

if he be unable to give it such a perusal, let him read Bossuet's "Exposition of Faith;" and consult, (if not the work itself), at least, the Abridgment of Mr. Gother's "Papist Misrepresented and Represented;" let him also read Doctor Challoner's "Three short Summaries of Catholic Faith and Doctrine," prefixed to his "Garden of the Soul," the most popular Prayer-book of the English Catholics. Having read these, let him ascertain whether the doctrine, with which he charges the Catholics, be, in terms or substance, stated in any of them, to be an article of their faith. If he conceive that it is stated, in any of them, to be such, let him insert in his publication the passage, in which he professes to discover it, mentioning explicitly the work, the edition of it, and the page in which it is to be found. Should the passage be found, in terms or substance, in any of the works I have mentioned, then it will be incumbent on the Catholics, either to shew that the writer, in whose work the passage is found, was mistaken, (which from the acknowledged character of all the works I have mentioned, will not, I think, ever happen), or to admit that it is an article of their faith; and then the Roman Catholics will be justly chargeable with it. Whatever other opinions can be adduced, though they be the opinions of their most respectable writers, though they be the opinions of the Fathers of their church, still, they are hut matters of opinion, and a Catholic may disbelieve them, without ceasing to be a Catholic. Would it not be both a fair and a short way of ending the controversy, between the Protestants and Catholics, that every person who charges the general body of Catholics with any religious tenet, should be obliged to cite from the Catechism of the Council of Trent, or from one or other of the works I have mentioned, of Bossuet, Mr. Gother, or Dr. Challoner, the passage in which such tenet is contained and propounded as an article of Faith?

But it is time that I should finish this letter insensibly swelled to a size far beyond what I had expected. I trust you will excuse its length, and believe me, with the greatest respect,

Yours, &c.

C. B.

P. S. Since my former letter appeared in print, I have received information of another English Roman Catholic Version of the New Testament. It is printed in one Volume 8vo, with a few (but very few) notes; some of them in the margin of the text, and others under it. The translator of it was Doctor Cornelius Nary; it has prefixed to it the approbations of Doctor John Farely, President of the Irish College at Paris; M. Fogarty, Doctor of Sarbonne; M. Morus, Vicar General of Doctor Russell, Titular Roman Catholic Archbishop of Dublin, and afterwards Librorum Censor in Italia, and Francis Walsh, a Roman Catholic priest at Dublin. It was probably printed at Paris: and is called by a respectable gentleman, from whom I received this information of it, an excellent translation.

Mr. URBAN, *Banwell, Aug. 1.*

IN your Magazine for October 1811, page 319, is a paper relative to that great palladium of British Liberty, the Trial by Jury; and as in that paper I find a quotation from one of the great Fathers of the Law (Bracton), I shall, by your permission, lay a somewhat similar one before your Readers, copied from "The Dialogue in English between a Doctor in Divinity and a Student in the Laws of England." I lately by accident met with a complete and well-preserved Black-letter Copy of this excellent little work, published in London for the Company of Stationers, 1623. 21 Jac. I. As it is often quoted by Sir William Blackstone in his celebrated Commentaries, and by many other writers upon the Laws of this Country, we must presume it is a book of authority; but, as no author's name appears, I shall be obliged to any of your Correspondents who will inform me when and by whom it was written. The words "*in English*" occur in the title page: it is therefore not unlikely but it might have been originally written in Latin or Norman French, and that the present work is a translation. As a specimen of that work, take the following

"Question of the Doctor, whether it stand with conscience to prohibit a Jury of meat and drinke till they be agreed?"

"If

"If one of the 12 men of an enquest know the very trueth of his owne knowledge, and instructeth his fellowes therof, and they wil in no wise give credence to him, and thereupon because meat and drinke is prohibited them, hee is driven to that point, that either he most assent to them and give their verdict against his owne knowledge, and against his owne conscience, or dye for lacke of meat: how may the Law then stand with conscience, that will drive an innocent to that extremity, or be either forsworne, or to bee famished and dye for want of meat?"

"*Student.*—I take not the Law of the realme to be, that the Jury after they be sworne may not eat nor drinke till they be agreed of the verdict: but truth it is *there is a maxime, and an old custome* in the Law, that they shall not eat nor drinke after they bee sworne till they have given their verdict, *without the assent and licence of the Justices*: and that is ordeined by the Law for eschewing of divers inconveniencies that might follow thereupon, and that specially if they should eat or drinke at the costs of the parties, and therefore, if they doe contrarie, it may be laid in an arrest of the Judgement: *But with the assent of the Justices they may both eat and drinke.* As, if any of the Jurors fall sicke before they bee agreed of their verdict so sore that hee may not commune of the verdict, then by the assent of the Justices he may have meat and drinke, and also such other things as be necessary for him and his fellowes also, *at their owne costes; or, at the indifferent costes of the parties* if they so agree, or by the assent of the Justices, may both eat and drink; and therefore if the case happen that thou now speakest of, and that the Jury can in no wise agree in their verdict, and that appeareth to the Justices by examination, the Justices may in that case suffer them to have both meat and drinke for a time, to see whether they will agree; and if they will in no wise agree, I think that *the Justices may see such order* in the matter, as shall seem to them by their discretion *to stand with reason and conscience, by awarding of a new enquest*, and by setting fine upon them that they shall find in default, or otherwise, as they shall thinke best by their discretion, like as they may doe if one of the Jurie dye before verdict, if any other like casualties fall in that behalfe. But what the Justices ought to doe in this case that thou hast put in their discretion, I will not treat of at this time." *Doctor and Student*, Ch. LII. p. 159. book ii.

I humbly presume, Mr. Urban, that the very plain and explicit terms in which the Law upon this subject is set down by the Student, in answer to the Doctor's question, will satisfy the mind of every well-informed reader, that the Law of Juries as it now stands (and which has been the glory of this only free Country upon the face of the globe for ages upon ages) is amply sufficient for the truly important purposes for which it was intended, without any alteration or innovation therein whatever. As to what the Americans or any other Foreigners may say or think upon the subject, it is nothing, worse than nothing! *Englishmen* are well convinced of the celestial treasure they possess, and will, I have no doubt, unite hand and heart for the purpose of sending it down unaltered and uncontaminated to the latest posterity.

Yours, &c. ALFRED.

Mr. URBAN, Feb. 3.

SINCE my letter to you of Nov. 3. was written (see page 32), in which I transcribed from a *Booke of Presidents*, printed by Tottell in 1576, a *Royal Licence* to use the Game of Closing, and requested an explanation; I have received an intimation from an ingenious Correspondent of yours (to whom I had mentioned the Licence) that Dr. Cowell (edit. 1658.) says, "*Closhe* is an unlawful game forbidden by the Statute 17 Edw. IV. which is casting a bowl at nine pinnes of wood, or nine shank-bones of an ox or horse;" and he supposes that *Closhe* (so described) and the *Game of Closing* were the same.

I do not absolutely reject this supposition, but I am free to say that I do not *admit* it absolutely, for the reasons I will now give, and shall therefore thankfully receive further hints upon the subject.

Dr. Cowell's Book is not in my possession, but I have Manley's *NOMOETHES* (1672), which is an enlargement of his work in which *Closh* is thus explained:

"An unlawful Game forbidden by the Statute made 17 Edw. IV. cap. 3; and it is inhibited also by the Statute of 33 Hen. VIII. cap. 9; but *there* it is more properly called *Clash*, for it is the throwing of a bowl at nine pins of wood, or  
nine

nine shanke bones of an oxe or horse, and it is now ordinarily called *kaites* or nine pins."

On referring to the Statute of 17 Edw. IV. cap. 3; I find the enactment against unlawful games in these words:

"Nostre Seigneur le Roy del advys des Seignurs espirituelx et temporelx et Communes en le dit Parlement assemblees et per auctorite dicelle, ad ordeigne que a la Feste de Pasque proschein veignant nulle persone occupiour ou gouverneur dascun meason tenement jardin ou autre lieu deinz cest Roialme voluntierment soeffre ascun person doccupier ou jeuer ascuus des ditz *Jeux* [the Games had been mentioned in the Recital] apelles *closhes*, *keyles*, half-bowle handyn et handoute, ou quecke borde, ou ascun de eux, deinz ascuus de lour suisditz measons, &c. &c. sur la peyne," &c. &c.

I find the Game of *Keyles* prohibited both by Stat. 12 Rich. II. cap. 6. and 11 Hen. IV. cap. 4. with other games; but *Closhe* is not named in either of them.

By the Statute 33 Hen. VIII. cap. 9, sect. 11, no person shall, for gain, lucre, or living, keep, &c. any common house, alley, or place of bowling, coyting, CLOYSH-CAYLS, half-bowl tennis, &c. And by the same Act, sect. 16, no manner of artificer, &c. shall play at tables, tennis, dice, cards, bowls, *clash*, coyting, logating, &c.

Now though *Closhe* and *Keyles* stand in the Act of the 17 Edw. IV. as it were *contra-distinguished*; and in 12 Rich. II. and 11 Hen. IV. *Keyles* alone is mentioned; yet, giving credit to the expression in the more modern Statute of 33 Hen. VIII. by which they are compounded into *one* game, there called *Cloysh-cayls*, I am willing to allow that *both* may now be fairly interpreted to mean the game of *Nine-pins*. But it by no means follows that the game of *Closing* must be the same. For the name *Keyles* having clearly obtained the ascendancy (and was the popular name from 1477 to 1541.) how comes it, that a licence for the game of *Nine pins* (if so it was) in 1576, should be given by a new name "*Closing*," and not by either of the old names *Closhe* or *Clash*, but more especially by its then acknowledged and ordinary name of *Kaites*, which it had retained down to Manley's time in 1672?

Yours, &c.

J. H.

Mr. URBAN,

Feb. 7.

I AM inclined to think that the "Booke of sundry Instruments," from which I sent you an extract some time ago, is a reprint of the Book of Presidents which your Correspondent Mr. Holmes mentions, p. 32, of your last Magazine. It contains the Licence Mr. Holmes has extracted, *verbatim*, but not *literatim*. The game in my copy is spelt "*Closing*." It also contains "A Licence for Apparell, and to shoot in Crosse-bowes and Handgunnes," and "a Placard for a Crosse-bow," and divers other curious instruments, particularly a "Licence to be absent from the Parliament," as follows:

"Trustie and welbeloved, we greet you well. And forasmuch as we be informed, that ye, by reason of your age, impotencie, and other sickness, cannot conveniently, without your danger, travail or labor to our high Court of Parliament: We therefore, in consideration hereof, licence you by these presents to take your ease, and to be absent from our said Parliament during the continuance or prorogation of the same: Any act, statute, or ordinance heretofore made to the contrary notwithstanding. Given, &c.

To Sir T. C. Knight of the Shire  
of our Countie of E."

A Calender is prefixed to the Volume, and begins with "A necessarie and perfect Rule to know when the Termes begin and end, and how many Returnes are in every of them.

"Eight days before any Terme be, The Exchequer openeth for certaintie, Except the Terme of Trinitie, That openeth but foure dayes before truly."

Then gives the Rules, and concludes with the following Note:

"In this Calender following you shall oftentimes finde this letter B, the which signifieth such dayes as the Egyptians note to be dangerous to begin or take any thing in hand, as to take a journey, or any such like thing."

Yours, &c. HUGH CALPERS.

Mr. URBAN,

Feb. 8.

YOUR respectable Correspondent has given you a very particular account, p. 3, of two curious old Packs of Cards: I also possess an old Pack of Political Cards, published, I suppose, about, or soon after, the Revolution,

and which has probably been in the possession of my family from their publication: they are numbered 1 to 49, but 2 and 47 are lost. No. 1 is the Knave of Clubs, and represents the "Lord Chancellor (as he is mistakenly called) condemning Protestants in the West:" others represent the Inscription taking out of the Monument, Oates whipt from Aldgate to Tybourn, Hanging Protestants in the West, Two Bishops and Judge Jenner speaking rudely to Dr. *Huff* (Hough), Magdalene College Scholars turned out, Tryal of the seven Bishops, the Popish Midwife cutting her Husband to pieces, Prince of Wales baptized, giving Audience, Prince of Orange landing, Father Petre burning his Papers, Burning the Popish Chapel in Lincoln's Inn Fields, the Lord Mayor and Sheriffs waiting on the Prince at Windsor, Tyrconnel arming the Papists in Ireland, Lord Chancellor in the Tower, &c. &c. But enough. Yours, &c. E.

Mr. URBAN, Feb. 9.

THE pleasing description communicated by Mr. Giddy in p. 3. of two curious Packs of Cards, reminded me of having in my possession one on the plan of the second pack, distinguished, as that is, in the usual suits. It may not be unacceptable to your Readers, if I concisely add another "Specimen of the Times." This engraved Pack is illustrative of remarkable events in the reign of Queen Anne.

The Ace of Hearts represents "Her Majesty proclaimed at Charing Cross, March 8, 1701-2.

The Five of Hearts—"The Queen's Arms with the new Motto *Semper Eadem*."

The Nine of Hearts—"Her Majesty touching for the Evil." Her right hand is placed on the head of a little boy, who is kneeling before her. This, Mr. Urban, will bring to your recollection *one head* which, all must allow, dishonoured not the Royal *hund*.

The Eight of Spades exhibits—"The dreadful Storme, Nov. 26, 1703."

The Nine of Spades—"The taking Gibraltar by Sir George Rook, 24th July 1704."

The *Knaves* in each suit are very appropriate:

The Heart—"Admiral Bembo cowardly betrayed by some Captains in his squadron."

The Club—"The Duke of Bavaria traiterously declares for France, and seizes Ulme."

The Diamond—"Captains Kerby and Wade shot to death on board of the Bristol, April 16, 1703."

The Spade—"Port St. Mary's plundered against the General's express command."

The remainder of the Pack portrays, principally, the victories of the famous Duke of Marlborough—Victories, though splendid, yet in our time surpassed by those of the immortal Wellington.

On one Card the name of the Engraver appears—"R. Spofforth sculp." Yours, &c. G. W. L.

Mr. E. H. BARKER's *Defence of his "Classical Recreations"* examined.

Αγαπῶν ὑβριζεις, και νεικαιας λογιους

Ριπιων ες ημας, ου βολαν ουτως απει.

EUR. *Alcest.* v. 682.

"Aliud est maledicere, aliud accusare. Accusatio enim crimen desiderat, rem ut definiat, hominem ut notet, argumento probet, teste confirmet. Maledictio autem nihil habet propositi, p̄ter Contumeliam, quæ si petulantius jactatur, convitium, si facetius urbanitas nominatur." CICERO.

—"one that feeds

On objects, arts, and imitations, Which out of use, and stal'd by other men, Begin his fashion."

*Julius Cæsar, Act IV. Sc. 1.*

WE entered into an examination of Mr. Barker's massy and elaborate \* publication, entitled "Classical Recreations," with the freedom that is necessary both to the candour

\* In the eleventh Number of the New Review Mr. Barker desires to know what we mean to insinuate by calling his "Classical Recreations," an 'elaborate publication.' Will he have the goodness to allow us to ask him in return what he meant when he applied the same epithet to J. H. M. in a note in the eleventh Number of the Classical Journal, p. 156? "The Scholar who so elaborately reviewed my edition of the two Tracts in the Gent. Mag. for May 1812, &c."

and effect of our criticisms; and we hope without any mark of disrespect towards the talents and quaint erudition of its Author. It was natural then for us to expect the same *παρρησια* from Mr. Barker in any diatribe which he might put forth by way of reply to our strictures: and be it observed, that the defence which he has made against us, and which is inserted in the *New Review* for July, August, and Nov. last, carries with it the distinguishing traits of all Mr. Barker's writings, a mixture of arrogance and self-sufficiency. Nevertheless it displays a fair portion of learning; and viewing the situation of each party, we can sometimes allow for the anger which we cannot approve. Certain observations of Mr. Barker, however, bear with them such an outward show of plausibility, that they seem calculated, if not thoroughly sifted, to leave a favourable impression on the mind of the reader, in many cases where they by no means deserve it. This has been the chief cause of the following remarks; and for the satisfaction of Mr. Barker, who is perpetually complaining of our want of specification, we shall on the present occasion enter more minutely into his errors.—The first paragraph on which I shall touch is the following:

"In reply to what is added by J. H. M. that 'they [the *Class. Recreat.*] were written in his presence [Dr. Parr's], and received, we presume, in some degree the benefit of his powerful hand, which is at once comfortable and pleasant,' I beg leave to state, that though many of them were written in his presence, while he was reading, writing, thinking, smoking, or sleeping, yet as not one of them was shown to him till after the work was printed, they could receive in no degree the benefit of his powerful hand. Whatever merit or demerit there may be in the book, it is all my own."

I readily give Mr. Barker due credit for these assertions, and am bound to inform my readers that Dr. Bellenden (as Porson used facetiously to call Dr. Parr) had *no finger in the pie*. So it is!

'*Veniam petimusque damusque vicissim.*'

The *Recreator* next observes,

"J. H. M. is pleased to intimate that as a Commentator I appear to good advantage, but that as a Critick I do not stand on very high ground; and adds, that I have neither the brevity of a Porson, nor the critical acumen of a Blomfield."

This is perfectly true, and we beg leave to repeat that Mr. Blomfield's notes are quite sufficient, without any remark of ours, to stamp his character as a scholar, as a man of ingenuity, of sagacious judgment, of taste, of comprehensive and powerful intellect, of acute discrimination, of rich and varied knowledge, of great industry, and of retentive memory\*: and we may almost venture to say,

"*Omnia nos itidem depascimur aures dicta.*"

We studiously forbear from drawing any invidious comparison between the merits of Mr. Blomfield and Mr. Barker; for it would be idle in us to point out in what the inferiority of the latter to the former consists. But Mr. Barker is *egregiously* mistaken, if he supposes that we ever gave him, the preference, *πολλου γει και ουτ*. His critical merits may be summed up in these remarkable words, "*Criticus non est, neque esse potest, utpote neque ingenio, neque judicio, neque, si verum dicere licet, doctrinâ, satis ad eam rem instructus.*" Still, however, (and it is a thing which gives us sincere pleasure to remark) Mr. Barker, as we have before told him, deserves very high praise as a *commentator*, or rather as a philosophical scholar (a title which we know he delights in). We will venture to hazard a conjecture that, if he continues with equal perseverance in his studies, Mr. Barker will become of great service to the cause of Literature, and as such he will ever demand our attention. With him then let us indulge a pleasing hope that the time is not very distant, when ample justice will be done to him for whatever merits as a critick, and a commentator, he may be found to possess.

I shall now proceed to answer the question proposed by Mr. Barker.

"I am utterly at a loss," says he, "to conceive what J. H. M. means by saying that I am completely out of my element, when I write prose: have I then ever written verse? But I am in haste."

What J. H. M. means, amounts to

\* "He is a better scholar than I thought he was,

He has a good sprag memory."

*Merry Wives of Windsor, Act IV. Sc. 1.*

† See the entertaining Correspondence between Mr. Gilbert Wakefield and Mr. Fox, p. 100.

this,

this, that when Mr. Barker is writing English prose, he is too verbose, and unable to contract his thoughts; and hence he appears out of his element, which probably would not be the case, were he to circumscribe himself by writing his remarks in Latin. For the trouble of wading through 492 pages of heavy matter, we look for something besides the bulk of the book to reward our pains, some interesting piece of information,

"which shines  
Mid the dry desert of a thousand lines."

Now though we do not expect Mr. Barker to enliven his critical commentaries with a country dance, yet we look for more spirit than is to be found in the major part of the notes. Some of these said notes put us strongly in mind of Bish's Lucky Lottery Office; *i. e.* they begin with something out of the way, which excites our curiosity; and when we have waded through some lines, we discover the evident puff with indignant vexation. Again, how often, after we have sufficiently laboured to cull a flower or two for our pains, are we dismissed with a reference to the Classical Journal! The truth is, that when he labours to be profound, he becomes at once perplexed and obscure. I shall now say a word by way of reply to Mr. Barker's wise question, "have I then ever written verse?" When this query was put by Mr. Barker, we are afraid that there must have been a certain haziness in his intellectual atmosphere; for he himself had just before told his readers gratuitously, that he had but *one single medal to exhibit*. Thus then it appears, that without desiring J. H. M. to unravel the question, Mr. Barker might have solved it himself, and answered, 'I have written: verse.'

To the following observation made by J. H. M.,

"We have scarcely heard of the many works cited by Mr. Barker, or the names of some Lexicographers, which are allowed to hold a place in this limbo large and broad."

Mr. Barker replies, "This is paying a compliment to my learning at the expence of his own."—But, with all due deference to the opinions of this wise man of *Gotham*, we have to observe, that this is paying no such thing; and surely Mr. E. H. B. might

have saved himself the trouble of penning such a frivolous remark, which is far from being "worth even a Jew's eye." Though J. H. M. does not openly profess a *deep* acquaintance with Mr. Barker's friends, the dusty commentators of ancient lore, he may still have *some* acquaintance with them, ay, perhaps as much as the worthy *Recreator*. The assertion of having *scarcely* heard of these gentlemen by no means implies an *utter* ignorance of their labours, as Mr. Barker through some strange defect of intellect imagines.

Upon the following passage in C. 7, "Ad matres, ad conjuges vulnera ferunt, nec illæ numerare aut exigere plagas pavent;" we remarked, "Every difficulty will here vanish, if we at once embrace the explanation of *exigere* as given by Heinsius, '*Exigere, i. e. diligenter examinare, an plagæ et vulnera sint leviora, an graviora an periculosa*, Suet. Jul. 47.---' *Sua manu exegisse pondus*.' Mr. Barker sides with us, but he has given the credit of this discovery to Gesner, who in fact purloined it from the above Gentleman. Dr. Aiken, a very confident scholar, and of whose translation we have a different opinion from Mr. Barker, translates *exigere* 'to require,' which meaning is certainly not *required* here: Murphy prefers *exugere*, the reading which is found in the Arundelian MS."

To this Note Mr. Barker archly replies,

"J. H. M. is entirely indebted to my note for every thing here mentioned about Heinsius, Gesner, Aiken, and Murphy," [and, pray, to whom is Mr. Barker indebted for his note?] "and if J. H. M. had attended properly to my note, he would not have assigned Longolius's words (as published by Kappe) to Heinsius, and would not have supposed that I had given the credit of this discovery (of the meaning of the word *exigere*) to Gesner, when I had in fact quoted Heinsius, Longolius, and Oberlin, as all agreeing in the same opinion with Gesner, and when I had in fact merely said that, of the four meanings assigned by Gesner to *exigere*, the last was the only one which could apply to the passage of Tacitus. I would advise J. H. M. to be a little more careful for the future how he charges with plagiarism either *me* [how far Mr. Barker may justly be charged with it, will be seen hereafter.] or Gesner, who, he says, in fact purloined

joined it (the meaning of *exigere* in this passage of Tacitus from the above-mentioned gentleman (Heinsius)."

Our Readers will agree with us in thinking this long-winded note not a little obscure; and whoever will take the trouble to peruse Mr. Barker's note in the *Classical Recreations* in its *original*, and not in its *present mangled state*, will perhaps deem us justified in the assertions which we made. I am much amused with the concluding advice about plagiarism, particularly so as coming from *Mr. Barker*.

I now proceed to Mr. Barker's objections to the following note of the Reviewer's:

"C. 11. Illud ex libertate vitium quod non simul (we would read *semel*) nec ut jussi conveniunt, sed et alter et tertius dies cunctatione coeuntium absumitur. Murphy has translated this passage with his usual precision and energy. 'Regularity would look like obedience: to mark their independent spirit, they do not convene at once:' we cannot comprehend Mr. Barker's patient investigation of the passage: the two following quotations which we give, and which seem to have eluded the observation of Mr. Barker, may tend to throw a little light on the obscurity, Non esse fas Germanos superare, si ante novam lunam praelio contendissent \*."

"As to the passage quoted," says Mr. Barker, "by J. H. M. taken from some book or other, but he knows not what, [for shame, young gentleman, for shame! see Cæsar de B. G. lib. i. c. 50.] *Non esse fas Germanos superare, si ante novam lunam praelio contendissent*, it might well elude my observation, as it does not tend to throw even a little light on the obscurity: *ουχ οφει*; [to which we reply *ουχ οφει*] it applies *not at all* to this sentence of Tacitus, but has *actually been already* quoted by Salinerius, upon a preceding sentence, which is this, *Coivent, nisi quid fortuitum et subitum incidit, certis diebus, quom aut inchoatur luna, aut impletur; nam agendis rebus hoc auspiciatissimum initium credunt*, where Salinerius has these words, \* Non mirum igitur, si fœminæ Germanorum vetant Ariovistum, ne pugnam conferat ante novam lunam, Cæsar. l. 1. *Eas ita dicere, non esse fas Germanos superare, si ante lunam no-*

*vam praelio contendissent.*' The passage of Cæsar is also referred to by Brotier, and had I quoted the very passage of Cæsar adduced by Salinerius, in the Gronovian, and referred to in the Brotierian, edition, without any mention of their names, J. H. M. would have immediately brought a charge of *plagiarism* against me; but I am not so precipitate in laying such a serious charge against any man: I am too generous to advance it against an enemy, even where I have many grounds of probability, and I am too sensible that similar accidental coincidences of quotation have frequently happened to myself."

Is not this a wonderful instance of *great generosity* in the facetious Recreator? We have much to say *in praise of it!!!* In what school this *Theban pig* studied the art of logic, it is not in our power to inform our Readers; but he has certainly studied it to very little advantage: for, if his reasoning be true, there is an end to a scholar's gathering parallel passages without having a charge of *plagiarism* brought against him: *αλλ ουκ εστι ταυτα, ουκ εστι τοις; πολλου γι και δε*. No man, according to Mr. Barker's ideas, can pretend to illustrate any obscurity in any Author by adducing a parallel passage, if the same passage has been brought forward by another commentator in an different passage of the same Author without subjecting himself at once to a just charge of plagiarism. "Rep- tile," as Fielding says to a critick "I acknowledge not thy jurisdiction." If Salinerius had quoted the sentence from Cæsar by way of illustration of the very passage of Tacitus which I had done, I would at once yield myself to the truth of such a charge: but, as I quote the same passage of Cæsar on quite a different passage of Tacitus from what Salinerius does, how am I guilty of plagiarism? In addition to all this, I beg leave to remind Mr. Barker that he should be the last person under the sun to utter a vague charge of plagiarism against any man. "Those whose houses are built of glass, should not throw stones," says the Spanish proverb. Has the Recreator forgotten the charge of plagiarism, which we urged against him in our notice of his Cicero, and which we believe most persons but himself thought sufficiently established? But, as the gentleman has always been very sore on the subject,

\* Dele *two*, and read "The following passage which we give, and which seems to have eluded, &c." To speak the truth, J. H. M. expected an attack upon this mistake, and the attack is just.

and not unfrequently put a diatribe on the occasion forth, we will no longer keep him in suspense; but will at once inform where his note is extracted from: *παροιμία* (as Demosthenes says) *παρὰ τὴν τῶς ἀποδοχῆς*. His note then [we do not mean the exact words, but the substance of it,] occurring in the 116th page of his Cicero, on the following passage—*In agris erant tum Senatores, et iidem, senes*. from the beginning to the end of it, is taken from Martyn's notes on v. 493, v. 532—3, but more particularly on v. 534 of the second Georgic of Virgil. The extracts which we have already made from the *Defence* forbid us to quote Professor Martyn's remarks; but a reference to them, we suspect, will recall an old acquaintance to Mr. Barker's notice.

[To be concluded in our next.]

Mr. URBAN, Feb. 8.

IT is really a pity that Mr. Hawkins (p. 5.) is so ignorant, or pretends to be so, to whom the signature of the "Architect" applies. As for the "House Painter," Mr. Hawkins may rest assured that he is not the person, although Mr. Hawkins seems to set down the matter as confidently as if said "tradesman" had actually, in his hearing, boasted of being the writer of the papers under the head "Architectural Innovation," to which "An Architect" is subjoined. However, Mr. Hawkins well knows that a common artificer could never have the means or the opportunity of exploring the greater part of the kingdom in pursuit of our Antiquities, or giving up the best portion of his life in such employ, as the "Architect" has done. This Mr. Hawkins is alive to; but he wishes to bring the "Architect" low in the estimation of the publick, to call in question his abilities as an Artist, and his veracity as a Man, a man whom I repeatedly term my "best friend;" a man who was regularly educated in the profession of Architecture; who has practised much; and whose encouragement in this way would have been very extensive, could he have so debased his art as to comply with the caprice of employers, to design partly in our old styles of Architecture, and partly in the modern way of raising

noticeable edifices, such as is to be viewed in Old Palace-yard, Westminster; Abbey, Fonthill; Ashridge, Buckinghamshire; Kew, &c.

The Readers of this Miscellany, who have for the space of 17 years borne with the opinions and illustrations in defence of antient lore, submitted therein by the "Architect" and myself, more immediately those of my firm associate in the "good cause," in working out the train of Architectural Innovations, will be the most eligible judges whether we are "competent" to the task undertaken in such literary productions—at least in reviewing Mr. Hawkins's "History of Gothic Architecture."

Mr. Hawkins alludes to my work of "Antient Sculpture and Painting," entered upon 1781, as having written for its use several papers. The fact is, they were (though small the number) in explanation of certain sculptures of figures and paintings on glass in the Abbey Church, Westminster; viz. Legend of Edward the Confessor; string of Saints to entrance of Chapter house; basso relievos to Henry VII's tomb; figures painted on Crouchback's tomb, and ditto in East windows. These explanations went as far as No. VII. of the work. Now I humbly conceive that writing about a few effigies, by compilations from a multitude of Authors, has nothing to do with the study of Architecture; and therefore repeat, that Mr. Hawkins's pursuits (on that account) are not allied to the labours of an Artist, so as to bear out his presumption in composing a History of "Architecture" exclusively.

It is a "True Bill," indeed, that Mr. Urban did print Mr. Hawkins's MS.; but how much? why, *two sheets and a half!* The rest of Mr. Hawkins's collective adducements, comprising *four sheets*, were printed by an obscure Typographer in the parlous of Long-lane, Smithfield; to whom Mr. Hawkins conducted me (reluctantly on my part); giving me to understand, at the same time, that if I did not employ *his Friend*, I must not expect in future any more benefit from *his writings*. With shame I confess, I quitted the assistance of Mr. Urban.

In the Spring of 1784, the period of bringing out No. VIII. of Antient Sculpture, I presented Mr. Hawkins,



as a gratuitous return for his trouble in writing, a small view of Edward Confessor's Chapel; and much satisfaction was expressed in consequence. At this time I had in the Exhibition a large internal View of Westminster Abbey Church, done for the late W. Seward, esq. of literary memory; a performance finished on the spot, during the course of two years, in occasional visits thereto. Previous to the close of the Exhibition, the Father of Mr. Hawkins (the late Sir John Hawkins) called upon me, and said he was much pleased with my drawing at Somerset-house; and desired me, as soon as I had brought it from thence, to leave it with him, and he would accept the same as a compliment for the pains his Son had bestowed in my Publication. After my astonishment at such an abrupt and unexpected demand had partly subsided, I respectfully answered, that he must be under some great mistake, as the drawing was the property of Mr. Seward; that I could not but be amazed at such a request, made by a Gentleman of fortune to an Artist in a humble situation, just entering into the world. It is needless to give the reply of the Knight on this occasion, as it might be thought an invidious disclosure by one who is advocating his own cause. After this meeting, all communication with Sir John and his Son ceased.

It may be necessary to state, that several Gentlemen gave their voluntary illustrations in aid of my etchings, not only from the commencement, but to the conclusion of Antient Sculpture: Richard Gough, esq. Sir John Fenn, Craven Ord, esq. Francis Douce, esq. and Dr. Milner. Leaving the Smithfield Printer, I employed the late Mr. Thomas Sabine, of Shoe-lane, Printer, who went through the whole of the letter-press. My heart told me, I should have returned to Mr. Urban, and intreated him to continue the printing he had so well begun at the outset of my work; but, not being able to encounter his deserved rebukes, I desisted from waiting on him. But it is to be hoped, in our present intercourse, he will never find me, or my right-hand the "Architect," recreants in defence of our Antiquities, or to his constant and unshaken patronage.

No one will be surprized at Mr.

Hawkins endeavouring to cry up the "credit" of his History, and spurning with contempt the observations of his "adversaries." He calls the "List of our Antiquities," to which I referred for dates, (though collected by Mr. Moore, a gentleman who made the tour of the Island to ascertain their state of existence, the whole revised by John Caley, esq. Keeper of the Records of the Abbey-lands in the Exchequer,) "a very obscure modern publication." But no proof, no authority, belongs to Englishmen who have at heart the honour of their Country's skill; that important good is only to be found in the bosom of Frenchmen: this is Mr. Hawkins's creed. Malmsbury date, or remaining walls, are with Mr. Hawkins no evidence of prior pretensions to the merit of design in the English school, but doubtful all; must have the workmen at any rate brought from the Continent to construct that edifice. Allowing for an instant this circumstance, what were they but a horde of discharged masons and labourers, out of work, not of sufficient ability to find bread at home, and so had it through charity here, as underlings and hod-holders to our native and superior artizans! Soft, at this juncture let me make contrite obeisance to Mr. Hawkins's forgiving hand, for alledging surmises that he had never made any journeying over this land; for he assures us (in his "Answer") "that the distance from Canterbury to Dover is so little, as any one knows who has travelled the road as I have done.—"

Mr. Hawkins "thinks the Church of Malmsbury is not by some centuries so old as Mr. Carter thinks it," 615, because William of Malmsbury says the Church was twice destroyed by fire. Understanding that the said Church was constructed with stone, how, in the name of reason, could it literally become the victim of fire? The roofs probably might have been burned, and upper parts of the walls so damaged by fall of timbers, and other accidents, as to need a necessary repair. Hence, Mr. Hawkins (to run with the common idea of various Authors who have mentioned, when treating on the like subject, that it was no unusual circumstance for our antient stone churches to be "burned down") pretends to insinuate, after

Englishing

Englishing an old scribe, that destroying by fire must of necessity mean wood, stone, and all! But any hypothesis suits Mr. Hawkins, that enables him to give laud to his dear friends on the other side the water, and disparage the questionable faculties of his poor countrymen here at home.

The inference Mr. Hawkins means to draw from the two fires is, that the present remains of Malmsbury Abbey-church is wholly a different building from the original one, and of a far later date; but had he the opportunity or inclination to consult the relics, he would perceive that the pointed arches, and the decorations of the nave (exclusive of the upper story) are of the most remote cast,—and from this strong fact: their general ornamental lines bear the greatest resemblance to Roman design, a criterion by which those who have studied Saxon architecture, always allow to carry with it demonstration of the highest antiquity.

Let Mr. Hawkins pin his faith on books, liable from their obsolete language to be variously interpreted; I fix mine on the objects themselves. I have seen Malmsbury, have drawn numerous examples from the architecture thereof. Has Mr. Hawkins followed my example? He supposes that I despise the instruction to be derived from books: he that as it may, it is plain he contemns the Antiquities that adorn this Country, by neglecting to investigate or make memoranda from them; for it does not appear in any part of his "History," or in his "Answer," that he has visited *one* antient structure among us.

Mr. Hawkins maintains, "it is utterly impossible I should succeed in my attempt,"—that is to expose his antinational predilections for the extraneous productions of art in other kingdoms, and his total want of knowledge in architectural concerns: but of this as I proceed with my "Observations." "The opinions of the ablest and most intelligent men are against me." Do they all then concentrate in Mr. Hawkins? He does me the honour to name "four adherents" on my side of the question, among whom is Dr. Milner, a name I am proud to say I reverence, and which may be accounted a tower of strength, as his writings on our Anti-

quities sufficiently demonstrate, by deep research into the subjects illustrated by him; he not only having made the tour of this kingdom, but of the Continent. Mr. Hawkins has not trod the round of either, yet he affirms himself to be the "refuter" of the Doctor's "sentiments in the book itself." (History of Gothic Architecture.)

"A great or still greater fault is gross, and supine, and unrestrained negligence, and very near approaching to fraud." If this translation "applies" to any one, it is to him who "neglects" the Antiquities of his own Country in favour of those of other regions. J. CARTER.

Mr. URBAN, *Westminster,*  
Oct. 1, 1815.

OBSERVING that the Rev. Henry Liston's "Essay on perfect Intonation," and his *Euharmonic Organ*, have come under the notice of your Musical Reviewer, in the Magazine for August last, p. 155, I am induced, as one of those who have several times listened with peculiar delight to the fine and novel effects of the *perfect harmony* produced on his Organs, at Messrs. Flight and Robson's Rooms, and witnessed the facility with which Mr. Samuel Wesley, and other performers, after a slight practice, were able to manage the pedals by which the same is produced, to trouble you with some remarks on the *Musical Scale*, with the hope of making the nature of the same somewhat more plain and evident than Mr. Liston has made it in his work above quoted, on account of his having adopted a Notation for expressing the Intervals, less convenient than one which I have discovered, and used for several years past, and shall without further preface proceed to apply to his Scale.

Within each Octave, as Cc, Mr. Liston has 59 intervals; and on examining these it will be found that 11 of such intervals, between adjacent sounds, are very small and equal, each being in his notation 2 T—t—2 H. Instead of this compound expression, which few practical Musicians will, I fear, take the trouble to understand fully, I substitute unity, or 1 of my *Artificial Commas*, of which 612 make the Octave or VIII, 358 the Fifth or V, 197 the Major Third or III, and 254 the Minor Fourth (VIII—V or)

4th: as I have shewn in the "Philosophical Magazine."

By help of these four Numbers, others answering to all Mr. Liston's Notes, may easily be obtained, by going through his Tuning process, using + for addition, — for subtraction, and = for equal: viz. From C=0, take 358=G, 358+353=612=104=D; 197=E, 197+358=555=B, 555+358=612=301=F\*, 301+358=612=47=C\*; 197+254=451=A; 197+197=394=G\*, 394+358=612=140=D\*\*, 140+358=498=A\*, 498+358=612=244=E\*; 394+197=591=B\*\*, 591+358=612=337=F\*\*\*, and 337+358=612=83=C\*\*.

Again, 612—358=254=F, 254+612—358=508=Bb; 612—197=415=Ab, 415—254=161=Eb; 415—358=57=Db, 57+612—358=311=Gb, 311+612—358=565=Cb, and 415—197=218=fb, 218+612—358=472=Br, which completes the 24 Notes of Mr. Liston's primary Scale, p. 44.

Then, in order to produce the acute Notes, or Series comma higher than the above, we may begin at D, viz. 104+358=462=A', 462+358—612=208=E', and 208—197=11=C'.

From which Note, exactly the same process being repeated, as above, the same series of notes will result, each 11 greater than above, viz. G'=369, D'=115, E'=208, B'=566, F'=312, C'\*=58, A'=462, G'\*405, D'\*=131, A'\*=509, E'\*=255, B'\*=602, F'\*\*=348, C'\*\*=94; F'=265, B'b=519, A'b=426, E'b=172, D'b=68, G'b=322, C'b=576, F'b=229, and B'b=483, the 24 acute notes.

And in order to obtain the grave notes, or series comma lower than the first series, begin at A, viz. 451—358=93=D', 93+612—358=347=G', 347+612—358=601=C', 347+197=544=B'; 93+197=290=F\*\*, 290+197=487=A\*, 451+197—612=36=C\*\*, 36+197=233=E\*\*, 601—197=404=A' O; 347—197=150 E' b; and 565—358=207=F' b, the 11 grave Notes.

These several Notes arranged, with their Numeral Values from C affixed, as in Mr. Liston's third Column at page 12, will stand thus, viz. 0=1st or key, 11=1', 36=1\*, 47=1 or I, 57=2d, 58, 62, 83=1, 93=11', 94, 104=11, 115, 140=11, 150=2', 151, 161=3d, 172, 197=111, 207, 208, 218=b 4, 229, 233, 244=111, 254=4th, 255, 265, 290, 301=IV, 311=5th, 312, 332, 337=IV, 347, 348, 358=V, 369, 394=V, 404, 405, 415=6th, 426, 451=VI, 462=VI', 472=O 7, 483, 487, 498=VI, 508=7th, 509, 519=7', 544, 555=VII, 565=8th, 566, 576=8', 591=VII, 601, 602=VII', and 612=VIII.

Which series of artificial commas, representing the 59 Notes of Mr. Liston's Scale, will be found equally exact (for all practical purposes), and vastly more convenient than either the "elements" or the "numeral measures" in his two last columns, for examining and proving every operation relating to Intervals and Chords, throughout his work: for which purpose I would recommend those who are about to enter on the study of the "Essay on perfect Intonation," to draw out on a card or paper the notes and numbers, and numerals, given above, in three columns, beginning with the highest, viz. c, 612, VIII, and descending to the lowest, viz. C, 0, 1; and to supply opposite to them, a series for the octave above this, by adding 612 to the several numbers, and using small Letters thus, c' 623, c\*\* 648, c\* 659, d' 669, c\* 670, d' b 680, &c. And it might be convenient to mark in pencil on the margin of Mr. Liston's work (which is sufficiently wide) the value of each chord in these artificial commas of mine; thus in page 52 opposite line 19, wherein the chords V and  $\frac{6}{3}$  occur, write  $\frac{358}{197}$  and  $\frac{415}{161}$ ;

20, opposite  $\frac{VI}{4}$  write  $\frac{451}{254}$  &c.; and it might be further useful, after and between each number, to write the differences thus,  $\frac{358}{197}$ ,  $\frac{415}{161}$ ,  $\frac{254}{161}$ ;

451 197; by which it would at once appear, that the intervals between the upper Notes of these Chords are 3d, 4th, and 111, respectively, as Mr. Liston states. By the help of such a table, the Notes truly answering to any chord, however compound, or the chord resulting from any given combination of Notes, may very readily be found, &c. &c.

Your Reviewer, in his introductory remarks, speaks of *Temperament*: it may not therefore be amiss to mention, that the imperfect Fifth C\* A' b (and 14 others) in Mr. Liston's Scale, viz. 401—47=357 is the proper *Equal Temperament* Fifth, which 12 times repeated above C, will make B\* coincide with; for  $357 \times 12 = 612 \times 6 = 612$ .

No judge of good Musick ever yet complained of the *uniformity* perfect harmony, or of the *similarity* of the keys in Concerts, where voices, violins, and perfect instruments only were admitted, and the bungling expedients of temperaments were wholly excluded: nor will any such have the least cause to complain of the exclusion of wolves and temperaments, or the want of *variety of expression*, in per-

performances on the Euharmonic Organ. That taste must surely be greatly vitiated, which can relish the novel variety of wolves and beating concords in preference to pure harmony, such as all our refined Concerts aim at, in excluding Keyed Instruments except from the Choruses.

Your Reviewer does not fully explain himself, as to his doubts of the practicability of Mr. Liston's scale on a large Organ, viz. whether he refers to Messrs. Flight and Robson, on the bulk and expence of such an Instrument, or on the harmonic effects of the compound stops: on the latter head, I know several Musicians, who have rather hastily formed an opinion unfavourable to the effect of compound stops. The experiment remains yet however to be tried; but from the trials which can be made on the present Instruments, by putting down several of the notes of chords on compound stops, although imperfect, because the reinforcements, or doubling of the notes, most harmonic to each other, in such chords on compound stops, whereby the discordant intervals therein are overpowered and lost, cannot be thus imitated,—I am fully of opinion, that effects not less striking and delightful would result from compound stops, than from the simple ones that have been so successfully tried.

But, supposing that large Organs are never attempted on Mr. Liston's plan, I cannot see the justice of your Reviewer's inference, that the moderate-sized ones already constructed, must remain mere useless curiosities.—Are no Chamber or private Concert Organs wanted on nearly the same scale, as to bulk and expence, as these Instruments now on exhibition? Are there no Music-schools, or places for study among us, where the practising of *correct singing*, and the *study of harmony* in all its curious combinations, by Composers for perfect Instruments, might be aided and safely guided by these improved Instruments?

No competent judge of the subject, or well-wisher to the improvement of this most delightful Science, will, I think, on consideration, venture to answer these questions in the negative, or refer to *Tempered Instruments*, even so improved as Loesh-

GENY. MAG. February, 1814.

man's Organs and Piano Fortes, (with 24 sounds in each octave), as fully adequate and fit for the purposes above referred to.

Hoping that Mr. Liston's Essay will soon be more generally studied, and his Instruments referred to, for practically illustrating the precepts therein laid down, and unfolding the scientific views therein, I remain,  
Yours, &c. JOHN FAREY, Sen.

Mr. URBAN, Woodhurst, Feb. 2.

I HAVE been many years a reader of your Miscellany, and have ever found it the steady and invariable supporter of truth and justice: I therefore presume to solicit the insertion of a case which I think highly interesting to the Clergy, and more particularly so to those of that body who have, unfortunately for themselves and their families, any thing to do with Corn-rents. It is a fact well known to persons conversant in Inclosures, that the award is often many years before it is signed. One instance occurred in this neighbourhood, where the Commissioners, having disagreed, *did not affix their signatures for near twenty years!* In another Parish, where only one Commissioner was appointed by the Act of Parliament, *the award has never been signed at all;* and the person so nominated has, after setting out the allotments, gone out of the Kingdom! The Vicar of Woodhurst has been put to a heavy expence already, and is moreover threatened with a continuance of Law, from the Writ of Certiorari to the vexatious Replevin, whenever the Corn-rent apportioned by the Quarter Sessions shall be put in force. Upon the Lay-impropriator's being asked,—“If the Vicar found himself aggrieved by the order of 1797, where was he to seek redress, and how obtain it? the answer was, he might have returned to his Tithes! What? when you had taken possession of the land allotted in lieu of Tithes both Great and Small, and the Commissioners had extinguished Tithes for ever from the moment you had so taken possession? Sir Robert Burton, the former Lay-impropriator, has often declared, that his Estate was worth more by £1200. by the Vicar having a Corn-rent instead of  
Land!

Land! This Lay-impropriator, who purchased the Estate in the latter end of the year 1802, coming still farther North, and scorning to be undone even by a Yorkshireman, very honourably endeavours to have a 17 years' Corn-rent instead of a fourteen, thereby striking out from a future average the years 1800 and 1801, which were years amounting nearly to famine, and when the Corn consequently was nearly a guinea per bushel. This conduct reminds me of a case tried some years ago at Carlisle, concerning Tithes. The Officer of the Court, inquiring of the Jury—"Gentlemen, do you find for the Plaintiff, or the Defendant?" received for an answer, "My Lord, we be all against the Parson!"

#### A CAUTION TO THE CLERGY AGAINST CORN-RENTS.

*The Vicar of St. Ives and Woodhurst, versus John Carstairs, Esq. Lay-Impropriator of Woodhurst, in the County of Huntingdon.*

In the year 1796, an Act passed for inclosing the Parish of Woodhurst, in the County of Huntingdon; and instead of Land being allotted to the Vicar in lieu of Small Tithes, it was enacted, that the Land should be allotted to the Lay-impropriator; and that an annual money-payment should be made to the Vicar, by the Lay-impropriator, out of such allotment, in lieu of Vicarial Tithes. The Commissioners were directed to apportion so many bushels of marketable wheat as they thought sufficient to compensate the Vicar for the extinction of his Small Tithes: and they were to ascertain by the London Gazette the average price of a bushel of marketable Wheat in the County of Huntingdon, for the twenty-one years preceding the passing of the Act; and at the end of every 14 years from the average-price being thus ascertained, either the Vicar or the Lay-impropriator might apply to the Justices in Quarter-Sessions, for an alteration of the said Money-payment or Corn-rent. On Sept. 29, 1799, the Commissioners put the Lay-impropriator into possession of the Allotment given to him in lieu of Great and Small Tithes. The Vicar and Lay-impropriator attended on the Commissioners, and requested them to ascertain and fix the amount and the time at which Corn-rent should commence: they ascertained the average price by the London Gazette, in the manner pointed out by the Act of Parliament; and they directed their Solicitor to serve an order upon the Lay-im-

propriator and Vicar, stating the sum so apportioned, and that the Rent-charge should commence from Sept. 29, 1799; and they also signed and published an Order *extinguishing for ever* the Tithes from the said 29th of Sept. 1799. The Commissioners did not sign their award until the 11th of Sept. 1802; but in that award they stated, that the Corn-rent commenced the 29th day of September, 1799; and from that time the Vicar has received without variation the Money-payment, according to the average so declared by the Commissioners. In the beginning of the year 1813, the Vicar gave the Lay-impropriator notice that he should apply at Midsummer-Sessions, for a fresh average price to be ascertained. The Lay-impropriator declared he should contest the business, for that the 14 years did not expire until the 29th of September 1816, viz. from the signature of the Award. At the Midsummer Sessions the Justices were of opinion, that the Vicar's application was premature; the Lay-impropriator, attending personally in Court, agreed to accept and continue the notice until the Michaelmas Sessions. On Oct. 5, the Cause came on to be heard; the objection made to the alteration was stated to the Court by the Vicar's Counsel, and the Act of Parliament and other evidence produced and read, the Court made an Order in favour of the Vicar's claim. The Lay-impropriator did not attend either in person or by his Attorney. The Copy of the Order of Sessions was served upon him in Michaelmas Term. On Dec. 31, the Lay-impropriator caused a Notice of Appeal to be served on the Vicar, stating his intention of moving the Quarter-Sessions to rescind their Order, because they had no jurisdiction, for that the 14 years did not commence at the time of his taking or getting possession of the Land, but from 1802, when the Award was executed,—not from the time that the Tithes were extinguished by the Commissioners, but from the time they thought proper to sign their General Award. The Court said, they had already heard and determined the Case; and this vexatious Appeal was ordered to be struck off the paper. The following is the Opinion of an eminent King's Counsel, given on the 27th of Sept. 1813.

#### *Opinion.*

That the equity and justice of this Case are with the Vicar, no one can doubt; and therefore, if I thought the case more doubtful, I should have no difficulty in advising him to try the question. But I hope, though the case is not without difficulty, that when the whole case and all the circumstances be-  
longing

longing to it are considered, it will be found to be with the Clergyman. In page 11, when the Award is first mentioned upon this subject, it says, the days of payment shall be fixed by the Award, or any other writing under the hands of the Commissioners. This Clause therefore supposes, that upon the particular subject, the Commissioners might act otherwise than by a formal Award. If the construction contended for by the Lay-impropriator were to prevail, the Vicar was not entitled to this composition till 1802; and yet the Commissioners declared all Tithes were to cease from Michaelmas 1799, which they had a power to declare, by section in page 29, either by the Award or at such other times as the Commissioners should by Notice in writing affixed to the Church doors direct; so that for three years his tithes were to cease, and he is to have no composition. And if this construction is to prevail, there is to be no average price fixed till 17 years have expired. I consider the writing signed by the Commissioners in 1799, to be the Award *quoad* this subject; it has been so treated and considered by all parties: the average was then fixed at the desire of both parties, and the monies constantly paid in consequence of it. Or if that writing is not to be considered as the Award, the Award itself, though dated in 1802, is as to this transaction dated in 1799, because it directs the payments of this Corn-rent then to commence: it incorporates and ratifies the former order, as they were expressly ordered to do in page 26 of the Act; for it directs "that the Award shall direct at what time or times the tithes, mowages, and compositions, rights of pasturage, or common of pasture, hereinbefore directed to be compensated for, shall respectively cease and be extinguished; and shall likewise express and contain such other orders, regulations, and determinations, as shall be proper and necessary to be contained therein, conformable to the intent and purport of this Act." The only clause that raises the least doubt is where it is said, p. 12, that either party may apply after 14 years "from the execution of the Award." But, "*reddendo singula singulis*," as in the Award itself the date given to this transaction is 1799, in my opinion *that* is the real date when all the circumstances are considered; and especially when in very same clause, at the top of page 13, no application is to be made to the Quarter Sessions till 14 years have expired from the time when such average price was last ascertained in pursuance of this Act. Now it is stated as a fact, and

the whole transaction proves the fact to be so, that the average was taken in 1799, and not in 1802. I am therefore of opinion, that the Vicar is *now* entitled to an alteration. As the Award relates to 1799, I think the documents of that period may be given in evidence; but it seems to me that the Award itself sufficiently points out the period from which the 14 years are to be calculated."

If the average price had been ascertained in 1802 instead of 1799, the Vicar would have received a much more considerable money payment; as in 1800 and 1801 wheat was nearly a Guinea per bushel.

Yours, &c. CARTHUSIANUS.

#### ARCHITECTURAL INNOVATION.

No. CLXXXII.

*Progress of Architecture in ENGLAND in the Reign of JAMES II. (Continued from vol. LXXXIII. p. 563.)*

**C**OLLEGE of Physicians, Warwick-lane. Begun to be erected at the latter end of Charles II.'s reign, and finished in that of James II. Sir Christopher Wren Architect.

Ground Plan: Entrance from the East, in Warwick-lane; spacious saloon, octagon externally, internally a circle; the entrance occupies one cant of the octagon, two ditto North and South, door-ways to Porter's-lodge, Theatre, &c.; the other three cants Westwards, open arches for the pass into a large square court; North and South sides of ditto court, ranges of apartments with central entrances; West side of ditto court, principal apartments; central entrance into Hall, on the right the Library; and on the left, great stair-case.

Second, or principal Floor: Over entrance saloon, the Theatre, which, notwithstanding its external form, is octangular; the internal lines are turned with sixteen cants; six ranges of seats in line with ditto cants for the accommodation of the College: under the seats near the wall is a communication to them. On North and South sides of Court, apartments. On West side ditto great stair-case, grand Committee and Censors' rooms. These arrangements are judiciously laid out, and on a scale grand and imposing.

Elevations; entrance, Warwick-lane: Designed as a Pavilion in two stories. First story; archway with large hollow by way of architrave, key-

walls of the several interiors, oak; ceilings stucco.

After expressing every satisfaction at the air of grandeur diffused in this pile, more immediately in the Committee and Censors' rooms, which are certainly of a higher finish than we have witnessed in the civil architecture of Sir Christopher,—perhaps his most elaborate performance; it becomes necessary to state, that but few innovations have taken place, and they are to be met with in the modern parapets on North and South sides of the court, plastering the West side of ditto, and painting white the hall and staircase. How gratifying it is to behold the other wood decorations still bearing their original and dignified hues, such as majestic oak is capable of imparting! AN ARCHITECT.

(To be continued.)

#### REMARKABLE FROSTS.

**H**OLINSHED informs us that in 1565, “the one and twentieth of December began a frost, which continued so extreme that on New Years Euen, people went ouer and alongst the Thames on the ise from London Bridge to Westminster. Some plaied at the foot ball as boldlie there as if it had been on the drie land; diuerse of the Court shot daily at pricks, set upon the Thames, and the people both men and women went on the Thames in greater numbers than in anie street of the citie of London. On the 31 daie of Januarie, at night, it began to thaw, and on the fift daie was no ise to be seen between London Bridge and Lambeth; which sudden thaw caused great floods and high waters, that bare downe bridges and houses, and drowned manie people in England; especiallie in Yorkshire, *Owes bridge was borne awaie with others.*”

Dr. Derham, in the Transactions of the

Royal Society, records a remarkable frost in 1683-4, when the Thames was frozen so as to bear carriages\*.—This frost began about the beginning of December, and lasted till the 5th February (O. S.) Rapin says, at London there was another city as it were on the ice; by the great number of booths between the Temple and Southwark; in which a fair was held upwards a fortnight.

Dr. Derham gives a more particular account of the great frost in 1708-9, when it appears from a comparison of the scale of the thermometers then in use with that of Fahrenheit, that Fahrenheit's thermometer would have fallen to about  $1\frac{1}{2}$  degrees. During this frost, he says, though several people crossed the Thames at some distance above the Bridge, it was only towards low water, when the great flakes of ice which came down, stopped one another at the Bridge, till they made one continued bed of ice from thence almost to the Temple; but when the flood came, the ice broke and was all carried with the current up the river.—He further states, that though this frost was extremely rigorous in the Southern parts of the Island, yet the Northern felt little of it; and he quotes a letter from the then Bishop of Carlisle, dated Rosa, who says “none of our rivers or lakes were frozen over; and a letter from a gentleman at Edinburgh, who writes, “We had not more frost to speak of, and it lasted not long.”

This frost appears to have been long remembered on the Continent for its remarkable severity. In England trees and shrubs were greatly injured, which was attributed to temporary thaws, succeeded by intense cold.

The next frost particularly noticed by Dr. Derham was in 1715-16, when the Thames was frozen over several miles, booths and streets were made on the ice, an ox roasted, &c.

The cold this winter never appears to have been lower than 11 degrees of Fahrenheit; and Dr. Derham observes,

\* The following Extract has been communicated by a very respectable Friend, from a Memorandum of his Great-Grandfather: “20 Dec. 1683, a very violent frost began, which lasted till the 6 Feb. in soe great extremity that the pooles were frozen 12 inches thick at least, and the Thames was soe frozen that a great street from the Temple to Southwark was built with Shops, and all manner of things sold; Hackney Coaches plyed there as in the streets. There were also bull-baiting, and a great many other shews and tricks to be seen. This day the frost broke: in the morning I saw a coach and six horses driven from Whitehall almost to the Bridge (London Bridge); yet by three o'clock that day, next to Southwark, the Ice was gone so as boats did row to and fro; and the day after all the frost was gone. On Candlemas day (2d Feb.) I went to Croydon market, and led my horse over the Ice at the Ferry to Lambeth; as I came back, I led him from Lambeth upon the middle of the Thames to Whitefriars Stairs, and soe led him up them; and this day an ox was roasted whole over against Whitehall: King Charles the Second, with the Queene, ate part of it. G.”

"the true cause of the freezing of the Thames that year was not barely the excess of the cold, but the long continuance of it."

Professor Weidder, of Wittenburg, describes the Winter of 1723 to have been severer in Germany than that of 1709.

In 1730-1, Dr. Derham says, the frost was as excessive as in any of the years of his observations; and the cold appears to have again been about  $1\frac{1}{2}$  degrees of Fahrenheit in 1709.

In 1739-40, there was a remarkably long and severe frost, which appears to have extended over the Continent. The lowest degree of the thermometer observed by Lord Charles Cavendish in Marlborough-street, was 13 degrees on the 5th January, on which day it was observed to be 10 at Stoke Newington. At Oxford, the thermometer this Winter fell to 13 degrees. This frost began December 24th, and is said to have lasted nine weeks. Smollett says, a multitude of people dwelt on the Thames in tents, and a great number of booths were erected on it.

The Transactions of the Royal Society also record a remarkable frost in the Winter of 1753-4. The thermometer varied 40 or 50 degrees in 24 hours; the cold coming as it were by fits, in an unusual manner. The lowest degree this Winter was 15.

In 1762-3, the frost set in on the 25th December, and continued with little intermission till the 29th of January. This frost commenced earlier in France, Holland, and the North-east parts of Europe, and was proportionably severer. Mr. Pigott, of York, observed a remarkable degree of cold in January, at Caen, in Normandy. At London the Thames was frozen so as to bear carriages. The lowest degree of the thermometer at Cardington, in Bedfordshire, was  $10\frac{1}{2}$ . In Cornwall, Wales, and Ireland, the Winter was milder than usual.

The Winters of 1767 and 1768 were severe. In January 1767, the thermometer at Norwich was at 7 degrees; this Winter was as severe at Copenhagen and Berlin as that of 1740. The Rhine was frozen at Coblenz on the 21st of December, and continued till the 14th January. On the 31st Jan. 1768, professor Wilson, at Glasgow, observed the thermometer at 2 degrees below 0; at Derby, on the 8th, it was observed 1 degree below 0. At Paris the Winter was colder than that of 1740, and only one degree (Reaumur) short of 1709.

The next remarkable Winter was that of 1782-9, in which there was a fair on the Thames, and the thermometer at

Oxford fell to 13 degrees, as in 1740; at Lyndon, in Rutlandshire, to  $13\frac{1}{2}$ ; at London, to  $17\frac{1}{2}$ ; this was also a severe Winter on the Continent.—The Winter of 1794-5, was severe; the thermometer in London fell to 7 degrees; on the 24th of January, the thermometer is noticed in Rees's Cyclopædia to have fallen to 6 degrees below 0; but in what part of Great Britain, and in what situation, is not stated. The Winter of 1798-9, was remarkable for severe frosts and deep falls of snow. In December 1798, the thermometer at London fell to 11 degrees.

The great frosts therefore appear to have been in the years 1683, 1709, 1716, 1740, 1763, and 1789. There are no long-continued frosts on record during the last century, except those above noticed. Extraordinary degrees of cold have been occasionally observed. In January, 1780, Professor Wilson, of Glasgow, observed the thermometer at 14 degrees below 0; and in January, 1781, at 4 degrees below 0. In December, 1796, at London, the thermometer fell to 4 degrees. At York, the thermometer has been observed in January, 1802, at 10 degrees; in December 1803, at 9; in January 1810, at 11; and in December 1811, at 12 degrees.

Mr. URBAN, Feb. 1814.

PERHAPS some of your numerous Readers may wish to compare the relative cold of the late severe month in different parts of the Kingdom. To enable them to judge of the cold in this part of the Kingdom (Latitude  $53^{\circ} 25'$ ) I send you some observations made from a self-registering Thermometer, which was placed in an exposed situation to the South about 15 feet from the earth.

1814. *The lowest degree during the night.*

Jan. 1.....	$21\frac{1}{2}$
3.....	$20\frac{1}{2}$
4.....	15
6.....	11
7.....	at $\frac{1}{2}$ past 2 A. M. $12^{\circ}$ .
8.....	$9\frac{1}{2}$
9.....	3
13.....	$4\frac{1}{2}$
14....., 16.	at $\frac{1}{2}$ past 8 A. M. $8^{\circ}$
15.....	4
16.....	9
17.....	7. at 10 A. M. $10^{\circ}$
20.....	13
22.....	$14\frac{1}{2}$
23.....	20
24.....	16

From the above observations, I think, it appears, that though the cold may have



have been more intense in former years for a night or two, (indeed my own observations furnish me with a proof of that having been the case, as on Jan. 16, 1810, the Thermometer was, during the night, down to Zero) yet so long a continuance of very cold weather has seldom, if ever, been experienced in this climate.

Yours, &c.

W.

#### EXTREME COLD.

IT does not appear, according to the statement of the Cold during the season given in the newspapers, that the present Winter, however severe, has been remarkable for intensity of cold. A scientific gentleman of Oxford informs us that he has frequently observed Fahrenheit's thermometer at 20; several

times at 15; more than once at 10; once at 6; and once so low as 2 below 0; viz. 34 degrees below the freezing point. This happened on the morning of Christmas Day, 1796, and is reputed to be the most intense degree of cold ever observed in England. The same gentleman has favoured us with a general rule of his respecting the weather, long since published, with other matters of a similar nature, viz. "Upon the whole, there seems to be a greater disposition or effort in the atmosphere for clear dry weather, during the increase of the moon, than during the wane of the moon, and *vice versa*." This is an original observation, and not to be confounded with the ordinarily received opinion, that "every change of the moon, whether new, or full, may produce a change in the weather."

*Oxford Herald.*

### LITERARY INTELLIGENCE.

*Cambridge.* The late Dr. SMITH'S Two annual Prizes for the best proficients in Mathematics and Natural Philosophy amongst the commencing Bachelors of Arts, are this year adjudged to Mr. RICHARD GWATKIN and Mr. HENRY WILKINSON, of St. John's College, the first and second Wranglers.

#### *Preparing for Publication:*

The Doge's Daughter, a Poem, in Two Cantos, with several Translations of Anacreon and Horace. By EDWARD LORD THURLOW.

Mr. NICHOLS'S Continuation of the "LITERARY ANECDOTES," to the year 1800, from the very numerous Additions with which he has been favoured by various Correspondents, will unavoidably extend to Two VOLUMES; one of which is in such forwardness at the Press, that it may be expected very early in May.

The First Volume of Mr. CLUTTERBUCK'S History and Antiquities of the County of Hertford: containing the Hundreds of Cashio and Dacorum.—See the Cover of our present Magazine.

The History of Edisbury, by GEORGE ORMEROD, of Chorlton, Esq. M. A. F. S. A. is withdrawn as a distinct publication, and will appear in its proper place, as part of a "History of the County Palatine and City of Chester," by the same Author, which will be published on the most ample scale of County History, in parts, forming three folio volumes.

A Description of the Collection of Ancient Marbles in the BARRISH MUSKUM; with Engravings. Quarto.

The Predestined Thief; or, a Dialogue between a Calvinistic Preacher and a Thief condemned to the Gallows; being

a Translation of the "Fur Prædestinatus" of Abp. Sancroft.

A Selection of Old Plays; in 15 vols. 8vo. with Biographical Notices, and Notes critical and explanatory, by Mr. OCTAVIUS GILCHRIST. This Work, founded on DODSLEY'S Old Plays, as edited by Mr. ISAAC REED, will be enriched by the accession of a very valuable collection, which has been forming during the last fifteen years, with a view to this particular purpose. In this Collection there are many Dramas perfectly unique, and interesting equally from their extreme rarity and literary merit.

The Mirror for Magistrates, wherein may be seen, by Examples passed in this Realm, with how grievous Plagues Vices are punished in great Princes and Magistrates; and how frail and unstable worldly Prosperity is found, where Fortune seemeth most highly to favour. By JOHN HIGGINS. In 4to; Reprinted from the Edition of 1587, collated with those of 1575 and 1610.

The Flowers of Wit; or, a select collection of Bon Mots, with biographical and critical remarks. To which are added some Gasconades, Puns, and Bulls. By the Rev. HENRY KETT, author of "Elements of General Knowledge."

"Letters from Edinburgh," on the present state of Society and Manners in the Northern Metropolis; eminent living Characters; Parties in Religion, Politics, and Literature; Public Institutions, &c.

A new Literary and Political Review in Edinburgh, under the title of "The North British Review; or, Constitutional Journal," to be published every two months.

REVIEW

## REVIEW OF NEW PUBLICATIONS.

6. *Second Edition of Religious and Moral Reflections, originally intended for the Use of his Parishioners.* By Samuel Hopkinson, S. T. B. formerly Fellow of Clare-Hall, Rector of Etton, and Vicar of Morton cum Hacconby. 12mo. Pp. 203. Harris.

WE are glad to meet again with an old acquaintance (vol. LIX. p. 537) whose time and talents have for more than a quarter of a century been devoted to the important office of a conscientious Parish Priest. We rejoice too to perceive that his labours have been noticed by a Prelate who is no ordinary judge of the merits of the Clergy over whom in a most extensive Diocese he has so long and so praiseworthy presided.

In addressing the Bishop of Lincoln, Mr. Hopkinson very modestly says,

"Twenty years have elapsed since this little work was offered to the public. I could not then aspire to the honour of prefixing your name; but, encouraged by the manner wherein it was generally received; more especially, by what you was pleased to say on that occasion, which you since had the goodness to confirm by a particular instance of your favour; I now venture to dedicate to you a second extended-edition.—To whom can writings calculated, as I hope this is, to promote the cause of Religion, be so aptly inscribed, as to one who, blessed with great endowments, attained, through a course of virtuous industry from his youth, at a period unusually early, to the highest rank of his calling, which he has never ceased by his literary and official labours to adorn?"

The former Edition was written for the Parishioners of Etton. The present Volume is addressed to "the Inhabitants of Morton cum Hacconby;" and is well worthy the attention of every serious Christian. The subjects discussed are briefly these;

"Directions for the Use of the Common Prayer; Morning and Evening Prayers; Grace before and after Meat; Sacraments; Baptism; Lord's Supper; Lord's Prayer; Creed; Commandments; Government of the Mind; Prayer; Sunday; Time; Industry; Contentment; Character; Regulations for a Sunday School; Forgiveness; Charity; Parents to Children; Children to Parents; Universal Deluge; Earthquake, Thunder, and

GEN. MAG. February, 1814.

Lightning; Seasons; Employment of Time; Intemperance; Cruelty; Swearing; Lying; Extravagance; Revenge; Reflections for the Young; Reflections for the Aged; Death; and Judgement."

To these are added some "Notes," and an appropriate "Conclusion."

A specimen of Mr. Hopkinson's style shall be taken from the article ON CHARACTER.

"If it is allowable to compare things diverse with each other, one should be inclined to say, the Character of Man carries no unapt similitude to the Terrestrial Globe. Both are the original works of a wise and omnipotent Creator: both are composed of a variety of parts, and both require different degrees of culture and management to nourish and improve them. As distant climates present soils of different qualities, which differ also from each other, so does Society in general offer to the eye of the discerning, characters infinitely diversified. Sometimes the good and bad traits are so predominant, or so intermixed, as clearly to discriminate one person from a virtuous, and a second from a vicious man. At another, these qualities are so blended, like light and shade in Nature, as to leave the character doubtful: virtue and vice so crossing and running upon each other, that it is difficult to distinguish where one begins and the other ends, where to praise and where to blame. In short, characters, for the most part, are distinguished into three kinds, good, bad, and indifferent. Which to admire, and which to blame, no one will hesitate. What they are, and what they ought to be, the most illiterate cannot be ignorant. How to estimate them impartially and justly, is not so easy; but, as such attentions, if properly made, will be found useful in our intercourse with the world; the following remarks, I trust, will not be beneath the notice of the serious reader.—Few, it is to be observed, have the inclination and opportunity both to plan and execute any design either eminently good or terribly atrocious. None, indeed, there are, who are not liable to frequent failings, incident to continual errors, exposed to daily trespasses, and many in habits of actual sin. One man, possessed of all the essentials requisite to entitle him to the highest degree of military fame, undaunted courage, consummate skill, and unceasing vigilance, may never be favoured with an opportunity

tunity to display these great qualities in action; while another, with not half the merit, by a chain of fortuitous events, is placed in a situation which, in the course of only one single day, or of a few hours, enables him to attract the notice of his countrymen, and to hand down his name to a distant posterity\*. A third, not daring, perhaps, through fear of punishment, or actuated by some other motive, to commit any flagrant act of impiety, notwithstanding, by continually persevering in a line of indifferent conduct; at the close of life, collectively speaking, may have done as much real harm, by the dangerous fallacy of his precepts, and by the pernicious tendency of his example, as if he had casually perpetrated one single enormity, instead of persevering in habits more regular and less excessively sinful. Hence it follows, that the real character of every human being, whether good or bad, ought to be estimated, and, be assured, it will be estimated, by the general tenour of his actions from the beginning to the end of his rational life: as the fineness of the year, not by the beauty of one season, by the glare of one day, or by the brightness of one month, but by the geniality of the whole. — Let no one, then, presume to think he is not as other men are; and arrogate merit, to which he is not in the least entitled, because he has abstained from sins, which he was never tempted to commit: let us all thank God for exempting us from temptation in some instances, and earnestly pray for grace to resist in others, to which the Sovereign Disposer of all Events may see fit to expose us, during this present life, in order that, by a course of virtuous conduct, we may work out our own salvation, and thereby render ourselves worthy objects of his favour in the next."

7. *Memoirs of John Horne Tooke, interspersed with original Documents.* By Alexander Stephens, Esq. of the Honourable Society of the Middle Temple. In Two Volumes, 8vo. pp. 477. 503. Johnson and Co.

\* "In the Naval, Military, and Ecclesiastical line, instances, not a few, have occurred within the memory of the existing race. A certain Prime Minister, not half a century ago, more to be respected for his good humour than sound policy, replied to an acquaintance, jocosely remonstrating on his presuming to elevate his brother to a Bishoprick at so early an age!

"Tu, dum tua navis, &c.—HOR."

THIS is a pleasing publication. It is compiled from "original documents:" in plain words, it contains an abridgement of ALL the printed works of Mr. J. H. Tooke, all his speeches, harangues, libels, trials, letters, pamphlets, &c. &c. together with a neat analysis of the great ΕΙΣΕΡΧΟΜΕΝΑ, a *catalogue raisonné* of Mr. Tooke's acquaintance, friends, and adversaries, a short statement of his colloquial powers, an elaborate and most ludicrously minute description of "The Entertainments at Wimbledon" on *Sundays*, some occasional anecdotes, an account (rather disgusting) of Mr. Tooke's maladies, miscellaneous remarks, and Mr. Tooke's death and character. The compilation is dedicated to the Earl of Moira, "merely," to use Mr. Stephens's own words, "because I know not of any other public man so worthy of my esteem." As Mr. Stephens gives us not the reasons which caused his predilection, we are at liberty to suppose them of a private and personal nature; certainly, in our opinion, between the gallant Lord Moira and the subtle John Horne Tooke there could exist not even the smallest shadow of resemblance, beyond the human form.

A manly and perspicuous PREFACE informs the Reader what he may and what he may not expect.

We again say, this is a pleasing publication. Mr. Stephens justly observes:

"To write the life of a person, against whom violent prejudices have long existed, and treat *freely* of one as yet scarcely cold in his grave, is a task equally difficult and delicate."

Mr. Stephens writes with the utmost caution, indeed, throughout the performance: praise of his singular idol, wherever praise can fairly be introduced, is never spared; but we regret to see, that, although the worthy Author allows Mr. Tooke not to have been a faultless monster, entirely exempt from all the passions, the frailties, and the failings, incident to humanity; yet, when an ugly feature presents itself, this member of the Honourable Society of the Middle Temple, true to the purport of his brief, either passes lightly "*per ignes suppositos cineri doloso*," or, at best, just hints reproof, and hesitates in his dislike of these awkward specks in his great

great Luminary. We are utterly at a loss in our attempts to discover the natural bent of the Author's own mind, either in religion, in politicks, or in morality. True it is, as he triumphantly asserts,

"The most fastidious Critick will be unable to discover any thing in these pages in the smallest degree *hostile* to religion, public morals, or the happy genius and peculiar nature of our free and admirable constitution."

But, we will also venture deliberately to affirm, that the most anxious advocate for piety, virtue, and loyalty, will in vain seek in this performance any the slightest blame of Mr. Tooke's profanation of the Sabbath-day by systematical orgies, any the slightest whisper of regret for Mr. Tooke's habits of low concubinage, any the slightest crimination of Mr. Tooke's daring defiance of the constituted guardians of our laws. No; Mr. Stephens *has eaten salt* with the Philosopher of Purley, and seems yet to remember *the onions and the flesh-pots* of Wimbledon with hunger and delight.

With Mr. Stephens's eloquent description of "*The Entertainments at Wimbledon*" on *Sundays* we shall conclude the present article.

At one of these jovial parties,

"Mr. Tooke partook of some cod-fish, with considerable appetite, observing gaily, at the same time, that his cook had at length taken his advice, and steeped it in some warm water, to take away the salt, during the preceding night. He drank some white wine, and was cheerful, although *the water oozed all the time from his legs*, and the Housemaid came in *frequently to wipe it up with a towel!*"—Vol. II. p. 417.

"On that FESTIVAL—(for so it might well be termed at Wimbledon!)—the Cook was put in requisition, and all the servants were seen with busy faces. So early as eleven in the morning, some of the guests might be descried crossing the green in a diagonal direction, while others took a more circuitous route along the great road, by turning at right angles in the village, and completing the two sides of the parallelogram, with a view of calling at the Mansion, formerly occupied by the Duke of Newcastle, while Prime Minister; but then, as now, the residence of Sir Francis Burdett. About three, several Gentlemen on foot, and on horseback, and in carriages, were seen crossing Putney Bridge, and scaling the

ascent leading to the Common. For many years a coach and four, with Mr. Bosville and two or three friends, punctually arrived within a few minutes of two o'clock; and, after paying their respects in the parlour, walked about an hour in the fine gardens, with which the house was, all but on one side, surrounded. At four, the dinner was usually served, in the parlour looking on the Common; and *John* having, with a smiling 'holiday face,' announced the glad tidings, the company passed through the hall, the chairs of which were crowded with great coats, hats, &c. and took their seats without any ceremony, each usually placing himself in his proper situation. But the courteous host—and no man could, when he pleased, display more courtesy—generally stationed strangers, or men conspicuous for either rank or talents, near to himself, and was particularly attentive to them, both during and after the repast.

"The dinner, uniformly consisting of both white and brown meats, was always excellent, because it was always substantial. To such as had walked, and found their appetites sharpened by the keen and healthy air of the Heath, it proved both refreshing and invigorating in no common degree. At the top, was to be found fish of the best kind and most delicate flavour—turbot, large soles, or cod, each in its respective season, and all accompanied with their appropriate sauces. This was generally followed by a fillet of veal. In the centre, was usually to be seen a tureen of soup, and, at the bottom, either a round of beef, or a sirloin. As side dishes, were to be found the produce of the garden, in great variety, and the highest possible degree of perfection; while pies and puddings, both excellent in respect to composition and flavour, were afterwards introduced. The host's colloquial powers were at this period called forth into action; and, indeed, although he possessed an excellent appetite, and partook freely of almost every thing before him, yet he found ample time for his gibes and jokes, which seemed to act as so many corroborants; at once strengthening and improving the appetites of his guests.

"After the cloth had been removed, wines of several sorts, but generally Madeira, Sherry, and Port, were introduced. These were accompanied by a desert, consisting entirely of our native fruits; all of which were cultivated by him with great skill, and attained a high flavour and perfection under his auspices. In the summer, his table was abundantly supplied with Alpine strawberries, Antwerp raspberries, and Dutch currants;

for

for he was careful in his choice of plants, and anxious to obtain them from those places where they had reached their greatest possible perfection. Although no glass was employed, yet his lofty walls, facing the South-west, presented him with plenty of grapes during the autumn. Apples and pears, the charmentel, jargonel, the chrisan, brown bury, &c. succeeded in rotation; and these were so well preserved, that, in the spring of the year in which he died, some of the best fruits were to be found in April, at his house, in great plenty and perfection, although they had long before disappeared almost every where else."—Vol. II. pp. 292—295.

The article in vol. II. pages 315, 316, is *too highly seasoned* for our temperate palates; by Mr. Stephens, however, we doubt not, it is faithfully *cooked up and spiced*: it affords, alas! one instance out of many, in what horrible excess these pretended "*noctes cœnæque divùm*" were sometimes permitted and stimulated to conclude. But—

"Nobis non licet esse tam disertis,  
Qui Musas colimus severiores."

MARTIAL.

2. *Observations on the Brunal Retreat of the Swallow. To which is annexed, a copious Index to many Passages relating to this Bird, in the Works of Ancient and Modern Authors. By Thomas Forster, F.L.S. Author of "Researches about Atmospheric Phenomena," &c. Third Edition, corrected and enlarged. 8vo. pp. 46. Underwood.*

THE two former Editions of this Tract (the first of them, anonymously, in 1808) were printed, we believe, chiefly as presents to the Friends of the ingenious Author, who has been indefatigable in this, one of his many favourite scientific pursuits. The "Index to passages relating to the Swallow in the works of antient and modern Authors," fills three pages, and will prove of great use to all who take an interest in the subject. Among the articles referred to, our preceding Volumes afford an abundant harvest of information; to which (if we mistake not) *Philochelidon* (the name which the Author adopted in the former editions of his pamphlet) was originally a contributor (see particularly our vol. LXVII. p. 503; and vol. LXVIII. pp. 37, 499.)

The result of these Observations is, that though some solitary instances may be found of Swallows concealed in the crevices of rocks, in holes of old decayed trees, in old ruined towers, and under the thatch of houses; and even of their being found occasionally in ponds, &c.; these should in each case be considered as exceptions to the general rule.

"From all the abovementioned circumstances, as well as from the great length of the wings, in proportion to the bulk of the body, of all this genus, it must appear evident that Swallows are birds of passage: for it is hardly to be supposed that they would assemble together merely to hide themselves; on the contrary, it is most probable that, were this the case, each individual bird would seek a hiding-place for itself."

"As the Index refers to books in several languages, I annex the following List of different names for the Swallow †.

<i>Anglo-Saxon</i>	Swalewe
<i>English</i>	Swallow
<i>Swedish</i>	Svala
<i>Danish</i>	Svale
<i>Icelandish</i>	Svala
<i>Norw.</i>	Sulu
<i>Teutonic</i>	Sualeuu
<i>German</i>	Schwalbe
<i>Dutch</i>	Zwaluw
<i>Laplandick</i>	Swalfo
<i>Cornish</i>	Tshikuk
<i>Welsh</i>	Gwennol
<i>Greek</i>	Χελιδών
<i>Latin</i>	Hirundo
<i>French</i>	Hirondelle
<i>Italian</i>	{ Rondine, or Rondinella

\* "If we calculate the velocity of this bird on the wing, and that it can and does suspend itself in the air for fourteen or fifteen hours together in search of food, it cannot fly over a space of less than two or three hundred miles in that time."—*Montagu, Ornith. Dict.*

† "The Saxon, English, Swedish, Danish, German, and Dutch, are evidently derived from the A. S. Verb, *Swelgan*, or *Swylgan*, to swallow; from the manner in which this bird devours its prey. The Greek is supposed to have come either from *χελιδών* quod *seil. labia agitet*, vel quod *χελιδών* *σδου* labii canit. The derivation of the Latin, (from which the Italian and French are derived) seems doubtful; Littleton derives it from the Greek. Some say *ab haerendo*, from its pendulous and adhering nest. The Spanish seems to have some connexion with the Latin and Greek."

Spanish

Spanish	Golondrina
Portuguese	Andorinha
Russian	Lastowitza
Polish	Iaskolka
Galic	Gobhlan
Hungar	Fetske
Turkish	Garindshu."

3. *The Planter's Kalendar; or the Nurseryman's and Forester's Guide in the Operations of the Nursery, the Forest, and the Grove.* By the late Walter Nicol, Author of the *Gardener's Kalendar*, &c. Edited and completed by Edward Sang, *Nurseryman*. 2vo. Longman and Co.

THIS publication may be ranked with those which blend the useful with the amusing; for, what can be more obviously useful than a proper knowledge of the means of promoting the planting of trees, encouraging their growth, and attending to the progress of the vegetable system in the aggregate; or more amusing than observing the gradual expansion of the seed, the trunk, the bud, the blossom, and the fruit? We have ever seen with satisfaction works calculated for the advancement of general information by individuals with minds superior to those prejudices which would confine all knowledge to the professors of each science or profession. In noticing the Preface, we shall give Mr. Sang's sentiments on this subject, which do him great honour.

Mr. Nicol published his "*Gardener's Kalendar*" in the year 1810; and at the same time announced a "*Planter's and Nurseryman's Kalendar*." Determined to have the latter as perfect as the nature of the work permitted, he made an extensive Tour through England in the Summer and Autumn of the above year, visiting the most celebrated seats of the Nobility and Gentry, the principal nurseries in the vicinity of the Metropolis, and such forests and plantations as were calculated to excite attention from a person experienced in his profession: on the whole of which he made such notes as occurred to him on the management and state of the objects under his notice. As to the practice in Scotland, he was previously well acquainted with it, and had published a work so favourably received by the public as to be frequently reprinted, intitled, "*The Practical Planter*." Mr. Nicol, having returned to Scotland, began to arrange his materials,

and had made some progress, when he was seized with severe illness, which ultimately terminated in his death. After this event, Mr. Constable applied to Mr. Sang to complete the undertaking; but the latter had the mortification of finding the notes and references left by Mr. Nicol in a state little serviceable to him, however useful and important they might have been to their Author; though he had the advantage, on the other hand, of knowing the practice and professional opinions of the deceased, with whom he lived on the most amicable terms as a friend and esteemed relation: still he found so much remained to be done, that he should have declined interfering, had not the subject been familiar to him.

"But," he proceeds, "having been personally engaged from my earliest days in raising trees from seeds in the nursery, and attending the planting, pruning, and future management of them in the forest and other situations, I felt some degree of confidence in my own experience; and I trust, therefore, that I shall not be deemed presumptuous for having, in these circumstances, undertaken the finishing and editing of the *Planter's Kalendar*."

Resting on his practice and experience, he has felt it his duty, in those cases where he found himself unfettered, to advance opinions and give advice which militate against those of Mr. Nicol, and to be met with in his "*Practical Planter*." In this case he particularly alludes to the pruning of firs and larches in the grove and forest, the manner in some instances of pruning young hard-wood trees; and the rules to be observed in pitting of grounds according to their nature and other circumstances. It seems these two persons had frequently discussed their different opinions on these subjects in a friendly way: he therefore thought it better at once to state his own views, than, by giving those of Mr. Nicol, to have to refute them. Mr. Sang supposes some apology necessary to the brethren of his profession, who may think he has too freely revealed the secrets of their business, in addition to his having strongly recommended the establishment of *private nurseries*, and decidedly advised the sowing of acorns, chesnuts, and walnuts, where the trees are intended to grow, in preference to planting

planting them from any nursery whatever.

"In my defence, I may appeal to every patriot Briton, as to the extreme importance of adopting the most speedy and effectual measures to increase the quantity of forest plantation in these Islands, in order to meet the extraordinary expenditure of our native timber, which is now unavoidably taking place, owing to the unparalleled war which has closed the usual sources of our supply from the Continent. Now, where the designs are extensive, the planting will be greatly facilitated and forwarded by the formation of private nurseries; and in no other cases will such nurseries ever be found advantageous; further, few, I presume, would be found disposed to dispute the proposition that private emolument ought to give way to the general good. Besides, if individual emolument is really to be thus lessened, I cannot be supposed destitute of a fellow-feeling on the subject; my own livelihood, and that of a numerous family, depending on the public nursery business."

So far from thinking the means alluded to will be hurtful to the profession, Mr. Sang imagines they would tend to make the spirit for planting more general, and thus benefit the persons employed in the above pursuit.

It is said, that the plan adopted in this work differs but little from that sketched by Mr. Nicol. The Editor endeavours to impress on the minds of his readers, in the Introduction, the importance of providing for the future supply of timber for every common purpose, but particularly for that of the Navy. He then notices the proper soils and situations for Nurseries, and those best suited for forest and grove plantations, and woods and copses. The different kinds of forest trees are next characterised; and he closes this part with a short view of the advantages to be derived from planting; the Kalendar succeeds, in which is stated the work to be particularly attended to during each month, under the respective heads of Nursery, Forest-plantation, Ornamental-plantation, Copses, and Fences.

"In order to illustrate some things more perfectly, three Engravings are given. In the first, I have exhibited (says Mr. Sang) the general appearance of two properly-pruned grove-trees, the one thirty, and the other ten years of age; and of one that is improperly pruned.

In Plate second, the baneful consequences of bad pruning are exemplified in two planks, figured from nature. In the third Plate, the various implements particularly alluded to in the course of the Treatise are represented."

An Appendix contains full instructions for the formation and management of osier plantations, with directions for choosing the species of willow. In a few instances the practice recommended in this treatise may be particularly calculated for the climate of Scotland; but the Author has constantly kept in view the probability of its being consulted in England and Ireland, and thinks the planters of those countries will have no cause to repent following his instructions. Mr. Sang concludes by asserting, that he has aimed to write in a plain and perspicuous style, which, he concludes, is all that will be required of a practical man, who grants that, in attempting to write English, he may have fallen into Scotticisms. He also professes to have intentionally employed expressive Scots terms; but, where he supposed they might not be understood by his Southern readers, they are followed by due explanation.

10. *Gustavus Vasa, and other Poems.*  
By W. S. Walker. 2vo. Longman and Co.

MR. WALKER dedicates his book to the Right Honourable the Baroness Howe, in substance as follows:

"It would," he observes, "be a sufficient reason for sanctioning this work with (her) Ladyship's name, that it is an offering of gratitude presented because there is nothing worthier to give." He had, however, another reason; he that would celebrate a Patriot, could not do better than to select the Daughter of a Patriot to address—of a Hero who was for years considered as the "Naval Sun" of England, and from whom were derived the inextinguishable properties of courage and devotion to their Country by the youth his contemporaries. Mr. Walker pays the Lady a handsome compliment, by admitting that the female mind is not adapted for actions and glory like his; but asserts that in the calm and active virtues of private life, almost equally honourable to the possessor, her Ladyship maintains the dignity of her predecessor. To confirm the truth of this panegyrick, he calls upon those whom