

VARIOUS

NOTES AND QUERIES,
NUMBER 34, JUNE 22,
1850

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Notes and Queries, Number 34, June 22, 1850 / A Medium of Inter-communication for Literary Men, Artists, Antiquaries, Genealogists, etc.:

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Notes

**THE "AGAPEMONE" OF
THE SIXTEENTH CENTURY**

As it is not generally known that the "Agapemone" had a prototype in the celebrated *Family of Love*, some account of this "wicked sect" may not at this moment be without interest to your readers:—

"Henry Nicholas, a Westphalian, born at Munster, but who had lived a great while at Amsterdam, and some time likewise at Embden, was the father of this family.

He appeared upon the stage about the year 1540, styled himself the *deified man*, boasted of great matters, and seemed to exalt himself above the condition of a human creature. He was, as he pretended, greater than Moses and Christ, because Moses had taught mankind to *hope*, Christ to *believe*, but he to *love*; which last being of more worth than both the former, he was consequently greater than both those prophets."—See Brandt's *Hist. of the Reform, &c., in the Low Countries*, vol. i. p. 105, ed. 1720.

According to some writers, however, the sect was not founded by Henry Nicholas, but by David George, an Anabaptist enthusiast of Delft, who died in 1556; and indeed there is some reason to believe that the *Family of Love* grew out of the heresies of the said George, with whom Nicholas had been on friendly terms.

"'Not content,' says Fuller, speaking of Nicholas, 'to confine his errors to his own country, over he comes into England, and in the latter end of the reign of Edward the Sixth, joyned himself to the Dutch congregation in London, where he seduced a number of artificers and silly women.'"—*Church. Hist.*, p. 112, ed. 1655.

On the 12th of June, 1575, according to the historian Hollinshed,

"Stood at Paule's Crosse five persons, Englishmen, of the sect termed the Familie of Love, who there confessed themselves utterlie to detest as well the author of that sect,

H. N., as all his damnable errors and heresies."

A curious little volume on the history and doctrines of this sect appeared in the year 1572, from the pen of John Rogers, entitled *The Displaying of an horrible Secte of grosse and wicked Heretiques, naming themselves the Family of Love, with the Lives of their Authors, and what Doctrine they teach in Corners. Imprinted at London for George Bishop. 1579. 12mo.* Christopher Vittall, a joiner of Southwark, who had been infected with the doctrine of Arius some twenty years before, and whose credit was great amongst the *Family of Love*, was at this period actively engaged in teaching their doctrines. He travelled about the country to disseminate them; and was likewise author of a little book, in reply to Roger's *Displaying* of the sect, printed in the same year.

At the close of the year 1580 the sect was increasing so rapidly in England, that the government took active measures for its suppression, and the Queen issued a proclamation to search for the "teachers or professors of the foresaid damnable sect," and to "proceed severelie against them." This proclamation may be seen in Hollinshed and in Camden's *Annals*.¹

After the death of Queen Elizabeth—

"The Family of Love (or Lust rather)," according to Fuller, "presented a tedious petition to King James, so that it is questionable whether his Majesty ever graced it with his perusall, wherein they endeavoured to cleare themselves

¹ **Footnote 1:**It was reprinted in Notes and Queries, Vol. i. p. 17.

from some misrepresentations, and by fawning expression to insinuate themselves into his Majesty's good opinion."

After printing the petition Fuller proceeds—

"I finde not what effect this their petition produced, whether it was slighted and the petitioners looked upon as inconsiderable, or beheld as a few frantick folk out of their wits, which consideration alone often melted their adversaries' anger into pity unto them. The main design driven on in the petition is, to separate themselves from the Puritans (as persons odious to King James), that they might not fare the worse for their vicinity unto them; though these Familists could not be so desirous to leave them as the others were glad to be left by them. For if their opinions were so senseless, and the lives of these Familists so sensuall as is reported, no *purity* at all belonged unto them."

The *Family of Love*, after being exposed and ridiculed both in "prose and rime," finally "gave up the ghost," and was succeeded by another "wicked sect" denominated the *Ranters*.

Edward F. Rimbault.

PUNISHMENT OF DEATH BY BURNING

A woman was strangled and burnt for coining in front of the Debtors door, Newgate, on the 10th of March, 1789. I believe this to be the last instance in which this old punishment was inflicted, at least in the metropolis. The burning part of the ceremony was abolished by the 30 Geo. III., c. 48., and death by hanging made the penalty for women in cases of high or petty treason. E. S. S. W.'s informants are wrong in supposing that the criminals were burnt whilst living. The law, indeed, prescribed it, but the practice was more humane. They were first strangled; although it sometimes happened that, through the bungling of the executioner, a criminal was actually burnt alive, as occurred in the celebrated case of Katherine Hayes, executed for the murder of her husband in 1726. The circumstances of this case are so remarkable, that, having referred to it, I am induced to recapitulate the chief of them, in the belief that they will interest your readers. Hayes, who was possessed of some little property, lodged with his wife Katherine in Tyburn, now Oxford Road. Mrs. Hayes prevailed upon two men, named Billings (who lodged in the house) and Wood, a friend of Hayes, to assist her in murdering her husband. To facilitate that object, Hayes was induced to drink the enormous quantity of seven bottles (at that time full quarts) of Mountain wine, besides other intoxicating

drinks. After finishing the seventh bottle he fell on the floor, but soon after arose and threw himself on a bed. There, whilst in a state of stupefaction, he was despatched by Billings and Wood striking him on the head with a hatchet. The murderers then held council as to the best mode of concealing their crime, and it was determined that they should mutilate and dispose of the body. They cut off the head, Mrs. Hayes holding a pail to catch the blood; and she proposed that the head should be boiled until the flesh came from the skull. This advice was rejected on account of the time which the process suggested would occupy, and Billings and Wood carried the head in the pail (it was at night) to the Horseferry at Westminster, and there cast it into the Thames. On the following day the murderers separated the limbs from the body, and wrapping them, together with the trunk, in two blankets, carried them to Marylebone fields, and placed them in a pond. Hayes' head not having been carried away by the tide, as the murderers expected it would have been, was found floating at the Horseferry in the morning. The attention of the authorities was drawn to the circumstance, and the magistrates being of opinion that a murder had been committed, caused the head to be washed and the hair combed out, and then had it placed on a pole and exposed to public view in St. Margaret's churchyard, in the hope that it might lead to the discovery of the suspected crime. Great crowds of persons of all ranks flocked to St. Margaret's churchyard to see the head, and amongst the rest a young man named Bennett, who perceiving the likeness to Hayes,

whom he knew, immediately went to Mrs. Hayes on the subject; but she assured him that her husband was alive and well, which satisfied him. A journeyman tailor, named Patrick, also went to see the head, and on his return told his fellow workmen that it was Hayes. These workmen, who also had known Hayes, then went to look at the head, and felt the same conviction. It happened that Billings worked at the same shop in which these men were employed in Monmouth Street, and when he came to work next morning, they told him of the circumstance. Billings, however, lulled their suspicions by declaring that he had left Mr. Hayes at home that morning. After the head had been exhibited for four days in the churchyard, the magistrates caused it to be placed in spirits, in a glass vessel, and in that state it continued to be exposed to public view. Two friends of Hayes, named Ashley and Longmore, who had seen the head without imagining that it was his, some time after called on Mrs. Hayes, on separate occasions, to inquire for her husband, whose absence began to be noticed. Ashley and Longmore were mutual friends, and their suspicions being excited by the contradictory statements which Mrs. Hayes had given to them, they went to look again at the head, when a minute examination satisfied them that it had belonged to Hayes. The apprehension of the murderers was the result. On the day they were brought up for examination, the trunk and limbs of the murdered man were found. Wood and Billings confessed and pleaded guilty. Katherine Hayes put herself on her country, was tried and convicted. Wood died in prison. Billings was hanged

in Marylebone fields, near the pond in which Hayes's body had been concealed. Katherine Hayes was executed at Tyburn, under circumstances of great horror; for, in consequence of the fire reaching the executioner's hands, he left his hold of the rope with which he ought to have strangled the criminal, before he had executed that part of his duty, and the result was, that Katherine Hayes was burnt alive. The wretched woman was seen, in the midst of flames, pushing the blazing faggots from her, whilst she yelled in agony. Fresh faggots were piled around her, but a considerable time elapsed before her torments ended. She suffered on the 3rd of November, 1726. This tragedy forms the subject of a comic ballad which is attributed to Swift.

C. Ross.

The communication of E. S. S. W. (Vol. ii., p. 6.), which is as interesting as it is shocking, induces me to send you a short extract from *Harrison's Derby and Nottingham Journal, or Midland Advertiser*. The number of this journal which is dated Thursday, September 23, 1779, contains as follows:—

"On Saturday two prisoners were capitally convicted at the Old Bailey of high treason, viz. Isabella Condon, for coining shillings in Cold-Bath-Fields; and John Field, for coining shillings in Nag's Head Yard, Bishopsgate Street. They will receive sentence to be drawn on a hurdle to the place of execution; *the woman to be burnt*, and the man to be hanged."

I presume that the sentence which the woman underwent was

not executed. The barbarous fulfilment of such a law was, it may be hoped, already obsolete. The motives, however, upon which this law was grounded is worth noting:—

"In treason of every kind," says Blackstone, "the punishment of women is the same, and different from that of men. For, *as the decency due to the sex forbids the exposing and publicly mangling their bodies*, their sentence (which is to the full as terrible to sensation as the other) is to be drawn to the gallows, and there to be burned alive." "But," says the foot-note, "by the statute 30 Geo. III. c. 48., women convicted in all cases of treason, shall receive judgment to be drawn to the place of execution, and there to be hanged by the neck till dead."

The law, therefore, under which a woman could be put to death by burning, was repealed in 1790.

Blackstone elsewhere says:—

"The humanity of the English nation has authorized, by a tacit consent, an almost general mitigation of such part of those judgments as savours of torture and cruelty: a sledge or hurdle being usually allowed to such traitors as are condemned to be drawn; and there being very few instances (and those accidental or by negligence) of any persons being embowelled or burned, till previously deprived of sensation by strangling."

This corroborates the conclusion of E. S. S. W., that the woman he describes was strangled at the stake to which her neck was bound.

I wish to suggest to any of your legal or other well-informed correspondents, who will have the kindness to take a little trouble for the benefit of your general readers, that an instructive and interesting communication might be made by noting down the periods at which the various more revolting punishments under the English law were repealed, or fell into disuse. For instance, when torture, such as the rack, was last applied; when embowelling alive and quartering ceased to be practised; and whose was the last head that fell under the axe's bloody stroke. A word also on the use of the pillory, ducking-stool, stocks, &c. would interest. Any illustrations of the modification of our penal code would throw valuable light on the philosophy and improvement of the national character. And I believe it would appear that the Reformation gradually swept away the black horrors of the torture-room; that the butchery of the headsman's block ceased at the close of the civil contest which settled the line of regal succession; and that hanging, which is the proper death of the cur, is now reserved for those only who place themselves out of the pale of humanity by striking at human life.

Alfred Gatty.

Ecclesfield.

E. S. S. W. (Vol. ii., p. 6.) will find a case of burning in *Dodsley's Annual Register*, 1769, p. 117.: a Susannah Lott was burned for the murder of her husband at Canterbury, Benjamin Buss, her paramour, being hanged about fifteen minutes before she was burned.

T. S. N.

FOLK LORE

Death-bed Mystery.—In conversation with an aged widow,—as devout and sensible as she is unlettered,—I yesterday learned a death-bed mystery which appeared new to me, and which (if not more commonly known than I take it to be) you may perhaps think worthy of a place in "Notes and Queries," to serve as a minor satellite to some more luminous communication, in reply to B. H. at Vol. i., p. 315. My informant's "*religio*" (as she appears to have derived it by tradition from her mother, and as confirmed by her own experience in the case of a father, a husband, several children, and others), is to the effect that a considerable interval *invariably* elapses between the first semblance of death, and what she considers to be the departure of the soul.

About five minutes after the time when death, to all outward appearance, has taken place, "the last breath," as she describes, may be seen to issue with a vapour, or "steam," out of the mouth of the departed.

The statement reminds me of Webster's argument, in his *Display of supposed Witchcraft*, chap. xvi., where, writing of the bleeding of corpses in presence of their murderers, he observes:

"If we physically consider the union of the soul with the body by the mediation of the spirit, then we cannot rationally conceive that the soul doth utterly forsake that union, until by putrefaction, tending to an absolute

mutation, it is forced to bid farewell to its beloved tabernacle; for its not operating *ad extra* to our senses, doth not necessarily infer its total absence. And it may be, that there is more in that of *Abel's blood crying unto the Lord from the ground*, in a physical sense than is commonly conceived," &c.

Sir Kenelm Digby (I think I remember) has also made some curious remarks on this subject, in his observations on the *Religio Medici* of Sir T. Brown.

J. Sansom.

Easter Eggs.—The custom of dyeing eggs at Easter (alluded to, Vol. i., pp. 244. and 397.) prevails in different parts of Cumberland, and is observed in this city probably more specially than in any other part of England. On Easter Monday and Tuesday the inhabitants assemble in certain adjacent meadows, the children all provided with stores of hard-boiled eggs, coloured or ornamented in various ways,—some being dyed an even colour with logwood, cochineal, &c.; others stained (often in a rather elegant manner) by being boiled in shreds of parti-coloured ribbons; and others, again, covered with gilding. These they tumble about upon the grass until they break, when they finish off by eating them. These they call *pace*-eggs, being no doubt a corruption for *pasche*.

This custom is mentioned by Brande as existing among the modern Greeks; but I believe it will be found more or less in almost all parts of Christendom.

I observed when in Syria during Easter quantities of eggs similarly dyed; but it did not occur to me at the time to inquire whether the practice was connected with the season, and whether it was not confined to the native Christians.

Information upon this point, and also upon the general origin of this ancient custom, would be interesting.

A Subscriber.

Carlisle, June 3. 1850.

May Marriages (Vol. i., p. 467.).—This superstition is one of those which have descended to Christianity from Pagan observances, and which the people have adopted without knowing the cause, or being able to assign a reason. Carmelli tells us that it still prevailed in Italy in 1750.² It was evidently of long standing in Ovid's time as it had passed then into a proverb among the people; nearly two centuries afterwards Plutarch (*Quæst. Rom.* 86.) puts the question: Διὰ τί τοῖ Μαΐου μηνὸς οὐκ ἄγονται γυναῖκας, which he makes a vain endeavour to answer satisfactorily. He assigns three reasons: *first*, because May being between April and June, and April being consecrated to Venus, and June to Juno, those deities held propitious to marriage were not to be slighted. The Greeks were not less observant of fitting seasons and the propitiation of the γαμήλιοι θεοί. *Secondly*, on account of the great expiatory celebration of the *Lemuria*, when women abstained from the bath and the careful

² Storia di Vari Costumi, t. ii. p. 221.

cosmetic decoration of their persons so necessary as a prelude to marriage rites. *Thirdly*, as some say, because May was the month of old men, *Majus a Majoribus*, and therefore June, being thought to be the month of the young, *Junius a Junioribus*, was to be preferred. The Romans, however, held other seasons and days unpropitious to matrimony, as the days in February when the Parentalia were celebrated, &c. *June* was the favourite month; but no marriage was celebrated without an augury being first consulted and its auspices proved favourable (*Val. Max. lib. ii. c. 1.*). It would be well if some such superstitions observance among us could serve as a check to ill-advised and ill-timed marriages; and I would certainly advise all prudent females to continue to think that

"The girls are all stark naught that wed in May."

S. W. Singer.

Mickleham, June 12.

"Trash" or "Skriker."—Many hundreds of persons there are in these districts who place implicit credence in the reality of the appearance of a death sign, locally termed *trash* or *skriker*. It has the appearance of a large black dog, with long shaggy hair, and, as the natives express it, "eyes as big as saucers." The first name is given to it from the peculiar noise made by its feet when passing along, resembling that of a heavy shoe in a miry road. The second appellation is in allusion to the sound of its

voice when *heard* by those parties who are unable to *see* the appearance itself. According to the statements of parties who have seen the *trash* frequently, it makes its appearance to some member of that family from which death will shortly select his victim; and, at other times, to some very intimate acquaintance. Should any one be so courageous as to follow the appearance, it usually makes its retreat with its eyes *fronting* the pursuer, and either sinks into the earth with a *strange noise*, or is lost upon the slightest momentary inattention. Many have attempted to strike it with any weapon they had at hand; but although the appearance stood its ground, no *material* substance could ever be detected. It may be added that "trash" does not confine itself to churchyards, though frequently seen in such localities.

T. T. W.

Burnley.

NOTES ON MILTON

(Continued from Vol. i., p. 387.)

L'Allegro.

On l. 6. (D.):—

"Where triumphant Darkness hovers
With a sable wing, that covers
Brooding Horror."

Crashaw, Psalm xxiii.

On l. 11. (G.) Drayton has this expression in his *Heroical Epistles*:—

"Find me out one so young, *so fair, so free.*"

King John to Matilda.

and afterwards,—

"Leave that accursed cell;
There let black Night and Melancholy dwell."

On l. 24. (G.) Most probably from a couplet in Burton's
Anatomy of Melancholy:—

"And ever and anon she thinks upon the man,
That was so fine, so fair, *so blith, so debonaire.*"

P. 3. Sc. 2. p. 603. ed. 1621. 4to.

And in Randolph's *Aristippus*,—

"A bowle of wine is wondrous boone chere
To make one *blith, buxome, and deboneere*

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