£1,500,000, and for 1884-85 at about £1,840,000. The national debt at the end of 1884 was about £7,000,000. An additional debt of about £1,000,000 was contracted during the Servo-Bulgarian war of 1885-86.

The Servian army is divided into three classes. The first class, embracing men between 25 and 30 years of age, constitutes the standing army, which numbers 18,000 on a peace footing and about 100,000 on a war footing. The first two years are served with the colours and the remainder of the term in the reserve. The second class contains men between 30 and 37 who have served in the standing army. The third class, which is only called out in extraordinary emergencies, is composed of men between 37 and 50. The total military strength of Servia for cases of emergency is estimated to be about 210,000 men.

The capital of Servia is Belgrade, at the junction of the Danube and the Save. It is the only town with more than 15,000 inhabitants. Next in size is Nish, in the territory added by the treaty of Berlin, where the valley of the Nishava opens into that of the Bulgarian Morava. The other chief towns are Kragushevatz in the centre of the Shumadia, the former capital of the country, Shabatz on the Save, Semendria on the Danube, Krushevatz, Alexinatz (the centre of the flax and hemp growing district), Ushitze, Posharevatz, Vranja, and Leskovatz.

See Rev. W. Denton, *Servia and the Servians*, London, 1862; Kanitz, *Serbien: historische-ethnographische Reisestudien*, Leipsic, 1868; Balmé, *La Principauté de Serbie*, Paris, 1880.

(G. G. C.)

History.

The original home of the Croats and Serbs, who are identical in race and language, was the country adjoining the Carpathian range. Their speech shows them to belong to the eastern division of the Slavonic family (see Slavs). The generally accepted derivation of the name *Chrobat, Croat*, is from the original designation of the Carpathians, *Chrbet*, "a ridge," an opinion supported by Schafarik and Professor Ljubić, author of a Croatian history. This view is rejected by Perwolf[1] and also by Penka,[2] but apparently on insufficient grounds. The last-named connects the word with the same root as that from which "Slav" is derived (*slu-ti, klu, kru*) and makes it signify the "vassals," those who follow a chief. The derivation suggested by Schafarik for "Serb" is the root *su*, "to produce"; thus the name would come to mean the people, just as *deutsch* is from *diot*, "people." He considers it to have been the original appellation of all the Slavs. This must be accepted as the best explanation hitherto given, though not altogether satisfactory. We find the name Σέρβοι in Ptolemy and *Sirbi* in Pliny.

The Serbs and Croats have no history till the year 638 A.D., at which period they left their original settlements and migrated into the ancient Illyricum and part of Mœsia. Whether any of this people had previously taken up their abode in the Balkan peninsula is by no means clear, and very different opinions have been held on the subject. The most probable account is that small Slavonic colonies were settled here and there as early as the 2d and 3d centuries, consisting mainly of prisoners taken in war; and we hear of two tribes, the Karpi and the Kostoboki, who are claimed by Schafarik with good reason as Slavs. Jireček considers that for two hundred years before the Slavs are heard of in history south of the Danube they were scattered as colonists in Mœsia, Thrace, Dardania, and Macedonia. Professor Drinoff finds mention of Slavonic colonies in Thrace in the *Itinerarium Hierosolymitanum* and *Itinerarium Antonini*; and, even if we do not give a complete adhesion to his views, there are many names of towns in Procopius (in the first half of the 6th century) which are undoubtedly Slavonic. The traces of the original inhabitants have disappeared, except in so far as the Albanians represent these peoples. It is generally believed that the word *meropch* or *neropch*, signifying a slave, found in the *Zakonik* of Dushan, refers to the Noropians, an old Thracian tribe.

Our authority for the Servian migration in the middle of the 7th century is the emperor Constantine Porphyrogenitus. According to the story, five Croatian princes, the brothers Clucas, Lobelus, Cosentzis, Muchlo, and Chrobatus, and two sisters, Tuga and Buga (*i.e.*, Calamity and Prosperity), came at this period from northern or Belo-Chrobatia, as it was called, the original home of the Croats in the Carpathian Mountains. The descendants of their people who remained in the territory are lost among the surrounding population. The services of these Croats were made use of by the emperor Heraclius, and they became a barrier against the Avars, whom they drove out of the country in which they settled. The territory which they occupied was divided by them into eleven *župas* or *goueen*. The people who inhabited the western portion kept the name of Croat, those in the eastern were called Serbs. We must now leave the Croats, as in this article we have only to do with the Serbs properly so called. The Croatian branch of the family, after being ruled by petty *bans* (a word said to be of Avar origin), was annexed to the kingdom of Hungary, and after the 16th century followed the fortunes of the house of Hapsburg.

[1] *Archiv für slavische Philologie*, vii. 591.
[2] *Origines Ariacæ*, p. 128, Vienna, 1883.

For five centuries after their arrival in their new territories we hear nothing of the Serbs save an occasional very brief mention in the Byzantine chroniclers. The native annalists do not begin earlier than the 12th century. As in Croatia so among the Serbs, the smaller župans[3] gradually became merged into two or three great ones. The head župan of Servia, who resided in Desnica, called by Constantine Destinica, was at first the suzerain of all the other Servian župans, with the exception of the Paganí, concerning whose Latin name the emperor Constantine makes the very strange remark —*καὶ γὰρ Παγανοὶ κατὰ τὴν τῶν Σκλάβων γλῶσσαν ἀβάπτιστοι ἐρμηνεύονται*. After the land was harried by the Bulgarians we find the great župan of Dioclea (Doclea) supreme; he acquired the title of king, and received his insignia from the pope. Finally, Nemanya, the descendant of a župan family of Dioclea, founded a new dynasty in Rasa (mod. Novibazar), and united Servia and Bosnia into one strong empire. The names of the earlier princes, who are insignificant and do not help us to follow the thread of Servian history, need not be mentioned. We find them sometimes tributary to the Greek emperors and sometimes independent. They appear, moreover, to have been engaged in constant wars with the Bulgarians. About 1015 Vladimir was reigning; but he was assassinated by the Bulgarian czar John, who got possession of Servia, but died two years afterwards on an expedition against the Greeks. Together with Bulgaria, Servia fell under the power of the emperor, and its affairs were managed by a Greek governor. Stephen Voyislaff made an insurrection in 1040, expelled the governor, Theophilus Eroticus, and defeated the Greeks in 1043. His son and successor, Michael (1050-80), at first lived in peace with the Byzantines, but afterwards entered into diplomatic relations with the West, took the title of king (*rex*), and received his insignia from the pope (1078). He conquered Durazzo (Drać) in 1079, and reigned thirty years. His son, Constantine Bodin, subjugated the župans of Bosnia and Rasa. About 1122 Ourosh, surnamed Bela, župan of Rasa, ascended the throne. From this time dates the power of Servia. His wife Anna was a German princess. Omitting three insignificant rulers, we come to the famous Stephen Nemanya (1159-95), whose life has been written by his son Sava. He reigned thirty-six years, and was many times successful against the Greeks, but was not able to take Ragusa. He abandoned the government to his son Stephen in 1195 and became a monk under the name of Simeon, dying in 1200 in the monastery of Chilander on Mount Athos. Stephen was crowned by his youngest brother Sava, first archbishop of the country, with a crown which had been consecrated by the pope; hence his title *Prvovyenchani*, "the first-crowned,"—that is to say of the new dynasty, for the župans of Dioclea were already kings. He died in 1224 and was followed by his sons Radoslaff and Vladislaff in succession. The latter made an offensive and defensive alliance with Ragusa. He employed Germans to work the Servian mines; and we find them repeatedly mentioned in Servian documents under the name of Saxons, especially in the *Zakonik* of Stephen Dushan. No traces, however, can be found of them at the present day. Vladislaff's court is said to have been very luxurious. He died childless about 1237 and was succeeded by his brother Stephen Urosh, whose territories were devastated in 1241 by the Mongols. He was afterwards driven from his throne by his son Dragutin and died in 1272. The latter, however, stung by conscience, abandoned the crown to his brother Milutin and contented himself with Syrmia, where he died in 1317. The reign of Milutin was chiefly occupied with struggles against the Greeks; he was generally successful in his campaigns. But his domestic life was unhappy: he divorced three wives and caused his only son Stephen to be blinded from suspicion of his treachery. The operation, however, was imperfectly performed, and the youth recovered his sight. In 1314 Milutin fought on the side of the emperor Andronicus against the Turks, and in the same year forced the Ragusans to pay him tribute. After his brother Dragutin's death he seized his hereditary dominions, and recalling his son Stephen, whom he had banished to Constantinople, gave him Dioclea. In 1319 the Hungarians deprived him of Bosnia; two years later he died. His son Stephen was engaged in perpetual wars. In 1330 he defeated the Bulgarians at the brook Kamencha near Velbuzhd, when the Bulgarian czar Michael was slain. It was on this occasion that his son called Stephen Dushan first distinguished himself. In spite of the king's successes against the Greeks, he was destined to close his reign in the most lamentable manner: he was imprisoned and strangled by order of his own son at Zvechan in 1336. It is from this crime that Dushan gained his surname (*dushiti*, "to suffocate"). Concerning this prince, we are told by the ancient chroniclers that he was gigantic in stature and terrible in appearance. He conducted thirteen campaigns against the Greeks. In 1337 he took Strumitza and subjugated all Macedonia and Albania to Thessalonica, Kostur, and Janina, threatened Byzantium, and concluded a peace with the emperor Andronicus,

[3] The following rules for the pronunciation of the Croatian letters will be found useful:—*c*=*ts*; *č*=a sound between *ts* and *ch*, something like *tše* in the English word "daintier"; *č*=*ch* as in "church"; *j*=*y* as in "young"; *ž*=*zh*: *ž*=*zh* or *j* in the French "jour."

who was shut up in Thessalonica. He now divided his kingdom into eight districts and arranged everything on the Byzantine model. He conquered the whole of Macedonia, and caused himself to be crowned emperor of Servia, his son Urosh as king (*kral, rex*), and the archbishop of the country as patriarch. In 1349, at a diet, he published his celebrated *Zakonik* or "Book of Laws" (see below). In 1356 he began a new campaign against the Greeks, his object being to seize Constantinople, to place the Greek crown upon his head, and drive the Turks out of Europe; but in the midst of his schemes he died at Deabolis in Albania on 18th December 1356. His son Urosh was then but nineteen years of age, and, being sickly in body and weak in mind, he was unable to struggle against the revolted governors of his provinces, some of whom wished to make themselves independent. He was killed in a conflict with one of them in 1367, who ascended the throne under the name of Vukashin. This monarch was at first successful against the Turks, now already masters of considerable portions of the Byzantine empire; but he lost the decisive battle of Tænarus, and with it his life, in 1371. According to the chroniclers, the Serbs were surprised and many slain while sleeping. Many also were drowned in the waters of the Maritza, "and there their bones lay and were never buried." The fate of Vukashin and of his brother Goiko was uncertain. The empire of Dushan now began to fall to pieces and Servia was again without a ruler. Marco, the son of Vukashin, declared himself the successor of his father; but the line was unpopular with the Serbs, and at a diet at Peć (Ipek) in 1374 they elected a young noble, Lazar Greblianovich, a connexion of the old princely house. He did not, however, take the title of either emperor or king, but only of *knez* or prince. Bosnia was separated from Servia and fell under the rule of a noble named Tvertko. Sultan Murad had already conquered the Bulgarian sovereign Shishman and now marched against Servia. On the 15th of June 1389 the Serbs were completely defeated at the battle of Kosovo, the "field of blackbirds." No event has been so much celebrated in the national songs as this. Many are the lays which tell of the treachery of Vuk Brankovich and the glorious self-immolation of Milosh Obilich, who stabbed the conqueror on the battlefield. The silken shroud, embroidered with gold, with which his wife Militza covered the body of her husband is still preserved in the monastery of Vrdnik in Syrmia, and a tree which she planted is shown to travellers at Župa. According to one account Lazar was killed in the battle; according to others he was taken prisoner and executed before the eyes of Ilyrik Murad. The bones of Lazar now rest at Ravanitza on the Frushka Gora in Syrmia. We hear no more of independent Serb princes; the country was now tributary to Turkey, and its rulers were styled despots. Stephen, the son of Lazar, was confirmed in this title by Bajazid, the successor of Murad. Militza died in a convent in 1406. Stephen died in 1427 childless, and was succeeded by George Brankovich, a man sixty years of age, whose reign was a troubled one. In 1437 he was compelled to fly to Hungary to avoid the wrath of Murad II., and did not recover his territory till Hunyadi and Scanderbeg drove back the Turks in 1444. George fell, in the ninety-first year of his age, in battle with a Hungarian magnate named Michael Szilagyi on 24th December 1457. His youngest son Lazar succeeded him after committing many crimes, but only survived his father five weeks. His widow, Helena Palæologus, gave the country to the pope in order to secure his assistance against the Turks. Upon this the sultan ravaged Servia in the most pitiless manner, burnt the churches and monasteries, and carried off 200,000 persons into captivity. Servia became in all respects a Turkish province, although we occasionally find the empty title of "despot" borne by some of the descendants of its princes. Great numbers of the Serbs subsequently migrated to Hungary. In 1689 some thousands under the command of the despot George Brankovich entered the imperial (German) army. In 1691 the Servian patriarch, Arsenius Chernoyevich, led about 36,000 families to settle in various parts of Hungary, chiefly in Syrmia and Slavonia. These *zadrugas*, as they are called, are not families in our sense of the word, consisting of parents and children, but communities of families according to the custom still found among the Croats of the Military Frontier. The number of the emigrants at that time would probably amount to 400,000 or 500,000 persons. Others followed them in 1738 and 1788. These Serbs have kept their religion and language in spite of the desperate efforts of the Government to Magyarize them. The last despot of Servia was George Brankovich, who died in captivity in Austria in 1711.

In consequence of the splendid victories of Prince Eugene, Austria acquired the greater part of Servia by the treaty of Posharevatz in 1718, but the Turks regained it by the peace of Belgrade in 1739. For upwards of four centuries the Serbs groaned under the Turkish yoke, until, in 1804, unable to endure the oppression of the Turkish *dahis*, they broke out into rebellion under George Petrovich, surnamed *Černi*, or "Black George" (in Turkish *Kara*). Kara George was born at Topola (Tapolja) in 1767; at first he merely aimed at conquering the dahis, but afterwards he attempted to drive the Turks out of Servia. This he succeeded in doing after many failures. In 1813, however, they reconquered the country, and George with his adherents was compelled to fly to Austria. He returned in 1817, but was treacherously murdered by order of Milosh Obrenovich, who had now become the Servian leader. We have no space here to sketch the struggles of Milosh to secure the independence of Servia. He was himself of peasant origin and in his youth had been a swineherd. The Turks had contrived to kill or drive out of the country all the Servian aristocracy, leaving only peasants to till the ground, feed swine (one of the great industries of the country), and pay the *harach*. Milosh was declared prince by the national assembly, and in 1830 secured the consent of the Porte to his enjoyment of the title with the succession reserved to his family. Turkey allowed Servia a quasi-independence, but held and garrisoned several fortresses. Milosh had so little forgotten his Turkish training that he made himself obnoxious to his subjects by his despotic acts. He was a man of simple, even coarse habits, as many of the anecdotes told of him testify. He was compelled to abdicate in 1839 in favour of his son Milan, who, however, was of too feeble a constitution to direct the government, and, dying soon afterwards, was succeeded by his younger brother Michael. He also abdicated in 1842 and the Serbs then elected Alexander, the son of Tsrni George, or, to give him his Servian patronymic, Karageorgevich. His rule lasted seventeen years; he was compelled to resign in 1859, and Milosh, now very old, was invited to come from Bucharest. He lived, however, only one year, dying in 1860, and left the throne to his son Michael, then aged forty, who was thus a second time elected prince of Servia. Michael was a man of refinement and had learned much during his exile. The condition of the country improved during his reign, and in 1862 he succeeded in getting the Turkish garrisons removed from Belgrade. The Moslem inhabitants have gradually withdrawn from the country, so that they are now represented by a very few families. Of the two mosques still remaining in Belgrade, one is devoted to their use, the other having been turned into a gas-work. While walking in his park, called Koshutniak or Topshidere, near Belgrade, Michael was assassinated by the emissaries of Alexander Karageorgevich on 10th June 1868. He was succeeded by his second cousin, Milan, grandson of Yephrem, a brother of Milosh. Milan was born in 1854; he became prince of Servia in 1872. In 1875 he married a Russian lady, Natalie de Keczko. In 1878 the Serbs declared war against Turkey, but their arms were unsuccessful, and they were only saved by the intervention of Russia. By the treaty of Berlin, July 1878, the country received a large accession of territory, and the prince caused himself to be proclaimed king. Peace continued till the year 1885, and during this period the Serbs seemed to make considerable progress as a nation, in spite of the bitterness of political faction. In 1885, however, Servia made an ill-judged and selfish attack upon Bulgaria, which was ignominiously beaten off.

Literature.

For some account of the Servian language, see Slavs.

Under Servian literature the Dalmatian and Croatian in the limited sense of the term must be included. The latter, however, is somewhat meagre. This literature is divided into three periods—(1) from the earliest times to the fall of Servian independence at the battle of Kosovo, 1389; (2) from the rise of the importance of Ragusa in the 15th century till its decay towards the end of the 17th; (3) from the time of Dositei Obradovich to the present day.

First Period.—The earliest composition which has come down to us in the Servian or Illyrian language, to use a term in which we may include the Dalmatian Slavs, who are essentially the same people, is the production of an unknown priest of Dioclea (Doclea), now Duklya, a heap of ruins, but formerly a city of considerable importance on the river Moratza. His title in Latin is "Anonymus Presbyter Diocleus," or in Slavonic "Pop Dukljanin." He must have lived about the middle of the 12th century, as the chronicle compiled by him extends to the year 1161. It is a tedious production, and possesses only antiquarian interest, it is printed by Kukuljević Sakcinski[1] in the *Arkiv za Povestnicu Jugoslavensku* (Agram, 1851). The oldest documents of the Servian language in the narrower sense of the term are a letter of Kulin, the ban of Bosnia in 1189, and the letter of Simeon or Stephen Nemanya to the monastery of Chilander on Mount Athos. These productions are simply Palæoslavonic with a mixture of Serbisms. The history of early Servian literature has been thoroughly investigated by Schafarik in his *Serbische Lesekörner* (Pesth, 1853). We have only space to mention the more important productions. (1) The *Life of St Simeon* by his son St Sabbas or Sava, the first archbishop of Servia, was written about 1210. The early manuscripts have been lost and the oldest copy known only dates from the 17th century. Besides this work, Sava also compiled a *tipik* or collection of statutes for the monastery of Studenitza, of which he was hegoumen or abbot. He was the founder of the celebrated Chilander monastery. (2) The *History of St Simeon and St Sabbas* by Dometian was compiled in 1264, and is preserved in a manuscript of the 14th century.

[1] In citing the names of those members of the Servo-Croatian race who use Latin letters the original orthography is preserved.

There is a good edition by Danichich, to whom we are indebted for a valuable lexicon of Old Servian. (3) The *Rodoslof* or Lives of Servian kings and archbishops, compiled by Archbishop Daniel (died 1338), contains the lives of Kings Radoslaff, Vladislaff, Urosh, Dragutin, Queen Helena, Milutin, &c. After his death the work was continued by an anonymous writer. The style of these productions is dry and tasteless. They are written in Palæoslavonic mixed with Serbisms. Hilferding has commented with great severity on their bombastic and panegyrical style,—the most complimentary epithets being applied to many sovereigns whose careers were stained with crimes. (4) The *Life of Stephen*, surnamed "Dechanski," from the monastery Dechani which he founded, written by Gregory Tzamblak, hegoumen of the same monastery. (5) In 1359 we have the Code of Laws (*Zakonik*) of Stephen Dushan, which has been previously mentioned; it is the earliest specimen of Servian legislation, and has come down in several manuscripts, being first published by Raich in his *History* at the close of the 18th century. Since that time other editions have appeared, the two most important being those of Miklosich and Novakovich.

Second Period.—To this epoch, which may be said to commence with the 15th century, belong some of the Servian chronicles, the *Lyetopis Koprivnichki* and others,—dry and tedious compilations; the 15th century saw also the outburst of the literature of Ragusa (see below). The Servian ballads have obtained a European celebrity, and must have existed from very early times. Nicephorus Gregoras, who in 1325-26 came to Stephen Urosh IV. as ambassador from the Byzantine emperor Andronicus, noticed that some Serbs attached to his suite sang tragic songs celebrating the great exploits of their national heroes. As M. Pipin remarks in his *History of Slavonic Literature*, this shows the existence of a national epic among the Serbs before the battle of Kosovo. In the description of an embassy sent from Vienna to Constantinople in 1551 a certain Kuripeshich, by birth a Slovene, speaks of hearing songs sung in honour of Milosh who slew Sultan Murad. The first attempt at collecting them was made by the Franciscan monk Andrew Kačić-Miošić, a Dalmatian, who died in 1785. His work was published at Venice in 1756 under the title of *Razgovor Ugodni Naroda Slovinskoga* (Recreations of the Slavonic People). Some of the pieces included in this volume were written by Miošić himself, and he made many alterations in the old ones. This, however, was quite in the spirit of the age in which he lived. We find extracts from Servian ballads in some of the Dalmatian poets of the 16th century. In 1794 they were alluded to in the *Travels* of the abbé Fortis, and were finally collected by Vuk Stephanovich Karajich and published at Leipsic in 1824 under the title *Narodne Srpske Pyesme* (Popular Servian Songs). Some of them were afterwards translated into German by Theresa von Jacob and into English by Bowring and Lord Lytton. The versions of the last two possess but little merit. It would be impossible in a short notice like the present to discuss the contents of these remarkable ballads. To the majority of readers the cycle which treats of Knez Lazar and his fate at the battle of Kosovo will prove the most interesting. Besides historical persons introduced in the ballads, there is the half-mythical hero Marco Kralevich, who, like the Russian Ilya Muromets, has many of the characteristics of a supernatural being. His victories, chiefly over Turks and Magyars, are narrated in the most bombastic phraseology. At last he dies in battle; but the belief prevails that he remains concealed till he shall appear on some future occasion to rescue his people from their oppressors. Almost as mysterious as the hero himself is his horse Sharatz, who was presented to him by a *vila* or fairy. After the death of Vuk Stephanovich (1864) a supplementary volume was published by his widow, which her husband had left prepared for the press *Srpske Narodne Pyesme iz Herzegovine* (Popular Servian Songs from Herzegovina, Vienna, 1866). A good collection of songs of the Montenegrins (Tsrhogortzi) was edited at Leipsic in 1857 by Milutinovich. There has also appeared a little volume of Servian national songs from Bosnia, collected by Bogolub Petranovich in 1867. Since then volumes of Servian popular poetry by Rayachevich and Ristich have appeared.

During this period Slavonic literature reached a high pitch of culture in the little city of Ragusa, called in Slavonic Dubrovnik. During the 15th, 16th, and 17th centuries this city, now in a state of decay, was a kind of Slavonic Athens. To the influence of Italian literature was added the culture introduced by the crowds of learned Greeks,—Chalcocondylas, Lascaris, and others,—who found refuge within its walls after the fall of Constantinople. Lyrics and the lyric drama seem to have been the general productions of the more noteworthy authors. The influence of Italian is perceptible throughout. The first writer of eminence was Hannibal Lucić, a very popular poet in his day, author of love-songs, a drama *Robinja* (The Female Slave), and translations published first by his son Anthony at Venice in 1556, and reprinted by Dr Gaj at Agram in 1847. A very interesting poem by this author is his *Eulogy* of the city of Dubrovnik (Ragusa). Another writer of considerable reputation was Nicholas Vetranić-Cavčić (1482-1576), who afterwards became a monk and lived as a hermit on one of the islands on the Dalmatian coast. He has left several plays and, besides translating the *Hecuba* of Euripides, wrote several mysteries, in the style of the religious plays once so popular throughout Europe; of these the *Sacrifice of Abraham* is the best. His poem entitled *Italy* is remarkable for the warm affection it expresses for the country of his education. Peter Hektorević (1486-1572) was a rich proprietor of the island of Zara, and is worth mentioning as having shown a taste for the national poetry of his country. He has introduced some songs in his *Ribanje i Ribarsko Prigovaranje* (Fishing and a Dialogue of Fishermen). Very celebrated in its time was the *Jegjupka* or Gipsy of Andrew Gubranović (1500-1559), who was originally a silversmith. His poem of the *Gipsy* is said to have been evoked in the following manner. Gubranović was on one occasion following a young lady and urging his suit when she turned round and said scornfully in Italian to her attendant, in the hearing of the poet, "Che vuole da me questo Zingaro?" ("What does this Gipsy want with me?"). The despised lover took up the word of reproach and wrote a poem in which he introduced a Gipsy prophesying to a company of ladies their various fortunes and concluding with an expostulation to the hard-hearted beauty for her obduracy. Schafarik speaks of this piece with great enthusiasm and calls it "a truly splendid flower in the garden of the Illyrian Muses." The Russian critic Pipin supposes, with great probability, that the poem was written as a sort of masquerade for the carnival. It enjoyed considerable popularity and was frequently imitated. A similar story is said to have suggested the *Dervise* (Dervish) of Stjepo Gučetić, in which the author represents himself as a Turkish dervish. These two pieces are elegant productions in the Italian manner.

Nicholas Nalješković (1510-1587) was a native of Ragusa and author of several pastoral plays in the style then so much in vogue throughout Europe. Of the same description are the productions of Marino Držić (1520-1580), of whom his contemporaries praised "il puro, vago, e dolce canto." Mention may also be made of Dinko Ranjina and Mauro Orbini (d. 1614). Another celebrated poet was Dominco Zlatarić (1556-1607), who, besides translating the *Electra* of Sophocles, produced a version of the *Aminta* of Tasso and has left several minor pieces. The chief of the Ragusan poets, however, was Ivan Gundulić (sometimes called by his Italian name of Gondola). Very few facts are known of his life; but he died in 1658 aged fifty, having discharged several important public offices. His death, says Schafarik, was not too early for his fame but too early for literature and the glory and prosperity of his country. He himself published but little, and many of his writings perished in the earthquake in 1667, after which Ragusa never regained her former prosperity. The so-called Petrarchan school of Illyrian poetry languished after this and wasted its energy on elegant trifles. Dalmatian poets of the 18th and 19th centuries have not made any considerable figure. The *Osman* of Gundulić, on which his fame rests, is an epic in twelve books, and was written to celebrate the victory of the Poles under Chodkiewicz over the Turks and Tatars in 1622 at Chocim (Khotin). Schafarik praises Gundulić for the richness of his imagination, the lofty tone of his verse, and its perfectly constructed rhythm. We are willing to allow that *Osman* possesses considerable spirit and that the versification is melodious, but on the whole it seems a tedious poem. The short quatrains in which it is written lack the true epic dignity. Leaving the Dalmatians, the only writer worthy of mention among the Serbs is George Brankovich (1645-1711), the last despot, who compiled a *History of Servia till the end of the 17th Century*, which has been edited by Chedomil Miyatovich, ambassador from the court of Servia to St James's (1886). From this period till the close of the 18th century there is no Servian literature: the spirit of the people seems to have been crushed out of them by Austrian persecutors on the one hand and by Turkish on the other. Till the reign of Milosh Obrenovich in the 19th century hardly a Servian printed book was to be seen. The works of Yuri Krizhanich, who, although a Serb, wrote in Russian, are mentioned under Russia (p. 105).

Third Period (from 1750).—The spark of nationality was still burning among the Serbs, in spite of their degradation, and men were found to fan it. Such a man was Raich (1720-1801), a thorough patriot. He was born in Slavonia, a province of Austria inhabited by Serbs, the son of poor parents, but he had all the enthusiasm for learning that animated the Russian Lomonosoff, whom he very much resembled. Thus we find him making his way on foot from his native town to Kieff, where he was received into the ecclesiastical seminary and devoted himself to theology. After spending three years at Kieff, he betook himself to Moscow. Meeting, on his return to his native country, with a cold reception from those whom he had expected to foster his studies, he went back to Russia, and while at Kieff resolved to write the history of the Servian nation. Knowing that the Slavonic monasteries in European Turkey contained many unpublished manuscripts (numbers of which have since perished in the wars which have devastated the country or have been destroyed by the Greeks), he visited Constantinople and many other parts of that empire in order to collect materials. On his return to Austria he took up his abode at Neusatz on the Danube (also long the headquarters of Schafarik and worked at his history, which he finished in 1768, but it was not published till upwards of twenty years later. In 1772 he became a monk, and he died in 1801. The work of Raich, though interesting as a monument of learned industry, does not now possess much critical value. The style is harsh and a great deal of the ethnology (a science then in its infancy) unsound. Thus, among other strange statements, he holds the Bulgarians on the Volga to have been Slavs. After Raich we come upon two indefatigable Servian workers, Dositei Obradovich (1739-1811) and Vuk Stephanovich (1787-1864). The life of the former has been written by himself. He was a man of varied learning, and his career was marked by many curious adventures. After having visited nearly every part of Europe (including England, where he was received with great hospitality),[1] Obradovich returned to Servia and became tutor to the children of Tsrni George. He was a man sprung from the people, and an indefatigable and successful labourer for national education. The list of his compilations and translations is considerable. Acting on the wise principle that the language *as it is spoken* should be cultivated and not a jargon overloaded with archaic and supposed classical forms, he did good by destroying the influence of the Palæoslavonic among his countrymen. Before his death his services to his country were recognized by his appointment as member of the senate and superintendent of national education. The man, however, who was destined to bring the Servian language into the greatest prominence was Vuk (Wolf) Stephanovich Karajich, whose collection of songs was mentioned above. Vuk was an indefatigable scholar and patriot. Till his time the Servian language had been, so far as all foreigners were concerned, simply *rudis indigestaque moles*. He wrote a good grammar, which has formed the basis of all published since, and to this Jacob Grimm furnished a preface. To him also we owe a Servian dictionary and a collection of tales and proverbs. His supposed innovations in the Servian language with regard to the rejection of archaisms and the introduction of a new system of orthography raised up a host of enemies against him, so that not only was he forbidden to enter Servia but his books were excluded from the country. He died at the beginning of 1864, but permission to make use of his innovations was not given till four years afterwards.

Vuk Stephanovich.

A complete enumeration of the Servian and Croatian authors of the 19th century would far exceed the limits of this article. Matthias Anthony Relković (1732-1798) deserves mention, because he wrote in a dialect but little cultivated, viz., the Slavonian in the restricted sense, as applied to the Austrian province of that name. He published in 1761 a successful satire entitled *Satir iliti Divi Csovik* (Satire or the Clever Man), at Dresden. A few names, each of which marks a definite feature of the literature, must suffice. Lucian Mushitzki (1777-1851), an archimandrite, afterwards bishop of Carlowitz, was highly esteemed by his countrymen as a poet. His odes are full of patriotic feeling. Yovan Hadzhich (1799-1870) wrote under the *nom de plume* of Milosh Svetich. For some time he was an authority in Servian literature, but ultimately his influence waned. Simeon Milutinovich, a noted writer, whose life was full of strange adventures, composed an epic poem entitled *Serbianka*, which describes the chief incidents of the Servian war in 1812. It was published at Leipsic in 1826. We have previously alluded to his collection of Montenegrin songs. He is also the author of a tragedy on Milosh Obilich, who slew Sultan Murad. Milutinovich, who was a Bosnian, died in poverty in 1847. Yovan Popovich (1806-1856), a native of the Banat, was a writer of much industry and merit, and gained a considerable reputation by his plays, the subjects of which were taken from Servian history and were put upon the stage with considerable effect. Without being a great dramatic writer, he had the art of constructing pieces to which people would listen,—something like Sheridan Knowles. To this circle belongs also Yuri Maletich, author of *Spomenik Lukianom Mushitzkom* (A Memorial to Lucian Mushitzki), and also the *Apotheosis of Kzar George*. In 1847 the well-known journal *Glasnik* (The Messenger) was founded, which has continued to the present time and contains many valuable papers on Servian history and literature. Schafarik had previously founded at Neusatz (Novi Sad) the *Matitza Srbska*, an excellent society for printing Servian books.

Minor writers.

The Croats have also been active in modern times. The remarkable poem, *Death of the Agha Ismail Cengić*, by Ivan Mažuranić (born in 1813), is said to be so popular among the Serbs, as stimulating their hatred of the Turk, that it has been called "The Epos of Hate." Ismail was the descendant of an old Bosnian family who had turned Mussulmans to keep their estates when the country was first invaded. These renegades, as might be expected, are more fanatical than the Turks themselves. His exploits were chiefly directed against the Uskoks and the Montenegrins. The poem is composed in the same metre as that of the Servian ballads collected by Vuk. It is spirited, but has a savage air about it, engendered by the scenes described, the fierce border wars of long hereditary hatred. The account of the cruelties committed by the Turks while collecting the *harach* and the conclusion, where the body of the slain Agha is brought to the hermit, are dramatically conceived.

The four most celebrated Servo-Croatian poets are Stanko Vraz, Preradović, Yovanovich, and Radichevich. Stanko Vraz (1810-1851) was by birth a Slovene; he joined, however, the Illyrian movement under Ljudevit Gaj and used the Servo-Croatian language. The attempt of Gaj to form a common literary language under the name of Illyrian by fusing the Servo-Croat and the Slovenish languages was not successful. Perhaps the only result, if it had been persevered in, would have been that the Slovenes would have become completely Germanized, as a pedantic literary language would not have been understood by the peasants. Besides many graceful lyrics, Vraz also published collections of national songs. Some of his shorter pieces are very elegant and have a rich Oriental colouring. Peter Preradović (1818-1872), a native of the Military Frontier and a general in the Austrian army, is the author of many graceful lyrics, widely known throughout all Servian-speaking regions. A complete edition of his works appeared in 1873. Peter Yovanovich (born in 1801) is the author of many popular poems. But no one of the later generation of Servian authors has gained such a reputation as Branko Radichevich, who was born in the Austrian Banat in 1824, and ended his short life at Vienna in 1853. His popularity rests upon the patriotism shown in his writings and their spirited tone. Nor have the Servo-Croats lacked important workers in the fields of history and philology. Among these must be mentioned Dyuro Danichich (1825-1882), who was educated partly at Pesth and partly at Vienna, at the latter university becoming the pupil of Miklošich. He first made himself conspicuous by espousing the cause of Vuk Stephanovich Karajich in the dispute about Servian orthography. Besides contributing valuable papers to the *Glasnik*, he was the author of an Old Servian dictionary of great service to students. He edited, as previously mentioned, the memorials of Old Servian literature. At the time of his death he was engaged upon a great Servo-Croatian dictionary, a work which, it is to be hoped, will be continued by some of his pupils. Ljudevit Gaj (1809-1872), who has already been mentioned, was a Croat and laboured to bring about a national unity. His services were invaluable as an editor of the Old Dalmatian classics. Armin Pavić (still living) has written a good history of the Dalmatian drama (*Historična Dubrovačka Drama*, Agram, 1871). Stoyan Novakovich (born 1842), at one time minister of public instruction, besides contributing valuable articles in the *Glasnik*, has published an historical chrestomathy of the Servian language and an edition of the *Zakonik* of Stephen Dushan. Another worker in the same field was Chedomil Miyatovich, previously mentioned. One of the most indefatigable and patriotic of modern Croatian scholars is Ivan Kukuljević Sakcinski, who has edited, besides many early Croatian and Servian works, an admirable *Arkiv za Povestnicu Jugoslavenski* (Collection of Documents for South Slavonic History), of which several volumes have appeared,—a veritable storehouse of Slavonic history, archæology, and literature. He has found an excellent coadjutor in Dr Francis Rački (born 1829), among whose works may be mentioned *Pismo Slovjensko* (Slavonic Writing, Agram, 1861), *Odlomci iz Državnoga prava Horvatskoga* (Fragments of Croatian Law, 1861), and many excellent historical articles in the journals *Pozor* (The Observer) and *Rad* (Labour).

After Miklosich, the most indefatigable worker in the field of Slavonic literature now living is the Croat Ignaz Vatroslaff Jagić (born 1835), formerly a professor at Berlin, who now occupies the chair of Slavonic philosophy at St Petersburg, in the place of Sreznevski. He has published many valuable works on Slavonic philology, such as (in 1867) a *History of Servo-Croatian Literature*, also a reading-book with specimens of early Glagolitic and Cyrillic works (*Primjeri Staroherwatskoga Jezika*). He has also edited two of the oldest Slavonic codices, Marianus and Zographensis. Moreover, in 1875 he founded the well-known *Archiv für slavische Philologie*, which he still edits with the co-operation of many Slavists. Sime Ljubić is another worker in the field of Slavonic history and literature. To the excellent literary journals already mentioned may be added the *Slavina*, published at Agram. Valuable works have been written by Balthasar Bogišvić on the house-communities of the southern Slavs and south Slavonic law generally. His labours have been made use of by Sir Henry Maine. One of the most celebrated of living Servian poets is Matthias Ban, the author of several poems and plays, which have been very favourably received.

A few words may be added here on Montenegrin history and literature, the details of which are but scanty. On the death of Stephen Dushan, a certain prince Balsha became independent ruler of Zeta. Many fugitives betook themselves to the little retreat after the battle of Kosovo. Ivan Chernoyevich settled in Tzetinye (Cettinje) in 1485 and built a church and a monastery. In 1516 his son and successor retired to Venice, and Montenegro was governed by a national assembly and a vladika (prince bishop). The country was ruled by vladikas of various families till 1697. In that year the office became hereditary in the family of Petrovich of Negosh. Originally the ecclesiastical and civil functions were combined in

[1] To show the opinion entertained of him in Britain it is only necessary to cite the inscription in a book presented to him by Dr Fordyce, an eminent London physician of the time: "Dositheo Obradovic, Serbiano, viro linguis variis erudito, sanctissimis moribus morato," &c.

the person of the vladika, but they were separated on the death of Peter II. in 1851. The latter was the author of some poems in the Servian language, the most celebrated being *Louča Mikrokozma* (The Light of the Microcosm), which appeared at Belgrade in 1845. He was succeeded by his son Daniel, first prince of Montenegro, who, dying in 1860, was followed by his nephew Nicholas, the most memorable events of whose reign have been the war with Turkey and the increase of his territory by the treaty of Berlin. (W. R. M.)

SERVITES (Servi Beatæ Mariæ Virginis). This religious order owes its origin to Bonfiglio Monaldi, a Florentine, who in 1233 withdrew along with six of his comrades to the Campo Marzo near the city for prayer and ascetic exercises in honour of the Virgin. Three years afterwards they removed to Monte Senario, where their numbers were considerably increased. The order at a very early period received from Bishop Ardingus of Florence the rule of St Augustine, but did not obtain papal sanction until 1255. It rapidly spread into France, Germany, the Low Countries, Poland, and Hungary, and from Martin V. it received in 1424 the privileges of the mendicant orders. The Servite Tertiaries were founded about the same time by Giuliano Falconieri. Under Bernardino de Ricciolini arose the Hermit Servites (1593). The members of the order (Observants and Conventuals) are now found chiefly in Italy, Hungary, Austria, and Bavaria.

SERVIUS, the commentator on Virgil, is all but unknown to us, so far as personal information goes. From notices in the *Saturnalia* of Macrobius, where he appears as an interlocutor, we may infer that in or about 380, though still quite young, he was already distinguished as a "grammaticus," that is, as an expert in the criticism, explanation, and teaching of the classical literature of Rome. Servius therefore belongs to the latter half of the 4th and the earlier years of the 5th century, to the age of Symmachus and Claudian, of Jerome and Augustine. The allusions of Macrobius and a short letter from Symmachus to Servius leave no doubt that the grammarian formed one of that band of cultivated men, led by Symmachus, whose eyes were turned towards the pagan past and away from the Christian future, and who breathed into pagan culture its last transient sparks of life and vigour. The race of "grammatici" to which Servius belonged, and which had now run at Rome a course of some 500 years, had done much evil to literature, had helped to corrupt, falsify, encumber, and even in some instances by abbreviations upon abbreviations to kill out the texts on which they worked; but on the whole they had done more good. They had helped to save what could be saved of education, culture, and history, and so had in the main contributed to the preservation of the ancient literature that has come down to us. Of all the "grammatici" none bears on his front more of the virtues and fewer of the vices of the race than Servius. But it must be noted that much which passes under the name of Servius in modern editions, and in modern quotations, most certainly did not proceed from his hand. The comments on Virgil to which his name has been attached come from three different sources. One class of MSS. contains a comparatively short commentary, definitely attributed to Servius. A second class (all going back to the 10th or 11th century) presents a much expanded commentary, in which the first is embedded; but these MSS. differ very much in the amount and character of the additions they make to the original, and none of them bear the name of Servius. The added matter is undoubtedly ancient, dating from a time but little removed from that of Servius, and is founded to a large extent on historical and antiquarian literature which is now lost. The third class of MSS., written for the most part in Italy and of late date, repeats the text of the first class, with numerous interpolated scholia of quite recent origin and little or no value.

The real Servian commentary (for so we must designate the text that we find in the first class of MSS.) practically gives the only complete extant edition of a classic author written before the destruction of the empire. It is constructed very much on the principle of a modern edition, but with very different ideas both as to the relative and the absolute value of the matters treated. Owing to the delicacy and originality of his veiled style, to the innumerable threads of ancient history, mythology, and antiquities shot through the texture of his poems, owing above all to the firm hold he early gained upon the Latin schools, Virgil had a continuous line of expounders stretching almost from his death to the destruction of the Roman government of the West. Servius built his edition in part on the extensive Virgilian literature of preceding times, much of which is known only from the fragments and facts he has preserved. The notices of Virgil's text, though seldom or never authoritative in face of the existing MSS., which go back to, or even beyond, the times of Servius, yet supply valuable information concerning the ancient recensions and textual criticism of Virgil. In the grammatical interpretation of his author's language, Servius does not rise above the stiff and overwrought subtleties of that day; while his etymologies, as is natural, violate every law of sound and sense. As a literary critic the shortcomings of Servius are great, if we judge him by a modern standard, but he shines if compared with his contemporaries. In particular, he deserves credit for setting his face against the prevalent allegorical methods of exposition. But the abiding value of his work lies in his preservation of facts in Roman history, religion, antiquities, and language which but for him might have perished. Not a little of the laborious erudition of Varro and other ancient scholars, to whom time has proved unkind, has survived in Servius's pages. The older MSS. sometimes add to the name Servius that of Magister (given to other distinguished grammarians at different times); the later Italian MSS. in some cases give his name as Maurus Servius Honoratus. Besides the Virgilian commentary, we have other works of Servius,—a collection of notes on the grammar (*Ars*) of Donatus; a treatise on metrical endings; the tract *De Centum Meteris* or *Centimeter*.

The most noted editions of the Virgilian commentary are by Fabricius (1551); P. Daniel, who first published the enlarged commentary (1600); and by Thilo and Hagen (Leipsic, 1878-84). The *Essai sur Servius* by E. Thomas (Paris, 1880) is an elaborate and valuable examination of all matters connected with Servius; many points are treated also by Ribbeck in his "Prolegomena" to Virgil, and by Thilo and Hagen as above. The smaller works of Servius are printed in Keil's *Grammatici Latini*.

SERVIUS TULLIUS, the sixth king of Rome, described in one account as originally a slave, is said to have married a daughter of Tarquin, and to have gained the throne by the contrivance of Tanaquil, his mother-in-law. Another legend represented him as a soldier of fortune originally named Mastarna, from Etruria, who attached himself to Cœles Vibenna, the founder of an Etruscan city on the Cœlian Hill. Servius included within one circuit the five separately fortified hills which were then inhabited and added two more, thus completing the "Septimontium"; the space thus inclosed he divided into four "regiones," the Suburana, Esquilina, Collina, and Palatina (see Rome, vol. xx. p. 813). For his contributions to Roman law see Roman Law, vol. xx. p. 669 *sq.*, and for his reforms of the constitution see Rome, vol. xx. pp. 734-735. His legislation was extremely distasteful to the patrician order, and his reign of forty-four years was brought to a close by a conspiracy headed by his son-in-law Tarquinius Superbus. The street in which Tullia drove her car over her father's body ever after bore the name of the "Vicus Sceleratus."

SESAME, the most important plant of the genus *Sesamum* (nat. ord. *Pedalineæ*), is that which is used throughout India and other tropical countries for the sake of the oil expressed from its seeds. *S. indicum* is an herb 2 to 4 feet high, with the lower leaves on long stalks, broad, coarsely toothed or lobed. The upper leaves are opposite, lanceolate, and bear in their axils curved, tubular, two-lipped flowers, each about ¾ inch long, and pinkish or yellowish in colour. The four stamens are of unequal length, with a trace of a fifth stamen, and the two-celled ovary ripens into a two-valved pod with numerous seeds. The plant has been cultivated in the tropics from time immemorial, and is supposed on philological grounds to have been disseminated from the islands of the Indian Archipelago, but at present it is not known with certainty in a wild state. The plant varies in the colour of the flower, and especially in that of the seeds, which range from light yellow or whitish to black. Sesame oil, otherwise known as gingelly or til (not to be confounded with that derived from *Guizotia oleifera*, known under the same vernacular name), is very largely used for the same purposes as olive oil, and, although less widely known by name, is commercially a much more important oil; thus, apart from the almost universal use of the oil in India, from 50 to 80 millions of kilogrammes of the seed are stated to have been introduced annually into France in 1870–1872. The seed is also largely exported from Zanzibar and Formosa. The seeds and leaves also are used by the natives as demulcents and for other medicinal purposes. The soot obtained in burning the oil is said to constitute one of the ingredients in India or Chinese ink. The plant might be cultivated with advantage in almost all the tropical and semi-tropical colonies of Britain, but will not succeed in any part of Europe.

SESOSTRIS (Σέσωστρις, so Herodotus; Diodorus writes *Sesoosis*; other forms are *Sesonchosis*, *Sesosis*, *Sesothis*, &c.) is according to Greek historians the name of a king of Egypt who conquered the whole world, even Scythia, the lands of the Ganges, and Æthiopia, which were not subject to any of the later great empires. The conqueror in whose exploits these extravagant legends took their rise was Ramses II. (see Egypt, vol. vii. p. 739); but the Greek accounts unite in his person all the greatest deeds of the ancient Pharaohs, and add much that is purely imaginary. In Manetho's lists Sesostris is identified with a much older king, Usertesen II., perhaps because authentic tradition made him the conqueror of Æthiopia (see vol. vii. p. 734). When Herodotus says that he himself saw monuments of Sesostris in Palestine, he has been thought to refer to the figures of Ramses II. hewn in the rocks of Nahr-al-Kalb, near Beirút, but they do not agree well with his description (Hdt., ii. 102-106), which seems to point rather to Astarte pillars (*Asherim*). The monuments in Ionia of which he speaks still exist in the Karabel Pass. They are not Egyptian but so-called "Hittite," *i.e.*, probably Cappadocian. See Wright, *Empire of the Hittites*, last plate.

SESSA, a town of the kingdom of Italy, province of Terra di Lavoro, situated among hills on the site of the ancient *Suessa Aurunca*, on a small affluent of the Garigliano, is 17 miles east of Gaeta and half a mile from Sant' Agata. The hill on which Sessa is situated is a mass of volcanic tufa, in which have been discovered painted chambers erroneously supposed to have belonged to a city covered by a volcanic eruption. The town contains many ancient remains, particularly the ruins of Ponte Aurunca and of an amphitheatre. It is the see of a bishop, has an interesting basilica with three naves, a gymnasium, a technical school, and a seminary. The cathedral contains inscriptions, a mosaic pavement, and a good ambo decorated with mosaics resting on columns. In the principal street are memorial stones with inscriptions in honour of Charles V., surmounted by an old crucifix with a mosaic cross. Exclusive of the environs, the town has a population of 6130. The hills of Sessa are celebrated for their vines, the "Ager Falernus" of the Romans.

SESSION, Court of. See Scotland, p. 535 *supra*.

SETTLE, Elkanah (1648–1723), a minor poet and playwright of the Restoration period, immortalized by the ridicule of Dryden and Pope, was born at Dunstable in 1648. He is the "Doeg" of the second part of *Absalom and Achitophel*, and is treated by the satirist with somewhat more good-humoured contempt than his companion in the pillory—Shadwell.

> Doeg, though without knowing how or why,
> Made still a blundering kind of melody;
> Spurr'd boldly on, and dash'd through thick and thin,
> Through sense and nonsense, never out nor in.

Dryden treats him as a sort of harmless fool, who "rhymed and rattled" along in perfect satisfaction with himself. For some time also he was taken by the public at his own valuation. At college he seems to have been regarded as a prodigy, and his juvenile verse was preferred to Dryden's. Coming to London, he began to produce tragedies. His *Empress of Morocco* (acted in 1673, when the author was twenty-five) was a signal success on the stage, and is said by Dennis to have been "the first play that was ever sold in England for two shillings, and the first that was ever printed with cuts." Puffed up by this success, Settle made haughty allusions in his preface, which excited the ire of his contemporaries; and Dryden co-operated with Crowne and Shadwell in writing sarcastic notes on *The Empress*. Settle's next collision with Dryden was also provoked by himself. He attempted a counterblast to Dryden's great satire in *Absalom Senior*, and was contemptuously demolished in return. Settle was then comparatively a young man, his age being thirty-five, but he had touched the height of his fame, and the remaining forty years of his life were not so successful. Dryden mockingly said of him that his ambition was to be "the master of a puppet-show," alluding to his duties in the office of city poet, in which he was one of the successors of Lodge, Middleton, Jonson, and Quarles; and to this he was literally reduced in his old age, keeping a booth at Bartholomew Fair, where he is said to have played the part of the dragon in green leather. He died in the Charterhouse in 1723.

SETTLEMENT, in law, is a mutual arrangement between living persons for regulating the present or future enjoyment of property. It also denotes the instrument by which such enjoyment is regulated. The prevailing notion of a settlement is the dealing with property in a manner different from that in which the law would have dealt with it apart from the settlement. Definitions of settlement for the purposes of the Acts are contained in the Acts of 1856, 1877, and 1882 (see below). They are, however, scarcely sufficient for a general definition. On the one hand they are too extensive, and include wills; on the other they are not comprehensive enough, as they apply only to real estate. They also include only cases of successive limitations, but the idea of succession does not in itself seem a necessary part of the conception of settlement, although no doubt most settlements contemplate successive enjoyment. Settlements may be either for valuable consideration or not: the latter are usually called voluntary, and are in law to some extent in the same position as revocable gifts; the former are really contracts, and in general their validity depends upon the law of contract. They may accordingly contain any provisions not contrary to law or public policy.[1]

[1] In this English law allows greater freedom than French. By § 791 of the Code Napoléon, in a contract of marriage the succession to a living person cannot be renounced.

The elements of the modern settlement are to be found in Roman law. The *vulgaris, pupillaris,* or *exemplaris substitutio* (consisting in the appointment of successive heirs in case of the death, incapacity, or refusal of the heir first nominated) may have suggested the modern mode of giving enjoyment of property in succession. Such a *substitutio* could, however, only have been made by will, while the settlement of English law is, in the general acceptation of the term, exclusively an instrument *inter vivos*. The *dos* or *donatio propter nuptias* corresponds to a considerable extent with the marriage settlement, the instrument itself being represented by the *dotale instrumentum* or *pacta dotalia*. In the earliest period of Roman law no provision for the wife was required, for she passed under *manus* of her husband, and became in law his daughter, entitled as such to a share of his property at his death. In course of time the plebeian form of marriage by *usus*, according to which the wife did not become subject to *manus*, gradually superseded the older form, and it became necessary to make a provision for the wife by contract. Such provision from the wife's side was made by the *dos*, the property contributed by the wife or some one on her behalf towards the expenses of the new household. *Dos* might be given before or after marriage, or might be increased after marriage. It was a duty enforced by legislation to provide *dos* where the father possessed a sufficient fortune. *Dos* was of three kinds:—*profectitia*, contributed by the father or other ascendant on the male side; *adventitia*, by the wife herself or any person other than those who contributed *dos profectitia*; *receptitia*, by any person who contributed *dos adventitia*, subject to the stipulation that the property was to be returned to the person advancing it on dissolution of the marriage. The position of the husband gradually changed for the worse. From being owner, subject to an obligation to return the *dos* if the wife predeceased him, he became a trustee of the *corpus* of the property for the wife's family, retaining only the enjoyment of the income as long as the marriage continued. The contribution by the husband was called *donatio propter nuptias*.[1] The most striking point of difference between the Roman and the English law is that under the former the children took no interest in the contributions made by the parents. Other modes of settling property in Roman law were the life interest or *usus*, the *fideicommissum*, and the prohibition of alienation of a *legatum*.

The oldest form of settlement in England was perhaps the gift in frankmarriage to the donees in frankmarriage, and the heirs between them two begotten (Littleton, § 17). This was simply a form of gift in special tail, which became up to the reign of Queen Elizabeth the most usual kind of settlement. The time at which the modern form of settlement of real estate came into use seems to be doubtful. There does not appear to be any trace of a limitation of an estate to an unborn child prior to 1556. In an instrument of that year such a limitation was effected by means of a feoffment to uses. The plan of granting the freehold to trustees to preserve contingent remainders[2] is said to have been invented by Lord Keeper Bridgman in the 17th century, the object being to preserve the estate from forfeiture for treason during the Commonwealth.[3] The settlement of chattels is no doubt of considerably later origin, and the principles were adopted by courts of equity from the corresponding law as to real estate.

[1] See Hunter, *Roman Law*, p. 150; Maine, *Early History of Institutions*, lect. xi.

[2] The appointment of such trustees has been rendered unnecessary by 8 and 9 Vict. c. 106 and 40 and 41 Vict. c. 33.

[3] This sketch of the history of settlement is abridged from a paper by the late Mr Joshua Williams, *Papers of the Juridical Society*, vol. i. p. 45.

At the present time the settlement in England is, so far as regards real estate, used for two inconsistent purposes, —to "make an eldest son," as it is called, and to avoid the results of the right of succession to real property of the eldest son by making provision for the younger children. The first result is generally obtained by a strict settlement, the latter by a marriage settlement, which is for valuable consideration if ante-nuptial, voluntary if post-nuptial. At the same time it should be remembered that these two kinds of settlement are not mutually exclusive: a marriage settlement may often take the form of a strict settlement and be in substance a resettlement of the family estate.

There are three possible varieties of the marriage settlement:—(1) the dotal system (*régime dotal*), under which the husband generally has the usufruct but not the property in the *dos*; this is the system generally followed in countries where the Roman law prevails; (2) the system of community of goods (*communauté de biens*), by which the wife becomes a kind of partner of the husband; this system, said to have been originally the custom of ancient Germany, is in vogue in France and Louisiana; (3) the system of separate property, by which (subject to contract) the wife's property is free from the control of her husband; this system prevails in the United Kingdom and the United States. An ordinary English marriage settlement of personalty is a deed to which the parties are the intended husband and wife and trustees nominated on their behalf. It generally contains the following clauses:—a power to vary the investments of the settled property within limits; trusts of the income for the benefit of the husband and wife during their lives; trusts for the issue, usually according to the appointment of the husband and wife or the survivor, and in default for sons attaining twenty-one and for daughters attaining that age or marrying, equally, subject to a "hotchpot" clause, charging the children with the amount of any previous appointments; a power of advancement of the portions of children in anticipation; a trust for the maintenance of infant children after the death of the parents, with a direction for the accumulation of surplus income; ultimate trusts fixing the destination of the settled property in default of issue. The receipt and trustee clauses, at one time usual, have been rendered unnecessary by recent legislation. The Conveyancing Act, 1881, superseding Lord St Leonard's Act of 1859 and Lord Cranworth's Act of 1860, gives power to appoint new trustees, and makes a trustee's receipt a sufficient discharge. Trustees were formerly much restricted in their investments, but various Acts of Parliament have now increased their powers of choice of investment (see TRUST). The settlement of real estate is still a matter of greater difficulty than that of personalty, though it has been considerably simplified by recent legislation. A short statutory form of settlement of real estate is provided by the Conveyancing Act, 1881 (Fourth Schedule, Form iv.). The Act further enacts that a covenant by the settlor for further assurance is to be implied. This takes the place of those covenants usually inserted in settlements before the Act, which were the ordinary covenants for title. (See REAL ESTATE.) The Settled Land Act, 1882, gives statutory authority to certain provisions generally inserted by conveyancers. The clauses must, however, still vary infinitely according to the circumstances of particular cases. Where the settlement is of copyholds, the usual course is to surrender them to the use of trustees as joint tenants in fee upon such trusts as will effect the desired devolution of the property.

A strict settlement of real estate usually takes place on the coming of age or marriage of the eldest son, if it be the intention of the parties that the estate should continue undivided. The consideration for the settlement in the first case is usually an immediate allowance made to the son, in the second the marriage itself; a valuable consideration. It will appear on referring to the articles ENTAIL and REAL ESTATE that an estate cannot be entailed for a period exceeding a fixed number of existing lives and an additional term of twenty-one years, but that if it be sought to bar the entail within that period the consent of the protector of the settlement must be obtained. The process of resettlement is thus described by Lord St Leonards: "Where there are younger children, the father is always anxious to have the estate resettled on them and their issue, in case of failure of issue of the first son. This he cannot accomplish without the concurrence of the son; and, as the son, upon his establishment in life in his father's lifetime, requires an immediate provision, the father generally secures to him a provision during their joint lives as a consideration for the resettlement of the estate in remainder upon the younger sons." The settlement usually takes the form of a life estate for the father, followed by a life estate for the son, with remainder in tail to the unborn child of the son, the continuance of the estate in the family being further secured by a series of cross-remainders. There is often a name and arms clause, under which, by means of a shifting use (see TRUST), every person succeeding to the settled estate as tenant in tail is forced to assume the name and arms of the settlor under penalty of forfeiture of his estate. Certain parts of the personalty of the settlor are often settled upon trusts to devolve with the real estate. In order to attain this end, the chattels are not simply subjected to the same limitations as the real estate. If so subjected, they would vest absolutely in the first tenant in succession, as no estate can be limited in personalty (see PERSONAL ESTATE). A declaration is added that they shall not vest absolutely in any tenant until he shall attain twenty-one, and in case he should die under that age that they shall devolve as nearly as possible in the same way as the lands. By means of strict settlement the actual possessor of a settled estate at any given time is in general only a tenant for life. It is a rule of law that in a settlement of this nature there should be a full and complete communication of all material circumstances by the one party to the other.

It is only within a comparatively recent period that any dissatisfaction at the system of settlement has been felt. In 1829 the Real Property Commissioners saw no reason to recommend any alteration of the law as it then existed. To use the words of the First Report, p. 6, "Settlements bestow upon the present possessor of an estate the benefits of ownership, and secure the property to his posterity. The existing rule respecting perpetuities has happily hit the medium between the strict entails which prevail in the northern part of the island, and by which the property entailed is for ever abstracted from commerce,[1] and the total prohibition of substitutions[2] and the excessive restriction of the power of devising[3] established in some countries on the Continent of Europe. In England families are preserved, and purchasers always find a supply of land in the market." This optimistic view, it is scarcely necessary to say, is not the one generally accepted at present. The inconveniences inseparable in an economical point of view from the settlement of land have been proposed to be met in two ways,—(1) by a total prohibition of the creation of life estates (see LAND), and (2) by an extension of the powers of the limited owner. The latter is the one which has hitherto commended itself to the legislature of the United Kingdom.

Up to thirty years ago a settled estate in England or Ireland could be sold or leased only under the authority of a private Act of Parliament. The dealings of the limited owner with his property were practically confined to certain powers of raising money for draining conferred by 8 and 9 Vict. c. 56 and the Public and Private Drainage Acts (now repealed). The first general Act was the Leases and Sale of Settled Estates Act, 1856, which proceeded on the principles generally followed in the private Acts. The Act allowed the tenant for life to demise the premises (except the principal mansion house) for various terms, and to sell with the approval of the court. Several amending Acts were passed, and finally the law was consolidated and amended by the Settled Estates Act, 1877 (40 and 41 Vict. c. 18). Meanwhile the Improvement of Land Act, 1864 (which applies to the United Kingdom), and the Limited Owners' Residence Acts, 1870 and 1871, had been passed. The Act of 1864 allowed the owner of a settled estate to charge upon the land, by way of rent-charge, the expenses of certain improvements, such as drainage, irrigation, inclosing, reclamation, clearing, erection of labourers' cottages and farmhouse buildings, planting for shelter, construction of any buildings which will increase the value of the land for agricultural purposes, and construction of jetties or landing-places on the sea-coast or navigable rivers and lakes. This list of improvements has been since extended by the Settled Land Act, 1882. The Act of 1870 enabled the owners of settled estates to charge such estates with the expense of building mansions as residences. The building of such mansions is by the Act of 1871 an improvement within the meaning of the Act of 1864. The Settled Estates Act, 1877 (40 and 41 Vict. c. 18), allowed the tenant for life, or for a greater estate, of a settled estate, to demise settled land on an agricultural lease for a term not exceeding twenty-one years (in Ireland thirty-five years). The lease must not be without impeachment of waste. This is the only case in which the powers of the Act may be exercised without the leave of the court. The court may authorize leases of any settled estates or of any rights or privileges over or affecting any settled estates, subject to the conditions that—(1) the lease be made to take effect in possession at or within one year next after the making, and be for a term for an agricultural lease as above, for a mining lease not exceeding forty years, a repairing lease sixty years, a building lease ninety-nine years, with power for the court to grant for a longer term if in accordance with the custom of the district and beneficial to the inheritance; (2) the best rent must be reserved; (3) in a mineral lease three-fourths of the rent is to be invested (one-fourth where the limited owner is entitled to work the minerals for his own benefit); (4) the lease is not to authorize felling of trees except for the purpose of clearing for building; (5) the lease is to be by deed, and is to contain a condition for re-entry on non-payment of rent for twenty-eight days. The court may also authorize sales of settled estates and of timber, and dedication for streets, roads, squares, gardens, sewers, and other works. The application to the court (which in England is the Chancery Division or the Chancery of Lancashire, in Ireland the Chancery Division) is by petition in a summary way with the consent of the persons having any beneficial estate under the settlement, and all trustees having any estate on behalf of any unborn child. The court may dispense with consent under certain circumstances. No application is to be granted by the court where a similar application has been refused by parliament. Money received on sale under the Act is to be invested as the Act directs, for the benefit of the settled estate. In 1882 the powers of the limited owner were still further increased. In that year was passed the Settled Land Act, 1882 (45 and 46 Vict. c. 38), since amended by 47 and 48 Vict. c. 19. For this very valuable Act the statute book is indebted to the late Earl Cairns. It does not repeal the Act of 1877, but gives cumulative powers. The Act of 1877 must still be brought into action in certain cases to which the Act of 1882 does not apply. The broad distinction between the two Acts is that the powers given by the Act of 1877 are based entirely, except in agricultural leases, on judicial proceedings, while those given by the Act of 1882 may be exercised by the tenant for life at his option, generally without the consent of trustees or the court. The powers are those usually inserted in settlements of real estate, and are conferred upon every tenant for life beneficially entitled to possession. This includes a tenant in tail by Act of Parliament restrained from defeating an estate tail, but not a tenant in tail where the land in respect of which he is restrained was purchased with money provided by parliament,[4] a tenant in fee simple subject to an executory limitation, a person entitled to a base fee, a tenant for years determinable on a life, a tenant *pur autre vie*, a tenant in tail after possibility of issue extinct, a tenant by the curtesy, &c. A married woman may exercise the powers given by the Act in spite of any restraint on anticipation contained in the settlement. The Act does not apply to corporations, whether sole or aggregate. The chief powers given by the Act are those of selling and leasing. A tenant for life may sell settled land or any part of it, or any easement, right, or privilege over it, or the seignory of a manor, and may make exchange or partition. A sale must be for the best price, and an exchange or partition for the best consideration; the sale may be in one lot or several, and by auction or private contract. A reservation as to user or as to mines and minerals may be imposed. Settled land in England may not be exchanged for land out of England. A lease is not to exceed for building ninety-nine years, mining sixty, any other kind twenty-one. The regulations as to leases are in general correspondence with those of the Act of 1877. The time for which non-payment of rent gives a right of re-entry is thirty instead of twenty-eight days, and there are additional regulations as to building and mining leases. Where the tenant for life is impeachable for waste in respect of mines, three-fourths of the mining rent is to be set aside as capital money, in other cases one-fourth. The tenant for life may surrender and regrant leases. The principal mansion house and the demesnes thereof, and other lands usually occupied therewith, cannot be sold or leased without the consent of the trustees of the settlement or the order of the court. The Act provides for three kinds of sale:—(1) by the tenant for life *mero motu*, the ordinary case; (2) with consent of trustees or the court, as in the case of the principal mansion and of the application of money paid for a lease or reversion; (3) by order of the court, as in the case of the variation of a building or mining lease according to the circumstances of the district, of parliamentary opposition for the protection or recovery of settled land, and of the sale or purchase of chattels as heirlooms to devolve with land.[5] Land acquired by purchase, exchange, or partition is to be settled as far as possible on the same trusts as the other settled property. Capital money is to be applied as the Act directs, generally for the benefit of the settled property. The tenant for life may enter into a contract for carrying into effect the purposes of the Act. A contract not to exercise the powers of the Act is void. As to procedure, an application to the Chancery Division is to be made by petition or summons. Jurisdiction is conferred upon county courts (in Ireland civil-bill courts) in respect to land or personal chattels settled or to be settled, not exceeding in capital value £500 or in

[1] The law of Scotland was shortly afterwards altered by the Rutherford Act of 1848 (see ENTAIL).

[2] As by the Code Napoléon, § 896. By § 898 *substitutions vulgaires* are, however, practically allowed, the inconsistency with § 896 being avoided by affirming that these are not substitutions at all. In other countries the right of settlement or substitution has been much modified by legislation, mostly in the direction of limiting the authority of the settlor. Thus in Austria no family settlement (*Familien-Fideicommiss*) can be created without the consent of the legislature, *Civil Code*, § 618.

[3] In France the proprietor may only devise half, a third, or a quarter of his estate, according to the number of his children.

[4] That is to say, the Act would apply to the estates tail of the marquis of Abergavenny or the earl of Shrewsbury, but not to Blenheim or Strathfieldsaye, purchased with public money for the dukes of Marlborough and Wellington (see REAL ESTATE).

[5] Land in this sense has quite recently been held to include an hereditary dignity, such as a baronetcy.