

BARING-GOULD SABINE

**CURIOSITIES OF
OLDEN TIMES**

Sabine Baring-Gould
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S. Baring-Gould

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PREFACE

An antiquary lights on many a curiosity whilst overhauling the dusty tomes of ancient writers. This little book is a small museum in which I have preserved some of the quaintest relics which have attracted my notice during my labours. The majority of the articles were published in 1869. I have now added some others.

Lew Trenchard,
September 1895.

THE MEANING OF MOURNING

A strip of black cloth an inch and a half in width stitched round the sleeve – that is the final, or perhaps penultimate expression (for it may dwindle further to a black thread) of the usage of wearing mourning on the decease of a relative.

The usage is one that commends itself to us as an outward and visible sign of the inward sentiment of bereavement, and not one in ten thousand who adopt mourning has any idea that it ever possessed a signification of another sort. And yet the correlations of general custom – of mourning fashions, lead us to the inexorable conclusion that in its inception the practice had quite a different signification from that now attributed to it, nay more, that it is solely because its primitive meaning has been absolutely forgotten, and an entirely novel significance given to it, that mourning is still employed after a death.

Look back through the telescope of anthropology at our primitive ancestors in their naked savagery, and we see them daub themselves with soot mingled with tallow. When the savage assumed clothes and became a civilised man, he replaced the fat and lampblack with black cloth, and this black cloth has descended to us in the nineteenth century as the customary and intelligible trappings of woe.

The Chinaman when in a condition of bereavement assumes white garments, and we may be pretty certain that his barbarous

ancestor, like the Andaman Islander of the present day, pipeclayed his naked body after the decease and funeral of a relative. In Egypt yellow was the symbol of sorrow for a death, and that points back to the ancestral nude Egyptian having smeared himself with yellow ochre.

Black was not the universal hue of mourning in Europe. In Castile white obtained on the death of its princes. Herrera states that the last time white was thus employed was in 1498, on the death of Prince John. This use of white in Castile indicates chalk or pipeclay as the daub affected by the ancestors of the house of Castile in primeval time as a badge of bereavement.

Various explanations have been offered to account for the variance of colour. White has been supposed to denote purity; and to this day white gloves and hat-bands and scarves are employed at the funeral of a young girl, as in the old ballad of "The Bride's Burial": —

A garland fresh and fair
Of lilies there was made,
In signs of her virginity,
And on her coffin laid.
Six pretty maidens, *all in white*,
Did bear her to the ground,
The bells did ring in solemn swing
And made a doleful sound.

Yellow has been supposed to symbolise that death is the end

of human hopes, because falling leaves are sere; black is taken as the privation of light; and purple or violet also affected as a blending of joy with sorrow. Christian moralists have declaimed against black as heathen, as denoting an aspect of death devoid of hope, and gradually purple is taking its place in the trappings of the hearse, if not of the mourners, and the pall is now very generally violet.

But these explanations are afterthoughts, and an attempt to give reason for the divergence of usage which might satisfy, but these are really no explanations at all. The usage goes back to a period when there were no such refinements of thought. If violet or purple has been traditional, it is so merely because the ancestral Briton stained himself with woad on the death of a relative.

The pipeclay, lampblack, yellow ochre, and woad of the primeval mourners must be brought into range with a whole series of other mourning usages, and then the result is something of an "eye-opener." It reveals a condition of mind and an aspect of death that causes not a little surprise and amusement. It is one of the most astonishing, and, perhaps, shocking traits of barbarous life, that death revolutionises completely the feelings of the survivors towards their deceased husbands, wives, parents, and other relatives.

A married couple may have been sincerely attached to each other so long as the vital spark was twinkling, but the moment it is extinguished the dead partner becomes, not a sadly sweet

reminiscence, but an object of the liveliest terror to the survivor. He or she does everything that ingenuity can suggest to get him or herself out of all association in body and spirit with the late lamented. Death is held to be thoroughly demoralising to the deceased. However exemplary a person he or she may have been in life, after death the ghost is little less than a plaguing, spiteful spirit.

There is in the savage no tender clinging to the remembrance of the loved one, he is translated into a terrible bugbear, who must be evaded and avoided by every contrivance conceivable. This is due, doubtless, mainly to the inability of the uncultivated mind to discriminate between what is seen waking from what presents itself in phantasy to the dreaming head. After a funeral, it is natural enough for the mourners to dream of the dead, and they at once conclude that they have been visited by his *revenant*. After a funeral feast, a great gorging of pork or beef, it is very natural that the sense of oppression and pain felt should be associated with the dear departed, and should translate itself into the idea that he has come from his grave to sit on the chests of those who have bewailed him.

Moreover, the savage associates the idea of desolation, death, discomfort, with the condition of the soul after death, and believes that the ghosts do all they can to return to their former haunts and associates for the sake of the warmth and food, the shelter of the huts, and the entertainment of the society of their fellows. But the living men and women are not at all eager to

receive the ghosts into the family circle, and they accordingly adopt all kinds of “dodges,” expedients to prevent the departed from making these irksome and undesired visits.

The Venerable Bede tells us that Laurence, Archbishop of Canterbury, resolved on flying from England because he was hopeless of effecting any good under the successor of Ethelbert, king of Kent. The night before he fled he slept on the floor of the church, and dreamed that St. Peter cudgelled him soundly for resolving to abandon his sacred charge. In the morning he awoke stiff and full of aches and pains. Turned into modern language, we should say that Archbishop Laurence was attacked with rheumatism on account of his having slept on the cold stones of the church. His mind had been troubled before he went to sleep with doubts whether he were doing right in abandoning his duty, and very naturally this trouble of conscience coloured his dream, and gave to his rheumatic twinges the complexion it assumed.

Now Archbishop Laurence regarded the Prince of the Apostles in precisely the light in which a savage views his deceased relatives and ancestors. He associates his maladies, his pains, with theirs, if he should happen to dream of them. If, however, when in pain, he dreams of a living person, then he holds that this living person has cast a magical spell over him.

Among nature's men, before they have gone through the mill of civilisation, plenty to eat and to drink, and some one to talk to, are the essentials of happiness. They see that the dead have

none of these requisites, they consider that they are miserable without them. The writer remembers how, when he was a boy, and attended a funeral of a relative in November, he could not sleep all night – a bitter, frosty night – with the thought how cold it must be to the dead in the vault, without blankets, hot bottle, or fire. It was in vain for him to reason against the feeling; the feeling was so strong on him that he was conscious of an uncomfortable expectation of the dead coming to claim a share of the blanket, fire, or hot bottle. Now the savage never reasons against such a feeling, and he assumes that the dead will return, as a matter of course, for what he cannot have in the grave.

The ghost is very anxious to assert its former rights. A widow has to get rid of the ghost of her first husband before she can marry again. In Parma a widow about to be remarried is pelted with sticks and stones, not in the least because the Parmans object to remarriage, but in order to scare away the ghost of No. 1, who is hanging about his wife, and who will resent his displacement in her affections by No. 2.

To the present day, in some of the villages of the ancient Duchy of Teck, in Würtemberg, it is customary when a corpse is being conveyed to the cemetery, for relatives and friends to surround the dead, and in turn talk to it – assure it what a blessed rest it is going to, how anxious the kinsfolk are that it may be comfortable, how handsome will be the cross set over the grave, how much all desire that it may sleep soundly and not by any means leave the grave and come haunting old scenes and friends,

how unreasonable such conduct as the latter hinted at would be, how it would alter the regard entertained for the deceased, how disrespectful to the Almighty who gives rest to the good, and how it would be regarded as an admission of an uneasy conscience. Lively comparisons are drawn between the joys of Paradise and the vale of tears that has been quitted, so as to take away from the deceased all desire to return.

This is a survival of primitive usage and mode of thought, and has its analogies in many places and among diverse races.

The Dacotah Indians address the ghost of the dead in the same “soft sorder,” to induce it to take the road to the world of spirits and not to come sauntering back to its wigwam. In Siam and in China it is much the same; persuasion, flattery, threats are employed.

Unhappily all ghosts are not open to persuasion, and see through the designs of the mourners, and with them severer measures have to be resorted to. Among the Sclavs of the Danube and the Czechs, the bereaved, after the funeral, on going home turn themselves about after every few steps and throw sticks, stones, mud, even hot coals in the direction of the churchyard, so as to frighten the spirit back to the grave so considerably provided for it. A Finnish tribe has not even the decency to wait till the corpse is covered with soil; they fire pistols and guns after it as it goes to its grave, and lies in it.

In *Hamlet*, at the funeral of Ophelia, the priest says —

For charitable prayers,
Shards, flints, and pebbles should be thrown on her.

Unquestionably it must have been customary in England thus to pelt a ghost that was suspected of the intention to wander. The stake driven through the suicide's body was a summary and complete way of ensuring that the ghost would not be troublesome.

Those Finns who fired guns after a dead man had another expedient for holding him fast, and that was to nail him down in his coffin. The Arabs tie his legs together. The Wallacks drive a long nail through the skull; and this usage explains the many skulls that have been exhumed in Germany thus perforated. The Icelanders, when a ghost proved troublesome, opened the grave, cut off the dead man's head, and made the body sit on it. That, they concluded, would effectually puzzle it how to get about. The Californian Indians were wont to break the spine of the corpse so as to paralyse his lower limbs, and make "walking" impossible. Spirit and body to the unreasoning mind are intimately associated. A hurt done to the body wounds the soul. Mrs. Crowe, in her *Night Side of Nature*, tells a story reversing this. A gentleman in Germany was dying – he expressed great desire to see his son, who was a ne'er-do-well, and was squandering his money in Paris. At that same time the young man was sitting on a bench in the Bois de Boulogne, with a switch in his hand. Suddenly he saw his old father before him.

Convinced that he saw a phantom, he raised his switch, and cut the apparition once, twice, and thrice across the face; and it vanished. At that moment the dying father uttered a scream, and held his hands to his face – “My boy! my boy! He is striking me again – again!” and he died. The Algonquin Indians beat the walls of the death-chamber to drive out the ghost; in Sumatra, a priest is employed with a broom to sweep the ghost out. In Scotland, and in North Germany, the chairs on which a coffin has rested are reversed, lest the dead man should take the fancy to sit on them instead of going to his grave. In ancient Mexico, certain professional ghost ejectors were employed, who, after a funeral, were invited to visit and thoroughly explore the house whence the dead had been removed, and if they found the ghost lurking about, in corners, in cupboards, under beds – anywhere, to kick it out. In Siberia, after forty days’ “law” given to the ghost, if it be still found loafing about, the Schaman is sent for, who drums it out. He extorts brandy, which he professes to require, as he has to conduct the deceased personally to the land of spirits, where he will make it and the other guests so fuddled that they will forget the way back to earth.

In North Germany a troublesome ghost is bagged, and the bag emptied in some lone spot, or in the garden of a neighbour against whom a grudge is entertained.

Another mode of getting rid of the spirit of the dear departed is to confuse it as to its way home. This is done in various ways. Sometimes the road by which it has been carried to its resting-

place is swept to efface the footprints, and a false track is made into a wood or on to a moor, so that the ghost may take the wrong road. Sometimes ashes are strewn on the road to hide the footprints. Sometimes the dead is carried rapidly three or four times round the house so as to make him giddy, and not know in which direction he is carried. The universal practice of closing the eyes of the dead may be thought to have originated in the desire that he might be prevented from seeing his way.

In many places it was, and is, customary for the dead body to be taken out of the house, not through the door, but by a hole knocked in the wall for the purpose, and backwards. In Iceland in the historic period this custom was reserved for such as died in their seats and not in their beds. One or two instances occur in the Sagas. In Corea, blinders made of black silk are put on the dead man's eyes, to prevent him from finding his way home.

Many savage nations entirely abandon a hut or a camp in which a death has occurred for precisely the same reason – of throwing out the dead man's spirit.

It was a common practice in England till quite recently for the room in which a death had occurred to be closed for some time, and this is merely a survival of the custom of abandoning the place where a spirit has left the body. The Esquimaux take out their dying relatives to huts constructed of blocks of ice or snow, and leave them there to expire, for ghosts are as stupid as they are troublesome, they have no more wits than a peacock, they can only find their way to the place where they died.

Other usages are to divert a stream and bring the corpse in the river-bed, or lay it beyond running water, which according to ghost-lore it cannot pass. Or again, fires are lighted across its path, and it shrinks from passing through flames. As for water, ghosts loathe it. Among the Matamba negroes a widow is flung into the water and dipped repeatedly so as to wash off the ghost of the dead husband, which is supposed to be clinging to her. In New Zealand, among the Maoris, all who have followed the corpse dive into water so as to throw off the ghost which is sneaking home after them. In Tahiti, all who have assisted at a burial run as hard as they can to the sea and take headers into it for the same object. It is the same in New Guinea. We see the same idea reduced to a mere form in ancient Rome, where in place of the dive through water, a vessel of water was carried twice round those who had followed the corpse, and they were sprinkled. The custom of washing and purification after a funeral practised by the Jews is a reminiscence of the usage, with a novel explanation given to it.

In the South Pacific, in the Hervey Islands, after a death men turn out to pummel and fight the returning spirit, and give it a good drubbing in the air.

Now, perhaps, the reader may have been brought to understand what the sundry mourning costumes originally meant. They were disguises whereby to deceive the ghosts, so that they might not recognise and pester with their undesired attentions the relatives who live. Indians who are wont to paint

themselves habitually, go after a funeral totally unbedecked with colour. On the other hand, other savages daub themselves fantastically with various colours, making themselves as unlike what they were previously as is possible. The Coreans when in mourning assume hats with low rims that conceal their features.

The Papuans conceal themselves under extinguishers made of banana leaves. Elsewhere in New Guinea they envelop themselves in a wickerwork frame in which they can hardly walk. Among the Mpongues of Western Africa, those who on ordinary occasions wear garments walk in complete nudity when suffering bereavement. Valerius Maximus tells us that among the Lycians it was customary in mourning for the men to disguise themselves in women's garments.

The custom of cutting the hair short, and of scratching and disfiguring the face, and of rending the garments, all originated from the same thought – to make the survivors irreconisable by the ghost of the deceased. Plutarch asserts that the Sacæ, after a death, went down into pits and hid themselves for days from the light of the sun. Australian widows near the north-west bend of the Murray shave their heads and plaster them with pipeclay, which, when dry, forms a close-fitting skull-cap. The spirit of the late lamented on returning to his better half either does not recognise his spouse, or is so disgusted with her appearance that he leaves her for ever.

There is almost no end to the expedients adopted for getting rid of the dead. Piles of stones are heaped over them, they are

buried deep in the earth, they are walled up in natural caves, they are enclosed in megalithic structures, they are burned, they are sunk in the sea. They are threatened, they are cajoled, they are hoodwinked. Every sort of trickery is had recourse to, to throw them off the scent of home and of their living relations.

The wives, horses, dogs slain and buried with them, the copious supplies of food and drink laid on their graves, are bribes to induce them to be content with their situation. Nay, further – in very many places no food may be eaten in the house of mourning for many days after an interment. The object of course is to disappoint the returning spirit, which comes seeking a meal, finds none, comes again next day, finds none again, and after a while desists from returning out of sheer disgust.

A vast amount of misdirected ingenuity is expended in bamboozling and bullying the unhappy ghosts; but the feature most striking in these proceedings is the unanimous agreement in considering these ghosts as such imbeciles. When they put off their outward husk, they divest themselves of all that cunning which is the form that intelligence takes in the savage. Not only so, but although they remember and crave after home comforts, they absolutely forget the tricks they had themselves played on the souls of the dead in their own lifetime; they walk and blunder into the traps which they had themselves laid for other ghosts in the days of their flesh.

Perhaps the lowest abyss of dunder-headedness they have been supposed to reach is when made to mistake their

own identity. Recently near Mentone a series of prehistoric interments in caves have been exposed. They reveal the dead men as having had their heads daubed over with red oxide of iron. Still extant races of savages paint, plaster, and disfigure their dead. The prehistoric Greeks masked them. The Aztecs masked their deceased kings, and the Siamese do so still. We cannot say with absolute certainty what the object is – but we are probably not far out when we conjecture the purpose to be to make the dead forget who they are when they look at their reflection in the water. There was a favourite song sung some sixty years ago relative to a little old woman who got “muzzy.” Whilst in this condition some naughty boys cut her skirts at her knees. When she woke up and saw her condition, “Lawk!” said the little old woman, “this never is me!” And certain ancient peoples treated their dead in something the same way; they disguised and disfigured them so that each ghost waking up might exclaim, “Lawk! this never is me!” And so having lost its identity, did not consider it had a right to revisit its old home and molest its old acquaintances.

CURIOSITIES OF CYPHER

In 1680, when M. de Louvois was French Minister of War, he summoned before him one day a gentleman named Chamilly, and gave him the following instructions:

“Start this evening for Basle, in Switzerland; you will reach it in three days; on the fourth, punctually at two o’clock, station yourself on the bridge over the Rhine, with a portfolio, ink, and a pen. Watch all that takes place, and make a memorandum of every particular. Continue doing so for two hours; have a carriage and post-horses awaiting you; and at four precisely mount, and travel night and day till you reach Paris. On the instant of your arrival, hasten to me with your notes.”

De Chamilly obeyed; he reached Basle, and on the day and at the hour appointed, stationed himself, pen in hand, on the bridge. Presently a market-cart drives by; then an old woman with a basket of fruit passes; anon, a little urchin trundles his hoop by; next an old gentleman in blue top-coat jogs past on his gray mare. Three o’clock chimes from the cathedral tower. Just at the last stroke, a tall fellow in yellow waistcoat and breeches saunters up, goes to the middle of the bridge, lounges over, and looks at the water; then he takes a step back and strikes three hearty blows on the footway with his staff. Down goes every detail in De Chamilly’s book. At last the hour of release sounds, and he jumps into his carriage. Shortly before midnight, after two days

of ceaseless travelling, De Chamilly presented himself before the minister, feeling rather ashamed at having such trifles to record. M. de Louvois took the portfolio with eagerness, and glanced over the notes. As his eye caught the mention of the yellow-breeched man, a gleam of joy flashed across his countenance. He rushed to the king, roused him from sleep, spoke in private with him for a few moments, and then four couriers who had been held in readiness since five on the preceding evening were despatched with haste. Eight days after, the town of Strasbourg was entirely surrounded by French troops, and summoned to surrender: it capitulated and threw open its gates on the 30th of September 1681. Evidently the three strokes of the stick given by the fellow in yellow costume, at an appointed hour, were the signal of the success of an intrigue concerted between M. de Louvois and the magistrates of Strasbourg, and the man who executed this mission was as ignorant of the motive as was M. de Chamilly of the motive of his.

Now this is a specimen of the safest of all secret communications, but it can only be resorted to on certain rare occasions. When a lengthy despatch is required to be forwarded, and when such means as those given above are out of the question, some other method must be employed. Herodotus gives us a story to the point: it is found also, with variations, in Aulus Gellius.

“Histiaeus, when he was anxious to give Aristagoras orders to revolt, could find but one safe way, as the roads were guarded,

of making his wishes known: which was by taking the trustiest of his slaves, shaving all the hair from off his head, and then pricking letters upon the skin, and waiting till the hair grew again. This accordingly he did; and as soon as ever the hair was grown, he despatched the man to Miletus, giving him no other message than this: ‘When thou art come to Miletus, bid Aristagoras shave thy head, and look thereon.’ Now the marks on the head were a command to revolt.” – Bk. v. 35.

In this case no cypher was employed; we shall come, now, to the use of cyphers.

When a despatch or communication runs great risk of falling into the hands of an enemy, it is necessary that its contents should be so veiled, that the possession of the document may afford him no information whatever. Julius Cæsar and Augustus used cyphers, but they were of the utmost simplicity, as they consisted merely in placing D in the place of A; E in that of B, and so on; or else in writing B for A, C for B, etc.

Secret characters were used at the Council of Nicæa; and Rabanus Maurus, Abbot of Fulda and Archbishop of Mayence in the ninth century, has left us an example of two cyphers, the key to which was discovered by the Benedictines. It is only a wonder that any one could have failed to unravel them at the first glance. This is a specimen of the first:

.Nc.p.t v: rs::s B::n.f: c.. :rch. gl::r::s.q::: m: rt.r.s

The secret of this is that the vowels have been suppressed and their places filled by dots, – one for i, two for a, three for e, four for o, and five for u. In the second example, the same sentence would run – Knckpkt vfrsxs Bpnkfbckk, etc., the vowel-places being filled by the consonants – b, f, k, p, x. By changing every letter in the alphabet, we make a vast improvement on this last; thus, for instance, supplying the place of a with z, b with x, c with v, and so on. This is the system employed by an advertiser in a provincial paper which I took up the other day in the waiting-room of a station, where it had been left by a farmer. As I had some minutes to spare, before the train was due, I spent them in deciphering the following:

Jp Sjddjzb rza rzdd ci sijmr, Bziw rzdd xr ndzt:

and in ten minutes I read: “If William can call or write, Mary will be glad.”

A correspondence was carried on in the *Times* during May 1862 in cypher. I give it along with the explanation.

Wws. – Zy Efpdolv T dpye l wpeepc ez mjcy p qzc jzf –
xlj T daply qfwwj zy lww xleepcd le esp tyepcgtph? Te xlj
oz rzzo. Ecfde ez xj wzgp – T lx xtdpclmwp. Hspy xlj T rz

ez Nlyepcmfcj tq zywj ez wzzv le jzf. – May 8.

This means – “On Tuesday I sent a letter to Byrne for you. May I speak fully on all matters at the interview? It may do good. Trust to my love. I am miserable. When may I go to Canterbury if only to look at you?”

A couple of days later Byrne advertises, slightly varying the cypher:

Wws. – Sxhrdktg hdbtewxcv “Tmwxqxixdc axzt” udg pcdewtg psktgexhtbtce ... QNGCT. “Discover something *Exhibition-like* for another advertisement. Byrne.”

This gentleman is rather mysterious: I must leave my readers to conjecture what he means by “Exhibition-like.” On Wednesday came two advertisements, one from the lady – one from the lover. WWS. herself seems rather sensible —

Tydeplo zq rztyr ez nlyepcmfcj, T estyv jzf slo xfns mpeepc delj le szxp lyo xtyo jzfc mfdtypdd. – WWS., May 10.

“Instead of going to Canterbury, I think you had much better stay at home and mind your business.”

Excellent advice; but how far likely to be taken by the eager wooer, who advertises thus? —

Wws. – Fyewt jzfc qlspc lydhpcd T hzye ldv jzf ez aczgp jzf wzgp xp. Efpdol yrse le zyp znwzvn slgp I dectyr qczx esp htyozh qzc wpeepcd. Tq jzt lcp yze lmwp le zyp T htww hlte. Rzo nzxqzce jzf xj olcwtyr htqp.

“Until your father answers I won’t ask you to prove you love me. Tuesday night at one o’clock have a string from the window for letters. If you are not able at one I will wait. God comfort you, my darling wife.”

Only a very simple Romeo and Juliet could expect to secure secrecy by so slight a displacement of the alphabet.

When the Chevalier de Rohan was in the Bastille, his friends wanted to convey to him the intelligence that his accomplice was dead without having confessed. They did so by passing the following words into his dungeon, written on a shirt: “Mg dulhxclgu ghj yxuj; lm ct ulgc alj.” In vain did he puzzle over the cypher, to which he had not the clue. It was too short: for the shorter a cypher letter, the more difficult it is to make out. The light faded, and he tossed on his hard bed, sleeplessly revolving the mystic letters in his brain, but he could make nothing out of them. Day dawned, and, with its first gleam, he was poring over them: still in vain. He pleaded guilty, for he could not decipher “Le prisonnier est mort; il *n’a rien dit.*”

Another method of veiling a communication is that of employing numbers or arbitrary signs in the place of letters, and this admits of many refinements. Here is an example to test the reader’s sagacity:

§ †431 45 2+9 +§ 51 4= 8732+ 287 45 2+9 †¶=+

I just give the hint that it is a proverb.

The following is much more ingenious, and difficult of detection.

	A	B	C	D	E	F	G	H
A	<i>a</i>	<i>d</i>	<i>g</i>	<i>k</i>	<i>n</i>	<i>q</i>	<i>t</i>	<i>x</i>
B	<i>b</i>	<i>e</i>	<i>h</i>	<i>l</i>	<i>o</i>	<i>r</i>	<i>u</i>	<i>y</i>
C	<i>c</i>	<i>f</i>	<i>i</i>	<i>m</i>	<i>p</i>	<i>s</i>	<i>w</i>	<i>z</i>

Now suppose that I want to write *England*; I look among the small letters in the foregoing table for *e*, and find that it is in a horizontal line with B, and vertical line with B, so I write down *BB*; *n* is in line with A and E, so I put *AE*; continue this, and *England* will be represented by *Bbaeacbdaaaeab*. Two letters to represent one is not over-tedious: but the scheme devised by Lord Bacon is clumsy enough. He represented every letter by permutations of *a* and *b*; for instance,

A	was	written	<i>aaaaa,</i>	B	was	written	<i>aaaab</i>
C	"	"	<i>aaaba,</i>	D	"	"	<i>aabaa</i>

and so through the alphabet. Paris would thus be transformed into *abbba*, *aaaaa*, *baaaa*, *abaaa*, *baaab*. Conceive the labour of composing a whole despatch like this, and the great likelihood of making blunders in writing it!

A much simpler method is the following. The sender and receiver of the communication must be agreed upon a certain

book of a specified edition. The despatch begins with a number; this indicates the page to which the reader is to turn. He must then count the letters from the top of the page, and give them their value numerically according to the order in which they come; omitting those which are repeated. By these numbers he reads his despatch. As an example, let us take the beginning of this article: then, $I = 1$, $n = 2$, $w = 3$, $h = 4$, $e = 5$, $m = 6$, $d = 7$, $l = 8$, $o = 9$, $u = 10$, $v = 11$, omitting to count the letters which are repeated. In the middle of the communication the page may be varied, and consequently the numerical significance of each letter altered. Even this could be read with a little trouble; and the word "impossible" can hardly be said to apply to the deciphering of cryptographs.

A curious instance of this occurred at the close of the sixteenth century, when the Spaniards were endeavouring to establish relations between the scattered branches of their vast monarchy, which at that period embraced a large portion of Italy, the Low Countries, the Philippines, and enormous districts in the New World. They accordingly invented a cypher, which they varied from time to time, in order to disconcert those who might attempt to pry into the mysteries of their correspondence. The cypher, composed of fifty signs, was of great value to them through all the troubles of the "Ligue," and the wars then desolating Europe. Some of their despatches having been intercepted, Henry IV. handed them over to a clever mathematician, Viète, with the request that he would find the clue. He did so, and was able also

to follow it as it varied, and France profited for two years by his discovery. The court of Spain, disconcerted at this, accused Viète before the Roman court as a sorcerer and in league with the devil. This proceeding only gave rise to laughter and ridicule.

A still more remarkable instance is that of a German professor, Hermann, who boasted, in 1752, that he had discovered a cryptograph absolutely incapable of being deciphered, without the clue being given by him; and he defied all the savants and learned societies of Europe to discover the key. However, a French refugee, named Beguelin, managed after eight days' study to read it. This cypher – though we have the rules upon which it is formed before us – is to us perfectly unintelligible. It is grounded on some changes of numbers and symbols; numbers vary, being at one time multiplied, at another added, and become so complicated that the letter *e*, which occurs nine times in the paragraph, is represented in eight different ways; *n* is used eight times, and has seven various signs. Indeed the same letter is scarcely ever represented by the same figure; but this is not all: the character which appears in the place of *i* takes that of *n* shortly after; another symbol for *n* stands also for *t*. How any man could have solved the mystery of this cypher is astonishing.

Now let me recommend a far simpler system, and one which is very difficult of detection. It consists of a combination of numbers and letters. Both parties must be agreed on an arrangement such as that in the second line below, for on it all

depends.

1	2	3	4	5	6	7	8	9	10
4	7	2	9	1	10	5	3	6	8

Now in turning a sentence such as “The army must retire” into cypher, you count the letters which make the sentence, and find that T is the first, H the second, E the third, A the fourth, R the fifth, and so on. Then look at the table. T is the first letter; 4 answers to 1; therefore write the fourth letter in the place of T; that is A instead of T. For *h* the second, put the seventh, which is *y*; for E, take the second, *h*. The sentence will stand “Ayh utsr emma yhutsr.” It is all but impossible to discover this cypher.

All these cryptographs consist in the exchange of numbers or characters for the real letters; but there are other methods quite as intricate, which dispense with them.

The mysterious cards of the Count de Vergennes are an instance. De Vergennes was Minister of Foreign Affairs under Louis XVI., and he made use of cards of a peculiar nature in his relations with the diplomatic agents of France. These cards were used in letters of recommendation or passports which were given to strangers about to enter France; they were intended to furnish information without the knowledge of the bearers. This was the system. The card given to a man contained only a few words, such as:

ALPHONSE D'ANGEHA

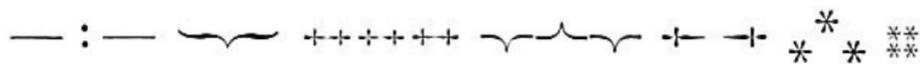
Recommandé à Monsieur

le Comte de Vergennes, par le Marquis de Puysegur,

Ambassadeur de France à la Cour de Lisbonne

The card told more tales than the words written on it. Its colour indicated the nation of the stranger. Yellow showed him to be English; red, Spanish; white, Portuguese; green, Dutch; red and white, Italian; red and green, Swiss; green and white, Russian; etc. The person's age was expressed by the shape of the card. If it were circular, he was under 25; oval, between 25 and 30; octagonal, between 30 and 45; hexagonal, between 45 and 50; square, between 50 and 60; and oblong showed that he was over 60. Two lines placed below the name of the bearer indicated his build. If he were tall and lean, the lines were waving and parallel; tall and stout, they converged; and so on. The expression of his face was shown by a flower in the border. A rose designated an open and amiable countenance, whilst a tulip marked a pensive

and aristocratic appearance. A fillet round the border, according to its length, told whether the man was bachelor, married, or widower. Dots gave information as to his position and fortune. A full stop after his name showed that he was a Catholic; a semicolon, that he was a Lutheran; a comma, that he was a Calvinist; a dash, that he was a Jew; no stop indicated him as an Atheist. So also his morals and character were pointed out by a pattern in the angles of the card, such as one of these:



Consequently, at one glance the minister could tell all about his man, whether he were a gamester or a duellist; what was his purpose in visiting France; whether in search of a wife or to claim a legacy; what was his profession – that of physician, lawyer, or man of letters; whether he were to be put under surveillance or allowed to go his way unmolested.

We come now to a class of cypher which requires a certain amount of literary dexterity to conceal the clue.

During the Great Rebellion, Sir John Trevanion, a distinguished Cavalier, was made prisoner, and locked up in Colchester Castle. Sir Charles Lucas and Sir George Lisle had just been made examples of, as a warning to “malignants”: and Trevanion has every reason for expecting a similar bloody end. As he awaits his doom, indulging in a hearty curse in round

Cavalier terms at the canting, crop-eared scoundrels who hold him in durance vile, and muttering a wish that he had fallen, sword in hand, facing the foe, he is startled by the entrance of the gaoler who hands him a letter:

“May’t do thee good,” growls the fellow; “it has been well looked to before it was permitted to come to thee.”

Sir John takes the letter, and the gaoler leaves him his lamp by which to read it:

Worthie Sir John – Hope, that is ye beste comfort of ye afflictid, cannot much, I fear me, help you now. That I wolde saye to you, is this only: if ever I may be able to requite that I do owe you, stand not upon asking of me. ’Tis not much I can do: but what I can do, bee you verie sure I wille. I knowe that, if dethe comes, if ordinary men fear it, it frights not you, accounting it for a high honour, to have such a rewarde of your loyalty. Pray yet that you may be spared this soe bitter, cup. I fear not that you will grudge any sufferings: only if bie submission you can turn them away, ’tis the part of a wise man. Tell me, an if you can, to do for you any thinge that you wolde have done. The general goes back on Wednesday. Restinge your servant to command.

R. T.

Now this letter was written according to a preconcerted cypher. Every third letter after a stop was to tell. In this way Sir John made out – “Panel at east end of chapel slides.” On the following even, the prisoner begged to be allowed to pass an hour of private devotion in the chapel. By means of a bribe, this

was accomplished. Before the hour had expired, the chapel was empty – the bird had flown.

An excellent plan of indicating the *telling* letter or word is through the heading of the letter. “Sir,” would signify that every third letter was to be taken; “Dear sir,” that every seventh; “My dear sir,” that every ninth was to be selected. A system, very early adopted, was that of having pierced cards, through the holes of which the communication was written. The card was then removed, and the blank spaces filled up. As for example:

My dear X. – [The] lines I now send you are forwarded by the kindness of the [Bearer], who is a friend. [Is not] the message delivered yet [to] my Brother? [Be] quick about it, for I have all along [trusted] that you would act with discretion and despatch. – Yours ever,

Z.

Put your card over the note, and through the piercings you will read: “The Bearer is not to be trusted.”

The following letter will give two totally distinct meanings, according as it is read, straight through, or only by alternate lines:

Mademoiselle, —

Je m’empresse de vous écrire pour vous déclarer que vous vous trompez beaucoup si vous croyez que vous êtes celle pour qui je soupire. Il est bien vrai que pour vous éprouver, Je vous ai fait mille aveux. Après quoi vous êtes devenue l’objet de ma raillerie. Ainsi ne doutez plus de ce

que vous dit ici celui qui n'a eu que de l'aversion pour vous, et qui aimerait mieux mourir que de se voir obligé de vous épouser, et de changer le dessein qu'il a formé de vous haïr toute sa vie, bien loin de vous aimer, comme il vous l'a déclaré. Soyez donc désabusée, croyez-moi; et si vous êtes encore constante et persuadée que vous êtes aimée vous serez encore plus exposée à la risée de tout le monde, et particulièrement de celui qui n'a jamais été et ne sera jamais

Votre ser'teur M. N.

We must not omit to mention Chronograms. These are verses which contain within them the date of the composition. In 1885 I built a boathouse by a lake in my grounds. A friend wrote the following chronogram for it, which I had painted, and affixed to the house:

Thy bread upon the Waters Cast
 In Certain trust to find.
 Since Well thou know'st God's eye doth Mark,
 Where fishes' eyes are blind.

This gives the date.

D = 500 + W = 510 + C = 610 + I = 611
 + C = 711 + I = 712 + I = 713 + I = 714
 + C = 814 + W = 824 + M = 1824
 + W = 1834 + I = 1835 + L = 1885.

The W represents two V's, *i. e.* 10.

A very curious one was written by Charles de Bovellet: we adapt and explain it: —

The heads of a mouse and five cats	M.CCCCC
Add also the tail of a bull	L
Item, the four legs of a rat	IIII
And you have my date in full	M.CCCCCL IIII
	(1554.)

It is now high time that we show the reader how to find the clue to a cypher. And as illustration is always better than precept, we shall exemplify from our own experience. With permission, too, we shall drop the plural for the singular.

Well! My friend Matthew Fletcher came into a property some years ago, bequeathed to him by a great-uncle. The old gentleman had been notorious for his parsimonious habits, and he was known through the county by the nickname of Miser Tom. Of course every one believed that he was vastly rich, and that Mat Fletcher would come in for a mint of money. But, somehow, my friend did not find the stores of coin on which he had calculated, hidden in worsted stockings or cracked pots; and the savings of the old man which he did light upon consisted of but trifling sums. Fletcher became firmly persuaded that the money was hidden *somewhere*; where he could not tell, and he often came to consult me on the best expedient for discovering it. It is all through my intervention that he did not pull down the whole

house about his ears, tear up every floor, and root up every flower or tree throughout the garden, in his search after the precious hoard. One day he burst into my room with radiant face.

“My dear fellow!” he gasped forth, “I have found it!”

“Found what? – the treasure?”

“No – but I want your help now,” and he flung a discoloured slip of paper on my table.

I took it up, and saw that it was covered with writing in cypher.

“I routed it out of a secret drawer in Uncle Tom’s bureau!” he exclaimed. “I have no doubt of its purport. It indicates the spot where all his savings are secreted.”

“You have not deciphered it yet, have you?”

“No. I want your help; I can make neither heads nor tails of the scrawl, though I sat up all night studying it.”

“Come along,” said I, “I wish you joy of your treasure. I’ll read the cypher if you give me time.” So we sat down together at my desk, with the slip of paper before us. Here is the inscription: —

$$\begin{array}{c}
 \text{D} \\
 + \lambda 282\text{\S}9\beta 9\beta 2\lambda \chi 879 +)789(9(88\text{\P}7 \div)8\text{---}2\text{\S} + 9 \times \text{\S}2\text{\S} \\
 \text{A} \\
 \text{---}29\text{\S}\text{---})^*8228\chi 7\lambda \theta 82\lambda *9\chi 79 + \times \text{\S}\text{---}7\text{---}\beta^*\gamma \chi 9\text{---}\text{\P} \\
 \text{B} \\
 \beta\text{---}\chi 8)\lambda \times 8\|\text{\S}8\text{---} = \overline{8\chi 2\text{\S}8\chi 82\text{\S}\text{---} + \text{\S}8\chi 8\text{\P}\text{\S}8\chi 82\text{\S}2} \\
 8\chi 7\beta \lambda (2\text{\S}8 + 8\|\chi \lambda = \lambda \text{\P}9\beta \|\lambda 7 = \text{---} + \div \text{---}\chi 881\lambda \chi^*92 \\
 \text{---} + 2.
 \end{array}$$

“Now,” said I, “the order of precedence among the letters, according to the frequency of their recurrence, is this, e a o i t d h n r s u y c f g l m w b k p q x z. This, however, is their order, according to the number of words begun by each respectively, s c p a d i f b l b t, etc. The most frequent compounds are th, ng, ee, ll, mm, tt, dd, nn. Pray, Matthew, do you see any one sign repeated oftener than the others in this cryptograph?”

“Yes, 8; it is repeated twenty-three times,” said Fletcher, after a pause.

“Then you may be perfectly satisfied that it stands for e, which is used far oftener than any other letter in English. Next, look along the lines and see what letters most frequently accompany it.”

“2 § undoubtedly; it follows 8 in several places, and precedes it in others. In the third line we have 2 § 8 – 82 § – § 8 – 8 § 8 and then 2 § 8 again.”

“Then we may fairly assume that 2 § 8 stands for *the*.”

“*The*, to be sure,” burst forth Fletcher. “Now the next word will be money. No! it can’t be, the e will not suit; perhaps it is treasure, gold, hoard, store.”

“Wait a little bit,” I interposed. “Now look what letters are doubled.”

“88 and 22,” said my friend Mat.

“And please observe,” I continued, “that where I draw a line and write A you have e, then double t, then e again. Probably this is the middle of a word, and as we have already supposed 2

to stand for t, we have – ette –, a very likely combination. We may be sure of the t now. Near the end of the third line, there is a remarkable passage, in which the three letters we know recur continually. Let us write it out, leaving blanks for the letters we do not know, and placing the ascertained letters instead of their symbols. Then it stands – exthexeth – hexehexethe –. Now here I have a χ repeated four times, and from its position it must be a consonant. I will put in its place one consonant after another. You see r is the only one which turns the letters into words. —erthereth – here. here the —surely some of these should stand out distinctly separated —er there th – here. here the. Look! I can see at once what letters are wanting; th — between there and here must be than, and then \times here is, must be, where. So now I have found these letters,

$\delta = e, r = t, \xi = h, \chi = r, - = a, + = n, \# = w,$

and I can confirm the χ as r by taking the portion marked A–etter. Here we get an end of an adjective in the comparative degree; I think it must be better.”

“Let us next take a group of cyphers higher up; I will pencil over it D. I take this group because it contains some of the letters which we have settled – eathn. Eath must be the end of a word, for none begins with athn, thn, or hn. Now what letter will suit eath? Possibly h, probably d.”

“Yes,” exclaimed Fletcher, “Death, to be sure. I can guess it

all: 'Death is approaching, and I feel that a solemn duty devolves upon me, namely, that of acquainting Matthew Fletcher, my heir, with the spot where I have hidden my savings.' Go on, go on."

"All in good time, friend," I laughed. "You observe we can confirm our guess as to the sign) being used for *d*, by comparing the passage – 29§ –)*8228χ, which we now read, *t. had better*. But *t. had better* is awkward; you cannot make 9 into *o*; 'to had,' would be no sense."

"Of course not," burst forth Fletcher. "Don't you see it all? *I had better* let my excellent nephew know where I have deposited –"

"Wait a bit," interrupted I; "you are right, I believe. *I* is the signification of 9. Let us begin the whole cryptograph now: —*N.tethi.i.t.re.ind.e.*"

"*Remind me!*" cried Fletcher.

"You have it again," said I. "Now we obtain an additional letter besides *m*, for *t. remind me* is certainly *to remind me*. We must begin again: —*Note thi.i. to remind me.*"

"*This is,*" called out my excited friend, whose eyes were sparkling with delight and expectation. "Go on; you are a trump!"

"These, then, are our additional letters: –) = *d*, 7 = *m*, β = *s*, 9 = *i*, λ = *o*. *To remind me i.i. ee. m. death ni.h*; for *m. death*, I read *my death*, and *i. i. ee.*, I guess to be, *if I feel*. So it stands thus: – 'Note. – This is to remind me, if I feel my death nigh, that I had better –'"

I worked on now in silence; Fletcher, leaning his chin on his

hands, sat opposite, staring into my face with breathless anxiety. Presently I exclaimed:

“Halves, Mat! I think you said halves!”

“I – I – I – I – my very dear fellow, I – ”

“A very excellent man was your uncle; a most exemplary – ”

“All right, I know that,” said Fletcher, cutting me short. “Do read the paper; I have a spade and pick on my library table, all ready for work the moment I know where to begin.”

“But, really, he was a man in a thousand, a man of such discretion, such foresight, so much – ”

Down came Fletcher’s hand on the desk.

“Do go on!” he cried; and I could see that he was swearing internally; he would have sworn *ore rotundo*, only that it would have been uncivil, and decidedly improper.

“Very well; you are prepared to hear all?”

“All! by Jove! by Jingo! prepared for everything.”

“Then this is what I read,” said I, taking up my own transcript:

—
“Note. – This is to remind me, if I feel my death nigh, that I had better move to Birmingham, as burials are done cheaper there than here, where the terms of the Necropolis Company are exorbitant.”

Fletcher bounded from his seat. “The old skinflint! miser! screw!”

“A very estimable and thrifty man, your great-uncle.”

“Confounded old stingy – ,” and he slammed the door upon himself and the substantive which designated his uncle.

And now, the very best advice I can give to my readers, is to set to work at once on the simple cypher given near the commencement of this paper, and to find it out.

STRANGE WILLS

Of course we ought to begin with Adam's will, the father of all wills; and if we could produce that patriarchal document, we should undoubtedly find in it the germs of all the merits, faults, and eccentricities of wills to come. But, unfortunately, though a testament of Adam does exist, it is a forgery; and nothing will convince us to the contrary, – not even the Mussulman tradition, which asserts that on the occasion of our great forefather beginning to make his bequests, seventy legions of angels brought him sheets of paper and quill pens, nicely nibbed, all the way from Paradise; and that the Archangel Gabriel set to his seal as witness. What! four hundred and twenty thousand sheets of paper! – surely a needless consumption of material, when there was nothing to be bequeathed but a view over the hedge of an impracticable garden.

If we pass to Noah's testament, we are again among the apocrypha. In it, Noah portions his landed property, the globe, into three shares, one for each son: America is not included in the division for obvious reasons. It was left for "manners" sake, and manners has never got it.

The testament of the twelve Patriarchs must be glanced at, which is received as semi-canonical by the Armenian Church, though it is unquestionably apocryphal. Reuben speaks of sleep as having been in Paradise, only a sweet ecstasy; whereas, after

the Fall, it has become a continually recurring image of death. Simeon bewails his former hostility to Joseph; and relates, that his brother's bones were preserved in the Royal treasury of Egypt. Levi is oracular; Judah rejoices in the sceptre left to his race; Issachar unfolds the future of the Jews; Zebulun relates that the brethren supplied themselves with shoes from the money which they got by the sale of Joseph. There seems to be some allusion to this tradition in the Prophet Amos (ii. 6; viii. 6). Dan recommends his posterity to practise humility; Naphtali sees visions; Gad is contrite; Asher prophesies the coming of the Messiah; Joseph, the incarnation; Benjamin, the destruction of the Temple.

There exists a very curious and ancient testament of Job, which was discovered and published by Cardinal Maï, in 1839; it relates many details which we may look for in vain in the Canonical Book. In it Job's faithful wife, when reduced to the utmost poverty, sells the hair of her head to procure bread for her husband.

What a remarkable document a will is! It is the voice of a man now dead, coming back in the hush of a darkened house – from the vault, low and hoarse as an echo. It speaks, and people hearken; it commands, and people obey; law supports and enforces its wishes; no power on earth can alter it. We expect to hear the voice calm, earnest, and speaking true judgment; terrible indeed if it breaks out with a snarl of hate – more terrible still if it gibbers and laughs a hollow, ghost-like laugh. For, surely, the

most solemn moment of a life is that when the will is written: that will, which is to speak for man when the voice is passed as a dream; when the heart which devises it has ceased to throb; the head which frames it has done with thinking – under the fresh mould; the hand which pens it has been pressed, thin and white, against a cold shroud, to moulder with it; surely he who, at such a moment, can write words of hate must have a black heart, but he who ventures then to gibe and jest must have no heart at all.

There is some truth in the old ghost-creed; man *can* return after death; he does so in his will. He comes to some, as Jupiter came to Danaë, in a shower of gold; to others, as a blighting spectre, whose promised treasures turn to dust. What excitement the reading of a will causes in a family! and what interest does the world at large take in the bequests of a person of position! The last words of great men seem always to have possessed a peculiar value in the eyes of the people.

“Live, Brutus, live!” shouts the Roman mob in *Julius Cæsar*; but on hearing what Cæsar’s will promises, how

To every Roman citizen he gives, —
To every several man, – seventy-five drachmas.
His private arbours, and new-planted orchards,
On this side Tiber: he hath left them you,
And to your heirs for ever; —

then the mob changes note, and with one voice shouts, “To Brutus, to Cassius; – burn all!”

Testamenta hominum speculum esse morum vulgo creditur. – Plin. jun., 8 Ess. 18.

So they are! They are the last touch of the brush in the great picture of civilisation, manners, and customs, lightening it up.

Would that space permitted me to enter into the history of wills: a few curious particulars alone can we admit.

To die without having made a will was formerly regarded with horror. A very common custom in the Middle Ages was that of leaving considerable benefactions to the Church. This was well enough, but the clergy were not satisfied until it was made compulsory.

Ducange says that neglect of leaving to the Church indicated a profanity which deserved punishment by a refusal of the rites of the last sacraments and burial. The clergy of Brittany, in the fourteenth century, claimed a third of the household goods; the death-bed became ecclesiastical property in the diocese of Auxerre; and Clement V. settled the claims of the Church by deciding that the parish priest might take as his perquisite a ninth of all the movables in the house of the dead man, after the debts of the deceased had been paid off.

A sufficiency of historical notes. I will proceed at once – perhaps somewhat strangely – to give the reader a specimen of a will coming decidedly under the heading of this article. It is that of a *Pig*. The will is ancient enough. S. Jerome, in his “Proœmium on Isaiah,” speaks of it, saying, that in his time (fourth century) children were wont to sing it at school, amidst shouts of laughter.

Alexander Brassicanus, who died in 1539, was the first to publish it; he found it in a MS. at Mayence. Later, G. Fabricius gave a corrected edition of it from another MS. found at Memel, and, since then, it has been in the hands of the learned. The original is in Latin; I translate, modifying slightly one expression and omitting one bequest:

I, M. Grunnius Corocotta Porcellus, have made my testament, which, as I can't write myself, I have dictated.

Says Magirus, the cook: "Come along, thou who turnest the house topsy-turvy, spoiler of the pavement, O fugitive Porcellus! I am resolved to slaughter thee to-day."

Says Corocotta Porcellus: "If ever I have done thee any wrong, if I have sinned in any way, if I have smashed any wee pots with my feet; O Master Cook, grant pardon to thy suppliant!"

Says the cook Magirus: "Halloo, boy! go, bring me a carving-knife out of the kitchen, that I may make a bloody Porcellus of him."

Porcellus is caught by the servants, and brought out to execution on the xvi. before the Lucernine Kalends, just when young colewortsprouts are in plenty, Clybaratus and Piperatus being Consuls.

Now when he saw that he was about to die, he begged hard of the cook an hour's grace, just to write his will. He called together his relations, that he might leave to them some of his victuals; and he said:

I will and bequeath to my papa, Verrinus Lardinus, 30 bush. of acorns.

I will and bequeath to my mamma, Veturina Scrofa, 40 bush. of Laconian corn.

I will and bequeath to my sister, Quirona, at whose nuptials I may not be present, 30 bush. of barley.

Of my mortal remains, I will and bequeath my bristles to the cobblers, my teeth to squabblers, my ears to the deaf, my tongue to lawyers and chatterboxes, my entrails to tripemen, my hams to gluttons, my stomach to little boys, my tail to little girls, my muscles to effeminate parties, my heels to runners and hunters, my claws to thieves; and, to a certain cook, whom I won't mention by name, I bequeath the cord and stick which I brought with me from my oak-grove to the sty, in hopes that he may take the cord and hang himself with it.

I will that a monument be erected to me, inscribed with this, in golden letters:

M. Grunnius Corocotta Porcellus, who lived 999 years, – six months more, and he would have been 1000 years old.

Friends dear to me whilst I lived, I pray you to have a kindness towards my body, and embalm it well with good condiments, such as almonds, pepper, and honey, that my name may be named through ages to come.

O my masters and my comrades, who have assisted at the drawing up of this testament, order it to be signed.

(Signed)	Lucanicus.	Celsarus.
	Pergillus.	Lardio.
	Mystialicus.	Offellicus.
	Cymatus.	

Whilst on this subject we might say a word about the epitaph on the mule of P. Crassus; or about that written by Rapin on the ass, which, poor fellow, was eaten whilst in the flower of his age, during the siege of Paris, in 1590; or about Joachim du Bellay, who composed an epitaph on his cat; or about Justus Lipsius, who erected mausoleums for his three cats – Mopsus, Saphisus, and Mopsulus; but we are not writing on epitaphs or gravestones.

We proceed to give a few instances of animals which have received legacies.

If it is a keen trial for a husband to leave his wife, for a young man to be taken from his pleasures, or a commercial man from his business, can we wonder at old ladies feeling the wrench sharp which tears them from the society of their dear cats – the companions of their spinsterhood or widowhood; or at old bachelors being distressed at having to part with their faithful dogs? – to part with them for ever, too, unless we believe in the suggestion of Bishop Butler and Theodore Parker, that there is a future for beasts, and enjoy the confidence of Mr. Sewell of Exeter College, who dedicated one of his published poems “To my Pony in Heaven.”

The Count de la Mirandole, who died in 1825, left a legacy to his favourite carp, which he had nourished for twenty years in an antique fountain standing in his hall. In low life we find the same love for an animal displayed by a peasant of Toulouse, in 1781, who doted on his old chestnut horse, and left the following will:

I declare that I institute my chestnut horse sole legatee, and I wish him to belong to my nephew N.

This testament was attacked, but, curiously enough, it received legal confirmation.

The following clause from a will was in the English papers for March 1828:

I leave to my monkey, my dear, amusing Jackoo, the sum of 10*l.* sterling, to be enjoyed by him during his life; it is to be expended solely in his keep. I leave to my faithful dog, Shock, and to my beloved cat, Tib, 5*l.* sterling a-piece, as yearly pension. In the event of the death of one of the aforesaid legatees, the sum due to him shall pass to the two survivors, and on the death of one of these two, to the last, be he who he may. After the decease of all parties, the sum left them shall belong to my daughter G – , to whom I show this preference, above all my children, because she has a large family and finds a difficulty in filling their mouths and educating them.

But a more curious case still is that of Mr. Berkley of Knightsbridge, who died 5th May 1805. He left a pension of £25 per annum to his four dogs. This singular individual had spent the latter part of his life wrapped in the society of his curs, on whom he lavished every mark of affection. When any one ventured to remonstrate with him for expending so much money on their maintenance, or suggested that the poor were more deserving of sympathy than those mongrel pups, he would reply: “Men

assailed my life: dogs preserved it.” This was a fact, for Mr. B. had been attacked by brigands in Italy, and had been rescued by his dog, whose descendants the four pets were. When he felt his end approaching, he had his four dogs placed on couches by the sides of his bed. He received their last caresses, extended to them his faltering hand, and breathed his last between their paws. According to his desire, the busts of these favoured brutes were sculptured at the corners of his tomb.

In 1677, died Madame Dupuis, who, under her maiden name of Mademoiselle Jeanne Felix, had been known as a great musician. Her will was so extraordinary and malicious that it was nullified. To it was attached a memorandum, which is still more extraordinary. We shall not quote the passages wherein she vilifies her son-in-law, imputing to him every vice she can think of, but translate the final clause:

I pray Mademoiselle Bluteau, my sister, and Madame Calogne, my niece, to take care of my cats. Whilst these two live, they shall have thirty sous a month, that they may be well fed. They must have, twice a day, meat soup of the quality usually served on table; but they must be given it separately, each having his own saucer. The bread must not be crumbled in the soup, but cut up into pieces about the size of hazel-nuts, or they cannot eat it. When boiled beef is put into the pot with the soaked bread, some thin slices of raw meat must be put in as well, and the whole stewed till it is fit for eating. When only one cat lives, half the money will suffice. Nicole Pigeon shall take care of the cats, and

cherish them. Madame Calogne may go and see them.

Certainly people show their love in different ways. Councillor Winslow of Copenhagen (d. 24th June 1811) ordered by will that his carriage horses should be shot, to prevent their falling into the hands of cruel masters.

We need only mention the “cat and dog” money, which is yearly given to six poor weavers’ widows of the names of Fabry or Ovington, at Christ Church, Spitalfields, and which, according to tradition, was left in the first instance for the support of cats and dogs; and remind our readers of the cow and bull benefactions in several English parishes, where money has been left to the parish to provide cattle whose milk may go to the poor. The poor have been often remembered by testators, as our numerous almshouses, benefactions, and doles prove.

It were difficult to choose a better sample of a charitable bequest, which could properly come under our title, than the following simple and touching will of a French priest, Jean Certain, curé of a little parish in the Côte d’Or, who died in 1740, worth some £1200:

I brought with me nothing into my parish but my cassock and breviary, – these I leave to my heirs: the rest I bequeath to the poor of my parish.

Wives, poor bodies! do not come off well, for a crabbed husband will sometimes control and torment his good woman after he is dead and buried, or even play a bitter jest, as did one man, who left his wife 500 guineas, but with the stipulation that

she was not to enjoy it till after her death, when the sum was to be expended on her funeral. Or, as the author of the following:

Since I have had the misfortune of having had to wife Elizabeth M – , who, since our marriage, has tormented me in a thousand ways; and since, not content with showing her contempt for my advice, she has done everything that lay in her power to render my life a burden to me; so that Heaven seems only to have sent her into the world for the purpose of getting me out of it the sooner; and since the strength of Samson, the genius of Homer, the prudence of Augustus, the skill of Pyrrhus, the patience of Job, the subtlety of Hannibal, the vigilance of Hermogenes, would not suffice to tame the perversity of her character; and since nothing can change her, though we have lived separated for eight years, without my having gained anything by it but the loss of my son, whom she has spoiled, and whom she has persuaded to abandon me altogether; weighing carefully and attentively all these considerations, I have bequeathed, and do bequeath, to the aforesaid Elizabeth M – , my wife, *one shilling*.

The clause in Shakespeare's will must not be forgotten:

I gyve unto my wief, my second-best bed, with the furniture, and nothing else.

We hope that this was not intended as a spiteful jest; but men are irritable, and women are so trying! The best bed would not have been a bad gift, as the grand four-poster was an expensive article in Elizabethan days; but the second-best seems *rather*

a paltry legacy. However, as we are perfectly sure to have the noble army of Shakespearean commentators down upon us if we venture to impute other than the highest and purest of motives to their idol, for the sake of peace we are perfectly willing to believe the bed to have been the most valuable gift that could have been made, – that sovereigns, roses, and angels were stitched into the coverlets and stuffed into the pillows; just as the miser Tolam bequeathed:

To my sister-in-law, four old stockings which are under my bed, on the right.

Item: To my nephew, Tarles, two more old stockings.

Item: To Lieut. John Stone, a blue stocking, and my red cloak.

Item: To my cousin, an old boot, and a red flannel pocket.

Item: To Hammick, my jug without a handle.

Imagine the disgust of the legatees, till Hammick kicking the jug, smashed it, and out rolled a quantity of sovereigns. The stockings, boot, and flannel pocket were soon seized now, and found to be as auriferous as the old pot. Now why should not the second-best bed left to Mrs. Shakespeare have been as valuable a bequest?

Whilst talking about beds, let us not forget a very odd story. In the earlier part of this century, there lived in the neighbourhood of Caen, in Normandy, a Juge de Paix, M. Halloin, a great lover of tranquillity and ease; so much so indeed, that, as bed is the article of furniture most adapted to repose, he rarely

quitted it, but made his bed-chamber a hall of audience, in which he exercised his functions of Justice of Peace, pronouncing sentence, with his head resting on a pillow, and his body languidly extended on the softest of feather-beds. However, his services were dispensed with, and he devoted himself for the remaining six years of his life to still greater ease. Feeling his end approach, M. Halloin determined on remaining constant to his principle, and showing to the world to what an extent he carried his passion for bed. Consequently, his last will contained a clause expressing his desire to be buried at night, in his bed, comfortably tucked in, with pillows and coverlets as he had died. As no opposition was raised against the execution of this clause, a huge pit was sunk, and the defunct was lowered into his last resting-place, without any alteration having been made in the position in which death had overtaken him.

Boards were laid over the bed, that the falling earth might not disturb this imperturbable quietist.

Many testators leave directions for the treatment of their bodies: some are over-solicitous for their preservation, whilst others choose to show their contempt for that body, which, after all, will rise again. Dr. Ellerby, the Quaker, for instance, bequeathed his lungs to one friend and his brains to another, with a threat that he would haunt them if they refused to accept the legacy. Others, from motives of humility, act somewhat similarly. The Emperor Maximilian I. willed that his hair should be shorn, and his teeth brayed in a mortar and then burned

publicly in his chapel; also that his body should be buried in a sack with quicklime, beneath the foot-pace of the altar of S. George at Neustadt, so that his heart might be beneath the celebrant's feet. His intentions were carried out at the time; but afterwards his remains were translated to Inspruck, and they now lie under that goodly monument raised by Ferdinand I., his deeds graven tenderly in white marble about him, and eight-and-twenty mighty bronze paladins and princes standing guard about the choir wherein he sleeps.

If some folk leave injunctions about their bodies, others are as particular about their names. Henry *Green*, for instance, by will dated 22nd December 1679, gave to his sister, Catharine Green, during her life, all his lands in Melbourne, Derby, and after her decease to others in trust, upon condition that the said Catharine Green should give four green waistcoats to four poor women in a green old age, every year, such green waistcoats to be lined with green galloon lace, and to be delivered to the said poor women on or before 21st December, yearly, that they might be worn on Christmas Day.

That the good men do may live after them, at least on their tombstones, has induced some to leave money as bribes to the writers of their epitaphs. The Abbé de la Rivière, son of an appraiser of wood, who became Bishop-duke of Langres, devised 100 écus for that purpose. But La Monnoye wrote the following:

Here lies a notable personage,
Of family proud, of ancient lineage;
His virtues unnumbered, his knowledge profound,
Remarkably humble, remarkably wise; —
Come, come! for twenty-five pound,
I've told enough lies!

Another clause in the Abbé's will deserves to be recorded, from its pithiness:

To my steward, I leave *nothing*; because he has been in my service for eighteen years.

This reminds one of an anecdote told of the Cardinal Dubois, whose servants came to him every New Year's Day to present their congratulations, and to receive a New Year's box. When the steward came in his turn, the Cardinal said to him:

Monsieur, I present you with all that you have stolen from me.

The pleasure of receiving a legacy must be generally mingled with pain, more or less intense, according to the nearness of relationship of the deceased, or the affection we have had for him: but, when a plump legacy drops into our laps from a totally unexpected quarter, and left by one for whom we did not care, or possibly whom we did not know, — the amount of pain must be very minute. Such a case was that of a lady who came in for a large fortune from an eccentric individual to whom she had never spoken, though she had seen him at the opera, or in the park. The

wording of the will was:

I supplicate Miss B – to accept my whole fortune, too feeble an acknowledgment of the inexpressible sensations which the contemplation of her adorable nose has produced on me.

The following is as curious. A good citizen of Paris, who died about 1779, inserted this clause in his will:

Item: I leave to M. l'Abbé Thirty-thousand-men, 1200 livres a year: I do not know him by any other name, but he is an excellent citizen, who certified me in the Luxembourg, that the English, that ferocious people which dethrones its monarchs, will soon be destroyed.

On opening the testament, the executors were sorely puzzled to know who this Abbé Thirty-thousand-men could possibly be. At last, several people deposed that this citizen, a sworn enemy of the English and a great politician, had been wont every day to march up and down the Allé des Larmes in the Luxembourg; there he used to meet with an Abbé who had as great an abhorrence of the English as himself, and who was perpetually urging: – “Those English rascals aren't worth a straw. 30,000 men only are wanted, – 30,000 men raised, – 30,000 embarked, – 30,000 landed, – and London would be in the hands of 30,000 men. A mere trifle!”

This was verified, and the legacy was delivered over to the intrepid Abbé, who had little dreamed of the spoil his 30,000 men were to bring him.

There is a question which we have been asking ourselves repeatedly, and which we now put before the reader. Is it possible to classify these wills? We have tried to do so, and have failed in every attempt. First, we have distributed them according to the bequests contained in them; – legacies of money, goods, animals, persons. There is no reason which can justify such an arbitrary system. Then again, when we arrange them according to the motives of the testator, as, wills indited by a perverted moral sense, or those composed under the influence of an aberration of the intellect, then we are obliged to exclude that of Corocotta Porcellus, of Jean Certain, beside many others, which can hardly be forced into position under either of these heads. And it is because the mind of man is too intricate, his motives too involved, his feelings too transient, his principles too obscure, for us to divide and subdivide the actions springing from them, as we can settle the classes of molluscs, or determine the genera of butterflies, – that in this paper we have attempted nothing of the kind. For wills are, as has been shown, as diverse as the hearts of men, of which they are the transcripts. An anatomist may dissect the heart, may name and register every muscle and fibre, – but he can tell us nothing of the motives which impelled that heart to throb faster, or chilled it to a sudden stillness. The bitterness of hate has left no poison in its cavities, in it the fleeting passion has set no seal, emotion left no trace, pity relaxed no nerve. The impulses which brought forth so full a leafage of action are lost, as the sap from the bare tree.

So surely as the berry indicates the soundness of the root, the flower of the bulb, so does man's last will tell of the goodness or foulness of the heart which conceived it. The cankered root sends up only a sickly germ, which brings forth no fruit in due season; whilst the wine that maketh glad the heart of man, the oil which maketh him a cheerful countenance, and the bread that strengthens his heart, have burst from roots which mildew has never marred, nor worm fretted.

QUEER CULPRITS

According to Jewish law, "If an ox gore a man or a woman that they die, then the ox shall be surely stoned, and his flesh shall not be eaten: but the owner of the ox shall be quit." After giving this command, Moses proceeds to enforce the doctrine of the responsibility of the beast's owner, and to ensure his punishment, should he wittingly let a dangerous animal run loose; also to make provision for his security under some extenuating circumstances. These commands were carried into the laws of mediæval Europe; the jurists, at the same time, introducing refinements of their own, and enforcing them in numerous cases, which afford matter for curious inquiry, and are full of technicalities and peculiarities, at once amusing and instructive, as throwing light on the customs and habits of thought in those times.

Now take the case of a child injured by a sow, or a man killed by a bull: the trial was conducted in precisely the same manner as though sow and bull were morally criminal. They were apprehended, placed before the ordinary tribunal, and given over to execution.

Again: an inroad of locusts or snails takes place. Common law is helpless, it may pronounce judgment, but who is to execute its decrees? Temporal power being palpably unavailing, the spiritual tribunal steps in; the decision of the magistrates being useless, perhaps excommunication may suffice. This, then, was

an established maxim. If the criminal could be reached, he was handed over to the ordinary courts of justice; if, however, the matter was beyond their control, he fell within the jurisdiction of Ecclesiastical Courts. Poor culprit, not a loophole left by which to escape!

Let us consider the manner of proceeding under the former circumstance. A bull has caused the death of a man. The brute is seized and incarcerated; a lawyer is appointed to plead for the delinquent; another is counsel for the prosecution. Witnesses are bound over, the case is heard, and sentence is given by the judge, declaring the bull guilty of deliberate and wilful murder; and, accordingly, that it must suffer the penalty of hanging or burning.

The following cases are taken from among numerous others, and will afford examples:

A.D. 1266. A pig burned at Fontenay-aux-Roses, near Paris, for having devoured a child.

1386. A judge at Falaise condemned a sow to be mutilated in its leg and head, and then to be hanged, for having lacerated and killed a child. It was executed in the square, dressed in man's clothes. The execution cost six sous, six deniers, and a new pair of gloves for the executioner, that he might come out of the job with clean hands.

1389. A horse tried at Dijon, on information given by the magistrates of Montbar, and condemned to death, for having killed a man.

1499. A bull was condemned to death at Cauroy, near

Beauvais, for having in a fury “occis” a little boy of fourteen or fifteen years old.

A farmer of Moisy let a mad bull escape. The brute met and gored a man so severely that he only survived a few hours. Charles, Count de Valois, having heard of the accident whilst at his château of Crépy, ordered the bull to be seized and committed for trial. This was accordingly done. The officers of the Count de Valois gathered all requisite information, received the affidavits of witnesses, established the guilt of the bull, condemned it to be hanged, and executed it on the gibbet of Moisy-le-Temple. The death of the beast thus expiated that of the man. But matters did not stop here. An appeal against the sentence of the Count’s officers was lodged before the Candlemas parliament of 1314 – drawn up in the name of the Procureur de l’Hôpital at Moisy, declaring the officers to have been incompetent judges, having no jurisdiction within the confines of Moisy, and as having attempted to establish a precedent. The parliament received and investigated the appeal, and decided that the condemnation of the bull was perfectly just, but found that the Count de Valois had no judicial rights within the territory of Moisy, and that his officers had acted illegally in taking part in the affair.

Here is a list of the expenses incurred on the occasion of a sow’s execution for having eaten a child: —

To the expenditure made for her whilst in jail	6 sols
<i>Item.</i> To the executioner, who came from Paris to Meulan to put the criminal to death, by orders of the bailiff and the Procureur du Roi	54 sols
<i>Item.</i> To a conveyance for conducting her to execution	6 sols
<i>Item.</i> To cords to tie and bind her	2 sols 8 deniers
<i>Item.</i> To gloves	2 deniers

The charter of Eleanora, drawn up in 1395, and entitled “Carta de logu,” containing the complete civil and criminal code for Sardinia, enjoins that oxen and cows, whether wild or domesticated, may be legally killed when they are taken marauding. Asses convicted of similar delinquencies – common enough, by the way – are treated more humanely. They are considered in the same light as thieves of a higher order in society. The first time that an ass is found in a cultivated field not belonging to its master, one of its ears is cropped. If it commits the same offence again, it loses the second ear; should the culprit be hardened in crime, and inveterate enough to trespass a third time, it is not hanged, does not even lose its tail, but is confiscated to the Crown and goes to swell the royal herd.

During the fourteenth and fifteenth centuries, the guilty animals suffered death on the gallows, and our sires considered that such a punishment must strike terror into the minds of all cattle-owners and jobbers, so as effectually to prevent them from suffering their beasts to stray at large over the country. Later on, however, these capital condemnations were done away with, the proprietor of the animal was condemned to pay damages, and the criminal was killed without trial.

One more specimen, and we shall pass to cases coming under Ecclesiastical Courts.

Country folk believe still that cocks lay eggs. This is an old superstition, people holding, formerly, that from these accursed eggs sprang basilisks, or horrible winged serpents.

Gross relates, in his *Petite Chronique de Bâle*, that in the month of August 1474, an abandoned and profligate cock of that town was accused of the crime of having laid one of these eggs, and was brought before the magistrates, tried, convicted, and condemned to death.

The court delivered over the culprit to the executioner, who burned it publicly, along with its egg, in a place called Kohlenberger, amidst a great concourse of citizens and peasants assembled to witness such a ludicrous execution.

The poor cock no doubt suffered on account of the belief prevalent at the period that it was in league with the devil. A cock was the offering made by witches at their sabbaths, and as these eggs were reputed to contain snakes – reptiles particularly grateful to devils – it was taken as a proof of the cock having been engaged in the practice of sorcery.

The annals of Ireland relate that in 1383 a cock was convicted of a similar offence in that island, and that it suffered at the stake; the heat of the flames burst the egg, and there issued forth a serpent-like creature, which, however, perished in the fire.

We shall pass now to the second part of our subject – namely, proceedings against snails, flies, mice, moles, ants, caterpillars,

etc.

It has frequently happened, in all parts of the world, that an unusual number of vermin have made their appearance and destroyed the garden produce, or that flies have been so abundant as to drive the cattle mad from their bites. In such cases the sufferers had recourse to the Church, which hearkened to their complaints and fulminated her anathema against the culprits. The method of proceeding much resembled that already stated as being in vogue in the ordinary tribunals. The plaintiff appointed counsel, the court accorded a counsel to the defendants, and the ecclesiastical judge summed up and gave sentence.

All requisite forms of law were gone through with precision and minuteness. As a specimen we shall extract some details from a consultation on the subject, made by Bartholomew de Chasseneux, a noted lawyer of the sixteenth century.

After having spoken, in the opening, of the custom among the inhabitants of Beaume of asking the authorities of Autun to excommunicate certain insects larger than flies, vulgarly termed *hureburs*, a favour which was invariably accorded them, Chasseneux enters on the question whether such a proceeding be right. The subject is divided into five parts, in each of which he exhibits vast erudition.

The lawyer then consoles the inhabitants of Beaunois with the reflection that the scourge which vexes them devastates other countries. In India the *hureburs* are three feet long, their legs are armed with teeth, which the natives employ as saws. The

remedy found most effectual is to make a female in the most *dégagé* costume conceivable perambulate the canton with bare feet. This method, however, is open to grave objections on the score of decency and public morality.

The advocate then discusses the legality of citing insects before a court of justice. He decides that such a summons is perfectly justifiable. He proceeds to inquire whether they should be expected to attend in person, and, in default of their so doing, whether the prosecution can lawfully be carried on. Chasseneux satisfies himself and us that this is in strict accordance with law.

The sort of tribunal before which the criminals should be cited forms the next subject of inquiry. He decides in favour of the Ecclesiastical Courts. The advocate proceeds to convince his readers, by twelve conclusive arguments, that excommunication of animals is justifiable; having done so, he brings forward a series of examples and precedents. He asserts that a priest once excommunicated an orchard, whither children resorted to eat apples, when – naughty chicks! – they ought to have been at church. The result was all that could have been desired, for the trees produced no fruit till, at the request of the Dowager Duchess of Burgundy, the inhibition was removed.

He mentions, as well, an excommunication fulminated by a bishop against sparrows, which, flying in and out of the church of S. Vincent, left their traces on the seats and desks, and in other ways disturbed the faithful. Saint Bernard, be it remembered, whilst preaching in the parish church of Foligny, was troubled

by the incessant humming of the flies. The saint broke off his sermon to exclaim, "O flies! I denounce you!" The pavement was instantaneously littered with their dead bodies.

Saint Patrick, as every one knows, drove the serpents out of Ireland by his ban.

This is the form of excommunication as given by Chasseneux: – "O snails, caterpillars, and other obscene creatures, which destroy the food of our neighbours, depart hence! Leave these cantons which you are devastating, and take refuge in those localities where you can injure no one. I. N. P.," etc.

Chasseneux obtained such credit from this opinion that, in 1510, he was appointed by the authorities of Autun to be advocate for the rats, and to plead their cause in a trial which was to ensue on account of the devastation they committed in eating the harvest over a large portion of Burgundy.

In his defence, Chasseneux showed that the rats had not received formal notice; and, before proceeding with the case, he obtained a decision that all the priests of the afflicted parishes should announce an adjournment, and summon the defendants to appear on a fixed day.

At the adjourned trial, he complained that the delay accorded his clients had been too short to allow of their appearing, in consequence of the roads being infested with cats. Chasseneux made an able defence, and finally obtained a second adjournment. We believe that no verdict was given.

In a formulary of exorcisms, believed to have been drawn up

by S. Gratus, Bishop of Aosta, in the ninth century, we find unclean beasts excommunicated as agents of Satan.

From such a superstition as this sprang the numerous legends of the Evil One having been exorcised into the form of a beast; as, for instance, by S. Taurinus of Evreux, and by S. Walther of Scotland, who died in 1214, and who charmed the devil into the shapes of a black dog, pig, wolf, rat, etc. The devil Rush, in the popular mediæval tale of *Fryer Rush*, was conjured into a horse, and made to carry enough lead on his back to roof a church.

Felix Malleolus relates that William, Bishop of Lausanne, pronounced sentence against the leeches which infested the Lake of Geneva and killed the fish, and that the said leeches retreated to a locality assigned them by the prelate. The same author relates at large the proceedings instituted against some mosquitoes in the thirteenth century in the Electorate of Mayence, when the judge before whom they were cited granted them, on account of the minuteness of their bodies and their extreme youth, a curator and counsel, who pleaded their cause and obtained for them a piece of land to which they were banished.

On the 17th of August 1487, snails were sentenced at Mâcon. In 1585, caterpillars suffered excommunication in Valence. In the sixteenth century, a Spanish bishop, from the summit of a rock, bade all rats and mice leave his diocese, and betake themselves to an island which he surrendered to them. The vermin obeyed, swimming in vast numbers across the strait to their domain.

In 1694, during the witch persecutions at Salem, in New England, under the Quakers Increase and Cotton Mather, a dog was strangely afflicted, and was found guilty of having been ridden by a warlock. The dog was hanged. Another dog was accused of afflicting others, who fell into fits the moment it looked upon them; it was also put to death. A Canadian bishop in the same century excommunicated the wood-pigeons; the same expedient was had recourse to against caterpillars by a grand vicar of Pont-du-Château, in Auvergne, as late as the eighteenth century.

The absurdity of these trials called forth several treatises during the middle ages. Philip de Beaumanoir in the thirteenth century, in his *Customs of Beauvoisis*, complained of their folly; and in 1606, Cardinal Duperron forbade any exorcism of animals, or the use, without license, of prayers in church for their extermination.

A book published in 1459, *De Fascino*, by a Spanish Benedictine monk, Leonard Vair, holds up the practice to ridicule. Eveillon, in his *Traité des Excommunications*, published in 1651, does the same.

One curious story more, and we shall give a detailed account of one of these trials.

We have taken this from Benoit's *Histoire de l'Edit de Nantes* (tom. v. p. 754), and give a translation of the writer's own words. "The Protestant chapel at La Rochelle was condemned to be demolished in 1685. The *bell* had a fate sufficiently droll: it was

whipped, as a punishment for having assisted heretics; it was then buried, and disinterred, in order to represent its new birth in passing into the hands of Catholics... It was catechised, and had to reply; it was compelled to recant, and promise never again to relapse into sin; it then made ample and honourable recompense. Lastly, it was reconciled, baptized, and given to the parish which bears the name of Saint Bartholomew. But the point of the story is, that when the governor, who had sold it to the parish, asked for payment, the answer made him was, that it had been Huguenot, that it had been *newly converted*, and that consequently it had a right to demand a delay of three years before paying its debts, according to the law passed by the king for the benefit of those recently converted!"

We propose now giving the particulars of a remarkable action brought against some ants, towards the commencement of the eighteenth century, for violation of the rights of property. It is related by P. Manoel Bernardes in his *Nova Floresta* (Lisbóa, 1728), and is quoted by M. Emile Agnel among his *Curiosités Judiciaires et Historiques*; to whom and to the paper of M. Menabréa, entitled "Procès fait aux Animaux," in the twelfth volume of the *Transactions of the Chambéry Society*, we are indebted for much of our information.

Action brought by the Friars Minor of the province of Pridade no Maranhao in Brazil, against the ants of the said territory.

"It happened, according to the account of a monk of the

said order in that province, that the ants, which thereabouts are both numerous, large, and destructive, had, in order to enlarge the limits of their subterranean empire, undermined the cellars of the Brethren, burrowing beneath the foundations, and thus weakening the walls which daily threatened ruin. Over and above the said offence was another, they had burglariously entered the stores, and carried off the flour which was kept for the service of the community. Since the hostile multitudes were united and indefatigable night and day —

Parvula, nam exemplo est, magni formica laboris
Ore trahit quodcumque potest, atque addit acervo
Quern struit ... (Horace, *Sat.* i.) —

the monks were brought into peril of famine, and were driven to seek a remedy for this intolerable nuisance: and since all the means to which they resorted were unavailing, the unanimity of the multitude being quite insurmountable, as a last resource, one of the friars, moved by a superior instinct (we can easily believe that), gave his advice that, returning to the spirit of humility and simplicity which had qualified their seraphic founder, who termed all creatures his brethren — brother Sun, brother Wolf, sister Swallow, etc. — they should bring an action against their sisters the Ants before the divine tribunal of Providence, and should name counsel for defendants and plaintiffs; also that the bishop should, in the name of supreme Justice, hear the case and give judgment.

“The plan was approved of; and after all arrangements had been made, an indictment was presented by the counsel for the plaintiffs, and as it was contested by the counsel for the defendants he produced his reasons, requiring protection for his clients. These latter lived on the alms which they received from the faithful, collecting offerings with much labour and personal inconvenience; whilst the ants, creatures whose morals and manner of life were clearly contrary to the Gospel precepts, and were regarded with horror on that account by S. Francis, the founder of the confraternity, lived by fraud; and not content with acts of larceny, proceeded to open violence and endeavours to ruin the house. Consequently they were bound to show reason, or in default be concluded that they should all be put to death by some pestilence, or drowned by an inundation; at all events, should be exterminated from the district.

“The counsel for the little black folk, replying to these accusations, alleged with justice to his clients, in the first place: That, having received from their Maker the benefit of life, they were bound by a law of nature to preserve it by means of those instincts implanted in them. *Item*, That in the observance of these means they served Providence, by setting men an example of those virtues enjoined on them, viz. prudence – a cardinal virtue – in that they (the ants) used forethought, preparing for an evil day: ‘Formicæ populus infirmus, qui præparat in messe cibum sibi’ (Prov. xxx. 25); diligence, also, in amassing in this life merits for a life to come according to Jerome: ‘Formica

dicitur strenuus quisque et providus operarius, qui presenti vita, velut in æstate, fructus justitiæ, quos in æternum recipiet, sibi recondit' (S. Hieron., in Prov. vi.); thirdly, charity, in aiding each other, when their burden was beyond their strength, according to Abbat Absalon: 'Pacis et concordiaë vivum exemplum formica reliquit, quæ suum comparem, forte plus justo oneratum, naturali quadam charitate alleviat' (Absalon apud Picinellum, in *Mundo symbolico*, 8); lastly, of religion and piety, in giving sepulture to the dead of their kind, as writes Pliny, 'sepeliuntur inter se viventium solæ, præter hominem' (Plin., lib. xi. 36); an opinion borne also by the monk Malchus, who observes, 'Hæ luctu celebri corpora defuncta deportabant' (S. Hieron., in *Vita Malchi*).

“*Item*, That the toil these ants underwent far surpassed that of the plaintiffs, since their burdens were often larger than their bodies, and their courage greater than their strength.

“*Item*, That in the eyes of the Creator men are regarded as ‘worms’; on account of their superior intelligence, perhaps superior to the defendants, but inferior to them morally, from having offended their Maker, by violating the laws of reason, though they observed those of nature. Wherefore they rendered themselves unworthy of being served or assisted by any creatures, since they (men) had committed greater crimes against heaven than had the clients of this learned counsel in stealing their flour.

“*Item*, That his clients were in possession of the spot in question before the appellants had established themselves there; consequently that the monks should be expelled from lands to

which they had no other right than a seizure of them by main force.

“*Finally*, he concluded that the plaintiffs ought to defend their house and meal by human means which they (the defendants) would not oppose; whilst they (the defendants) continued their manner of life, obeying the law imposed on their nature, and rejoicing in the freedom of the earth; for the earth belongs not to the plaintiffs but to the Creator: ‘Domini est terra et plenitudo ejus.’

“This answer was followed by replies and counter-replies, so that the counsel for the prosecution saw himself constrained to admit that the debate had very much altered his opinion of the criminality of the defendants. He had, the learned counsel for the defendants argued, admitted that the action was brought by brethren against sisters, brethren Monks against sister Ants. The sister Ants, conform to the law of nature imposed on them, continued the counsel for the insects; the brother Monks, claiming to be ruled by an additional law, that of reason, violate it, so that they place themselves only under the law of animal instinct, the same which regulates the ants. The latter are not raised to the level of man, but the friars have lowered themselves to that of brutes. Consequently, the action is not between man and beast, but between beast and beast. All arguments founded on the assumption of higher intelligence in man consequently break down.

“The judge revolved the matter carefully in his mind, and

finally rendered judgment, that the Brethren should appoint a field in their neighbourhood, suitable for the habitation of the Ants, and that the latter should change their abode immediately under pain of major excommunication. By such an arrangement both parties would be content and be reconciled; for the Ants must consider that the Monks had come into the land to sow there the seed of the Gospel, and that they themselves could easily obtain a livelihood elsewhere, and at less cost. This sentence having been given, one of the friars was appointed to convey it to the insects, which he did, reading it aloud at the openings of their burrows.

“Wondrous event! ‘It nigrum campis agmen,’ one saw dense columns of the little creatures, in all haste, leaving their ant-hills, and betaking themselves direct to their appointed residence.”

Manoel Bernardes adds, that this sentence was pronounced on the 17th of January 1713, and that he saw and examined the papers referring to this transaction, in the monastery of Saint Anthony, where they were deposited.

GHOSTS IN COURT

The following very curious story is from the *Eyrbyggja Saga*, one of the oldest and noblest of the Icelandic histories. As it results in an action unique in its way, – a lawsuit brought against a party of ghosts who haunted a house, – it well merits attention from all lovers of curiosities.

In the summer of 1000, the year in which Christianity was established in Iceland, a vessel came off the coast near Snæfellness, full of Irish and natives of the Hebrides, with a few Norsemen among them; the ship came from Dublin, and lay alongside of Rif, waiting a breeze which might waft her into the firth to Dögvertharness. Some people went off in boats from the ness to trade with the vessel. They found on board a Hebridean woman called Thorgunna, who, hinted the sailors, had treasures of female attire in her possession the like of which had never been seen in Iceland. Now when Thurida, the housewife at Frod river, heard this, she was all excitement to get a glimpse of these treasures, for she was a dashing, showy sort of a woman. She rowed out to the ship, and on meeting Thorgunna, asked her if she had really some first-rate ladies' dresses? Of course she had, was the answer; but she was not going to part with them to any one. Then might she see them? humbly asked Thurida. Yes, she might see them. So the boxes were opened, and the Iceland lady examined the foreign apparel. It was good, but not so very

remarkable as she had anticipated; on the whole she was a bit disappointed, still she would like to purchase, and she made a bid. Thorgunna at once refused to sell. Thurida then invited the Hebridean lady home on a visit, and the stranger, only too glad to leave the vessel, accepted the invitation with alacrity.

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