servitus ratione præscrip-
 “ tionis temporis potest libe-
 “ rum sanguinem in servitutem
 “ reducere, non magis quam li-
 “ berum tenementum potest
 “ servum in libertatem,” &c.
 “ By whose words it appeareth,
 “ that soca is nothing else but
 “ the meeting or assembly of
 “ these kind of tenants in any
 “ place within the manor or li-
 “ berty; wherefore he that hath
 “ soc, may seem to have such a
 “ manor, such tenants, and such
 “ a liberty belonging to his ma-
 “ nor and tenants, as is here
 “ described. Here you see di-
 “ versities of opinions touching
 “ this word; one saying that it
 “ is a power or liberty to seek
 “ after thieves and stolen goods
 “ within a manor or fee, and to
 “ do justice upon such inquisi-
 “ tion; others, that it is a li-
 “ berty only to have suitors to
 “ his court; others, as *Fleta*,
 “ that it containeth both the for-
 “ mer significations, and fur-
 “ ther, that it is taken for the
 “ company of tenants which
 “ live within such a liberty, and
 “ are exempted from those com-
 “ mon services of the prince and
 “ country whereunto subjects
 “ are ordinarily tied. This kind

“ of liberty is in divers places
 “ at this day in *England*, and
 “ commonly known by the name
 “ of socke or soken.” C.
 “ **Socage free.** ‘Soccage, foccagi-
 “ um, cometh of the *French*
 “ soc, i. vomer, a plough-share or
 “ coulter. It signifieth, in our
 “ common law, a tenure of lands
 “ by or for certain inferior or
 “ husbandly services to be per-
 “ formed to the lord of the fee.
 “ See *Institutes of common Law*,
 “ 31. As I have showed in
 “ *Chivalrie*, all services due for
 “ land is either knights service
 “ or foccage; so then, whatso-
 “ ever is not knights service, is
 “ foccage. *Bracton*, in his 2d
 “ Book, cap. 35, num. primo,
 “ describeth it thus:” “ Dici
 “ poterit foccagium a focco, &
 “ inde tenentes qui tenent in
 “ fockagio, fockmanni dici po-
 “ terunt, eo quod deputati sunt,
 “ ut videtur, tantummodo ad
 “ culturam, & quorum custo-
 “ dia, & maritagia ad propin-
 “ quiores parentes jure sangui-
 “ nis pertinebit. Et si aliquan-
 “ do inde de facto capiatur ho-
 “ magium, quod plures contin-
 “ git, non tamen habebit prop-
 “ ter hoc dominus capitalis
 “ custodiam, & maritagium.
 “ Quia non semper sequitur ho-
 “ magium, licet aliquando se-
 “ quatur.” “ *M. Skene, De*
 “ *verborum significatione*, verb.
 “ *Sockmannia*, saith, that soc-
 “ cage is a kind of holding of
 “ lands, when a man is infeoffed
 “ freely, without any service,
 “ ward, relief, or marriage, and
 “ payeth to his lord such duty,
 “ as is called petit sergeanty, or
 “ when one holdeth land in the
 “ name of burgage, or in libera
 “ elemozina, or otherwise in
 “ S f ‘ blenche

‘ blenche ferme, five nomine
 ‘ albæ firmæ, & opponitur mi-
 ‘ liti, qui tenet per servitium
 ‘ militare. Out of the place
 ‘ above-named in *Bracton*, you
 ‘ may find a division of foccage,
 ‘ whereby it is termed either
 ‘ foccagium liberum, or villa-
 ‘ num, frank or free foccage,
 ‘ and base, otherwise called vil-
 ‘ lenage. The former is there
 ‘ thus defined:’ “Soccagium
 ‘ liberum est, ubi fit servitium
 ‘ in denariis dominis capitali-
 ‘ bus, & nihil inde omnino da-
 ‘ tur ad scutum & servitium
 ‘ regis;” ‘where I gather that
 ‘ to be free foccage which pay-
 ‘ eth a certain sum of money to
 ‘ the chief lord in regard of
 ‘ some tillage, or such like, and
 ‘ not of any sergeanty or ef-
 ‘ chuage. And to this effect he
 ‘ writeth also, Lib. II. cap. 16,
 ‘ nu. 9, &c.” “unde si tantum
 ‘ in denariis & sine scutagio
 ‘ vel seriantis, vel si ad duo te-
 ‘ neatur sub disjunctione, sc.
 ‘ ad certam rem dandam pro
 ‘ omni servitio, vel aliquam
 ‘ summam in denariis, id te-
 ‘ nementum potest dici socca-
 ‘ gium: si autem superaddas
 ‘ scutagium, aut servitium re-
 ‘ gale, licet ad unum obulum
 ‘ vel seriantiam, illud poterit
 ‘ dici feudum militare.” ‘This
 ‘ free foccage is also called
 ‘ common foccage, anno 37 H.
 ‘ VIII. cap. 20. Soccage in
 ‘ base tenure, or villanum soc-
 ‘ cagium, is divided again in
 ‘ villanum foccagium, & purum
 ‘ villanagium:’ “Villanum soc-
 ‘ cagium est illud, de quo fit
 ‘ certum servitium, idque ra-
 ‘ tione sui tenementi, non per-
 ‘ sonæ suæ. Purum villena-
 ‘ gium est illud, in quo præ-

‘ statur servitium incertum et
 ‘ inde terminatum, ubi sciri non
 ‘ poterit vespere, quale servi-
 ‘ tium fieri debet mane, viz.
 ‘ ubi quis facere tenetur quic-
 ‘ quid ei præceptum fuerit.”
 ‘ *Bracton*, Lib. II. cap. 8, num.
 ‘ 3.’ C. The same author,
 Dr. *Corwel*, art. *Villanage*, speak-
 ing of pure villanage and ville-
 nage that is not pure, inserts
 from *Bracton*, Lib. I. cap. 8,
 nu. 3, a passage explaining ville-
 nage at large, part of which he
 gives above, and to which he
 refers also in the following de-
 scription of villanage that is
 not pure. ‘The other sort of
 ‘ villanage, which is not pure, is
 ‘ there called of *Bracton* villa-
 ‘ num foccagium, which dif-
 ‘ fereth from the other in this,
 ‘ because it is only tied to the
 ‘ performance of certain servi-
 ‘ ces agreed upon between the
 ‘ lord and the tenant; whereof
 ‘ see *Bracton* also in the same
 ‘ place; by whom you may per-
 ‘ ceive, that a man may hold
 ‘ per villanum foccagium, and
 ‘ yet have liberum tenementum,
 ‘ if he have it to himself and
 ‘ his heirs. This villanous soc-
 ‘ cage is to carry the lord’s
 ‘ dung into his fields, to plough
 ‘ his ground at certain days,
 ‘ sow and reap his corn, plash
 ‘ his hedges, &c.’ C.

Stallagium. ‘Stallage, stallagi-
 ‘ um, cometh of the *French* es-
 ‘ taller, i. merces exponere, ex-
 ‘ pedire, explicare. It signifieth,
 ‘ in our common law, money
 ‘ paid for pitching of stalls in
 ‘ fair or market. This in
 ‘ *Scotland* is called stallange.
 ‘ *Skene*, *De verbor. signific. verbo*
 ‘ *Stallangiatores*. And among
 ‘ the *Romans* it was termed
 ‘ siliquaticum,

‘ siliquaticum, a siliqua, primo
‘ & minimo omnium pondere
‘ apud illam nationem.’ *C.*

Sub-boscus. Underwood. In
Cowel's Interpreter, edit. 1727,
art. *Boscus*, is the following pas-
sage: ‘ Boscus is divided into
‘ high wood or timber, haut-
‘ bois, and coppice or under-
‘ wood, sous-bois:’ and Sir
Henry Spelman, in his Glossary,
art. *Boscagium*, *Boscus*, after ex-
plaining both those words, and
deriving their etymology from
the Greek *βοσκω*, pascere, pro-
ceeds in these words: ‘ Legibus
‘ antiquis, esca *Angl.* mast, *Gal-*
‘ *lic.* boscag, atque idem a bois,
‘ *Flandris* bosc. Hinc subboscus,
‘ sylva humilis.’ *Townsend*, in
his *Preparative to Pleading*, p.
76, thus explains sub-boscus:
‘ Sub-boscus, underwood grow-
‘ ing.’

Subpoena. ‘ Subpoena is a writ
‘ that lieth to call a man into
‘ the Chancery, upon such case
‘ only as the common law fail-
‘ eth in, and hath not provided
‘ for; so as the party, who in
‘ equity hath wrong, can have
‘ none ordinary remedy by the
‘ rules and course of the com-
‘ mon law. *West*, Parte II. *Sym-*
‘ *bol.* titulo *Proceedings in Chan-*
‘ *cerie*, Sect. 18, where you may
‘ read many examples of such
‘ cases as subpoena lieth in.
‘ There is also a subpoena ad
‘ testificandum, which lieth for
‘ the calling in of witnesses to
‘ testify in a cause, as well in
‘ Chancery as in other courts:
‘ and the name of both these
‘ proceed from words in the
‘ writ, which charge the party
‘ called to appear at the day
‘ and place assigned, sub poena
‘ centum librarum, &c. I find

‘ mention of a common subpoe-
‘ na in *Crompton's Jurisd.* fol.
‘ 33, which signifieth nothing
‘ else but such a subpoena as
‘ every common person is called
‘ by into the Chancery; where-
‘ as any lord of parliament is
‘ called by the lord chancellor's
‘ letters, giving him notice of
‘ the suit intended against him,
‘ and requiring him to appear.
‘ *Crompton*, eodem.’ *C.*

Superseas. A writ so called.
‘ Superseas is a writ which
‘ lieth in divers and sundry
‘ cases, as appeareth by the ta-
‘ ble of the *Register* originall, and
‘ the *Judiciall* also, and by *Fitzh.*
‘ *Nat. Bre.* fol. 236, and many
‘ other places noted in the index
‘ of his book, verbo *Superseas*.
‘ But it signifieth in them all a
‘ command, or request, to stay
‘ or forbear the doing of that
‘ which in appearance of law
‘ were to be done, were it not
‘ for the cause whereupon the
‘ writ is granted. For example:
‘ A man regularly is to have
‘ surety of peace against him,
‘ of whom he will swear that
‘ he is afraid, and the justice
‘ required hereunto cannot de-
‘ ny him; yet if the party be
‘ formerly bound to the peace,
‘ either in Chancery or elsewhere,
‘ this writ lieth to stay the jus-
‘ tice from doing that, which
‘ otherwise he might not deny.’
C.

Superseas de non molestando.
This writ is by *Cowel*, art. *Non*
molestando, termed a non molef-
tando, and is thus explained:
‘ Non molestando is a writ
‘ that lieth for him which is
‘ molested contrary to the king's
‘ protection granted him.’

T.

Tail special. *Cowel*, art. *Taille*, *tallium*, says, that Tail 'cometh from the *French* *taille*, i. 'sestura, or the verb *tailler*, i. 'scindere; and that it signifies, 'first, the fee which is 'posited to fee-simple, by reason 'that it is so, as it were, minced 'or pared, that it is not in his 'free power to be disposed of 'him which owneth it, but is 'by the first giver cut or divided from all other, and tied 'to the issue of the donee.' He then divides tail into tail general and tail special, the former of which he defines in these words: 'Tail general is that whereby 'lands or tenements are limited 'to a man, and the heirs of his 'body begotten; and the reason 'of this term is, because how 'many soever women the tenant holding by this title shall 'take to his wives, one after 'another, in lawful matrimony, 'his issue by them all have a 'possibility to inherit one after 'the other.' Tail special he thus describes: 'Tail special is 'that whereby lands or tenements be limited unto a man 'and his wife, and the heirs 'of their two bodies begotten, 'because if the man bury his 'wife before issue, and take another, the issue by the second 'wife cannot inherit the land, ' &c. Also if land should be 'given to a man and his wife, 'and to their son and heir, 'John, for ever, this is tail 'especial.'

Tallagium. 'Taylage, tallagium, alias tallage, cometh of the *French* *taille*, which originally signifieth a piece cut out of the whole, and metaphorically

'cally is used for a share of a 'man's substance paid by way 'of tribute. It signifieth with 'us a toll or tax, as anno 'prim. *Ed.* II. cap. unico; and 'Stowe's *Annals*, pag. 445. 'Thence cometh tailagiers, in 'Chaucer, for tax or tollgatherers.' C.

Taxa de horngeld. *Cowel* calls this only horngeld, and explains it in the following terms: 'Horngeld is compounded of 'horn and gildan or gelden, i. 'solvere. It signifieth a tax 'within the forest to be paid for 'horned beasts. *Crompton's Jurisd.* fol. 197: and to be 'free thereof is a privilege 'granted by the king unto such 'as he thinketh good. Idem, ibidem; and *Rastall*, in his *Exposition of Words*. C.

Team. 'Team, alias theam, is 'an old *Saxon* word, signifying 'a royalty granted by the king's 'charter to a lord of a manor. 'Bracton, Lib. III. tract. 2, 'cap. 8; of this Saint *Edward's* 'Laws, nu. 25, say thus: "Quod si quisquam aliquid interciat, id est, penes alium defendat, super aliquem, & intercitatus, non poterit warrantum suum habere, erit forisfactura sua, & justicia similiter de calumniatore, si defecerit." 'M. Skene, *De verborum significatione*, verbo *Theme*, saith, that it is a power to have servants and slaves, 'which are called nativi, bondi, 'villani, and all baronies infeoffed with theme have the same power; for unto them 'all their bondmen, their children, goods, and chattels, properly appertain, so that they 'may dispose of them at their 'pleasure.

‘ pleasure. And in some old
‘ authentic books it is written :’

“ Theme est potestas habendi
‘ nativos, ita quod generationes
‘ villanorum vestrorum, cum
‘ eorum catallis, ubicunque in-
‘ veniantur, ad vos pertineant.”

‘ Theme cometh from than, i.
‘ servus, and therefore sometime
‘ signifieth the bondmen and
‘ slaves, according to an old sta-
‘ tute and law, *De curia de*
‘ *Theme.* “ Quod si quis te-
‘ neat curiam de theme, & illa
‘ querela in illa curia movetur,
‘ ad quam theme vocatur;
‘ non debet illa curia elongari,
‘ sed ibidem determinari, & om-
‘ nes theme ibi compareant.”

‘ Which is understood of the
‘ question of liberty, when it is
‘ in doubt whether any person
‘ be a bondman or freeman;
‘ which kind of process should
‘ not be delayed, but summarily
‘ decided: and the new exposi-
‘ tor of Law Terms speaketh to
‘ the like effect, verbo *Them.*
‘ I read it also in an old paper,
‘ written by an Exchequer man,
‘ thus translated: “ Theam, i.
‘ propago villanorum.” C.

Tenementum. ‘ Tenement, te-
‘ nementum, is diversely used in
‘ the common law: most pro-
‘ perly it signifieth a house, or
‘ home-stall; but in a larger sig-
‘ nification it is taken for either
‘ house or land that a man hold-
‘ eth of another.’ C.

Tenura. ‘ Tenure, tenura, co-
‘ meth of the *Norman* teneure,
‘ as appeareth by *The Grand*
‘ *Customarie*, cap. 28, where it
‘ is defined to this effect: Te-
‘ nure is the manner whereby
‘ tenements are holden of their
‘ lords. What may make a
‘ tenure, and what not, see *Per-*

‘ *kins, Reservations*, 70; and in
‘ that chapter shall you find the
‘ most of those tenures recited
‘ that be now usually in *Eng-*
‘ *land*. In *Scotland* I find that
‘ there be four manner of te-
‘ nures, which they call hold-
‘ ing of land; the first is pura
‘ elecmozina, which is proper
‘ to spiritual men, paying no-
‘ thing for it, but devota ani-
‘ marum suffragia; the second
‘ they call few, or few ferme,
‘ which holdeth of the king,
‘ church, barons, or others, pay-
‘ ing a certain duty called feudi
‘ firma; the third is a hold in
‘ blench, as they term it, by
‘ payment of a penny, rose, pair
‘ of gilt spurs, or some such
‘ like thing, if it be asked, in
‘ name of blench, id est, nomi-
‘ ne albæ firmæ; the fourth is
‘ by service of ward, and re-
‘ lieve, where the heir, being
‘ minor, is in the guard or cus-
‘ tody of his lord, together
‘ with his lands, &c. and land
‘ holden in this fourth manner
‘ is called there feudum de hau-
‘ berk, or haubert, or feudum
‘ militare, or feudum hauberti-
‘ cum, or feudum locicatum,
‘ because it is given upon con-
‘ dition that the vassal, possessor
‘ thereof, shall come to the host
‘ with a jack, or haubert, which
‘ is a coat of mail. *M. Skene,*
‘ *De verb. signif.* verbo *Hau-*
‘ *bert.*’ C.

Testatum est latitare. The mean-
‘ ing and use of these words, and
‘ the writ that contains them, can-
‘ not be rendered sufficiently in-
‘ telligible without first ascertain-
‘ ing the use of the writ called
‘ Latitat; but *Cowel*, in his *In-*
‘ *terpreter*, art. *Latitat*, thus ex-
‘ plains both: ‘ Latitat is the
‘ name

' name of a writ, whereby all
 ' men in personal actions are
 ' called originally to the King's
 ' Bench, *Fitz. Nat. Brev.* fol.
 ' 78 *M.* and it hath the name
 ' from this, because, in respect
 ' of their better expedition, a
 ' man is supposed to lurk, and
 ' therefore being served with this
 ' writ, he must put in security
 ' for his appearance at the day,
 ' for latitare' "est se malitiose
 ' occultare animo fraudandi cre-
 ' ditores suos agere volentes,"
 ' l. *Fulcinus*, §. *Quid sit latitare*,
 ' n. *Quibus ex causis in possessionem eatur*: but to understand
 ' the true original of this writ,
 ' it is to be known, that in an-
 ' cient time, whilst the King's
 ' Bench was moveable, and fol-
 ' lowed the court of the king,
 ' the custom was, when any
 ' man was to be sued, to send
 ' forth a writ to the sheriff of
 ' the county, where the court
 ' lay, for the calling him in, and
 ' if the sheriff returned' "non
 ' est inventus in baliva nostra,"
 ' &c. then was there a second
 ' writ procured forth, that had
 ' these words,' "Testatum est
 ' cum latitare," &c. and there-
 ' by the sheriff willed to at-
 ' tach him in any other place
 ' where he might be found.
 ' Now when the tribunal of the
 ' King's Bench came to be set-
 ' tled at *Westminster*, the former
 ' course of writ was kept for a
 ' long time, first sending to the
 ' sheriff of *Middlesex* to sum-
 ' mon the party; and if he could
 ' not be found there, then next
 ' to apprehend him wheresoever:
 ' but this seeming too trouble-
 ' some for the subject, it was at
 ' last devised to put both these
 ' writs into one, and so origi-

' nally to attach the party com-
 ' plained of upon a supposal or
 ' fiction that he was not within
 ' the county of *Middlesex*, but
 ' lurking elsewhere, and that
 ' therefore he was to be appre-
 ' hended in any place else, where
 ' he was presumed to lie hidden,
 ' by a writ directed to the she-
 ' riff of the country where he is
 ' suspected to be; and by this
 ' writ a man being brought in,
 ' is committed to the marshal of
 ' that court, in whose custody
 ' when he is, then, by reason he
 ' is in the same county where
 ' the King's Bench is, he may
 ' be sued upon an action in that
 ' court, whereas the original
 ' cause of apprehending him
 ' must be a pretence of some
 ' deceit or contempt committed,
 ' which most properly of old
 ' belonged to the cognizance of
 ' that court. I have been in-
 ' formed that the bringing of
 ' these actions of trespass so or-
 ' dinarily to the King's Bench
 ' was an invention of counsel-
 ' lers, that because only ser-
 ' geants may come to the Com-
 ' mon Pleas bar, found a means
 ' to set themselves on work in
 ' that court. The form of this
 ' writ is such: " *Jacobus*, Dei
 ' gratia *Anglia, Francia, Scoti-*
 ' *æ, & Hiberniæ* rex, fidei de-
 ' fenfor, &c. vicecomiti *Canta-*
 ' *brigie* salutem. Cum vice-
 ' comiti nostro *Middlesexie* nu-
 ' per præceperimus, quod cape-
 ' ret *Thomam T. & Wilielmum*
 ' *W.* si inventi fuissent in balliva
 ' sua, & eos salvo custodiret, ita
 ' quod haberet corpora eorum
 ' coram nobis apud *Westminster*
 ' die *Veneris* proximo post oc-
 ' tavas Sanctæ Trinitatis, ad
 ' respondendum *Roberto R.* de
 " placito

“ placito transgressionis; cumque
 “ vicecomes noster *Middlesexia*,
 “ ad diem illum nobis returna-
 “ verit, quod prædicti *Thomas*
 “ *T. & Wilhelmus W.* non sunt
 “ inventi in balliva sua, super
 “ quo ex parte prædicti *Roberti*
 “ in curia nostra coram nobis
 “ sufficienter testatum est, quod
 “ prædicti *Thomas & Wilhelmus*
 “ latitant & discurrent in comi-
 “ tatu tuo. Idcirco tibi præci-
 “ pimus quod capias eos, si in-
 “ venti fuerint in balliva tua, &
 “ eos salvo custodias, ita quod ha-
 “ beas corpora eorum coram no-
 “ bis apud *Westminster*, die *Martis*
 “ proximo post tres septimanas,
 “ eodem Trinitatis, ad respon-
 “ dendum præfato *Roberto* de
 “ placito prædicto, & habeas ibi
 “ tunc hoc breve. Teste *Johan-*
 “ *ne Pepham* apud *Westminster*.
 “ *Roper.*”

Tostum. ‘ Tost, tostum, is a
 ‘ place wherein a messuage hath
 ‘ stood. *West*, Parte II. *Symbol*.
 ‘ titulo *Fines*, Sect. 26.’ C.

Tol. ‘ Toll, alias thol, tolnetum,
 ‘ alias theolonium, is a *Saxon*
 ‘ word, and hath, in our common
 ‘ law, two significations. First it
 ‘ is used for a liberty to buy and
 ‘ sell within the precincts of a
 ‘ manor, *Lamb. Archainom*, fol.
 ‘ 132, which seemeth to import
 ‘ so much as fair or market.
 ‘ The words be these:’ “ Thol,
 ‘ quod nos dicimus tholonium,
 ‘ est scilicet quod habeat liber-
 ‘ tatem vendendi & emendi in
 ‘ terra sua.” ‘ In the second
 ‘ signification it is used for a
 ‘ tribute or custom paid for pas-
 ‘ sage, &c. as in *Bracton*:’
 ‘ Si cui concedatur talis libertas
 ‘ quod quietus sit de theolonio
 ‘ & consuetudinibus dandis per
 ‘ totum regnum *Anglia* in ter-

“ ra & mari, & quod theoloni-
 “ um & consuetudines capiat
 “ infra libertatem suam de e-
 “ mentibus & vendentibus,”
 “ &c. Lib. II. cap. 24, num. 3.
 “ But even there, in the end of
 “ the second number, he hath
 “ this word toll, as it seemeth,
 “ in the former signification al-
 “ so, which, by these words a-
 “ bove-written following a little
 “ after, he interpreteth to be a
 “ liberty as well to take as to be
 “ free from toll. The made
 “ *Latin* word, theolonium, *Caf-*
 “ *janæus*, in *Consuet. Burgund.*
 “ pag. 118, deriveth a tollendo,
 “ but I rather think it cometh
 “ from the *Greek* *τελωνια*, or *τε-*
 “ *λωνια*, i. vectigalium redemptio,
 “ vel etiam vectigalium exactio.
 “ *Fleta* hath these words of it:’
 “ Tol significat acquietantiam
 “ theolonii ubique in regno.”
 “ Lib. pri. cap. 47. *M. Skene*,
 “ *De verb. signif.* verbo *Toll*,
 “ saith it is a custom, and that
 “ it cometh from the *Greek* word
 “ of the same signification *τελος*,
 “ and that he who is infeoffed
 “ with toll is custom-free, and
 “ payeth no custom; which is
 “ manifest by sundry old books,
 “ wherein it is written,” “ Toll,
 “ hoc est, quod vos & homines
 “ vestri de toto homagio vestro
 “ sint quieti de omnibus mer-
 “ catis, & de tolneto, de omni-
 “ bus rebus emptis & vendi-
 “ tis:” ‘ thus far he. *Kitchin*,
 “ fol. 104, maketh mention of
 “ toll through, and toll travers;
 “ his words be to this effect:
 “ Custom or prescription to have
 “ toll through in the highway
 “ is not good, for it is against
 “ the common right; but to
 “ have prescription of toll tra-
 “ vers is good: in which place
 ‘ the

‘ the difference between the one
 ‘ and the other the new exposi-
 ‘ tor of Law Terms saith to be,
 ‘ that toll travers is that money
 ‘ which is taken for passing over
 ‘ a private man’s ground; but
 ‘ this author seemeth to differ
 ‘ from *Kitchin* touching the law-
 ‘ fulness of toll through, say-
 ‘ ing, that by reason of a bridge,
 ‘ provided at the cost and charge
 ‘ of the town, for the ease of
 ‘ travellers, he thinketh it rea-
 ‘ sonable that toll through be
 ‘ enacted toward the mainte-
 ‘ nance thereof.’ *C.*

Toppare. To top. ‘ Toppare
 ‘ arbores, to top trees.’ *Town-
 send’s Preparative to Pleading,*
 p. 78.

Tunc et ibidem. These are usual
 words in an indictment. In
West’s Symboleography is an in-
 dictment ‘ for burning a dwel-
 ‘ ling house in the day-time,
 ‘ with a pound of gunpowder
 ‘ put in a bundle of straw in the
 ‘ house, the owner of the house
 ‘ being then in the same house;’
 and the charge of the fact a-
 gainst *A. B.* the defendant, is
 contained in the following words:
 ‘ Ad domum mansionalem *E. F.*
 ‘ de *C.* prædicta, in comitatu præ-
 ‘ dicto, generosi, in *C.* prædicto, in
 ‘ dicto comitatu *E.* existentem, vi
 ‘ & armis, inter horas sextam &
 ‘ septimam ante meridiem ejus-
 ‘ dem diei, accessit, & cum una
 ‘ libra pulveris tormentarii ad
 ‘ valentiam 12 denariorum & face
 ‘ quadam ignita, quam dictus *A.*
 ‘ *B.* tunc & ibidem in mani-
 ‘ bus suis tenuit, ignem in quo-
 ‘ dam fasciculo straminis tunc
 ‘ in dicta domo existentis, ex
 ‘ malitia sua præcogitata felo-
 ‘ nice accendit, unde eadem do-
 ‘ mus tunc ibidem totaliter cre-

‘ mata & combusta fuit.’ Part
 II. Sect. 86.

Turbaria. ‘ Turbarie, turbaria,
 ‘ is an interest to dig turfs up-
 ‘ on a common. *Kitchin.* fol. 94.
 ‘ Old *Natura Brevium*, fol. 70.
 ‘ It cometh of the rude *Latin*
 ‘ word turba, which is used
 ‘ for a turf. *Lynd. in Provin.*
 ‘ de decimis, cap. finali.’ *C.*

V.

Venire facias. ‘ Venire faci-
 ‘ as is a writ judicial, and
 ‘ goeth out of the record, lying
 ‘ where two parties plead and
 ‘ come to issue, sc. upon the
 ‘ saying of the country; for
 ‘ then the party, plaintiff or de-
 ‘ fendant, shall have this writ
 ‘ directed to the sheriff, that he
 ‘ cause to come twelve lawful
 ‘ men of the same country to
 ‘ say the truth upon the said
 ‘ issue taken; and if the inquest
 ‘ come not at the day of this
 ‘ writ returned, then shall go a
 ‘ habeas corpora, and, after, a
 ‘ distress, until they come. Old
 ‘ *Nat. Br.* fol. 157. See how
 ‘ diversely this writ is used in
 ‘ the table of the *Register judi-
 ‘ ciall.* There is also a writ of
 ‘ this name that is original, as
 ‘ appeareth in the *Register origi-
 ‘ fol.* 200 b. which *M. Lam-
 ‘ berd,* in his *Processus* annexed
 ‘ to his *Eirenarcha*, saith to be
 ‘ the common process upon any
 ‘ presentment not being felony,
 ‘ nor especially appointed for
 ‘ the fault presented by statute,
 ‘ whereof he setteth down an
 ‘ example in the same place.
 ‘ See also the *New Book of En-
 ‘ tries*, verbo *Enquest*, fol. 253,
 ‘ column 1, 2, & 3.’ *C.* In
 the *Termes de la Ley*, venire fa-
 cias is thus defined: ‘ Venire
 ‘ facias

‘ facias, it is a process directed to the sheriff, or to the coroners, if the sheriff be challenged, to summon a jury to try an issue joined between party and party, or the king and a subject.’ In this passage the words ‘ if the sheriff be challenged’ mean, ‘ if the sheriff be excepted against by either party, as being related to his opponent, and therefore not an impartial person.’

Mentriticum. i. e. Molendinum ventriticum. A wind-mill. See *C. edit.* 1727, art. *Molendinum*; and *Townsend’s Preparative to Pleading*, p. 253.

Vi et armis. This phrase is a constant part of some particular kinds of indictments, especially those for theft. *West* has given, in his *Symbolography*, a very great variety of indictments, and among them are many with these words; we shall however here only notice two of them: the first of these is for purse-picking, and charges that *I. S.* the defendant, ‘ in quodam loco ibidem, vocato *The Elms*, vi & armis, in quendam *R. M.* de *A.* prædicto, in comitatu *E.* prædicto, ‘ grocer, insultum fecit,’ &c.; the other is for sacrilege, or burglary in a church in the nighttime, and the taking away of the communion cup, and states that the defendant, ‘ vi & armis, ecclesiam parochialem de *C.* prædicta, in dicto comitatu *E.* felonice & burglariter fregit & intravit noctanter,’ &c. *West’s Symbolography*, Part II. Sect. 170, Sect. 196. See also other instances, art. *Manu forti*, supra.

Villanus socmannus. Villein, villanus, is thus defined by *Corwell*, art. *Villein*: ‘ Villein, villa-

‘ nus, cometh of the *French* villain, i. illiberalis, impurus, vilis, turpis, and signifieth, in our common law, a bondman, or as much as servus among the civilians.’ The same author, art. *Sockmans*, thus explains the term sockmans: ‘ Sockmans, Sockmanni, are such tenants as hold their lands and tenements by soccage.’ Vide supra, art. *Socage free*.

W.

Warrantum. A warrant. *Syllabus vocabulorum quorundam forensium*, at the end of *Littleton’s Latin Dictionary*. ‘ Warantum, warentum, rationis syngrapha; qua scilicet quid ratum & acceptum habetur. Vulgo, a warrant.’ *Somer’s Glossary* subjoined to the *Decem Scriptores*.

Waviana. ‘ Weife, wavium, whence it hath his original I cannot certainly say; but I find the nineteenth chapter of the *Grand Customary of Normandie* to be intitled *De choses gaires*, and latinized by the interpreter, de rebus vaivis, which are there thus defined: ‘ Vaiva sunt res, vel alia, quæ nullius proprietati attributa, sine possessionis reclamacione sunt inventa, quæ usque ad diem & annum servanda sunt. Et de iis modo, quo dictum est de vericis,’ ‘ that is, weeks,’ ‘ ea sua esse probantibus est restitutio facienda,’ &c. This weife, or things weived, have the very same signification in our common law, and be nought but things forsaken. The civilians call it derelictum, or quod est pro derelicto. *Bracton*, in the twelfth chapter

T t

chapter of his first book, nu.
 30, reckoneth them "inter res
 quæ sunt nullius ea quæ pro
 waivio habentur; sicut de a-
 veriis, ubi non apparet domi-
 nus," "where he also saith,"
 "quod olim fuerunt inventoris
 de jure naturali, & jam effi-
 ciuntur principis de jure gen-
 tium." That this is a rega-
 lity, and belonging to the king,
 except it be challenged by the
 owner within a year and a
 day, it appeareth by *Britton*,
 in his seventeenth chapter. Now
 the kings in their times have
 granted this and such like pre-
 rogatives unto divers subjects
 with their fees, who there like-
 wise saith, that weifes, things
 lost, and estrays, must, by the
 lord of the franchise where
 they are found, be caused to
 be cried and published in mar-
 kets and churches near about,
 or else that the year and day
 doth not run to the prejudice
 of him that hath lost them.
M. Skene, De verborum signif.
 verb. *Waife*, saith, that "waife
 est pecus, vel animal aber-
 rans," "which wanders and
 wavers without a known mas-
 ter, and being found by any
 man within his own bounds,
 must be by him proclaimed,
 upon divers and sundry mar-
 ket days, at the parish church,
 and within the sheriffdom:
 otherwise the detainer may be
 accused of theft; and it is
 lawful for the owner to chal-
 lenge the beast within a year
 and day: whereby it appeareth
 that in *Scotland* that is called
 a weife which we here call a
 stray or estray." C.

Wrecca maris. "Wreck, wrec-
 cum vel wrecum maris, is

the loss of a ship, and the
 goods therein contained, by
 tempest, or other mischance, at
 the sea: the civilians call it
 naufragium. This wreck be-
 ing made, the goods that were
 in the ship, being brought to
 land by the waves, belong to
 the king by his prerogative;
 and thereupon, in many books
 of our common law, the very
 goods so brought to land are
 called wreck; and wreck is
 defined to be those goods which
 are so brought to land. Sir
Edward Coke, Vol. VI. rela-
 tio, f. 106 a. and the sta-
 tute anno 17 *Edward* II. cap.
 11, in these words: "Item
 rex habebit wreccum maris,
 per totum regnum, ballenas,
 & sturgesiones captas in mari
 vel alibi infra regnum, excep-
 tis quibusdam locis privilegia-
 tis per regem." "Whereby
 it appeareth that the king hath
 them, or such as have by
 grant this liberty or privilege
 of him. And that this statute
 doth but affirm the ancient
 law of the land, it appeareth
 by *Bracton*, Lib. II. cap. 5,
 num. 7, hiis verbis: "Sunt
 etiam aliæ res quæ pertinent
 ad coronam propter privile-
 gium regis, & ita commu-
 nem non recipiunt libertatem,
 quin dari possint, & ad alium
 transferri. Quia si transfe-
 rantur, translatio nulli erit
 damnosa, nisi ipsi regi sive
 principi, et si hujusmodi res
 alicui concessæ fuerint, sicut
 wreccum maris," &c. The
 reason of this he toucheth
 shortly in his first book, cap.
 12, num. 10, where he rec-
 koneth these goods, jure na-
 turali, to be, "in bonis nul-
 lius,

“ lius, quia non apparet domi-
 “ nus eorum, sed jure gentium
 “ fieri principis:” ‘ and see
 ‘ him also, Lib. II. cap. 24,
 ‘ num. 1 & 2. It is worth the
 ‘ asking to know what is a
 ‘ wreck, and what not, in this
 ‘ stricter signification; and the
 ‘ author of *The Termes of Law*
 ‘ saith, that if any person of
 ‘ the ship come to land, it is not
 ‘ a wreck, or the wreck is not
 ‘ such that the king ought to
 ‘ have the goods; with whom
 ‘ agreeth Sir *Edward Coke*, Vol.
 ‘ VI. f. 107 a. No, if ei-
 ‘ ther dog or cat escape alive
 ‘ to the land, the goods are the
 ‘ owner’s still, so he come with-
 ‘ in a year and a day to claim
 ‘ them; and for this the statute
 ‘ is plain, *Westm. prim. cap. 4.*
 ‘ anno 3 *Edward prim.* which
 ‘ doctrine *Fitzherbert*, in his
 ‘ *Natura Brevium*, fol. 112 E.
 ‘ extendeth thus far, that if any
 ‘ of the goods be cast upon the
 ‘ dry land by any in the ship,
 ‘ it is no wreck subject to the
 ‘ prerogative, for by this some
 ‘ of the ship are presumed to
 ‘ come to land, and still to have
 ‘ a custody of the goods. *Coke*,
 ‘ ubi supra.’

Y.

Year and a day. ‘ Yeare and
 ‘ day, annus & dies, is ‘time
 ‘ thought, in construction of our
 ‘ common law, fit in many cases
 ‘ to determine a right in one,
 ‘ and to work an usucaption or
 ‘ prescription in another; as in
 ‘ a case of an estray, if the
 ‘ owner, proclamations being
 ‘ made, challenge it not within
 ‘ that time, it is forfeit; so is
 ‘ the year and day given in case
 ‘ of appeal; in case of descent
 ‘ after entry or claim; of no
 ‘ claim upon a fine or writ of
 ‘ right at the common law: so
 ‘ of a villein remaining in an-
 ‘ cient demean; of the death of
 ‘ a man sore bruised or wound-
 ‘ ed; of protections; essoins in
 ‘ respect of the king’s service;
 ‘ of a wreck, and divers other
 ‘ cases, *Coke*, Vol. VI. fol. 107
 ‘ b. and that touching the death
 ‘ of a man seemeth an imitation
 ‘ of the civil law:’ ‘ Nam si
 ‘ mortifere fuerit vulneratus, &
 ‘ postea post longum interval-
 ‘ lum mortuus sit, inde annum
 ‘ numerabimus secundum Ju-
 ‘ lianum l.’ ‘ ait lex w. ad
 ‘ legem Aquil.’ C.

F I N I S.

CORRIGENDA.

<i>Page</i>	<i>xliv</i>	<i>Line</i>	17	<i>for</i>	<i>facis,</i>	-	-	-	<i>read</i>	<i>facies.</i>
	lvi	—	9	{	—Mr. Tanner,	-	-	—		Dr. Tanner.
	lvii	—	26							
	lxii	—	2	—	inventions otherwise than	—			inventions than.	
	lxiv	—	3	{	—P ^o 3,	-	-	—	P ^o 7.	
				{	—egregiæ,	-	-	—	egregie.	
	lxxxvii	—	37	{	—afterwards a clerk in	-	-	{	son of P. Furse, esq; &	
				{	the Pay Office,	-	-	{	clerk in the Pay Office.	
	4	—	27	—	<i>Gravina Origo Juris,</i>	—			<i>Gravinae Origines Juris.</i>	
	25	—	16	—	Hei mi!	-	-	—	Hei mihi!	
	28	—	15	—	Cujacius,	-	-	—	Cujacius.	
	29	—	42	—	which is dedicated,	—			which is dated.	
	48	—	24	—	for m,	-	-	—	form.	
	67	—	29	—	afferre,	-	-	—	afferre.	
	92	—	30	—	sub promus,	-	-	—	sub-promus.	
	93	—	19	—	suppositiam,	-	-	—	supposititiam.	
	94	—	32	—	Epigramsa,	-	-	—	Epigrams.	
	108	—	22	—	juntistis,	-	-	—	juntistis.	
	110	—	4	—	tam,	-	-	—	jam.	
	116	—	40	—	Compannonnes,	-	-	—	Companones.	
	143	—	38	—	Toriano's,	-	-	—	Torriano's.	
	179	—	42	—	Anglice vocatis,	-	-	—	Anglice vocatis.	
	189	—	2	—	egem,	-	-	—	legem.	
	196	{	26	—	I,	-	-	—	i.	
			30	—	Αὐδῶν ἰσῶν,	-	-	—	Αὐδῶν ἰσῶν.	
	197	—	16	—	tnat,	-	-	—	that.	
	296	<i>line</i>	13	<i>col. b, for</i>	<i>Return,</i>	-	-	—	<i>Returns.</i>	

