

thumberland, Cumberland, Westmoreland, and Durham are conspicuous by their absence. Lancashire does not appear under its proper name; but Furness and the northern part of the county, as well as the south of Westmoreland, with a part of Cumberland, are included within the West Riding of Yorkshire. That part of Lancashire which lies between the rivers Ribble and Mersey is subjoined to Cheshire; and part of Rutland is described in the counties of Northampton and Lincoln. The reasons which led to the omission of these northern counties from Domesday are not difficult to be understood. Durham and Northumberland had been laid waste by the merciless hand of conquest. The devastations of the Conqueror himself in the winter of 1069-1070, the various inroads of Malcolm, and the vengeance taken by Odo after the murder of Bishop Walcher in 1080, must have left very little in those districts worth the surveying. Lancashire did not then exist as a separate county. Cumberland and Westmoreland had no being as English shires,—their southern portions then formed part of Yorkshire, and they are surveyed in Domesday as such; whilst their northern portions did not become part of the kingdom of England till the reign of William Rufus, having been held by the Scottish kings as a fief ever since the grant by Edmund the Magnificent, on the final overthrow of the old kingdom of Strathclyde. The notion that the northern portions of Cumberland and Westmoreland were conquered in 1072 by William I. is derived from a careless blunder in the work of Matthew of Westminster, who has confounded William Rufus with his father.

The exact time of the commencement of this survey is variously stated. The Red Book of the Exchequer has been quoted as fixing the date at 1080; whereas the Red Book merely states that the survey was undertaken at a time subsequent to the total reduction of the island to the authority of the Conqueror. From the memorandum of the completion of the survey at the end of the second volume, it is evident, however, that Domesday was finished in 1086. Matthew Paris, Robert of Gloucester, the *Annals of Waverley*, and the *Chronicle of Bermondsey* give 1083 as the date of the record; Henry of Huntingdon places it in 1084; the *Saxon Chronicle* in 1085; Simeon of Durham, Florence of Worcester, Roger Hoveden, and Hemingford in 1086; whilst the *Ypodigma Neustriæ* and Diceto state 1087 as the year.

The reason given for taking this survey, as assigned by several ancient records and historians, was that every man should be satisfied with his own right, and not usurp with impunity what belonged to another. But besides this, it is stated by others that all those who possessed landed estates now became vassals to the king, and paid him so much money by way of fee or homage, in proportion to the lands they held. According to the false Ingulphus, the survey was made in imitation of the policy of Alfred, who, at the time he divided the kingdom into counties, hundreds, and tithings, had an inquisition taken and digested into a register, which was called, from the place in which it was deposited, the Roll of Winchester. But the compilation of such a survey in the time of Alfred may be more than doubted; for, with the exception of the statement of Ingulphus, no chronicler alludes to the existence of this register, nor is any mention of it to be found in the records of the time or in those of a subsequent period. Had it been extant in the century immediately preceding the Norman Conquest, it would have prevented the necessity of giving those minute descriptions of land so common among the later of the Saxon charters. Again, the separation of counties is known to have been a division long anterior to the time of Alfred. The confusion in all probability has arisen from a similarity in the title of the two works. The survey of the Conqueror was called Domesday

Book; the register of Alfred had the name of Dome-boc; but the Dome-boc, instead of being a territorial analysis as is Domesday Book, was in reality the code of Saxon laws.

For the execution of the survey recorded in Domesday Book, certain commissioners, called the king's justiciaries, were sent into every county and shire, and juries summoned in each hundred, out of all orders of freemen, from barons down to the lowest farmers. These commissioners were to be informed by the inhabitants, upon oath, of the name of each manor and that of its owner, also by whom it was held in the time of Edward the Confessor; the number of hides; the quantity of wood, of pasture, and of meadow land; how many ploughs were in the demesne, and how many in the tenanted part of it; how many mills and how many fish-ponds or fisheries belonged to it; the value of the whole in the time of King Edward, as well as when granted by King William, and at the time of this survey; and also whether it was capable of improvement or of being advanced in value. They were likewise directed to return the tenants of every degree, the quantity of lands then and formerly held by each of them, what was the number of villains or slaves, and also the number and kinds of their cattle and live stock. These inquisitions, being first methodized in the county, were afterwards sent up to the king's Exchequer. So minute was the survey, that the writer of the contemporary portion of the *Saxon Chronicle* records—"So very narrowly he caused it to be traced out that there was not a single hide or yardland, not an ox, cow, or hog that was not set down."

By the completion of this survey the king acquired an exact knowledge of the possessions of the Crown. It afforded him the names of the land-holders; it furnished him with the means of ascertaining the military strength of the country; and it pointed out the possibility of increasing the revenue in some cases and of lessening the demand of the tax-collectors in others. It was, moreover, a register of appeal for those whose titles to their property might be disputed.

So accurate has Domesday Book been considered that its authority was never permitted to be called in question; and when it has been necessary to distinguish whether lands were held in ancient demesne or in any other manner, recourse was always had to Domesday, and to it only, in order to determine the doubt. From this definitive authority, from which, as from the sentence pronounced at Domesday, or the Day of Judgment, there could be no appeal, the name of the book is said to have been derived. Stowe indeed assigns another reason for this appellation, namely, that Domesday Book is a corruption of "*domus Dei* book," a title given it because heretofore it was deposited in the king's treasury in a part of the church of Westminster or Winchester called *domus Dei*; the name, however, is plainly English. From the great care formerly taken to preserve this survey, we may learn the estimation in which it was held. In the *Dialogue de Scaccario* it is said, *Liber ille* (meaning Domesday) *sigilli regis comes est individuus in thesauro*. It was formerly kept at Westminster with the king's seal by the side of the Tally Court in the Exchequer, under three locks and keys, in the charge of the auditor, the chamberlains, and deputy-chamberlains of the Exchequer, till in 1696 it was deposited among other valuable records in the chapter-house. It is now carefully preserved beneath a strong glass case in the Public Record Office, and can be consulted without payment of any fee.

Various local Domesdays exist, as those of York, Norwich, Ipswich, Chester, and Evesham. The most notable among them is the Domesday of St Paul's, made in 1181 by the Dean, Ralph de Diceto, and edited by Archdeacon Hale.

In 1783 Domesday Book was published in two volumes, and in 1816 a volume of indices was printed by the Record Commission, to which a very valuable "general introduction was prefixed." During the latter year another volume appeared containing the Exon Domesday, and the Inquisitio Eliensis, already noticed; the Winton Domesday, comprising lands in Winchester between 1107 and 1128; and the Boldon Book, or Survey of the Palatinate of Durham in 1183. Within the last few years the whole of Domesday has been issued in parts, each part comprising a county, and printed by the process of photozincography, under the scholarly superintendence of Mr W. B. Sanders, one of the assistant keepers of the Public Records.

See Sir H. Ellis's *Introduction and Indexes to Domesday*, vol. i. and ii.; *Domesday Book*, illustrated by Kelham; *Descriptive Catalogue of Manuscripts relative to the early History of Great Britain*, vol. ii.; *History of the Norman Conquest*, by E. A. Freeman, vol. v.; *Our Public Records*, by A. C. Ewald.

DOMICILE, in law, may be defined generally as the place of a man's permanent abode; but a precise definition of the word is a matter of acknowledged difficulty. Its use in jurisprudence is to fix the legal rights of a person in certain cases where it is felt that the application of the law of the country to which he owes allegiance on the one hand, or of the country in which for the moment he happens to be, would be attended with inconvenience. Thus an English citizen who, for purposes of business, health, &c., has for many years permanently resided in France, has, let us suppose, died during a casual visit to Denmark. The question would arise under which of the three systems of law—English, French, or German—the validity of his will, the succession to his estate, &c., would be determined. Or, again, a French subject habitually resident in England, but not naturalized, might sue for a dissolution of his marriage in the matrimonial courts of this country, and it would be generally admitted that our courts in such a case were entitled to exercise jurisdiction, and that their decision ought to be received as determining the status of the persons concerned, just as fully as if they had been natural-born subjects of the Crown. In such cases there is a general agreement that a man's legal character, so to speak, should be determined by his domicile, rather than by his political nationality or his residence for the time being. We shall notice briefly the conditions of residence under which domicile may generally be established.

The Roman jurists defined domicile to be the place "*ubi quis larem rerumque ac fortunarum summam constituit: unde rursus non sit discessurus si nihil avocet: unde cum profectus est, peregrinari videtur: quo si rediit peregrinari jam destitit.*" The general result of the definitions to be found in writers on the civil law is to make that place the domicile which may be described as the head-quarters of the person concerned, or, as it is expressed in the Code Civile, "*le lieu ou il a son principal établissement.*" But here characteristic difficulties embarrassed the civil lawyers. A man's habits of life might point equally to two places as his head-quarters. It might be impossible to say which of them was the principal seat of his business. Which of the two in such a case is the legal domicile. Or can the same person at the same time have two domiciles? The two essential things are residence and the intention of remaining. Story's definition is, "*That place is properly the domicile of a person in which his habitation is fixed without any present intention of removing therefrom.*" Change of residence not intended to be permanent would not create a new domicile. Cases will readily suggest themselves in which the question of intention may be surrounded with difficulties.

The following summary follows the general rules laid down by Story for determining the domicile of a person

(*Conflict of Laws*, sec. 46). The child takes the domicile of the father, except in the case of an illegitimate child, which takes the domicile of the mother. Minors follow the changes of the father's domicile; and a married woman follows the domicile of her husband. The place of residence is *prima facie* the domicile; and when a person removes to another place with the intention of making it his permanent residence, that place becomes his domicile. When a person has removed to another place with the intention of remaining there for an indefinite time, that is his domicile, though he may have a general intention of returning at some future time. In general the domicile of a married man is the place where his family permanently resides, even though he habitually transacts his business elsewhere. When a married man has two places of residence, that will be his domicile "which he himself selects or describes or deems to be his home, or which appears to be the centre of his affairs, or where he votes or exercises the rights and duties of a citizen." An unmarried man's domicile is where he transacts his business or exercises municipal duties or privileges. Compulsory detention will not create a domicile. A domicile once established remains until a new one has been acquired; but ambassadors resident in a foreign country retain their domicile of nationality.

To these general rules may be added some of the principles laid down in recent cases by the English courts. The distinction between the question of domicile and that of naturalization or allegiance is clearly pointed out in *Haldane v. Eckford* (*Law Reports*, 8 Equity, 631) where it is said that to effect a change of domicile it is not necessary that a man should do all in his power to divest himself of his original nationality (*exuere patriam*), it being sufficient that there should be a change of residence of a permanent character voluntarily assumed. And in *Udny v. Udny* (*Law Reports*, 1 House of Lords, Scotch Appeals) Lord Westbury said: "To suppose that for a change of domicile there must be a change of natural allegiance is to confound the political and civil status, to destroy the distinction between *patria* and *domicilium*." So the lord chancellor: "A man may change his domicile as often as he pleases, but not his allegiance." In the British empire, composed as it is of communities having each its own system of law, there may be numberless domiciles under one allegiance. In the first of the cases above mentioned the question was as to the domicile of a testator, whose domicile of origin was Scotch, who was a servant of the East India Company for thirty-three years, and who on leaving India went to Jersey, where he lived continuously for twenty-five years till his death. The Scotch domicile reverted on his leaving India, but was held to have been lost by the residence in Jersey, where a new domicile was acquired. This is a fair sample of the cases which frequently arise in British courts on the question of domicile. In the second of the cases mentioned above it was held to be "a settled principle that no man shall be without a domicile, and to secure this end the law attributes to every individual as soon as he is born the domicile of his father, if the child be legitimate, and the domicile of his mother, if the child be illegitimate. This is called the domicile of origin, and is involuntary. It is the creation of the law, not of the party. It may be extinguished by act of law, as for example by sentence of death or exile for life, which destroys the *status civilis* of the criminal; but it cannot be destroyed by the will and act of the party. Domicile of

<sup>1</sup> Some Roman jurists, however, maintained that a man might be without any domicile at all, as for example when he has definitely abandoned his old domicile, and is travelling in search of a new abode. It is said that, when a domicile different from that of birth has been acquired and is abandoned, the domicile of birth reverts the moment the other is given up. "The native domicile easily reverts."



choice is the creation of the party. When a domicile of choice is acquired, the domicile of origin is in abeyance, but is not absolutely extinguished or obliterated. When a domicile of choice is abandoned, the domicile of origin revives, a special intention to revert to it not being necessary. A natural-born Englishman may domicile himself in Holland, but if he breaks up his establishment there and quits Holland, declaring that he will never return, it is absurd to suppose that his Dutch domicile clings to him until he has set up his tabernacle elsewhere."—*Per* Lord Westbury. These extracts, it will be seen, state even more strongly than the corresponding rule adopted by Story the position that the original domicile differs from an acquired domicile, in being suspended rather than destroyed by the acquisition of a new domicile. One of the law lords in *Udny v. Udny* even finds fault with Story's use of the phrase "to reacquire a native domicile." The native domicile is not reacquired but restored *ipso facto* by the abandonment of the acquired domicile.

The intention necessary to effect a change of domicile may be illustrated by the following cases. In the case of *Douglas v. Douglas* (12 Equity, 617), R—, son of a domiciled Scotchman, entered the Home Office, London, in 1792, remained till 1802, thereafter having married an English lady, lived in England in hired houses, and finally settled in Scotland and died there. It was held that he had not lost his domicile of origin. The testator in the case, the son of R—, was born in London in 1803 during a visit of his parents to London, lived from the age of thirteen with his parents in Scotland, paying occasional visits to England till his mother's death in 1857, after which he let his family estate in Scotland, and lived chiefly in England in hired houses. It was held that his domicile was Scotch. The intention required to create a new domicile is an intention to settle in a new country as a permanent home, and this is sufficient without any intention to change civil status. In another case (*Brunel v. Brunel*, 12 Equity, 298), where a French subject had established himself in business in England, and resided there continuously for thirty years, making only occasional visits to France, but had refused to take out letters of naturalization on the ground that he might return to France, and would not give up his status as a French citizen, it was held, notwithstanding, that he had lost his domicile of origin, and had acquired an English domicile.

The effect of domicile on the rights and duties of parties is even more difficult to state. Continental jurists draw a distinction between personal and real laws,—the former being supposed to fix the legal character of the person and accompany him wherever he may be, the latter dealing with things only. In matters covered by the former, therefore, the domicile prevails; while things are governed by the law of the place in which they are. If the distinction were maintainable it would still be of little use in fixing the extent of the operations of the law of domicile, because one large class of real laws, that dealing with movables, is universally admitted to be governed by domicile; while a large but undefined class of personal laws would certainly not be acted on by foreign states, *e.g.*, where the law of domicile fixes with incapacity persons professing a religion contrary to that established by the state. There is no uniformity of practice or opinion on this point in modern jurisprudence. Story considers the following to be the best established principles in England and America on the point of personal capacity or status:—

1. The capacity, state, and condition of persons according to the law of their domicile, will generally be regarded as to acts done, rights acquired, and contracts made in the place of their domicile touching property situate therein. If valid or invalid there, they will be valid or invalid everywhere. 2. As to acts done, &c., in other countries touching the property therein, the law of such

countries, as to capacity, &c., and not the law of domicile, will generally prevail. Thus "in questions of minority or majority, competency to marry, incapacities incident to coverture, guardianship, emancipation, and other personal qualities and disabilities," the *lex loci contractus aut actus*, and not the *lex domicilii* ought to prevail, *e.g.*, if a person over 21 but under 25 years of age has his domicile in a country which fixes majority at 25, he may make generally a valid contract, even of marriage, in a country which fixes majority at 21. 3. Personal disqualifications not arising from the law of nature, especially such as are penal, as disqualifications for heresy, popish recusancy, &c., are not enforced in any other country. The refusal of non-slaveholding States to recognize the status of slavery is an example.<sup>1</sup> 4. Questions of legitimacy are generally to be decided by the law of the place where the marriage was celebrated. When issue born before marriage may by the law of the country of their birth be legitimated by the subsequent marriage of the parents, such legitimacy would be recognized in other countries. (But see BASTARD and MARRIAGE.)

The operation of the law of domicile is most free from doubt in questions touching personal or movable property. Real property is governed by the *lex loci*; but personal property has in law no locality. On this point English law is now substantially in harmony with Continental jurisprudence. The principle that personal property is subject to the law of the owner's domicile is fully recognized in the distribution of the estate of a person deceased, whether with or without a will. The capacity of a person to make a will, the validity of the will, and its effect, are to be determined by the law of his actual domicile in the case of movable property. In the case of real property, on the other hand, these questions must be decided by the law of the country in which it is situated. It was doubted by Story whether a will valid according to testator's domicile at the time of its execution would be affected by a subsequent change of domicile. A recent case (*Lynch v. Government of Paraguay*) decided that personal property in England is governed by the law of testator's domicile at the time of his death. In this case the testator, a domiciled Paraguayan, died leaving personal property in England; and between his death and the application for probate a decree of the Government of Paraguay declared that all the property of the deceased, wherever situated, was the property of the state of Paraguay. The court, nevertheless, held that the property in England must be governed by the law of Paraguay as at the time of the death (2 Probate and Matrimonial Cases, 268). So in cases of intestate succession, the law of the actual domicile of the intestate at the time of his death governs his personal property everywhere. The persons entitled, the proportions in which they are to take, &c., must be settled by the law of the domicile, however different that may be from the law of the country in which the goods are.

The following statutes relating to the effect of domicile on wills were passed in 1861:—

24 and 25 Vict. c. 114. Wills made out of the United Kingdom by British subjects (whatever may be the domicile of such person at the time of making the same or at the time of death) shall, as regards personal estate be held to be well executed, if the same be made according to (1), the forms required by the law of the place where the same were made, or (2), the place where such person was domiciled when the same were made, or (3), by the laws in force in that part of her Majesty's dominion where he had his domicile of origin. Wills made by any British subject (whatever may be his domicile) shall, as regards personal estate, be well executed if they are according to the forms then required in that part of the United Kingdom in which they are made. No will or other testamentary disposition shall be held to be revoked or become valid, nor shall the construction thereof be altered by reason of any subsequent change of domicile.

24 and 25 Vict. c. 121 recites that by the operation of the law of domicile the expectation and belief of British subjects dying abroad with regard to the distribution of their property are often defeated, and enacts that when a convention has been made between

<sup>1</sup> When the foreign law which would otherwise operate as *lex domicilii* is repugnant to the moral principles of the country in which it is sought to be enforced, the *lex domicilii* would not be allowed to prevail.

Her Majesty and any foreign country, it may be declared and shall be enacted that no British subject dying in such country shall be deemed to have acquired a domicile therein, unless he has been resident in such country for one year previous to death, and has made a declaration in writing of his intention to become domiciled; and British subjects so dying without having so resided and made such declaration shall be deemed for all purposes of testate or intestate succession as to movables to retain the domicile he possessed at the time of going to reside in such foreign country. Similar exemptions are conferred on the subjects of the foreign state dying in Great Britain or Ireland. But the Act does not apply to foreigners who have obtained letters of naturalization in any part of Her Majesty's dominions. (E. R.)

DOMINIC, St, founder of the Dominican order of monks, was born at Calahorra, a village of Old Castile, in 1170. His family name is said to have been Guzman, an illustrious name connected with many of the most honourable families in Spain. Little is known of his father and mother, but in the mediæval legends his birth is surrounded with portents indicative of his future greatness. His mother dreamed she gave birth to a boy with a torch in his mouth, which set the world on fire. At his baptism a new sign was given. A starry radiance encircled the baptismal font. His followers delighted to recognize a similar radiance in his countenance, which drew all hearts to him. His childhood gave evidence of his future devotion and self-denial. He used to creep from his bed and prostrate himself on the hard boards. At seven years of age he quitted the paternal home for the house of his uncle, who was a churchman, and gave him his first lessons in divine things. At fifteen he went to the university of Palencia, afterwards translated to Salamanca, where it attained reputation as the most famous university in Spain. He applied himself to letters and philosophy, but above all to theology,—opening his mind, according to one of his biographers, to the true knowledge, and his ears to the doctrines, of Holy Scripture. Two stories are told of him at this time, showing the intensity of his character, and indicating the future zealot in behalf of religion and the church. He sold his clothes to feed the poor in a time of famine, and, to a woman who complained that her brother had been made a slave by the Moors, he offered himself to be given in exchange. His career as a student is obscure. He appears to have remained at the university for about ten years, and it is only in 1195, when he was twenty-five years of age, that he begins to emerge into notice. He is then one of the canons of Osma, under the guidance of a new and zealous bishop, whose heart was full of extending the power of the church and reforming its abuses. He gradually became known by his fervour as a preacher and the severity of his austerities, although it was still nearly ten years later before the opportunity came for him to show his true character and abilities. In 1203 the bishop of Osma was delegated to negotiate the marriage of Alphonso VIII of Castile with a Danish princess, and for this he undertook a journey to Denmark with Dominic as his companion. Accustomed to the obedience and reverence everywhere paid to the clergy in Spain, a very different spectacle presented itself to them as soon as they crossed the Pyrenees, and found themselves in the plains and cities of Languedoc. There a new spirit—half poetical and half spiritual—had sprung up in opposition to the church. The Provençal poets found much of their inspiration in a prevailing excitement at the worldly vices and corruptions of the clergy, as well as in the chivalric loves and gaieties of their time. And in addition to the poets there had arisen in this interesting and beautiful country multitudes of preachers of a new, more simple, and more liberal faith. Peter de Bruelys and Henry the Deacon became the organs of popular indignation against the superstitious observances which the priests everywhere encouraged,—the worship of the cross, transubstantiation, prayers, alms, and oblations

to the dead, and even infant baptism,—for, as in all such cases of popular movement, the church was attacked not merely in its abuses but in its essential rites and its very existence. The "Poor Men of Lyons" rejected the whole church system, and permitted women to officiate at the altars. The "Paulicians," a sect of Manichæans surviving from the 5th century, had spread from the East through the Greek provinces of Sicily and Italy, and settled amongst the other elements of disturbance in the south of France. "It was discovered," as Gibbon says (c. 54), "that many thousand Catholics of every rank and of either sex had embraced the Manichæan heresy;" and the flames consumed twelve canons of Orleans supposed to be tainted with the heresy. "The same vicissitudes of martyrdom and revenge as had been displayed in the East were repeated in the 13th century on the banks of the Rhone." The result of all was a state of heretical insurrection and confusion sufficiently startling to men like St Dominic or even St Bernard, who has left us a description of what he himself observed—"Churches without people, the people without priests, priests without respect, Christians without Christ, holy places denied to be holy, the sacraments no longer sacred, and holy days without their solemnities." (Quoted by Milman, *Hist. of Latin Christianity*, iv. 178.)

In such a country, and in such a state of things, St Dominic found his mission as a champion of the church and a preacher of Catholic truth. Painfully impressed by what he saw on his journey to Denmark, he was so aroused by the spectacle of abounding heresy on his return that he resolved to devote himself to the conversion of the inhabitants, and the revival of the church in a land which appeared to him so given over to evil. The Pope had sent legates thither for the correction and repression of the heretics, but after a year's labours they had met with no success, and were on their way back to report the failure of their mission at Rome. Dominic met with them on his journey, and struck at once by their splendid retinue and their failure, he exclaimed,—"How can you expect success with all this secular pomp? These men cannot be touched by words without corresponding deeds. The heretics deceive them by their simplicity. You must throw aside all your splendour, and go forth, as the disciples of old, barefoot, without purse or scrip, to proclaim the truth." He acted without delay on his own principle, and betook himself to the profession of a mendicant preacher. Even the legates were shamed for a time to follow in the wake of the enthusiastic Spaniard. But their enthusiasm did not last long, and Dominic was left alone in his self-denying labours.

It is difficult to describe with any fidelity the character of St Dominic's career, which his mediæval biographers have enveloped in a haze of miraculous exaggeration. Apparently at first he confined himself in the main to moral and intellectual influences, preaching against the heretical errors, and inviting the heretics to conferences and reasonings. His modern biographer, Lacordaire, has even ventured to compare this early phase of his work with St Paul's conferences with the Jews, and St Augustine's expostulations with the Donatists and Manichæans. His arguments were of course powerfully enforced by miraculous tokens when otherwise likely to fail of their purpose. Wherever he moved the glory of the supernatural moved with him. Signs and portents, most of them too trivial and absurd for mention, gave emphasis to his preaching and triumph to his mission. But withal the success that awaited him as a preacher was disappointing; and the flames of war, kindled by the growing antagonism of the sects and the church, and fomented by the rival ambitions which are always at hand to make use of the fury of religious passion, soon swept over the country, and hid from



view the figure of the missionary and the preacher. It was, as Milman says, a stubborn generation, which, besides preaching, argument, and miracles, needed the sword of Simon de Montfort to cure it of its heresies. The atrocious crusade known as the Albigenian war, the violent incident and picturesque display of character on both sides, the pleasant, vacillating, and humiliated Count Raymond, the intrepid and bloodthirsty Montfort,—all belong to history rather than to the life of Dominic. What part he really played in the war evades clear historical judgment. Did he share in its atrocities, as religious zealots in similar cases have often done, or did he mourn the interruption of his peaceful labours of conversion, and preach moderation to the conquerors, as well as penitence to the heretics? Facts fail us in the matter. All that is known is that he remained through all the friend of De Montfort, and obeyed the call to bless the marriage of his sons and the baptism of his daughter. This implies that the darker features of the crusade, and the conduct of its leader, awakened no such horror in him as they ought to have done; and when to this is added the glory (!) claimed for him of instituting the Holy Inquisition, the light which is thus thrown upon his character is far from pleasing. It is in no spirit of apostolic mildness, certainly, that he at last left the country in 1217, after the death of De Montfort. "For many years," he says, "I have spoken to you with tenderness, with prayers, and tears, but, according to the proverb of my country, where the benediction has no effect the rod may have much. Behold now we rouse up against you princes and prelates, nations and kingdoms, and many shall preach by the sword." This was a poor gospel for a people already decimated by the armies of the church, and the preacher of it was certainly no apostle of peace. Full of enthusiasm, of eloquence, of dogmatic zeal, with a genius for combination and the great power of inspiring devotion in his followers, Dominic fails in the higher virtues of patience, magnanimity, reasonableness, and moderation. He is a prince of the church, but not a saint save in its official calendar.

On leaving Languedoc Dominic repaired to Rome, and spent the remainder of his life in the organization of his order, which received the papal sanction in 1216, and which, under his generalship, had extended in the course of five years throughout most of the countries of Europe. He died at Bologna in 1221, in the fifty-first year of his age. See DOMINICANS. (r. t.)

DOMINICA, in French DOMINIQUE, a British West India island, the largest in the Leeward group of the Lesser Antilles, lying between the French islands of Martinique and Guadeloupe, 24 miles north of the former and about the same distance south of the latter, at the intersection of 15° 30' N. lat. by 61° 30' W. long. It has a length of 29 miles with a maximum breadth of 16, and its area is estimated at 291 square miles. The longer axis is formed by a chain of mountains, which attains in some parts a height of upwards of 5000 feet, and gives the whole island a strongly marked profile and great irregularity of surface. The results and symptoms of volcanic activity are abundant, in the shape of solfataras, emissions of subterranean vapours, and hot springs; and in the southern part of the island there exists a boiling lake of unascertained depth, in which the water is frequently projected 3 feet or more above the surface by the force of the ebullition. Besides a large number of minor rivulets, upwards of thirty streams of considerable size might be mentioned, and this abundance of natural irrigation develops great fertility in the rich volcanic soil. The hills are in many parts covered with valuable timber trees of the kinds commonly found in the West Indies; and the sugar-cane, coffee, cocoa, cotton, indigo, oranges, plantains, and arrow-root are grown in the

lowlands. The island is botanically remarkable for the great number of peculiar species which it possesses in comparison with the poverty in this respect of Guadeloupe, Martinique, Montserrat, and Antigua: as many as 24 are mentioned by Grisebach. Game is abundant; the fisheries on the coast are productive; and large quantities of honey and wax are furnished by the wild bees, which were originally introduced from Europe. The coasts of the island are not much indented, and the only anchorages of importance are Prince Rupert's Bay and Roseau, both on the west side. The total tonnage of the ships that annually enter and clear amounts to 18,018 tons, according to the average of the fifteen years from 1860 to 1874 inclusive; and of this total only 3742 tons belong to foreign vessels. The imports in 1874 were valued at £56,714, and the exports of the same year at £67,720,—being a decrease since 1860 of £11,087 and £12,738 respectively. Since 1872 Dominica has formed part of the colony of the Leeward Islands, and sends its representatives to the general legislative council; but at the same time it retains its lieutenant-governor or president, a separate treasury, and its local legislature, consisting of seven elective members and seven nominees of the crown. In 1874 its public revenue amounted to £15,022, its expenditure to £17,456, and its debt to £4813. In common with the Virgin Islands it has attained complete religious equality by the abolition of the salaries paid from the public funds to the clergymen of the Church of England, who had a much smaller portion of the population under their jurisdiction than the Roman Catholic priests. Of the Carib aborigines there are no representatives; and the present inhabitants, numbering, according to the census of 1871, 27,178, consist mainly of descendants of the former negro slaves, with a certain number of Spanish and English families. The capital is Roseau, or Charlotteville, a fortified port near the southern end of the island, with about 5000 inhabitants. Dominica was so named on its discovery by Columbus in 1493, in commemoration of the date, which happened to be Sunday (*Dies Dominica*) the 3d of November. It was ceded to England by France at the Peace of Paris in 1763, was captured by the French in 1778, regained by the English in 1783, again seized by the French in 1802, and finally surrendered to Britain in 1814. It was in the neighbouring sea that Rodney obtained his victory over Count de Grasse in 1782.

DOMINICANS, the name by which the disciples of St Dominic became known. The Dominican order was founded, as stated in the article on the founder, in 1216 by a bull of Honorius III. It conformed to the general rule of the Augustinians, but further embraced a rule of absolute poverty or mendicancy, in addition to the usual vows of chastity and obedience. Its members were supposed to be exclusively devoted to preaching and public instruction, and were described as mendicant or preaching friars. The order held its first chapter in the year 1220 at Bologna, under the presidency of its founder. It adopted as its insignia within the cloister a white robe and white hood, to which it added outside a black cloak, hence the popular name of black friars by which the Dominicans became known in England. The novitiate was for a year, and candidates were mainly recruited from the schools founded by the order, which became the nurseries of great preachers and great theologians. The order speedily extended itself through the whole Christian world, and popes, cardinals, and learned doctors sprang from it in numbers. Its preachers and teachers addressed all classes, invaded "the high places of the human intellect," and were soon found, as Milman says, "disputing in the universities of Italy and Germany, in Cologne, Rome, and Oxford. Before long they were to claim two of the

greatest luminaries of the prevalent philosophy, Albert the Great and Thomas Aquinas."

DOMINIS, MARCO ANTONIO DE (1566–1624), celebrated as a theologian and natural philosopher, was born in the island of Arbe, in 1566. He was educated in the order of the Jesuits at their college at Loretto, and afterwards studied at the university of Padua. He was employed for some time by the Jesuits as a teacher of rhetoric and mathematics, but he did not join the order. In 1596 he was appointed to the bishopric of Segni, and in 1602 he was raised to the archbishopric of Spalatro. His endeavours to reform the church soon after made him obnoxious to the papal authorities, and he was compelled to leave his native country. Having become acquainted with Bishop Bedell, whilst the latter was chaplain to Sir Henry Wotton, ambassador from James I. at Venice, he communicated to that prelate his treatise *De Republica Ecclesiastica*, which was afterwards (1617, 1620) published at London, with Bedell's corrections. The main argument of the work was directed against the superiority of the bishop of Rome to other bishops. He came to England with Bedell, where he was received with great respect, and preached and wrote against the Roman Catholic religion. In 1619 he published at London Father Paul's *History of the Council of Trent*, with a dedication to King James. He was favourably received by the king, who bestowed on him the deanery of Windsor and other ecclesiastical preferments. But on the promotion of Pope Gregory XIV., who had been his school-fellow and old acquaintance, he was deluded by Gondomar, the Spanish ambassador, into the hopes of procuring a cardinal's hat, and thus of proving an instrument of great reformation within the church. Accordingly he returned to Rome in 1622, recanted his errors, and was at first well received; but he afterwards wrote letters to England recanting his recantation, and, these being intercepted, he was imprisoned by Pope Urban VIII., and died in 1624. There were suspicions that he had been poisoned. Being convicted of heresy after his death, his body was exhumed and burned, and the ashes were thrown into the Tiber. He is believed to have been the first to promulgate a true theory of the rainbow in a tract *De radiis visus et lucis in vitris perspectivis et iride* (Venice, 1611).

DOMITIAN (52–96). Titus Flavius Domitianus, the second son of Titus Flavius Vespasianus and Flavia Domitilla, twelfth of the Cæsars, and third of the Flavian dynasty, was born at Rome, 24th October 52 A.D. He enjoys an evil prominence as the only tyrant among the succession of good and just princes from Vespasian down to Commodus. According to Suetonius, he was brought up in squalor and ignorance, and led a degraded and miserable youth; but it is hardly credible that so good a prince and so indulgent a father in all his other acts should thus have neglected his son's education, and the story of his scandalous youth was more probably invented to suit his after life. When Vespasian was proclaimed emperor, Domitian escaped with difficulty from the burning temple of the Capitol, and lay in hiding from the Vitellians till his father's party proved victorious. After the fall of Vitellius he was saluted as Cæsar, or prince imperial, by the troops, obtained the city prætorship, and was intrusted with the administration of Italy till his father's return from the East. Intoxicated by this sudden rise from obscurity, he grossly abused the power committed to him, and conducted himself more like a Turkish pasha than the son of a sturdy Sabine soldier. Such were the airs of authority he assumed that Vespasian, as the story goes, wrote in irony to thank him for not having dismissed his own father. Certain it is that though in his father's lifetime he several times filled the office of consul, and after his death was nominally the partner in the empire with his brother, yet he never took

any part in public business, but lived in great retirement, devoting himself to a life of pleasure and of literary pursuits till he succeeded to the purple. The death of Titus, if not hastened by foul means, was at least eagerly welcomed by his brother. His succession (13th Sept. 81) was unquestioned, and it would seem as if, when his ambition was sated, and before his fears were aroused, he intended, as far as his weak volitions and mean abilities would allow, to govern well. Like Augustus, he attempted a reformation of morals and religion. As chief pontiff he inquired into the character of the vestal virgins, three of whom were found guilty, while in the case of one the awful penalty of a living entombment was revived. He enforced the laws against adultery, mutilation, and the grosser forms of immorality. He forbade the public acting of mimes. He erected many temples and public buildings and restored the temple of the Capitol, on the gilding of which, if Plutarch is to be believed, he expended 12,000 talents, or nearly two and a half millions of our money. He passed many sumptuary laws, one of which is noticeable as showing the increasing dearth of corn, which was now grown mainly by the wasteful and inefficient process of slave labour. An edict was issued forbidding the withdrawal of arable land from the plough, and reducing existing vineyards by one half. Finally, he took a personal share in the administration of justice at Rome, and exercised a jealous supervision over the governors of provinces.

Such public virtues counterbalanced in the eyes of the people all his private vices, gross and glaring as they were from the first. Former emperors had been deified after their death, but Domitian was the first to arrogate divine honours in his lifetime, and cause himself in public documents to be styled *Our Lord and God*. Doubtless in the poets (such as Martial, who calls the emperor's minion the Ganymede of our second Jove) this deification was nothing but fulsome flattery, but in the case of the provincials it was a sincere tribute to the impersonation of the Roman Empire, as the administrator of good government, and the peacemaker of the world. Even when Rome and Italy felt his heavy hand, and smarted beneath his proscriptions and extortions, the provinces were undisturbed. Though he took the title of imperator more than twenty times, and enjoyed at least one triumph, his achievements as a general were insignificant. His campaign in 83 against the Chatti was "a mere summer promenade;" in Dacia (87) he received a severe check, and the peace concluded with this nation in 90 was due to the victories of his lieutenant Julianus. Juvenal hints that the flaxen-haired Germans who figured in his triumph were purchased slaves. His jealousy was provoked by the successes of Agricola in Britain, and the conqueror of Galgacus and the hero of the battle of the Grampians was recalled to Rome (84) in the midst of his conquests, condemned to retirement, and, as Tacitus is inclined to believe, removed by poison.

The revolt of Antonius Saturninus, the commander of the Roman forces in Upper Germany (93), marks the turning point in his reign. By a fortunate rising of the Rhine, which prevented his barbarian allies from coming to his assistance, and by the vigour of Norbanus, it was speedily crushed; but the fears of the emperor once aroused seem never again to have slept. A proscription as bloody as that of Sulla followed, and no man of eminence could feel his life safe. Before this he had sought out victims to gratify his cupidity and replenish his exhausted treasury. Now he struck at all that was conspicuous for talent or virtue, glutted himself with the blood of the Lamie, and sentenced to death his own cousin and nephew by marriage, Flavius Clemens. A conspiracy among his own freedmen—set on foot, it is said, by his wife, who knew her own life to be threatened—cut short his career of tyranny and