

The sale of public lands is regulated by Act of Congress (*Revised Statutes*, 2353-2379). In the law of sale of personal property American law is also based upon English law. The principal differences are that the law of market overt (see THEFT) is not recognized by the United States, and that an unpaid vendor is the agent of the vendee to resell on non-payment, and is entitled to recover the difference between the contract price and the price of resale. The law of Louisiana (*Civil Code*, § 3194) gives the unpaid vendor a still greater right in his preferential claim for the price against the creditors of the purchaser, if the property still remains in the latter's possession. Warranty of title is not carried as far as in England. United States decisions draw a distinction between goods in the possession and goods not in the possession of the vendor at the time of sale. There is no warranty of title of the latter. The Statute of Frauds has been construed in some respects differently from the English decisions. The differences will be found in Mr Benjamin's work. As to unlawful sales, it has been held that a sale in a State where the sale is lawful is valid in a State where it is unlawful by statute, even though the goods are in the latter State. (J. Wt.)

SALEIYER (in Mancassarese *Siláyara*, in Buginese *Silája*), also called *Tana-dowang* ("Land of Shrimps"), is a Dutch island separated from the south coast of Celebes (East Indies) by a strait 8 miles wide, which in the west monsoon is used by vessels bound for the Moluccas, the Philippines, and China. With a length of 46 miles and general breadth of 9, the area is estimated at 315 square miles. Along the east side of the island is a belt of volcanic rock; the west side is of limestone or coralline formation. The highest point seems to be Haru on the east coast, but estimates of its altitude vary from 1000 to 3000 feet. There are no navigable rivers, and many of the streams dry up in the west monsoon. Besides most of the ordinary tropical fruits, the cultivated plants comprise Indian corn, barley, potatoes, tobacco, coffee, and indigo, and among the trees are cocoanut and areng palms, *kanari*, ebony, and teak (the last considered the property of the Dutch Government). Horses, buffaloes, goats, and sheep are kept, and pigs and deer exist in a wild state. The population of Saleiyer and dependencies, mainly a mixed race of Mancassars, Buginese, and natives of Luvu and Buton, was in 1869 55,147, and in 1880 66,276. They use the Mancassar language, are for the most part nominally Mahomedans (though many heathen customs survive), and support themselves by agriculture, fishing, seafaring, trade, the preparation of salt (on the south coast), and the weaving of clothing materials. Field work is largely performed by a servile class. Raw and prepared cotton, tobacco, trepang, tortoise-shell, cocoanuts and cocoanut oil, and salt are the principal articles of export.

The island is divided into nine regencies:—Tanette, Batammata (Batangmata; including the former regency of Onto), Buki, Mare-Mare, Bonéya—all five in the north—Bontobangung, Balla-bulo, Layolo, and Barambarang—in the south. Panggilyang or Benteng on the west coast, often called also Saleiyer, is the capital of the island. It stands in 6° 3' 3" S. lat. and 120° 31' 48" E. long., and possesses the best harbour on the whole coast, being protected by Pulo Pasi or Hog Island (also Sariwa or Pulo Babi). To the Saleiyer group belong a variety of small islands, for the most part uninhabited—Tana Jampéya (the largest of all with a good anchorage at Maringi Bay), Gowang, Malimbu, &c. Previous to the Dutch occupation the Saleiyers were subject to the king of Ternate.

SALEM, a British district of India, in Madras presidency, lying between 11° 1' and 12° 57' N. lat. and 77° 32' and 79° 5' E. long. It embraces an area of 7653 square miles, and is bounded on the N. by Mysore and North Arcot, on the S. by Coimbatore and Trichinopoly, on the E. by Trichinopoly and South and North Arcot, and on the W. by Coimbatore and Mysore. Except towards the south, the district is very hilly, with large plains lying between the several ranges. Salem is described as consisting of three distinct tracts of country, known as the Talaghat, the Baramahál, and the Bálághát. The Talaghat is situated below the Eastern Ghats on the level of the Carnatic generally; the Baramahál includes the whole Salem face of the Ghats and a wide tract of country at their base, and the

Bálághát is situated above the Ghats on the tableland of Mysore. The western part of the district is very mountainous, some of the ranges attaining an elevation of between 5000 and 6000 feet. Amongst the chief ranges are the Shévaroy, the Kalráyans, the Melagiris, the Kollimalais, the Pachamalais, and the Yelagiris. The chief rivers are the Cauvery with its numerous tributaries, and the Pennar and Palar; the last, however, only flows through a few miles of the Tirupatúr *táluk*, situated in the north-western corner of the district. The forests are of considerable value and their area is roughly estimated at 2251 square miles. The geological structure of the district is mostly gneissic, with a few irruptive rocks in the form of trap dykes and granite veins. Magnetic iron ore is common in the hill regions, and corundum and chromate of iron are also obtainable. The qualities of the soil differ very much; in the country immediately surrounding the town of Salem a thin layer of calcareous and red loam generally prevails, through which quartz rocks appear on the surface in many places. The climate, owing to the great difference of elevation, varies considerably; on the hills it is cool and bracing, and for a great part of the year very salubrious; the average rainfall is about 38 inches. Salem has about 1400 miles of road, and the length of railway line within the district is 134 miles.

In 1881 the population was 1,599,595 (males 778,483, females 821,112); Hindus numbered 1,531,855, Mohammedans 51,092, and Christians 16,567. Besides Salem (see below), the capital, the district contains three other towns with a population exceeding 10,000 each, viz., Daringambadi (15,426), Tirupatúr (14,278), and Shendamangalam (12,575). Of the total area of the district only 1,283,190 acres were under cultivation in 1883-84; but of these 137,403 acres were twice cropped. The staple crops are rice and ragi; other important crops are pulses and seeds. The chief industry is weaving, which is carried on in almost every large town and village. Carpets of great beauty and superior workmanship are made in the Salem jail. Good iron and steel are made, but only on a small scale. The gross revenue of the district in 1883-84 was £260,364, the land-tax contributing £211,062 of the amount. Though Salem has no connected history, there are few parts of Southern India that contain more spots of interest for English students. As at present composed it was acquired by the treaty of peace with Tipu Sultan in 1792 and the partition treaty of Mysore in 1799. By the former the Talaghat and Baramahál were ceded, and by the latter the Bálághát, or what is now the Osár *táluk*.

SALEM, chief town of the above district, situated in 11° 39' 10" N. lat. and 78° 11' 47" E. long., is a busy trading place, with a considerable weaving industry. It is tolerably well built and is prettily situated on the river Tirumanimuttar, 900 feet above sea-level, in a long valley enclosed by the Shevaroy hills, which are 6 miles distant. The population of the town in 1881 was 50,667 (males 24,584, females 26,083).

SALEM, a city of the United States, capital of Essex county, Massachusetts, is built on a peninsula between two inlets of the sea (North river and South river), in 42° 31' 18" N. lat. and 70° 53' 53" W. long., 16 miles north by east of Boston, on the Eastern Railroad. In the latter part of the 18th and the early part of the 19th century Salem was the seat of a flourishing foreign commerce, especially with the East Indies; but, its comparatively shallow harbour failing to accommodate the larger vessels of modern times, it has been supplanted by Boston and has to content itself with a good share of the coasting trade. Its industrial activity has, on the other hand, increased, and it now possesses steam cotton-mills, jute-factories, extensive tanneries, and various minor manufactories. The main interest, however, of Salem consists in its historical and literary associations and the institutions by which they are represented. Best known of these institutions is the Peabody Academy, founded in 1867 with funds provided by the well known philanthropist. The academy at once purchased and refitted the East India Marine Hall, origin-

ally built in 1824 by the East India Marine Society (1799), which consisted of captains and supercargoes who had doubled either Cape Horn or the Cape of Good Hope; and the building now contains under the trusteeship of the academy the collections of the old East India Museum and those of the Essex Institute, illustrating the zoology, natural history, and archaeology of the county. The ethnographical collections, such as that dealing with Corea, are especially valuable. The *American Naturalist* has been the organ of the academy since 1867. The Peabody Institute, not to be confounded with the academy, is in the village of Peabody (Danvers), about 2 miles distant from Salem and about midway between the house in which the philanthropist was born and the grave, in Harmony Grove cemetery, in which he was buried. The institute contains various personal relics of the founder, such as the famous portrait of Queen Victoria. Plummer Hall, a fine building in Essex Street, erected out of funds left to the Salem Athenæum by Miss Plummer, contains the libraries of the Athenæum, the Essex Institute, and the South Essex Medical Society, making an aggregate of 50,000 volumes. Behind this hall is the frame of the oldest church edifice in New England, erected in 1634 for Roger Williams. Other buildings of note in Salem are a State normal school, the city hall, the court-house, St Peter's Episcopal church, the custom-house, in which Nathaniel Hawthorne once acted as clerk, and several of the private houses (such as "Dr Grimshawe's house," the dwelling really occupied by Dr Peabody, Mrs Hawthorne's father) which, while not exactly prototypes, have lent much of their verisimilitude to the localities of Hawthorne's fiction. The house in which the novelist was born is 21 Union Street. Salem had 24,117 inhabitants in 1870, 26,063 in 1875, and 27,563 in 1880.

Naumkeag (Eel Land) was the Indian name of the district in which Salem stands, and is still used familiarly by the inhabitants. The first house was built by Roger Conants from Cape Ann in 1626, and two years later a settlement was formed by John Endicott and called Salem, "from the peace they had and hoped in it." In 1630 Governor John Winthrop introduced a large body of colonists from England, including the brave and beautiful Arabella Johnson, daughter of the earl of Lincoln, who died shortly afterwards. In 1661 the Quakers were persecuted at Salem, and in 1692 the town was the scene of Cotton Mather's terrible proceedings against witchcraft: nineteen persons were hanged on Gallows Hill and Giles Cory was pressed to death. It was in Salem that in 1774 the house of representatives of Massachusetts resolved themselves into a sovereign political power. The town obtained a city charter in 1836. Few cities of the United States have given more eminent men to the world—Timothy Pickering, secretary of state (1795-1880), General Israel Putnam, F. T. Ward of China celebrity, John Rogers the sculptor, Bowditch the astronomer and mathematician, Maria S. Cummins the novelist, W. H. Prescott the historian, and Nathaniel Hawthorne.

SALEM, a city of the United States, the county seat of Salem county, New Jersey, on a small stream of the same name, by which it has steam communication with Philadelphia (on the Delaware), 44 miles distant to the north-north-east by rail. While Salem depends mainly on the agricultural prosperity of the surrounding district, it also contains foundries and machine-shops, fruit-canning establishments, glass-ware factories, oil-cloth factories, &c. The population was 3052 in 1850, 4555 in 1870, and 5056 in 1880.

A colony settled on the site of Salem in 1641 was replaced by a Swedish fort, and this passed through the Dutch to the English. One of the Quakers who in 1673 bought Lord Berkeley's half of New Jersey gave the place its present name and restored the settlement, which in 1682 was declared a port of entry. In 1778 the town was plundered by Colonel Manhood.

SALEM, a city of the United States, the capital of Oregon, in Marion county, on the east bank of Willamette river, 53 miles south of Portland by the Oregon and California Railroad. It lies in a fertile prairie district, adorned with copses, and possesses a good source of water-power in Mill Creek. The capitol, a rather imposing edifice

with a tower 180 feet high, erected in 1875-76, occupies a fine site above the city; other public buildings are the Willamette University (Methodist), which grants degrees in medicine, science, and general literature, the opera-house, the Roman Catholic school for girls, the State penitentiary, and State schools for the deaf and dumb and the blind. Lumber, woollen goods, flour, leather, brass castings, furniture, linseed oil, and building materials are the chief articles of manufacture and trade. The population was 2538 in 1881. Settled in 1834, incorporated in 1853, Salem became the State capital in 1860.

SALEP (Arab. *sahleb*, Gr. *ὄρχις*), a drug extensively used in the East as a nervine restorative and fattener, and also much prescribed in paralytic affections, probably owed its original popularity to the belief in the so-called "doctrine of signatures." In Europe it is chiefly used as a demulcent drink, but is also supposed to possess nutrient properties; it may be employed with advantage in inflammatory conditions of the mucous membrane, as in bronchitis, diarrhoea, cystitis, and other urinary disorders. It consists of the tuberous roots of various species of *Orchis* and *Eulophia*, which are decorticated, washed, heated until horny in appearance, and then carefully dried. The most important constituent of salep is a kind of mucilage which it yields to cold water to the extent of 48 per cent. This mucilage in its chemical reactions is more nearly allied to cellulose than to gum, since when dry it is readily soluble in ammoniacal solution of copper; when boiled with nitric acid it yields oxalic but not mucic acid. Salep also contains sugar and albumen, and when fresh traces of a volatile oil; dried at 100° C. it yields 2 per cent. of ash, chiefly the phosphates and chlorides of potassium and calcium.

Salep was formerly imported into Europe from the Levant, but in 1760 the French chemist Geoffroy discovered its true nature and showed how it might be prepared from the species of *Orchis* indigenous to France. That used in Germany is obtained from plants growing wild in the Taunus Mountains, the Westerwald, the Rhön, the Odenwald, and Franconia. Grecian salep is chiefly collected in Macedonia. In Asia Minor the tubers are collected near Melassa and Mughla, and about 330 tons are annually exported from Smyrna. The salep of the Bombay market, which is imported principally from Persia, Cabul, and northern India, occurs in three forms, palmate, large ovoid, and small ovoid tubers on strings, all more or less horny and translucent. Salep is also produced on the Nilgiri (Neigherry) Hills and in Ceylon. Besides the above-mentioned forms, elongated cylindrical tubers, usually in pairs and uncut, are occasionally met with. The palmate tubers are the most highly esteemed, being valued at ten rupees per pound. This variety is known in the Bombay market as Persian salep. It is probably derived chiefly from *O. latifolia*, L., although *O. maculata*, L., *O. succifera*, Brongn., and *O. conopsea*, L., also afford palmate tubers. The species known to yield ovate salep are *O. mascula*, L., *O. Morio*, *O. pyramidalis*, *O. ustulata*, *O. militaris*, *O. coriophora*, L., and *O. longicurvus*, Link. All these species are natives of the greater part of central and southern Europe, Turkey, the Caucasus, and Asia Minor, *O. latifolia* extending to western India and Tibet and *O. conopsea* to the Amur, in the extreme east of Asia. Salep is not easily reduced to powder, being both hard and tough, and is therefore usually ground between millstones. This difficulty is said to be lessened if the salep is first soaked in cold water until soft and then rapidly dried. As the powder does not mix readily with water, the authors of *Pharmacographia* (2d ed. p. 656) recommend that it should be first mixed with 1½ parts of rectified spirits of wine (brandy or other strong spirit would answer equally well), 40 parts of cold water being then added quickly and the mixture boiled. In these proportions salep affords a thick jelly.

SALERNO, a city of Italy and the chief town of a province of its own name (formerly Principato Citeriore), is beautifully situated on the west coast 34 miles south-east of Naples, and presents a fine appearance with the ruins of its old Norman castle on an eminence 905 feet above the sea and its background of graceful limestone hills. The town walls were destroyed in the beginning of the 19th century; the seaward portion has given place to the Corso Garibaldi, the principal promenade. Among the conspicuous buildings are the theatre, the prefecture, and the

cathedral of St Matthew (whose bones were brought from Paestum to Salerno in 954), begun in 1076 by Robert Guiscard and consecrated in 1084 by Gregory VII. In front is a beautiful quadrangular court (112 by 162 feet), surrounded by arcades formed of twenty-eight ancient pillars mostly of granite; and the middle entrance into the church is closed by a remarkable bronze door of 11th or 12th century Byzantine work. The nave and two aisles end in apses. Two magnificent marble ambos, the larger dating from 1175, several specimens of ancient mosaic, and the tombs of Gregory VII. and Queen Margaret of Durazzo deserve to be mentioned. In the crypt is a bronze statue of St Matthew. The lofty aqueduct, one of whose arches is now used by the railway, is a building of 1320; the present water-supply is provided by a canal formed in 1865. A fine port constructed by Giovanni da Procida in 1260 was destroyed when Naples became the capital of the kingdom, and remained blocked with sand till after the unification of Italy. A series of works, especially those decreed in 1880, have provided an inner harbour of 40 acres (depth 12 to 22 feet), an outer harbour (22 to 25 feet), and wharves to the extent of 4468 feet. In 1884 180 vessels (29,078 tons) entered and 173 (28,069) cleared. Silk and cotton spinning are the principal industries. The population was 19,905 in 1870 and 22,328 (commune, 31,245) in 1881.

A Roman colony was founded at Salerno (Salernum) in 194 B.C. to keep the Picentines in check, but the city makes no figure in history till after the Lombard conquest. Dismantled by order of Charlemagne, it became in the 9th century the capital of an independent principality, the rival of that of Benevento, and was surrounded by strong fortifications. The Lombard princes, who had frequently defended their city against the Saracens, succumbed before Robert Guiscard, who took the castle after an eight months' siege and made Salerno the capital of his new territory. The removal of the court to Palermo and the sack of the city by the emperor Henry VI. in 1194 put a stop to its development. The position which the medical school of the Civitas Hippocratica (as it called itself on its seals) held in medieval times has been described under MEDICINE, vol. xv. pp. 806-807. Salerno university, founded in 1150, and long one of the great seats of learning in Italy, was closed in 1817.

SALES, FRANÇOIS DE (1567-1622), see vol. ix. p. 695.

SALFORD. See MANCHESTER, vol. xv. p. 459 sq.

SALICIN, the bitter principle of willow bark, was discovered by Leroux in 1831. It exists in most species of *Salix* and *Populus*, and has been obtained to the extent of 3 or 4 per cent. from the bark of *S. helix* and *S. pentandra*. According to Herberger, the bark of the young branches affords salicin in larger proportion than that of the trunk and contains less of the other ingredients which interfere with its extraction. Salicin is prepared from a decoction of the bark by first precipitating the tannin by milk of lime, then evaporating the filtrate to a soft extract, and dissolving out the salicin by alcohol. As met with in commerce it is usually in the form of glossy white scales or needles. It is neutral to test paper, inodorous, unaltered by exposure to the air, and has a persistently bitter taste. It is soluble in about 30 parts of alcohol or water at the ordinary temperature, and in 17 of boiling water or in 2 parts of boiling alcohol, and more freely in alkaline liquids. It is also soluble in acetic acid without alteration, but is insoluble in chloroform and benzol. From phloridzin it is distinguished by its ammoniacal solution not becoming coloured when exposed to the air. Cold sulphuric acid dissolves salicin, forming a bright red solution. When salicin is heated with sulphuric acid and potassium bichromate, salicylic aldehyde ($C_6H_5O_2$) is formed, which possesses the odour of meadow-sweet flowers (*Spiraea Ulmaria*, L.).

Salicin is chiefly used in medicine as an antipyretic in acute rheumatism, for which it is given in doses of 5 to 30 grains. Its action is less powerful than that of SALICYLIC ACID (*q.v.*), and its depressing effect on the circulation is less marked. It is also given for headache and for ague.

Salicin is a glucoside, having the composition $C_{12}H_{18}O_7$, and is not precipitated by the alkaloidal reagents. It has been prepared artificially from helicin, synthesized from sodium, salicyl-aldehyde, and aceto-chlorhydrase, being the first glucoside that has been artificially prepared (*Journ. Chem. Soc.*, 1884, p. 439). According to Binz, it may be split up by digestion with emulsin or saliva into salicylic alcohol (saligenol, $C_6H_5O_2$) and glucose; heating it gently with dilute sulphuric acid produces a similar effect. Salicylic alcohol is converted by oxidizing agents into salicylic acid. This acid is formed when salicin is taken internally, since salicin is eliminated from the system partly in the form of salicylic and salicylic acids, and partly as saligenin.

SALIC LAW, AND OTHER BARBARIAN LAWS. The (1) *Lex Salica* is one of those Teutonic laws of the early Middle Ages which are known as *leges barbarorum*, among which we also reckon the (2) *Lex Ripuariorum* or *Ribuariorum*, (3) *Ewa* (*Lex Francorum Chamavorum*), (4) *Lex Alamannorum*, (5) *Lex Bajuvariorum*, (6) *Lex Frisionum*, (7) *Lex Angliorum et Werinorum*, h.e., *Thuringorum*, (8) *Lex Saxonum*, (9) *Leges Anglo-Saxonum*, (10) *Lex Burgundionum*, (10a) *Lex Romana Burgundionum*, (11) *Lex Wisigothorum*, (11a) *Breviarium Alarici*, (11b) *Edictum Theodorici*, (12) *Leges Langobardorum*, and to a certain extent (13) *Leges Wallie*. All these laws may in general be described as codes of procedure and of rights, which regulated for some indefinite period the internal affairs of the several Teutonic tribes whose names they bear.

(1) The *Salic Law* originated with the Salian Franks, often simply called Salians, the chief tribe of that conglomeration of Teutonic peoples known as FRANKS (*q.v.*). The latter first appear in history about 240 (Vopisc., *Vit.*



Map of Salic and other Barbarian Countries.

Aurel., c. 7), after which date we find them carrying on an almost uninterrupted struggle with the Roman empire, till 486, when they finally established a kingdom of their own in provinces which had previously been considered Roman. The Salian Franks first appear under their specific name in 358, when they had penetrated westwards as far as Toxandria (Texandria, now Tessenderloo, in Limburg, the region to the south and west of the lower Meuse), where they were subdued by the emperor Julian (*Ammian.*, xvii. 8). As regards their previous history nothing is known with certainty, though it seems probable that the Franks who occupied the Batavian island c. 290, and were there conquered in 292 by Constantius Chlorus (*Paneg. incerti auct.*, c. 4), and thence transplanted into Gaul, were the Salian Franks. We find, moreover, such un-

mistakable evidence of a connexion between the Sigambri and the Sali; that the latter are by some regarded as the descendants of the Sigambri whom Tiberius removed in 8 B.C. from their home on the right bank of the Rhine; and it is argued that he did not transform them into the Guberni, nor place them on the Merwede, a stream and locality near Dordrecht and Zwijndrecht, but transplanted them into the region now called the Veluwe, between the Utrecht Vecht and the Eastern Yssel, where the Romans probably made of them what the Batavi had been for years past—their allies—perhaps on the same condition as the latter, who merely furnished the Romans with men and arms. This accounts for the Sigambrian cohort in the Thracian War in 26 A.D. Some think, however, that the Salians were a separate tribe of the Franks who merely coalesced with the Sigambri (comp. Watterich, *Die Germanen des Rheins*; Waitz, *Verfass.*, ii. 24). In 431 the Frankish (Salic) king Chlodio (Chlojo, Chlogio), said to have been a son (or the father) of Merovech, the founder of the Merovingian dynasty (Greg. Tur., ii. 9), took Cambrai and advanced his dominion as far as the Somme (Greg., *ib.*; Sid. Apoll., v. 211 sq.), though still acknowledging Roman supremacy. Childerich reigned from 457 to 481, and resided at Tournai, where his grave was discovered in 1653. His son Clovis (Chlovis, Chlodovech) in 486 extended his empire to the Seine (Greg. Tur., ii. 43, 27). For an account of him, see vol. ix. pp. 528, 529.

We have very few means of ascertaining when the *Salic Law* was compiled, and how long it remained in force. Our knowledge of the code is derived—(i.) from ten texts, preserved in a comparatively large number of manuscripts, chiefly written in the 8th and 9th centuries; (ii.) from allusions to a *Salic Law* in various charters and other documents. But the Latin texts do not contain the original *Salic Law*. This is clear (a) from the allusions we find in them to a "*Lex Salica*" and "*Antiqua Lex*," which can hardly be anything but references to another and earlier *Lex Salica*; (b) from a certain peculiarity and awkwardness in the construction of the Latin, which, though it is so-called Merovingian, and therefore very corrupt, would have been different if the texts were original compilations; (c) from a number of words, found in nearly every paragraph of certain groups of the MSS., and now known as "*Malberg glosses*," which are evidently the remains of a vernacular *Salic Law*, and appear to have been retained in the Latin versions, in some cases because the translators seemed doubtful as to whether their Latin terms correctly rendered the meaning of the original, in other cases because these words had become legal terms, and indicated a certain fine. We do not know whether the original Frankish law-book was ever reduced to writing, or merely retained in, and handed down to posterity from, the memory of some persons charged with the preservation of the law. All that we know of such an original is contained in a couple of prologues (apparently later than the texts themselves) found in certain MSS. of the existing

¹ "Detonsus Vachalim [the river Waal] bibit Sicamber" (Sid. Apoll., *Carm.*, xiii. 31). "Ut Salius jam rura colat flexosque Sicambri In falcem curvent gladios" (Claudian, *De Laude Stilic.*, i. 222). According to the *Gesta Franc.*, c. 1, the Franks at one time inhabited the town of Sicambria. The earliest Frankish kings, who were undoubtedly kings of the Salian Franks, are often called Sigambri, and always with the object of honouring them. St Remigius, when he baptized Clovis, exhorted him, "Mitis depone colla Sicamber" (Greg. Tur., ii. 31). Venantius Fortunatus (vi. 4) says to King Charibert, "Cum sis progenitus clara de gente Sygamber." For further evidence, comp. Waitz, *Verfass.*, ii. 22 sq.

² The origin of the name Salicus, Salius, is uncertain. It is not improbable that it was derived from the river Yssel, called in the Middle Ages Isloa, Hsloa, Isla, Isala. The region about Deventer, in the east of Holland, is still called Salland, though it is nowhere expressly said that the Salians ever lived there.

Latin versions. One of them states that four men "in villis quae ultra Renum sunt per tres mallos (judicial assemblies) convenientes, omnes causarum origines sollicite discutendo tractantes, iudicium decreverunt," which must refer to a period before 358, as in that year the Salian Franks had already crossed the Rhine and occupied the Batavian island and Toxandria. Another prologue says that the *Salic Law* was compiled (*dictare*) while the Franks were still heathens (therefore before 496), and afterwards emended by Clovis, Childebert, and Chlotar. Nor can it be stated with certainty when the Latin translations which we now possess were made, but it must have been after Clovis had extended his power as far as the Loire (486-507), as in chapter 47 the boundaries of the Frankish empire are stated to be the Carbonaria Silva (in southern Belgium between Tournai and Liège) and the Loire.³

There exist five Latin recensions, more or less different. (i.) The earliest of the code (handed down in four MSS. with little difference, and very likely compiled shortly after Clovis extended his empire to the Loire) consists of sixty-five chapters (with the Malberg glosses). In the course of the 6th century a considerable number of chapters appear to have been added (under the title of "edicts" or "decrees"), some of which are ascribed to Clovis, and the remainder to his successors before the end of the century. One of them (chap. 78) may with some certainty be ascribed to Hilperic (c. 574). Some others seem to have originated with Childebert I. and Chlotar I. (whose joint reign lasted from 511 to 558), and are known collectively as "*Pactus Childeberti et Chlotharii*." From internal evidence we may infer that this first version dates from a time when Christianity had not yet become general among the Franks. (ii.) Two MSS. contain a second recension, having the same sixty-five chapters (with the Malberg glosses) as the first, but with numerous interpolations and additions, which point to a later period. Especially may this be said of the paragraph (in chap. 13) which pronounces fines on marriages between near relatives, and which is presumed to have been embodied in the *Lex Salica* from an edict of Childebert II. issued in 596. In chapter 55 paragraphs six and seven speak of a "*basilica*," of a "*basilica sanctificata*," and of a "*basilica ubi requiescunt reliquiae*," but it is more than doubtful whether we have here any evidences of Christianity, though a later recension (the fourth) altered "*basilica*" into "*ecclesia*," the "*reliquiae*" into "*reliquiae sanctorum*," and thereby gave a decidedly Christian aspect to the clause. (iii.) A third recension is contained in a group of nine MSS. (divided into two classes), three of which have the same text (with the Malberg glosses) as the MSS. of the first and second recensions, divided, however, systematically into ninety-nine chapters, while the other six MSS. have the same ninety-nine chapters, with very little difference, but without the Malberg glosses. This text seems to have been arranged in Pippin's or Charlemagne's reign (c. 765-779). The clause on marriages between near relatives mentioned above is not found in this recension. On the other hand, we find in chapter 55 (= 77) fines pronounced on the murder of a presbyter and deacon (no bishop yet mentioned), while the six MSS. of the second class do not contain chapter 99 ("*De Chreneocruda*"), but merely say that the symbolism described in that chapter had been observed in heathen times, and was to be no longer in force. (iv.) The fourth version (handed down in a great number of MSS., and embodying in seventy chapters substantially the whole of the previous versions) is usually called *Lex Salica Emendata*, as the text bears traces of having been emended (by Charlemagne), which operation seems to have consisted in

³ Some explain *Ligeris* to be the river Leye, a branch of the Scheldt, in which case the compilation would fall between c. 453 and 486.

eliminating the Malberg glosses from the text, correcting the Latin, omitting a certain number of paragraphs, and inserting some new ones. In chapter 55 the bishop is mentioned with the presbyter and the deacon. (v.) Finally, we have a fifth text, which seems an amalgamation of the previous recensions, more especially of the second, third, and fourth, but here and there with considerable differences. It was published in 1557, at Basel, by Bas. Joh. Herold (*Originum ac Germanicarum Antiquitatum Libri*); but no trace of the Fulda and other MSS. which the editor says that he used has hitherto been found.

The Salic code consists of enactments regarding procedure in lawsuits (chaps. 1, 13, 26, 37, 46-53, 56, 57, 60), judicial fines and penalties for various kinds of theft and kidnapping (2-8, 10-12, 21-23, 27, 28, 33-35, 38-40, 55, 61), for offences, injuries, &c., to persons, animals, and property (9, 15-17, 19, 20, 24, 25, 29-32, 36, 41-43, 64, 65); it regulates the "wergeld" (a word found only in the text published by Herold; all the other texts have *leodis*, *leudis*=people, associate of the people) of all classes of persons living under the Salic Law (41-43, 54, 63), the share of the kindred in the composition for homicide (58-62), the devolution of property and inheritance (59), migration from one village to another (45), &c.

The Salic Law speaks of—(a) freeborn persons (*ingenuus Francus*, *Salicus Francus*), with a wergeld of 200 solidi, which was tripled when such a person served in the army, and the latter amount again tripled when the person killed was an officer of the king; (b) serfs (*leii* or *liti*), who enjoyed personal freedom though belonging to some master, and (c) *puer regis* (probably serfs in the service of the king), both with a wergeld of 100 solidi; (d) the Roman population, not yet placed on the same footing with the Francus (*possessoris* with a wergeld of 100 solidi; *tributarii*, perhaps=coloni, with a wergeld of 62½ solidi); (e) slaves (*serui*), with a wergeld of 30 solidi; and a variety of other persons belonging to one or other of these classes (*puer crinitus*, class a; *porcarius*, *faber ferrarius*, *aurifer*, &c., class e). An aristocracy is not mentioned. The people lived together in villages (chap. 45); they exercised agriculture and reared cattle (2-5, 27, &c.); they hunted and fished (6, 33); vineyards and gardens were known to them (27, 6, &c.); and gold work and iron work are mentioned (10). The chief of the state was a king; his officers included the *grafio*, who was chief of a *pagus* (shire); *sacbaro*, chief of a hundred (both with a wergeld of 600 solidi; the latter could also be a *puer regis*, in which case he had a wergeld of 300 solidi); *thunginus* or *centenarius*, chief of a hundred, but probably elected by the people from among themselves, as his wergeld seems to have been the ordinary one. The judicial assembly was called *mallus*, the place where it assembled *malloberg*, the party in a suit *gamillus*, the councillor of the assembly *rachineburgus*, an officer who had to advise upon the sentence to be pronounced, and to value the property in question.

The famous clause in the Salic Law by which, it is commonly said, women are precluded from succession to the throne, and which alone has become known in course of time as the Salic Law, is the fifth paragraph of chapter 59 (with the rubric "De Alodis"), in which the succession to private property is regulated. The chapter opens with four (five) paragraphs in which it is enacted that—(1) if a man died without male issue, his mother (so in first recension; the second to fifth have "pater aut mater") would succeed to the inheritance (in hereditatem succedat); (2) failing her (the father and mother), his brother (brothers) or sister (sisters); (3) failing these, the sister of the mother; (4) when there was no sister of the mother, the sisters (sister) of the father; and (5), failing these, the nearest relative. After this the fifth paragraph reads as follows:—

First recension.	Second recension.	Third recension.	Fourth recension.	Fifth recension.
De terra vero nulla in muliere hereditas non pertinebit, sed ad virilem sexum qui fratres fuerint tota terra pertinet.	De terra vero Salica nulla in muliere hereditas pertinet, sed ad virilem sexum qui fratres fuerint tota terra pertinet.	De terra vero Salica nulla in muliere hereditas transeat, sed ad virilem sexum tota terra pertinet.	De terra vero Salica nulla portio hereditatis mulieri veniat, sed ad virilem sexum tota terra hereditas perveniat.	De terra vero Salica, in muliere nulla portio hereditatis transit, sed hoc virilis sexus acquirit, hoc est, filii in ipsa hereditate succedunt. Sed ubi inter nepotes aut pro nepotes post longum tempus de alode terra contentio suscitatur, non per stirpes sed per capita dividantur.

¹ Text B reads: "proprietas perveniat."

It seems clear that the first four paragraphs of the chapter, which admit women to a share in the inheritance, refer to *private, movable* property, and that, by the fifth paragraph, the inheritance of *land* was exclusively confined to males. We know that this exclusion of women from landed property was hardly a rule anywhere in the Frankish empire, and certainly not in the 6th century, but it obtained more or less afterwards, especially during the feudal period, when all the owners of landed property (i.e., the tenants of fiefs) were liable to military service. We do not know when this exclusion of women from landed property began first to be applied and extended to an exclusion from the succession of thrones, as we do not read of such a notion until the middle of the 14th century, during the controversy between Edward III. and Philip of Valois, when it was alleged to be derived from the Salic Law. It will be observed that the word *Salica* is not found in the oldest existing recension, but appears first in the second text, which some would ascribe to the end of the 6th century. Nor is the word found in the corresponding paragraph (56, 4) of the Lex Ripuaria, which was based on the Salic Law. This addition (retained in all the other recensions, also in the so-called Lex Emendata) was no doubt made for some purpose, but we do not know whether it was made by a scribe, nor what particular notion it was intended to convey, nor whether it was this special word which gave rise to the idea of women being precluded from the succession of thrones.

The various texts of the Lex Salica, arranged in parallel columns, with a commentary on the Malberg glosses, were published in 1880, under the title *Lex Salica: the Ten Texts with the Glosses, and the Lex Emendata*, ed. J. H. Hessels, with notes on the Frankish words in the Lex Salica by H. Kern, 4to, London, 1880; comp. also Geo. Waitz, *Das alte Recht der salischen Franken*, 8vo, Kiel, 1846; Rud. Sohm, *Die fränk. Reichs- und Gerichts-Verfassung*, 8vo, Weimar, 1871; Pardessus, *Loi Salique*, 4to, Paris, 1843.

Having treated of the Salic Law somewhat minutely, we need only say a few words about each of the other *leges barbarorum*, as they all present somewhat similar features, and hardly differ except in the time of their compilation, the amount of fines, the number and nature of the crimes, the number, rank, duties, and titles of the officers, &c.

(2) The *Ripuarian Law*, or Law of the Ripuarian Franks (*Lex Ripuaria* or *Ribuaria*, *L. Ripuariorum* or *Ribuariorum*, *L. Ripuariensis* or *Ribuariensis*), or inhabitants of the river-banks, was in force among the East or Rhenish Franks in the Provincia Ripuaria, also called Ducatus or Pagus Ripuarius (see vol. ix. p. 723), of which Cologne was the chief town. It has much in common with the Salic Law; in fact, chapters 32-64 are, with the exception of some necessary modifications and additions, merely a repetition of the corresponding chapters of the Salic Law, and even follow the same arrangement, so that this part of the code is hardly anything but the Salic Law revised by order of the kings of Austrasia. Professor Sohm (whose edition, published in 1883 in *Mon. Germ. Hist.*, Legg., vol. v. part 2, is based on nearly forty MSS., written between the 8th and the 11th century) divides the eighty-nine chapters of this code into four distinct portions, ascribing the first portion (chaps. 1-31), which contains enactments not met with in the Salic Law, to the first part of the 6th century, the second (chaps. 32-64) to the second part of the same century (c. 575), the third (chaps. 65-79) to the 7th century, and the fourth (chaps. 80-89) to the beginning of the 8th century. This result practically agrees with the statements found in a prologue in certain MSS. (which contain some of the barbarian codes), where it is said that the "*Leges Francorum* (= *Lex Ripuariorum*), *Alamannorum*, et *Bajuvariorum*" were compiled at Châlons-sur-Marne at the dictation of Thierry I. (511-534), by wise men learned in the law of his kingdom, and that the codes were afterwards revised and amended by Childebert I., Chlotar I., and Dagobert. Charlemagne promulgated some additional chapters to the Ripuarian Law in 803 (*Mon. Germ. Hist.*, Legg., i. 117). We may here observe that the Salic and Ripuarian Laws were to some extent introduced into England by the Norman Conquest, as appears from the Laws of Henry I., where we find enactments "*secundum Legem Salicam*" and "*secundum Legem Ripuariam*"; comp. Leg. Hen. I., capp. 87, §§ 9, 10, 11 (word for word=L. Sal., tit. 43), 89, 90 § 4 (=L. Rip., 70), and 83 § 5 (=L. Sal., tit. 55 § 4).

(3) With the Ripuarian Law the *Lex Francorum Chamavorum* is intimately connected. The two MSS. in which it is preserved call it "*Notitia vel commemoratio de illa ewa (law) que se ad Amorem habet*." Amor is the district called Hamarant, Hamalant, Hamamelant, Hamuland, in the 9th century. This name was derived from the Chamavi, a German state mentioned by Tacitus (*Ann.*, xiii. 55; *Germ.*, c. 33, 34), which afterwards constituted a part of the Frankish empire. In the 9th century Hamalant was a part of the Pagus Ribuariorum. The whole code consists of only forty-eight short paragraphs, which are apparently nothing but statements made in answer to the "*missi dominici*" whom Charlemagne despatched to the various nations of his empire to inquire into their condition and to codify their respective laws. It may therefore be ascribed to the beginning of the 9th century (802 or 803). Professor Sohm has published it as an appendix to the Lex Ripuaria (*Mon. Germ. Hist.*, Legg., vol. v. part 2, p. 269).

(4) The *Lex Alamannorum* was (according to the prologue mentioned above) first compiled by the East-Frankish king Thierry (511-534), and afterwards improved and renewed by Childebert I. (511-558), Chlotar I. (558), and Dagobert I. (622-638). Although not much reliance can be placed on this statement, the researches of Professor Merkel, who edited the code from forty-eight MSS. (*Mon. Germ. Hist.*, Legg., vol. iii.), show that some kind of code called *Pactus* (of which he published three fragments) was compiled for the Alamanni in the reign of Chlotar I. (537-561). Under Chlotar II. (613-622) a more complete code, consisting of seventy-five chapters, was compiled, which was revised under Dagobert (628) and augmented with chapters 76-97; it was again altered and augmented under the Alamannic duke Landfrid (d. 730), whose work Merkel calls *Lex Alamannorum Landfridana*, and finally augmented in the Carolingian period (hence called *Lex Alamannorum Karolina sive reformata*), perhaps early in the 9th century. The code consists of 97 (in some MSS. 98, 99, 105, and 107) chapters.

(5) The *Lex Bajuvariorum*, or *Pactus Bajuvarorum*, had the same origin as the Lex Alamannorum, if we accept the somewhat unreliable statement of the prologue spoken of above. It seems probable that some kind of code was compiled for the Bavarians during the reigns of Clovis's sons. Those paragraphs which treat of ecclesiastical affairs and the position of the Bavarian dukes towards the Frankish kings (tit. ii. chap. xx. § 3) have clearly been inserted in Dagobert's time, if not later. There is a great similarity between certain provisions of the Bavarian and the Alamannic codes, and also some paragraphs of the former have been derived from the earliest recension of the Lex Wisigothorum. Some additions were made by Duke Thassilo II. (763-775), some by Charlemagne (803), some by King Louis (c. 906), and, finally, some by Duke Henry II. (end of 10th century). The emperor Henry III. is alleged to have granted the law of the Bavarians to the Hungarians in 1044. It consists of twenty-one chapters, each containing several paragraphs. Professor Merkel distinguishes three different recensions of the code and various additions, which he edited in 1863 from thirty-five MSS. for the *Mon. Germ. Hist.*, Legg., iii. p. 183 sq.

(6) For the *Lex Frisionum*, see vol. ix. p. 789.

(7) The *Lex Anglorum et Werinorum*, hoc est, *Thuringorum*, consists of seventeen chapters. Early editions of this code contained some legal decisions identical with those of Judge Wlemarus in the appendix to the Lex Frisionum (*L. Angl. Jud. Wlem.*, 1, 2, 6, 7=L. Fris., 22, §§ 54, 55, 86; *Addit.*, i. 18), from which circumstance it was inferred that the compilation, or at least the revision, of both codes took place at one and the same time (802-803). But Richthofen, who edited the work in *Mon. Germ. Hist.* (Legg., v. p. 103), and who rejects these legal decisions of Wlemarus as not belonging to this code at all, is of opinion (p. 115) that the code was not written even at the end of the 9th century. Opinions have differed also as to the region where the law originated. Some ascribe it to the Angli and Werini, who inhabited the Holstein and Schleswig regions; others attribute it to Thuringia proper; and in more recent times it has been ascribed to Thuringia on the left bank of the Rhine (=South Holland, Brabant, &c.). It was also argued that the code must have originated in a region where Frisian and Frankish elements had become mixed, both in language and law, and where the Frankish preponderated. That the code originated in South Holland was inferred from its agreement in some respects with the Lex Chamavorum, which originated in the region of the lower Rhine and the Yssel. And the law may have come to be in force among the allied tribes on the Elbe in northern Thuringia, even though it originated in South Holland. If it originated in Thuringia, it must have been transplanted to the Holstein and Schleswig regions; and it was used by the Danes, as is clear from Canute bringing it over to England when he conquered the country in 1013.¹ But in England the code was simply called "*Lex Werinorum*, h.e., *Thuringorum*," but no longer "*Anglorum*," as the Danes called the whole Anglo-Saxon population.

¹ Comp. *Canuti Constit. de Foresta*, c. 23, "*Emendat secundum pretium hominis medioeris, quod secundum Legem Werinorum i.e., Thuringorum (=L. Angl. and Werin., i. 2) est 200 solidorum.*"

tion which they had conquered "Angli," and the law which they found in force "Lex Anglorum" (*Legg. Edw. Conf.*, c. 30). Hence it has been concluded that what was called in England *Lex Danorum* is nothing but the Lex Werinorum. When the Normans conquered England in 1066 they soon recognized that this *Lex Danorum* and the Law of the Norwegians (*Lex Noricorum* or *Norwegensium*), who had migrated to England in earlier times, were practically one and the same. Hence William I., declaring that the population which he had brought over with him from Normandy were also originally Norwegians, resolved to abrogate the Anglo-Saxon laws and to leave only that of the Danes in force (*Legg. Edw. Conf.*, c. 30)—a plan which only the most persevering entreaties of the Anglo-Saxon barons could induce him to abandon. The latest edition of this code (1875) is by K. F. von Richthofen, who is decidedly against the South Holland origin of the law.

(8) The *Lex Saxonum* consists of nineteen chapters or sixty-six articles or paragraphs, and appears to be composed of three essential parts, the oldest of which (arts. 1-23) seems to have existed before the later additions known as the *Capitulare Paderbornense* (de partibus Saxonie) of 785 (or 777) and the *Capitulare Saxonum* of 797 (in which a "*Lex Saxonum*" and "*Eva Saxonum*" are referred to; comp. chaps. 33 and 7, 8, 10); the second part (arts. 24-60) must have been compiled after that date; and the third (arts. 61-66) was probably added in 798, when Charlemagne had removed a part of the Saxon nobility as hostages from their own country; while the whole was united into one code at the diet of Aix-la-Chapelle in 802-803 (Merkel, *Lex Saxonum*, Berlin, 1853). The enactments of this code are far more severe than those of any other of the barbarian laws, and it often inflicts capital punishment for crimes which the other laws punish with mere pecuniary fines, as, for instance, theft and incendiarism. This rigour Charlemagne softened by reserving to himself the right of asylum and pardon, but it was expressly retained and granted anew by Conrad II. (1024-1039). The code was edited in 1875 by Von Richthofen in *Mon. Germ. Hist.*, Legg., v. p. 187.

(9) The *Leges Anglo-Saxonum* are for a great part written in Anglo-Saxon, and as such may be reckoned among the most ancient monuments of the Teutonic language. They appeared mostly in the form of constitutions promulgated by the various kings (some what like the Frankish capitularies), with the co-operation of an assembly of leading men ("*sapientes*," Bede, *H. E.*, ii. 5), and frequently also of the clergy (*concilium*, *synodus*). They may be divided into two classes,—secular and ecclesiastical laws. Sometimes they are mere judicial sentences (*dom*) or treaties of peace (*fred*). The earliest laws we have are those of Æthelbert, king of Kent (c. 561); then follow those of Hloðhaer (c. 678) and Eadric (c. 685), Wilttraed (c. 691), Ine (after 688), Ælfred (after 871), Eadward (after 901), Æthelstan (after 924), Eadmund (after 941), Edgar (after 959), Æthelred II. (after 978), the Danish Canute (after 1017), William the Conqueror (after 1066). Then follow two collections of laws, the so-called "*Leges Edwardi Confessoris*" and "*Leges Henrici I.*," which, drawing from the Anglo-Saxon Law, represent the modifications which had been made in the earliest laws during the Norman period, and the introduction of new elements derived from the Salic and Ripuarian Laws. Besides these there are a good many canons and other ecclesiastical ordinances enacted under the archbishops Theodora and Ecgbert and King Edgar, &c.; comp. ENGLAND, vol. viii. pp. 235, 303. There is an edition of these laws by B. Thorpe (4to, London, 1840), another by Dr. Reinh. Schmid (*Die Gesetze der Angeln-Sachsen*, 2d ed., 8vo, Leipzig, 1858).

(10) The compilation of the *Lex Burgundionum* is usually ascribed to Gundobald (d. 516), whence it is also called *Lex Gundobada* (corrupted *Gombata*, Fr. *Loi Gombette*). It consists, according to its first prologue, of a collection of constitutions enacted partly by the earlier kings of Burgundy, partly by Gundobald, and revised by a general Burgundian diet. This agrees with the statements contained in its second prologue, which itself may be regarded as an independent constitution or edict to the counts and judges regarding the introduction of the law. In the rubric which it bears in the MSS. it is said that it was promulgated at Lyons on 29th March in the second year of Gundobald (some MSS. read Sigismund). As the year of Gundobald's accession is supposed to be 465, the promulgation must have taken place in 467, or, if we assume that the year is meant in which Gundobald became sole king of Burgundy (478), the date of the law would be 480, while it would be 517 if we adopt the reading "*Sigismund*" of some of the MSS. But as the law in its present state contains decrees both of Gundobald and of Sigismund we can only regard the whole as a compilation effected by the latter. In early editions the law was divided into eighty-nine chapters, with two additamenta, the first of which (consisting of thirteen chapters) to his brother and successor, the second (of thirteen chapters) was ascribed to Sigismund, the last king of the Burgundians, Godomar. But Professor Bluhme (who published the law in 1863, in *Mon. Germ. Hist.*, Legg., iii. 497) places chap. i. (De causis itineribus et aliis servitutibus) and chap. xix. (De liberali causa) of the first additamentum as chaps.

xvii. and xlii. in "Papianus"; chap. xx. as chap. cvi. (extragant) and its remaining chapters as chapters lxxxix. to cv. The second additamentum is placed as chap. cvii., the old chap. lxxxix. as chap. cviii., and a new chapter cix. (a decree of Sigismund "De collectis" of 516) added. It was Gundobald's intention that his law should decide all cases between Burgundians and between them and Romans; in all other cases the latter would only use Roman law (comp. second preface), of which the Lex Burgundionum contains many traces, and even the Burgundians were allowed to use Roman law (comp. L. Burg., tit. 43, 60, 55 § 2). The Latinity of the Burgundian Law is purer than that of all the preceding barbarian codes, and we find in it a distinct tendency to treat Romans with greater leniency and to make them equal to the Burgundians in the eye of the law. Through Gundobald's political relations with Alaric II., the Lex Burgundionum influenced the West-Gothic legislation, of which traces are found in the Lex Wisigothorum and the interpretatio to Alaric's Breviarium. Charlemagne promulgated in 813 a Capitulare Aquitanum (*Mon., Legg.*, i. 817) regarding the Lex Burgundionum, though the text was not altered. Agobart, bishop of Lyons, complained to Louis the Pious respecting certain abuses caused by the Burgundian Law (Bonquet, vi. 356), but no remedy was effected. On the other hand, towards the end of the 9th century the law had gradually fallen into disuse like all the other barbarian laws, though it is said that the emperor Conrad II. revived and confirmed it. See, besides Professor Bluhme's edition, Hubé, *Hist. de la formation de la loi Bourguignonne*, Paris, 1867.

(10a) In the second preface to the Lex Burgundionum (published in 502) the Roman subjects of the Burgundian king were promised a codification of their own laws. This work appears to have been promptly executed and was published under the title *Lex Romana Burgundionum*, perhaps before the compilation of the Breviarium Alarici (506). This collection is also known as *Papianus*, of which name (found already in MSS. of the 9th century) no satisfactory explanation has hitherto been offered, some, perhaps wrongly, supposing that it is a corruption of the name of Papinianus, the Roman jurist. It was published by Professor Bluhme as an appendix to the Lex Burgundionum (*Mon. Germ. Hist., Legg.*, iii. p. 579).

(11) As regards the *Lex Wisigothorum* (also called *Forum Judicum*, *Judicium Liber*, *Forum Judiciale*, &c.), we know with certainty from Isidore of Seville (*Hist. Goth. Hisp.*, 504) that Euric (466-483) was the first Gothic king who gave written laws to the West Goths. It would therefore be erroneous to ascribe (with Mariana, *Hist. de España*, v. 6) their first written laws to Euric's son, Alaric II., though it seems probable that the latter, by adding his own laws to those of his father, was really the first author of a West-Gothic codification. Isidore refers to the collection of laws (as it had been preserved up to the end of the 5th and the beginning of the 6th century) as the Laws of Euric, though we must assume that the statutes of the kings who succeeded Euric had already been added to his collection. Isidore also tells us (*Hist. Goth. Hisp.*, 606-624) that Leovigild (d. 586) revised Euric's Laws. As Isidore was bishop of Seville from 599 to 636, and may therefore be said to have been a contemporary of Leovigild, his testimony may be accepted as conclusive, though a much later but untrustworthy tradition would have it that the revision was executed by Leovigild's son, Reccared I. (the first Catholic king of the Goths), who died in 601, whereby the whole population of Spain was equalized in point of law. According to Spanish traditions of the 12th century, the West-Gothic collection of laws was again revised, under Sisenand, by the fourth council of Toledo (633), a revision on which Isidore seems to have exercised some influence. It is uncertain, however, whether the code was then systematically arranged and divided into twelve books, as we now have it, or whether this was done under Chindaswint (d. 652) or under his son Reccaswint (d. 672). The several books of the code are divided (in imitation of the codes of Theodosius and Justinianus) into tituli, and those again into chapters or constitutions. From Leovigild down to Egica (d. 701) and his son and coregent Witiza (d. c. 701), the last king of the Goths before the invasion of the Moors) every constitution bears the name of the king who promulgated it, while those dating from before Leovigild have the word "antiqua" prefixed to them instead of the name of a king. This designation is said to have been commenced by Erwig (680-687), who thereby wished to prevent the clergy from claiming the code as their work. Of the texts which existed before the fourth council of Toledo only one small fragment has come down to us, in a palimpsest preserved in the Paris National Library (No. 1278). Some regard this as the remainder of the supposed recension of Reccared I.; others regard it as a fragment of the Laws of Euric, though it could in no case be the Laws of Euric themselves, but at most their codification by Alaric II. The fragment was known to the Benedictines (*Novæ, Traité de Diplom.*, i. 483, iii. 52, 152, note 1), and was published in 1847 by Professor Bluhme (*Die Westgoth. Antiqua oder das Gesetzbuch Reccared's I.*, Halle). The text is undoubtedly older than those enactments which we find designated as "antiqua," so that it could hardly be placed later than the commencement of the

6th century, i.e., shortly after the compilation of the Breviarium Alarici (506). Hence the text called "antiqua" may be regarded as a modification of that of the Paris palimpsest, and was probably not made before the end of the 6th or the beginning of the 7th century. Roman law, which is so conspicuous in the later text, may already be traced in that of the palimpsest (taken from the Breviarium Alarici), and also in the "antiqua" constitutions, in which we find even traces of Justinian's law. The Lex Wisigothorum (the first code in which Roman law and Teutonic law were systematically combined) was no doubt regarded, after Leovigild and Reccared I., as a code for the Goths as well as for the Romans, without abolishing the Breviarium among the Romans. But King Chindaswint ordained that the Lex Wisigothorum should be the sole code for both nations, prohibiting at the same time the use of the Roman law, thereby materially promoting the amalgamation of the two nations. It remained in force in Spain throughout the Middle Ages, and was translated into Spanish (Castilian) under Ferdinand III. (1229-1234, or 1241) under the title *Fuero Juzgo*, or *Fuero de Cordova*.

Editions: (1) *Fuero Juzgo en Latin e Castellano cotejado con los mas antiguos y precisos Codices por la Real Academia Española*, Madrid, 1815, fol.; (2) in *Portugalia Monumenta Historica*, vol. 1., Lisbon, 1856, fol.

(11a) Here also we may mention a *Lex Romana* compiled for the Roman population, just as in Burgundy. It is also known as *Liber Legum*, *Liber Legum Romanorum*, and as *Lex Theodosii* or *Corpus Theodosianum*. It received the latter name because the *Codex Theodosianus* served as its basis. It includes also excerpts from *novellæ* of Theodosius, Valentinian, Marcian, Majorian, Severus, and from the *Institutiones* of Gaius, the *Sententiæ* of Paulus, the *Codices Gregorianus* and *Hermogenianus*, &c. In a MS. of the 10th century it is called *Breviarium*, and the title *Breviarium Alarici* or *Alaricianum* has become general since the 16th century. The compilers of the Breviarium are not known, but it was published in the twenty-second year of Alaric II., i.e., on 5th February 506, at Aire (Aures) in Gascony. It was also used in other western provinces of the Roman empire, and was imitated, excerpted, and altered in other places. One recension, probably dating from the 9th century, is known from the place where the MS. was found as the *Lex Romana Utiensis*. The best edition is that of G. Haenel, *Lex Romana Wisigothorum*, Berlin, 1847.

(11b) We have also a code for the Eastern Goths compiled by command of Theodoric after 506, but before 526, and known as *Edictum Theodorici*. It consists of 155 chapters (with a few additions), which are in reality an epitome of Roman law. It was published in 1875, in *Mon. Germ. Hist., Legg.*, v. p. 145 sq., ed. by Professor Bluhme.

(12) *Leges Langobardorum*.—The first trace of Lombard law is an edict of Rothar, consisting of 388 chapters, and promulgated at a diet held at Pavia on 22d November 643. This was followed by laws of Grimoald (668), nine chapters; Liutprand (713-735), six books; Ratchis (746), nine chapters; Aistulphus (c. 745), fourteen chapters. Additions were also made by Charlemagne and his successors down to Lothair II. In the manuscripts the texts are arranged, some in a chronological, some in a systematic order. The latter arrangement is already found in a MS. of the 9th century. The systematic collection, which was used chiefly in Bologna at lectures and for quotations and was known as *Lombarda* (*Liber Langobardus* s. *Lombardus*), appears to have been made in the 11th century. The text as it exists at present is very corrupt, as a number of glosses (some of great antiquity) and formulæ, added in the first instance by those who had to use the code to explain certain enactments of the law, afterwards found their way into the text. Towards the end of the 12th and down to the beginning of the 16th century various glosses and commentaries on the Lombarda made their appearance. The first commentaries were those of Aripand and of Albertus (second half of 12th century). The later commentators (Carolus de Tocco, c. 1200; Andreas de Barulo, c. 1230; Blasius de Morcone of Naples, before 1338; Boherius and Johannes Nenna of Bari, c. 1540) refer frequently to Roman law. Of the Edictum Rotharis a Greek translation was made, of which only fragments have been preserved (comp. C. E. Zacharia, *Fragmenta versionis Græcæ Legum Rotharis, Langob. regis*, ex. cod. Paris. Græc., No. 1348, Heidelberg, 1835).

Editions: (1) C. Bandus a Vesme, *Edicta regum Langobardorum*, Turin, 1855, reprinted by J. F. Neigelaur, Munich, 1855, 1856; (2) *Mon. Germ. Hist., Legg.*, iv. (1868), by Friedr. Bluhme and Alfr. Boretius; (3) Fr. Bluhme, *Edicta ceteraque Langobardorum leges*, Hanover, 1870; comp. Merkel, *Geschichte des Lombardenrechts*, Berlin, 1850.

(13) The *Leges Walliæ* do not belong to the Teutonic family of codes; but it is not out of place to mention them here. There is, comparatively speaking, no great distance of time between the *leges barbarorum* and the Laws of Wales, while the contents of the latter show a similar, nay almost the same, idea of law as the former; and, apart from the fact that Wales became permanently connected at the end of the 13th century with a Teutonic people, the Anglo-Saxons, it has been noticed that in Wales Roman and Germanic, but no traces of a specific Welsh, law are found. King Howel Dda (i.e., the Good), who died in 948, is the originator of

the Welsh code.¹ In the preface it is stated that Howel, "seeing the laws and customs of the country violated with impunity, summoned the archbishop Menevia, other bishops and the chief of the clergy, the nobles of Wales, and six persons (four laymen and two clerks) from each comot, to meet at a place called Y Ty Gwyn ar Dav, or the white house on the river Tav, repaired thither in person, selected from the whole assembly twelve of the most experienced persons, added to their number a clerk or doctor of laws, named Bllygywryd, and to these thirteen confided the task of examining, retaining, expounding, and abrogating. Their compilation was, when completed, read to the assembly, and, after having been confirmed, proclaimed. Howel caused three copies of them to be written, one of which was to accompany the court for daily use, another was deposited in the court at Aberfraw, and a third at Dinsevwr. The bishops denounced sentence of excommunication against all transgressors, and soon after Howel himself went to Rome attended by the archbishop of St David's, the bishops of Bangor and St Asaph, and thirteen other personages. The laws were recited before the pope and confirmed by his authority, upon which Howel and his companions returned home." All this could not have been effected before Howel had subjected Wales to his own rule, therefore not before 943. We have three different recensions of the code, one for Venedotia or North Wales, another for Dimetia or South Wales, a third for Gwent or North-East Wales. We do not know how far these recensions were uniform in the beginning; but a variance must have occurred shortly after, for the manuscripts in which the codes are preserved differ greatly from each other. The code was originally compiled in Welsh, but we have no older MSS. than the 12th century, and even the earliest ones (especially those of the Venedotia recension) contain many interpolations. The Latin translations of the code would seem to be very old, though even here we have no earlier MSS. (belonging to the Dimetia recension) than the 13th century. The Latin text is much shorter than the Welsh, but we do not know whether this abridgment was made on purpose, or whether the translation is an imitation of an earlier text. The texts present only a few traces of Roman law, which, however, are evidently additions of a later period. The whole body of Welsh laws was published in one volume by An. Owen under the direction of the commissioners on the public records (fol., London, 1841).

For further information on the barbarian codes, see Heinr. Zoepfl, *Deutsche Rechtsgeschichte*, 8vo, Brunswick, 1860, vol. 1. p. 8 sq., whose clear and able treatment of the subject has been taken as the basis of paragraphs 4-13 above; comp. also Stobbe, *Geschichte der deutschen Rechtspflanzen*, 8vo, Brunswick, 1860, (J. H. H.)

SALICYLIC ACID, an organic acid found in nature, in the free state, in the flowers of the meadow-sweet (*Spiræa Ulmaria*, L.) and, combined with methyleic ether, in the leaves of the wintergreen (*Gaultheria procumbens*, L.) and *Andromeda Leschenaultii*, in the bark of the sweet birch (*Betula lenta*, L.), and in several species of *Viola*. It was discovered in 1838 by Piria, who prepared it artificially by the decomposition of SALICIN (*q.v.*). It is remarkable as being the first organic compound occurring in nature which has been prepared artificially on the large scale as a commercial article. During the last few years it has been extensively used in medicine as a remedy for acute rheumatism, either alone or in the form of its sodium salt. Possessing powerful antiseptic properties and being poisonous only in large doses (the medicinal dose being from 5 to 30 grains), it is capable of manifold uses in the arts and manufactures. In the proportion of from 1 to 10 per cent. it prevents the development of bacteria in fluids containing them, and if added to the extent of 1 part in 60 it will destroy their life. It also kills *Torula*, and prevents the souring of beer and milk. It hinders the chemical changes brought about by the action of vegetable ferments or enzymes such as amygdalin and sinnigrin, and consequently can prevent the formation of essential oil of almonds or of oil of mustard, &c. Plants watered with its solution speedily die. The addition of a little of the acid to glue renders it more tenacious; skins to be used for making leather do not undergo decomposition if steeped in a dilute

solution; butter containing a small quantity of it may be kept sweet for months even in the hottest weather. It also prevents the mouldiness of preserved fruits and has been found useful in the manufacture of vinegar. Unless the perfectly pure acid be employed the addition of salicylic acid to articles of food must be considered dangerous, some persons being peculiarly susceptible to its action.

Salicylic acid is met with in commerce in two forms, "natural" and "artificial." The former occurs as handsome prismatic crystals resembling those of strychnin, but considerably larger, usually about half an inch in length; the latter is met with as light minute crystals bearing some resemblance to sulphate of quinine, but smaller. The natural acid is prepared by decomposing the volatile oil of wintergreen or of the sweet birch by a strong solution of potassium hydrate, and treating the resulting potassium salicylate with hydrochloric acid, which liberates the salicylic acid. The artificial acid is prepared according to Robbe's patent process by passing carbonic anhydride through sodium phenoxide (carbolate) heated in a retort, with certain precautions respecting temperature to prevent the formation of para-hydroxybenzoic acid. It is subsequently purified and recrystallized. An improvement has recently been made on this process by substituting sodium phenol for sodium phenoxide, the whole of the phenol being in this case converted into salicylic acid. Formerly this acid was met with in commerce contaminated with phenol, rosolic, and para-oxybenzoic acids, but is now prepared in a perfectly pure condition. The presence of the first-named impurity may be detected by its odour and by the melting-point being lower than when pure, the second by the pink tinge it communicates to the acid, and the third by its comparative insolubility in boiling chloroform, by the greater solubility of its calcium salt, and by its giving a yellow precipitate with ferric chloride. Salicylic acid when pure should be free from odour and should dissolve completely in alcohol, and its solution, when spontaneously evaporated without contact with air, should yield crystals having colourless points. It has a specific gravity of 1.45 and fuses at 155° C. (311° Fahr.); above that temperature it is converted into phenol and carbonic anhydride. Its chemical formula is C₇H₅(OH)CO₂H. It is soluble in 760 parts of cold water, in 4 of rectified spirits of wine, and in 200 of glycerin, also in olive and castor oils, in melted fats and vaseline. Alkaline salts of citric, acetic, and phosphoric acids render it more soluble in water, possibly from the base combining with it. An aqueous solution of salicylic acid gives a deep violet colour with ferric salts. The methyl, ethyl, and amyl ethers of the acid are used in perfumery, and the calcium salt if kept for some time and then distilled with water yields a liquid which has a strong odour of roses (Dingler, *Polytechn. Journ.*, ccxvii. p. 136).

When administered internally salicylic acid rapidly lowers the bodily temperature and reduces the pulse rate, blood pressure, and rapidity of respiration, causing death when given in excessive doses by paralysis of the respiratory organs. It is excreted in the urine partly as salicylic and partly as salicyluric acid, communicating to it a brown colour by reflected and a green one by transmitted light. When taken for some time it produces deafness, giddiness, headache, and noises in the ears, like quinine. Taken internally in medicinal doses it possesses the same properties as salicin and sodium salicylate (see below), but is much less used in medicine. Applied externally, it has a marked action on thickened epidermis, and is hence used for the cure of corns and warts, to relieve pain and destroy fetor in ulcerated cancer, and also in certain skin diseases in which an antiseptic is useful, as in psoriasis, eczema, intertrigo, lupus, and ringworm. Taken as snuff it relieves hay fever.

Salicylate of sodium (NaC₇H₅O₂) is more frequently used in medicine than salicylic acid because less irritating to the mucous membranes. It is prepared by neutralizing a solution of sodium carbonate with salicylic acid. It occurs in commerce as small white crystalline plates with a slight pearly lustre, having a sweetish saline taste and mildly alkaline reaction. It is soluble in 1.5 parts of water and 6 of alcohol at 15° C. (59° Fahr.), but much more so in boiling water and alcohol. It is chiefly employed medicinally as a remedy for acute rheumatism, in which it lowers the temperature and allays pain. It is also useful in headache and in phlegmasia alba; its cholagogic action and its power of rendering the bile more fluid indicate its usefulness in the treatment of gall stones. It has been found of service in Menière's disease. Alcohol or other stimulants are often given with it to prevent the depressing influence on the heart's action which is caused by large doses. Ammonia is, however, unfit for this purpose (Martindale, *Extra Pharmacopœia*, 3d ed., p. 57). Like salicylic acid, it produces when given in full doses subjective auditory phenomena, but these symptoms are relieved by the use of ergot and hydrobromic acid. In a few persons it causes most disagreeable visions whenever the eyes are shut, and in others it has even produced delirium. In its action on bacteria it is about one-third less powerful than salicylic acid.

¹ There is no historical foundation for the legendary laws of a prince Dymal (or Dyrnwal) Moel Mud, nor for the Laws of Marsia, which are said to belong to a period before the Roman invasion, even so early as 400 years before Christ. An English translation by the side of the Welsh text of the so-called triads of Dyrnwal Moel Mud is given by Owen, *The Ancient Laws of Wales*, London, 1841, p. 630.