

Unedited Poems from Cotton Titus A. XX  
With a Note on Chaucer's Sparrowhawk

PETER BINKLEY

The fourteenth-century Latin poetic anthology known as Cotton Titus A. XX (hereafter Tx) contains several minor texts which have not been edited; this article deals with one of them, a mixed bag of anti-medical satires and bestiary poems, called by the scribe 'Proprietates multorum animalium et aliorum' (Rigg 1977:299).<sup>1</sup> A study of the sources of these verses will throw light on the interests and methods of the compiler of the anthology, as well as providing evidence of the circulation of two much earlier works: Vital de Blois' comedy the *Aulularia*, and William de Montibus' compendium of didactic theological verse, the *Versarius*. The verses themselves are of middling literary merit, but have some passages of pleasing vigour, especially in the descriptions of birds of prey. The description of the sparrowhawk (*nisus*) is particularly interesting for the interpretation it and its sources suggest for a metaphor in Chaucer's *Troilus and Criseyde* (see Appendix).

The manuscript Tx has been fully described by A. G. Rigg (1977:285-309). It was compiled at a large monastic establishment near London, possibly Waltham Abbey, in the last third of the 14th century. In the 16th century it belonged to the antiquarian John Leland; it was annotated by John Bale, before passing into the collection of William Camden and then into Robert Cotton's library. It is an eclectic collection of satiric, political, religious, comic, and grammatical verse, in more or less random order. The longest items are a copy of the *Speculum stultorum* (No. 1 in Rigg's enumeration), the debate between Michael of Cornwall and Henry of Avranches (No. 3), *Cento Virgilianus* by Proba (No. 14), extracts from Matthew of Vendôme's *Ars versificatoria* (No. 20), and a set of three Latin comedies: the *Bablo*, the *Geta* of Vital de Blois, and the *Pamphilus* (Nos. 50-52). The immediate context of the 'Proprietates' is Rigg's Part III, which is tabulated in Table 1.

<sup>1</sup> This article is based on a paper originally prepared for Prof. A. G. Rigg's seminar on Anglo-Latin Literature in 1979. I am grateful to Prof. Rigg for his characteristically generous assistance.

No. 14	Proba: <i>Cento Virgilianus</i>
Nos. 15-17	Poems on the battles of Crécy and Neville's Cross
No. 18	<i>Die Bettelmonche</i>
No. 19	'Proprietates multorum animalium et aliorum'
No. 20	Matthew of Vendôme, extr.: De papa, De cesare, etc.
Nos. 21-24	various short verses
No. 25	Pseudo-Virgil, <i>Moretum</i>
No. 26	Antifeminist conflation
No. 27	Debate between an Englishman and a Frenchman
No. 28	Simon Chèvre d'Or, <i>Yllas</i>
Nos. 29-31	various short verses.

Our concern is with No. 19, which is found on fol. 89v-90v. It is a series of short poems, treated as a single unit by the scribe; it was labelled by Bale 'Proprietates quorundam animalium et aliorum', based on the scribe's title 'Proprietates multorum animalium et aliorum' (in the table of contents on fol. 3v). The first two sections are satires against doctors; the other sections describe various birds and animals and the moon, in alphabetical order. Some sections are simply descriptive, while others include moralizations. The topics, as noted in the margin by the scribe, are 'De medicis', 'De asino', 'De cane', 'De columbis', 'De falcone', 'De leone', 'De luna', 'De lupo', 'De niso'. The beginning of each section is marked with a paraph (including the second of the medical poems, both of which are subsumed under the title 'De medicis').

The inclusion of these poems in Tx, and their treatment as a unit, is perhaps explained by their context in the MS: they follow the anti-monastic satire 'Die Bettelmonche' (Rigg 1980), and precede a series of extracts from Matthew of Vendôme's *Ars versificatoria* concerned with various persons (the Pope, the Emperor, a wretch, a certain noble woman, etc.). A satire against doctors is not out of place here. The first two animal poems ('De asino' and 'De cane') conclude with attacks on the sort of people who resemble these animals; the poems on the falcon and the sparrow-hawk admonish us to imitate the virtues of those birds. These moralizations depict the animal as an image of man; nowhere do they represent Christ or the Devil, for example, as is common in the bestiaries. They probably appealed to the compiler of Tx, therefore, as estates satire.

It is impossible to say whether the anti-medical poems and the animal poems were juxtaposed by the compiler of Tx, or were found together in his exemplar; the consistency of the informal hand, however, suggests that they were all copied at the same time. Scansion suggests that the author of the unidentified sections of the doctor poems, whose metre is flawless, was not the author of the unidentified sections of the animal poems. In each case, significant borrowings from an earlier author can be traced.

The question of sources and dating of the doctor poems may be dealt with briefly. The second doctor poem contains four lines borrowed from Vital de Blois' *Aulularia*; the first section, too, has an echo of this play ('De medicis', l. 1). There is good reason for thinking, then, that the two doctor poems were put together by the same man. It seems likely that our author got his material directly from the text of the *Aulularia* rather than from a florilegium (see notes). The publication of the *Aulularia* around the 1150s provides a *terminus a quo* for these poems; they could have been written any time between then and the copying of the MS. The attitude toward trial by battle in the first poem might suggest a late date, but this institution was already in disrepute in England, especially among clerics, by the second half of the 12th century (see notes).

The animal poems are divided by metre into three groups: those in hexameters (the dove, the lion, the moon, and the wolf), those in elegiac couplets (the falcon and the sparrowhawk), and those which start with the former and finish with the latter (the ass and the dog). The hexameter poems, and the hexameter sections of most of the mixed poems, are taken directly from the *Versarhis* of William de Montibus (ob. 1213),<sup>2</sup> the only exception to this being a few lines in 'De cane', which may be independent or may be from some unknown recension of the *Versarhis*. They are certainly in William's style.

The *Versarhis* of William de Montibus was written not later than the beginning of the 13th century (MacKinnon 1969:39). It is a

<sup>2</sup> I am grateful to Prof. Joseph Goering, who is studying the works of William de Montibus, for allowing me to use his transcription of the *Versarhis*, and to Prof. Rigg, who recognised one of the verses from the 'Proprietates' in the midst of this long and varied work.

collection of didactic verse, arranged alphabetically, and intended for the teaching of theology. Some sections are richly glossed, so that the verse is nothing more than a metrical list of key-words, a mnemonic aid to the glosses, which carry the lesson; other sections are unglossed. As Fr. MacKinnon has written,

The *Versarhis* is an unusual work of theology. The subject matter and the author's treatment of it are so varied that it is difficult to define its nature precisely. It can hardly claim to be entirely a work of theology; rather it appears to be a compilation of more or less random reflections--theological, moral, ascetical, liturgical--put together for instruction and edification.

(MacKinnon 1969:40) An investigation of the sources of the animal poems indicates that 'exegetical' might be added to Fr. MacKinnon's list of characteristics, since two of the poems ('De columbis' and 'De lupo') are modelled directly on the *Glossa ordinata* (see notes).

In his study of the *Versarhis*, Fr. MacKinnon used British Library Ms. Add. 16164 (hereafter L) (MacKinnon 1959:176), which contains only a couple of lines of 'De luna' from among our poems. Cambridge, Corpus Christi College Ms. 186 (hereafter C) contains a longer version of the *Versarhis*, in which all but a few lines of 'De cane' are found. That the material unique to C is nevertheless attributable to William is indicated by the style of the glosses, which is in all ways consistent with the material in L. Both versions show signs of much interpolation of glosses, for the alphabetical order of the letters which serve as sigla for the glosses is frequently interrupted by 'et'-signs, 'con'-signs, and patterns of dots, indicating new glosses. The C-version appears to be later, for some glosses which intrude into the alphabetical order in L are assimilated alphabetically in C.<sup>3</sup> The textual history of the *Versarhis* needs more thorough investigation; here it can only be said that almost all of the hexameter verses of the 'Proprietates' are taken

<sup>3</sup> For example, the first series of glosses transcribed from L by MacKinnon (1959:176) are in the series 'a . . . b c d'. In C, the same series of glosses are represented by the series 'a b c d e'. Similarly, unlettered interlinear glosses in L have been taken into the alphabetical series in C.

from the *Versarthus*, and that of the borrowed material almost all is found in C but not in L.

The distinction between the hexameter and elegiac sections in the 'Proprietates' applies to content as well as form. The hexameter poems simply list characteristics, without a moralization; the intent is to pack as many characteristics into a line as possible. Similar verses are sometimes found in thirteenth-century encyclopedic literature.<sup>4</sup> The elegiac couplet sections contain moralizations. In 'De asino' and 'De cane', the moralizations satirize the type of people who resemble those animals; 'De falcone' and 'De niso' deal with a single virtue of the bird, which is expounded at length and presented as an example for the reader to follow.

William's source for two of the animal poems can be traced to the *Glossa ordinaris* (see notes to 'De columbis' and 'De lupo'). In keeping with the theological concerns of the *Versarthus*, the choice of animals and of details is made with a view to scriptural exegesis, and possibly to preaching as well, or at least to spiritual and moral edification. The relevance to Scripture is indicated by William's glosses; of the verses borrowed by the 'Proprietates', only 'De leone' and 'De lupo' are provided with glosses, a selection of which are transcribed below. Most of the details which William provides can be traced to the *Glossa*, to Isidore of Seville, or to the Bestiary tradition.

The compilation of the 'Proprietates' had two steps: the extraction of the animal poems (along with the 'De luna') from the *Versarthus*, and the addition of the sections in elegiac couplets. In what order these steps were done, and who did them, it is impossible to say. The authorship of the sections in elegiac couplets is unknown; all that can be said, on stylistic grounds, is that they are probably the work of a single author. From the beginning of the moralization of 'De cane' ('De canibus caniturus ...'), suggesting that the poet is just beginning to discuss dogs, it seems that the moralizing elegiac couplet sections were originally independent. The allusion to Odo of Cheriton (c.1220) in 'De

<sup>4</sup> See e.g. Vincent of Beauvais, *Speculum naturale* 16.33 (De aquila), 16.85 (De gallina), 20.112 (De aranea) (1624:1177D, 1208B, 1525E). The verse on the hen is drawn from the *Versarthus*: C, fol. 55r.

falcone' l.l suggests that the moralizations are later than the *Versarthus* pieces. The compiler seems, therefore, to have conflated two sets of animal poems, one descriptive, the other moralizing, being careful to insert the new sections correctly into the alphabetical arrangement of the *Versarthus* pieces. At each stage, the intention of the compiler was sufficiently general to countenance the inclusion of the 'De luna'.

The inclusion of the falcon and the sparrowhawk has a bearing on the dating of the second step. In the older bestiaries and in Isidore of Seville, hawks are dealt with under the the single heading *acclpther*. It is only in the great 13th century encyclopedias that the lore of falconry finds its way into the animal literature, in the form of detailed discussions of the species and characteristics of birds of prey.<sup>5</sup> These late-comers did not have a background of legendary characteristics like the beasts of the older bestiaries; for this reason the poem on the falcon is based on Isidore's description of the *acclpther*. Similarly, in the fable literature (where before we find only *aquila* and *acclpther*), with Odo of Cheriton the *falco* and *ntsus* appear. The story of the sparrowhawk who catches a bird and keeps it overnight to warm his feet and releases it in the morning was known by the end of the 12th century (see notes). These poems are therefore probably to be dated in or after the mid-13th century.

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This edition attempts to present the 'scribal version' of the compiler of this section of Tx; I have not emended to the reading of the source when the reading in Tx makes adequate sense. The orthography is that of Tx. Readings from the *Versarthus* are noted in the critical apparatus. The section headings are the titles placed in the margin by the scribe. Divisions of the text correspond to the paraph signs in the manuscript. Editorial insertions are enclosed in angle brackets; editorial and scribal deletions and alterations are indicated in the critical apparatus.

<sup>5</sup> See e.g. Frederick II (Wood and Fyfe 1955), Thomas Cantimpratensis (Boese 1973:198-201), Vincent of Beauvais (16.20 [1624:1171]).

## TEXT

Lines drawn from the *Versarius* of William de Montibus are indicated at the top of each section. MSS of the *Versarius* used are:

C. Cambridge, Corpus Christi College 186

L. London, BL Add. 16164.

Variants from the *Versarius* are noted in the critical apparatus.

*Prophetates multorum animalium et aliorum.*

De medicis

<fol. 89v>

Cum pugil est victus causam causatur iniquam:

Contra iusticiam nil potuisse refert.

Sic etiam medicus, si non sanauerit egrum,

Dicit quod contra fata iuuare nequid.

5 Alter iusticiam nequid alter vincere fata—

Inponunt aliis que sua culpa fuit.

Consului medicos: medici dixere bolismum,

Scilicet esuriem que solet esse canum.

Exitus hic artis medice est: siquid male sentis,

10 Accede ad medicum—protinus eger eris.

Pocio fit pocius mors egro quam medicina,

Et medico nimium siquid obedit, obit.

Pares atque peris; ratioque: peris quia pares;

Ac si sepe velis, ne moriari, mori.

De asino (1-4 = *Ver.*: C, fol. 25v-26r.)

Est asinus stolidus, inmundus, hebesque, Manasses;

Ad citharam rudens, rudis et piger et grauis<sup>6</sup> aure.

Vilibus est vescens, cui forcia posteriora,

<sup>6</sup>  $\tilde{\sigma}\tilde{\mu}\tilde{\nu}\tilde{\sigma}$  = contrarius? Tx

Vtilis est, humilis, paciens, parensque, quietus.

5 Si pensas asinum durum, ratione carentem,

Huic similis stultus et piger esse solet.

Frena rudi dentur, duro calcaria stulto:

Lege, rigore pigrum coge sequenda sequi;

Si rudit ille rudis, si durus calcitrat, insta.

10 Tolle rudi voce, posce<sup>7</sup> ferire piger.

Tollas qui pigrum, qui stultum se<sup>8</sup> tenet et sic

Calcar cum freno conuenienter<sup>9</sup> habes.

De cane (1-2 = *Ver.*: C, fol. 35v.)

Inuidet, inmundus, redit ad vomitum canis, atque

Mordet et oblatrat, rixatur, dilaceratque.

Affectu canis est homini socialiter herens,

Ac domini iussis parens et ad omnia promptus.

5 Est agilis, capiensusque feras, linguaque medetur;

Peruigil et latrans, caulas et<sup>10</sup> tecta tuetur,

Contentus modico quamuis vexante bolismo,

Acrius agreditur fustem de more gerentem.

Circuiens edem, lingens vtrumque molarem,

10 Sollicitusque, sagax, cauda blanditur amica.

De canibus caniturus, ego nolo dicere quare

Deterior cane fit quisque caninus homo:

Hic canis et latrat et latrans mordet, obedit;

Nature debet omne quod inplet opus,<sup>11</sup>

15 At bipedalis ei canis est contrarius hoc<sup>11</sup> et

<sup>7</sup> posse Tx

<sup>8</sup> te Tx

<sup>9</sup> seq. hes, exp. Tx

<sup>10</sup> seq. terc, exp. Tx

<sup>11</sup> seq. est, exp. Tx

Latrat dum loquitur, mordet dum ridet: homoque <fol. 90r>  
Sic cane peiorem se probat esse canem.

De columbis (1-7 = Ver.: C, fol. 36r.)

Est socialis auis cui nidus petra columba:  
Simplex et mitis, pia, felle carens, gemebunda,  
Et collum varians, et prouida, legeque munda,  
Atque lutum refugit, et grana legit pociora,  
5 Atque volando<sup>12</sup> sonat, defendit et inpetit<sup>13</sup> alis.  
Abstinet inmundis epulis, seruat<sup>14</sup> speciosa;  
Pullis intenta, fecundaque prole gemella.

De falcone

Falco parum similis miluo, qui corpore parvus  
Magnus in audaci maxima corde<sup>15</sup> gerit,  
Cui supra vires virtus, cui semper in alto  
Gloria, qui validus ardua semper amat.  
5 Talis homo, similis falconi, totus ab alto  
Pugnat et ex toto pugnat et absque minis.  
Nulla quies pugne datur, intermissio nulla;  
Nil nisi preualeat falco valere putat.  
Pugnat vt expugnet, bene pugnat, pugnat honoris;  
10 Pugnat vt ex pugna vincere detur ei.  
Sic atleta<sup>16</sup> Dei pugnat, sic pugnat in hostes,

<sup>12</sup> sonando (volando *in marg.*) C

<sup>13</sup> *sic* C; inpedit Tx

<sup>14</sup> seruit C

<sup>15</sup> *corr. a corda ead. man.* Tx

<sup>16</sup> *corr. ab adtlea ead. man.* Tx

Vt sit devictis hostibus hoste carens.  
Nil pugnasse iuuat nisi sit victoria pugne;  
Omnis honor pugne fine canatur ei.

De leone (1-7 (Leo in bono), 8-9 (Leo in malo) = Ver.: C, fol. 65r.)

Est leo rex, audax et largus, pectore fortis,<sup>17</sup>  
Firmus et in capite, parcens, vestigia delens,  
Et multum metuens ignes strepitusque rotarum.  
Solo<sup>18</sup> rugitu silvas dat claustra ferarum.  
5 Terribiles oculi nodosaque cauda leonum  
Demonstrant<sup>19</sup> animos; oculis leo dormit apertis.  
Dormit per triduum catulus; pater excitat<sup>21</sup> illum.  
Est leo crudelis, inmundus, terribilisque;<sup>23</sup>  
Sunt eius dentes fetentes<sup>22</sup> et laniantes.

De luna (1-6 = Ver.: C fol. 64v; 6 = L fol. 39r.)

Est vaga, mendica, mutabilis et maculosa,  
Affinis terre, fratri contraria febre.<sup>24</sup>  
In signum posita radians et corpore magna,  
Orbem perlustrans, friget, madet, alta, decora.

<sup>17</sup> dolens Tx delens C

<sup>18</sup> Sulco C

<sup>19</sup> *sic* C; Demonstrat Tx

<sup>20</sup> oculos Tx animos C

<sup>21</sup> *seq.* <sup>va</sup> Sunt eius dentes <sup>cat</sup> Tx

<sup>22</sup> ferientes C

<sup>23</sup> laniantes Tx laniantes C

<sup>24</sup> phebe C

5 Longe Luna minor terra, sol corpore maior;<sup>25</sup>  
 A Phebo semper diuertit<sup>26</sup> in ethere wltum.

De lupo (1-3 = Ver.: C fol. 65r-v.)

Insidians<sup>27</sup> modicum<sup>28</sup> lupus est, et seus ouile  
 Circuit, explorat, rigidus, ruit inpetuose.  
 Si prius<sup>29</sup> aspiciat, vocem vl luminis aufert.<sup>30</sup>

De niso

<fol. 90v>

Nititur in predis moralis predo<sup>31</sup> jocose,  
 Nititur et nisus in pietatis opus.  
 Predandi gerit arma pedes, quos frigore lesos  
 Hac vt conualeat arte valere facit:  
 5 Quam captiuat auem sic seruat nocte sub vna;  
 Seruit ei viuens, sub pede pressa tamen.  
 Causa caloris auis niso, fit causa timoris  
 Nisus aui. Set auis alleuiatur ita:  
 Mane venit, predam<sup>32</sup> prede de conpede soluit,  
*prede*

25 *seq.* Terris uicina mutabilis et uaga bina. / Lucis mendica. maculosaque noctis amica. C; *hos duos versus cum sequente habet L*

26 auertit CL

27 insidias Tx insidians C

28 ouibus C

29 prior C

30 *seq.* Inuadit guttur uulnus uitalibus infert C

31 preda Tx

32 *seq.* de, exp. Tx

10 Captiuamque<sup>33</sup> suam nisus abire sinit.  
 Disce, potens, memor esse boni: miseri misereris.  
 Subiectis disce parcere,<sup>34</sup> disce modum.  
 Esto potens pro iure, potens etiam ratione;  
 Virtutum vires esto potenter agens.  
 15 Esto bonis melior, validis validior, equis  
 Equior, et timidos esto nocere timens.  
 V: prosis pressis non vsus abusio fiat;  
 Omnibus omnia sis, vteris ergo bonis.

\* \* \* \* \*

*15) from de Montibus*  
 The following is a transcription of William de Montibus' glosses to 'Leo' and 'Lupus' in C (fol. 64v-65v). William wrote before Langton's standard division of the chapters of the Bible; hence his citations are difficult to pinpoint. I have supplied standard citations where I am confident of the interpretation. Where C omits the lemma, I have supplied it in pointed brackets; likewise line numbers.

<Leo>

<1> k. <Rex.> Ferarum. Iusti sunt reges. Mt. xiii. (Mt. 13:17) Lc. x. fii. in fi. (Lc. 10:24) Job. xxxiiii. in fi. (Job 41:25)

l. <Audax.> Confidens. Parab. liii. (Prov. 28:1) Eze. i. (Ez. 1:10) Parab. xi. Et diabolus presumptuosus est.

m. <Largus.> Vnde Ar. leo est alium coniunctiuum (*stc*). parctilur] enim predam superuenienti alibi.

n. <Pectore.> Sapiencia uel astucia.

o. <Fortis.> Parab. lviii. In. m. (Prov. 30:30)

<2> p. <Capite.> Mente uel xristo. id est in fide xristi et dilectione. et diabolus obstinatus in superbia et fortiter instans in inicio suggestionis.

q. <Parcens.> Prostratis. Captivos etiam obuios repatriare

33 captiuamque Tx

34 patere Tx

permittit. hominem non nisi in magna fame interimit. Diabolus abiit 'semiuiuo relicto' (Lc. 10:30). recedens usque ad tempus. Iere. xxxiiii. Miluus. (Jer. 8:7) et demones anime dicunt 'Incuruare ut transeamus.' ysa. clvi. (Is. 51:23)

r. <Vestigia.> Nodo caude ne inueniatur cum per montes fugit fugatus. Et tu gressus prauorum operum dele. plena confessione. culpe subsecutiva. Latens in montanis. Ios. iii. (Jos. 2:8ff.) et diabolus latet inuisibilis.

<3> s. <Ignes.> Malos. vt Iram etc. vel ignitum dei eloquium. in malo. ysa. xvi. (Is. 9:18?) uel in bono.

t. <Rotarum.> Predictiones doctorum. Da. xvii. li. ps. lxvii. p. v. Increpa. (Ps. 67:31)

<4> u. <Sulco.> Suggestione.

x. <Siluas.> Mores incultos.

y. <Ferarum.> Bestialium hominum quos meticulosos reddit ne a siluestri ulta recedant. secundum Iob. x. §ii. (Job 6:16?) Qui timet Eccus. v. xx. (Ecclus. 21:7?)

<5> z. <Oculi.> Ratio et intellectus diaboli. quibus abutitur.

+. <Leonum.> Magna deceptio.

<6> . <Dormit.> Ego dormio et cor meum uigilat. (Cant. 5:2) tibi assultus uite non faciens.

.. <Dormit.> Vigilanter explorat tempus suum. Iere. xxxiiii. Miluus. (Jer. 8:7)

<7> ∴ <Pater.> Exurge gloria mea etc. (Ps. 57:9) Surge qui dormis. (Eph. 5:14)

<8> a. <Est.> Prima P. xii. fere in fi. (1 Pet. 5:8)

b. <Crudelis.> Parab. xxvi.

c. <Inmundus.> Lc. xi. vt scribo in fimo.

d. <Terribilisque.> Iob. xvi. (Job 16:10)

<9> e. <Dentes.> Omnes maledic<t>i qui odiosi. Iob. xxxiiii. ii. 'Per girum dentium eius formido' (Job 41:5). et Eccus. lv. (Ecclus. 21:3)

f. <Laniantes.> Detractores et discordie satores. Parab. xvii. (Prov. 6:14,19)

<Lupus>

<1> g. <Lupus.> Diabolus uel homo malus.

<2> h. <Rigidus.> Id est inflexibilis. hoc est incorrigibilis. Ecc. xv. 'Considera opera dei. quod nemo possit corrigere quem ille dexpexerit (sic).' (Eccle. 7:14)

<3> i. <Vocem.> Confessionis et deceptionis.

k. <Luminis.> Id est visus.

NOTES<sup>35</sup>

## De medicis

1-2. Cf. *Aulularia* ll. 29-30 (Bertini 1976:58)

Iratu fatis Querulus causatur iniqui  
Nomini auctores et dolet esse deos.<sup>36</sup>

1ff. The *pugil* is a champion in a trial by battle, who blames his defeat on the fact that his patron's case is unjust. This use of the term is well attested (see Du Cange, s.vv. *Pugil*, *Camplones*). Trial by battle was a form of *iudicium Dei* introduced into England by the Normans. Deaths were uncommon, for the fighters used staves and shields. The employment of a substitute or champion was originally allowed only to infants, women, and the aged, but it soon became widespread even among those capable of bearing arms; some secular lords and religious communities maintained full-time champions. Trial by battle had fallen into disfavour in England by Glanvill's time and was practically obsolete by the end of the thirteenth century, partly because of clerical opposition and partly because of its barbarity in the eyes of civil lawyers (Holdsworth 1956:308-310, 678-679).

7ff. The first four lines of this section are borrowed from the *Aulularia* of Vital de Blois, dated c. 1150-60. This is a Latin comedy based on the fourth century Pseudo-Plautus' *Querolus*. The borrowed passage is from the end of Querolus' opening lament:

Venter inexpectus cuius iacet equus acervo;  
Crescit edendo fames: dat cibus ipse famem.

<sup>35</sup> The principal sources cited in the notes are as follows: Bartholomaeus Anglicus, *De rerum proprietatibus* (1601); Thomas Cantimpratensis, *Liber de natura rerum* (Boese 1973); Isidore of Seville, *Etymologiarum sive originum* (Reta and Casquero 1982-3); Pliny, *Natural History* (Mayhoff 1892-1909); Albertus Magnus, *De animalibus* (Siadler 1916-21); Vincent of Beauvais, *Speculum naturale* (1624); and *The Bestiary, A Book of Beasts* (White 1954).

<sup>36</sup> 'Enraged at the fates, Querolus complains of the authors of the evil name and grieves that the gods exist.'

- Consului medicos: medici dixere bolismum,  
Scilicet esuriam, que solet esse cani.
- 125 De consumptore medici fecere voracem;  
Perpetuam peperit addita cura famem.  
Exitus hic artis medicine: si quid male sentis,  
'Accede ad medicum, protinus eger eris.  
Ultimus hic misere sortis gradus, ut sine furti
- 130 Culpa nullius spes sit habenda lucri.

(Bertini 1976:68)<sup>37</sup>

The *Aulularia* was not a popular work, surviving in only two MSS (Vital's *Geta* survives in over forty) and one early printing based on a third. Passages from the *Aulularia* do however appear in certain florilegia; I have not found these lines among them. Lines 9-10 of the present poem are reported in Walther, *Proverbia* (1959-69:2 pt.3 no.8483); Walther found them in Werner's edition of Zurich Stadtbibliothek MS C. 58/275, a florilegium compiled at the end of the 12th and the beginning of the 13th centuries, probably by a German cleric studying in France (Werner 1979:137, no. 350k). The *Florilegium Gottlingense* (dated 1366) includes two couplets from the *Aulularia*, but not the ones found here (Voigt 1887:294, no. 124; 301, no. 213). The *Florilegium Gallicum* (Gagner 1936) does not include any material from the *Aulularia*. Bertini lists three florilegia which quote from the *Aulularia*: the *Flores poetarum de virtutibus et vitiis ac donis sancti spiritus*, also known as the *Poeticon*, printed in Cologne in 1472 and in Vienna in 1487, containing 66 lines; the *Fons poetarum*, in a Paris MS (BN. Lat. 11345) dated 1455, containing 61 lines, all of which are in the *Poeticon*; and a 13th century Berlin MS (Deutsche Staatsbibliothek, MS Phillipps 1827), containing 33 lines (Bertini 1976:50-51). Unfortunately, Bertini does not say which lines are

<sup>37</sup> 'An empty belly will make any calm man lie in a heap; hunger grows with eating; food itself causes hunger. I consulted the doctors: the doctors said it was *bolismus*, the hunger which usually affects dogs. From a consumer the doctors have made a devourer; the extra attention caused constant hunger. This is the result of the art of medicine: if you feel something wrong, go to the doctor, and immediately you will be ill. This is the last step of this miserable lot, that without the crime of theft there will be no hope of gain.'



quoted. However, Walther used the *Poeticon* and the Berlin MS (Walther 1959-69: vol. 2, pt. 1, pp. xxiii, xxxv); had he found our lines there, he would have indicated this. At any rate it seems clear that the *Aulularia* did not achieve wide circulation in the florilegia. Minor echoes of lines from the *Aulularia* are found in the works of Matthew of Vendôme, William of Blois, Alexander Neckam, and the *Bablo* (Muellenbach 1885:9-12).

It is curious that our author drops lines 125-6 of the *Aulularia*, which make clear in what way the doctors have worsened the situation. Indeed, without them there is little point in including the detail about bolismus: the verse would be tighter and sharper without it. This first couplet does not strike me as the sort of thing likely to be included in the florilegia, which usually abbreviated or altered their sources to make the excerpts comprehensible on their own. This, taken together with the echo of a different section of the *Aulularia* in l. 1, indicates a likelihood that our poet had read the original play. His readings are closest to C, the 16th century printing of the *Aulularia* (i.e. *canum* for *cani* in line 8, *medice est* for *medice* in line 9; he sides with the other MSS against C in line 10 *medicum*, where C has *medicos*).

8. Bolismus (*bullmus*) is, in medical terms, excessive appetite coupled with the wasting away of the body. Muellenbach observes: 'foede errauit auctor: alius enim est bolismus, alius appetitus caninus.'<sup>38</sup> (Muellenbach 1885:90, s.v. *bolismus*, cf. Bertini 1976:69). His authority is Avicenna; *bolismus* is, however, often associated with dogs in the encyclopedias: see below 'De cane', l. 7, and Bartholomaeus (18.26 [1601:1039]): 'nam canes bolismum continuum, id est, appetitum immoderatum patiuntur, et tantum aliquando per famem cruciantur, quod insani et rabidi fiunt.'<sup>39</sup> (Cf. Vincent, 19.11; 1624:1389A-B).

9. Bertini (1976:69) calls 'si quid male sentis' a colloquialism, borrowed from vulgar latin.

<sup>38</sup> 'The author has erred badly; for *bolismus* is one thing, canine appetite is another.'

<sup>39</sup> 'For dogs suffer constant *bolismus*, i.e. immoderate appetite, and sometimes they are tormented by such hunger that they become mad and rabid.'

11-15. I have not found these lines in the *Aulularia* or any of the comedies edited by Cohen *et al.* (1931). The parallelism of the ends of the pentameters shows that the two couplets go together.

14f. 'You obey and you perish; and there is a reason: you perish because you obey, as if you often wish to die in order not to die.' The point is that to visit a doctor is patently suicidal and is therefore a paradoxical way of attempting to avoid death. For this sense of 'ac si', see Lewis and Short s.v. *atque*, II C.

#### De asino

1. Manasses: the King of Israel, who was punished for his sins by being led in chains to Babylon, where he repented, and thenceforth ruled wisely; see 4 Kings 21:1-18, 2 Chron. 33:1-20.

2. 'Gravis aure' = 'heavy-eared'.

3. Thomas explains: 'fortius ac potentius in posterioribus quam in anterioribus--onus enim in posterioribus portat'<sup>40</sup> (4.2 [Boese 1973:108]; cf. Vincent, 18.10 [1624:1331C]).

10. 'Fetire piger' = '(be) slow to strike'.

#### De cane

1. The only author I have found who mentions the dog's envy is Bartholomaeus (18.26 [1601:1040]). For the dog's returning to its vomit see Prov. 26:11, 2 Pet. 2:22.

3-10. Although these lines are in the style of the *Versarius*, they are not found in C or L. The division between 1-2 and 3-10 may be similar to the division of *De leone* below, i.e. 1-2 are 'Canis in malo' and 3-10 are 'Canis in bono'.

3. According to Isidore, the dog cannot survive apart from man (12.2.26 [Reta and Casquero 1982-3:2.74]).

5. The dog's ability to heal his own and others' wounds with his tongue is mentioned in almost every account (see Vincent, 19.10-11 [1624:1388D-E]; Thomas, 4.14 [Boese 1973:116]; White 1954:66; *Gl. ord.* to Lc. 16:21 *ad v.* 'Canes').

<sup>40</sup> 'It is stronger and more powerful in its hindquarters than in its forequarters--for it carries its burden on its hindquarters.'

7. On *boltsnus*, see the note on 'De medicis', l. 7.
8. 'Customarily, he fiercely attacks anyone carrying a stick.' Bartholomaeus mentions that dogs hate sticks and stones (18.26 [1601:1040]).
10. Bartholomaeus explains: 'Item fraudulentus est et dolosus, vnde et saepe transeuntibus blandiendo cum cauda quasi arridet, quos retro mordet, quando minime considerant.'<sup>41</sup> (18.26 [1601:1040]).

*De columbis*

lff. This verse is based on the *Gl. ord.* to Cant. 1:14 *ad v.* 'Oculi tui':

Columba felle caret, rostro non laedit, in cauernis petrarum nidificat, alienos pullos nutrit, iuxta fluenta manet, meliora grana eligit, gemitum pro cantu reddit, gregatim volat, alis se defendit, visum recuperat. Ita sancti iuxta fluenta doctrinae sedentes meliores sententias eligunt, homines a Christo alienos nutriunt Deo, si quas bonas sententias in haereticis inueniunt non peruertunt, ira irrationabili carent, in fide plagarum Christi refugium habent, gemunt pro peccatis.<sup>42</sup>

The first half of this gloss is quoted by Vincent (16.53 [1624:1187E-88A]); Neckham's chapter on the dove is probably based on it as well (*De naturis rerum* 1.56 [Wright 1863:106-7]).

3. The word *columba*, according to Isidore, derives from the fact that the dove's neck (*collum*) changes colour when seen from different angles (Isidore, 12.7.61 [Reta and Casquero 1982-3:2.116]).
5. The only author I have found who mentions the dove's noise in flight is Pliny (*Historia naturalis* 10.36.108 [Mayhoff 1892-1909: 2.251]).

<sup>41</sup> 'He is fraudulent and deceitful, so that often he seems to greet people with his tail wagging as they pass, then bites them from behind when they least expect it.'

<sup>42</sup> 'The dove lacks gall, does no harm with its beak, nests in hollows of rocks, nourishes the chicks of others, stays by rivers, chooses the better grains gives a moan instead of a song, flies in flocks, defends itself with its wings, recovers its vision. So the saints sitting by the rivers of doctrine chose the better sentences, nourish for God men who are not of Christ, if they find any good sentences among the heretics they do not pervert them, they lack unreasonable anger, have refuge in faith in the wounds of Christ, and sigh for their sins.'

7. According to Thomas, the dove always produces two chicks: first the male, and then after three days the female (5.36 [Boese 1973:193]). Perhaps there is a connection with the two dove-chicks often mentioned as sacrificial victims in Leviticus (e.g. Lev. 5:7, 11, 12:8, *et passim*, cf. Lc. 2:24).

*De falcone*

1-4. The inspiration for these lines is Isidore's much-quoted description of the hawk: 'Accipiter avis animo plus armata quam unguis, virtutem maiorem in minori corpore gestans.'<sup>43</sup> (12.7.55 [Reta and Casquero 1982-3:2.116]; see e.g. Bartholomaeus, 12.2 [1601:517]; Vincent, 16.18 [1624:1169D]; White 1954:138). The 'qui' (l.1) refers of course to the falcon, not the kite. The comparison to the kite is an allusion to the fable of Odo of Cheriton (no. 54; Hervieux 1896:225). In this fable, the Falcon catches the Kite, and asks him why he allows himself to be killed, since they are equally strong and well-armed; the Kite replies that he knows he is strong enough, but his heart is weak ('sed cor mihi deficit').

*De leone*

- 1-2. 'Virtus eorum in pectore; firmitas in capite.'<sup>44</sup> (Isidore, 12.2.4 [Reta and Casquero 1982-3:2.68]; quoted by Vincent, 19.67 [1624:1419A]).
3. This characteristic derives from Isidore (12.2.4; Reta and Casquero 1982-3:2.68), who got it from Pliny (8.16.52 [Mayhoff 1892-1909:2.95-96]; see Vincent, 19.72 [1624:1421E], and 19.74 [1624:1423B]).
4. The power of the lion's roar to strike fear into other animals (even those which have never seen a lion) is often mentioned (e.g. Thomas, 4.60 [Boese 1973:140-41]; Vincent, 19.68 [1624:1419D]; White 1954:11).

<sup>43</sup> 'The hawk is a bird armed more with spirit than with talons, bearing great strength in a small body.'

<sup>44</sup> 'Their strength is in the chest; their steadfastness in the head.'

5-6. See Pliny (who mentions only the tail, 8.16.49 [Mayhoff 1892-1909:2.94]) and Isidore: 'Animos eorum frons et cauda indicat', 'Their face and tail indicate their moods' (12.2.4 [Reta and Casquero 1982-3:2.68]); this detail is quoted in almost all accounts: see Vincent, 19.67 [1624:1419A]; Thomas, 4.60 [Boese 1973:139]; Bartholomaeus, 18.63 [1601:1081]; White 1954:7).

6-7. The open eyes are mentioned in all accounts of the lion, as is the three-day sleep of the new-born cubs.

9. Thomas says that when the lion opens his mouth, a strong odor comes forth (4.60 [Boese 1973:140]); many authors speak of the lion's foul mouth, though none relate this directly to his teeth (see e.g. Vincent, 19.66 [1624:1418E-19A]).

#### De luna

2. 'Neighbour of the earth, contrary to her brother in heat.' C's 'phebe' for 'Phebo' probably represents the original reading.

4. The moon is cold and moist: hence 'friget, madet'.

5. Isidore explains:

Magnitudo quoque lunae minor fertur esse quam solis. Nam dum sol superior sit a luna, et tamen a nobis maior quam luna videtur, iam si prope nos accessisset, multo maior quam luna conspiceretur. Sicut autem sol fortior est terrae, ita terra fortior est lunae per aliquam quantitatem.<sup>45</sup> (Isidore, 3.48 [Reta and Casquero 1982-3:1.464]).

#### De lupo

1-3. The source for this verse is *Gl. ord.* to Lc. 10:3 *ad v.* 'Sicut agnos inter lupos' (words which closely parallel the text in the 'Proprietates' or in the *Versarius* are italicized):

Sicut *lupus ouibus*, sic haereticus *insidatur* fidelibus. Et sicut

<sup>45</sup> The size of the moon is said to be less than that of the sun. For since the sun is higher than the moon, and nevertheless seems to us bigger than the moon, if it were to come close to us it would appear much bigger than the moon. Just as the sun is larger than the earth, so the earth is larger than the moon by some amount.

*lupus ovile circumit* nocte, non audens intrare, canis somnum, pastoris absentiam vel desidiam *explorans*, sic haereticus nocte suae interpretationis fideles decipere conatur ecclesiam non intrans, pastores ecclesiae vel vitare, vel necare, vel in exilium mittere contendit. Lupus natura corporis *rigidus*, se inflectere facile non potest, sic haereticus intentionem duri cordis non solet ab errore reuocare. Vnde Apostolus: Haereticum hominem post primam et secundam correctionem diuita, etc. (Tit. 3:10) Lupus vero suo *impetu* fertur, et ideo saepe illuditur, sic haereticus impetum facit, sed saepe remanet inanis ne nocere possit. Lupus *si prius* aliquem viderit, *vocem* illius quadam naturae *vl* eripit, si homo illum prius viderit, eum exagitat. Sic quem versuta disputatione haereticus praecuenit, mutum reddit ne confiteatur verbum Dei: sed si quis commenta fraudis eius agnouerit, non patitur iactantiam vocis. Sicut lupus, sic et haereticus *guttur inuadit: vitalibus vulnerus* affigit.<sup>46</sup>

2. Vincent quotes part of the gloss on Luke: 'Lupus natura corporis rigidus, de facili se inflectere non potest.' (19.82 [1624:1426E]; see above). Bartholomaeus is more specific: 'Collum retroflectere non valet, et in nullo mense nisi in Maio, quando fiunt tonitrua.'<sup>47</sup> (18.69 [1601:1090]).

<sup>46</sup> Just as the wolf preys on sheep, so the heretic preys on the faithful. And just as the wolf goes about the sheepfold by night, not daring to enter, looking for the sleep of the dog or the absence or negligence of the shepherd, so the heretic tries to deceive the faithful in the night of his interpretation, not entering the church, he seeks to corrupt the pastors of the church, or to kill them, or to send them into exile. The wolf is by the nature of his body rigid, he cannot easily bend himself; thus the heretic is not accustomed to recall the intention of his hard heart from error. As the Apostle says: After the first and second correction avoid the heretic, etc. The wolf is born forward by the rush of his attack, and so is often eluded: so the heretic makes a rush, but often fails to do any harm. The wolf, if he sees someone first, takes away his voice by some force of nature; if the man sees him first, he scares him away. Thus whomever the heretic overcomes with convoluted arguments is made mute, so that he cannot confess the word of God; but if someone recognizes the evidence of his fraud, he will not suffer the boasting of his voice. Like the wolf, the heretic attacks the throat: he wounds the very vitals.

<sup>47</sup> He cannot bend back his neck, in any month but May, when there are thunderstorms.

3. If the wolf sees a man before the man sees it, the victim loses his voice; but if the wolf is seen first, it loses its ferocity (Ambrose, *Hexaemeron*, 6.4.26 [P.L. 14:267B-C]; see Vincent, 19.82, 83 [1624:1426E-27D]; Pliny mentions this as an Italian superstition: 8.22.80 [Mayhoff 1892-1909:2.105]). Vincent quotes Physiologus as describing the rays emitted by the wolf's eyes which dry up the victim's voice (Vincent, 19.84 [1624:1428B]); White's bestiary takes this to mean that at night the wolf's eyes shine like lamps [1954:58], as does Bartholomaeus, 18.69 [1601:1090]).

*De niso*

1-2. 'This moral predator the sparrowhawk sits on his prey merrily, and strives for the work of mercy'. The poet puns on *nisi in* + abl. 'to rest on', and *nisi in* + acc. 'to strive for'. Albertus Magnus explains the etymology of the word *nisus* thus: 'a nisu hoc est conamine praedae sic vocatur quia nititur capere aves se fortiores sicut columbam, anatem et corniculam.'<sup>48</sup> (23.1.24.83 [Stadler 1916-21:2.1504]). The only author I have found who derives the name from Nisus, the father of Scylla, who was turned into a *halletus* 'sea-eagle', is Alexander Neckham (*De laud.*, 2.307ff. [Wright 1863:380]). See Ovid, *Met.* 8.1-151 [van Proosdij 1975:223-229]).

3ff. For the story of the sparrowhawk, see the appendix.

12. The phrase 'subjectis parcere', and the tone for this moralization, is drawn from Anchises' much-quoted words to Aeneas in the underworld (*Aen.* 6.851-3 [Mynors 1969:254]):

tu regere imperio populos, Romane, memento  
(hae tibi erunt artes), pacique imponere morem,  
parcere subiectis et debellare superbos.

This last line is quoted by e.g. Matthew of Vendôme (Faral 1924:133).

15. Metrically deficient.

18. See 1 Cor. 9:22.

<sup>48</sup> He takes his name from effort (*nisus*), i.e. struggle with his prey, since he strives (*nithur*) to catch birds stronger than himself such as doves, ducks and small crows.

Appendix: The Sparrowhawk in Chaucer's  
*Troilus and Criseyde*, 3.1191-2

The story of the sparrowhawk, who catches a bird at nightfall to warm his feet and then releases it at dawn is relevant to an image used by the narrator of Chaucer's *Troilus* at the beginning of the consummation scene in the third book. The passage runs as follows:

This Troilus, with blisse of that supprised,  
Putte al in Goddes hand, as he that mente  
Nothyng but wel; and sodeynly avysed,  
He hire in armes faste to hym hente.  
And Pandarus, with a ful good entente,  
Leyde hym to slepe, and seyde, "If ye be wise,  
Swouneth nought now, lest more folk arise!"

What myghte or may the sely larke seye,  
Whan that the sperhawk hath it in his foot?  
I kan nomore, but of thise ilke tweye,—  
To whom this tale sucre be or soot,—  
Though that I tarie a yer, somtyme I moot,  
After myn auctour, tellen hire gladnesse,  
As wel as I have told hire hevynesse.

Criseyde, which that felte hire thus itake,  
As writen clerkes in hire bokes olde,  
Right as an aspes leef she gan to quake,  
Whan she hym felte hire in his armes folde.  
But Troilus, al hool of cares colde,  
Gan thanken tho the blisful goddes sevene.  
Thus sondry peynes bryngen folk to hevene.

This Troilus in armes gan hire streyne ...

(3.1184-1204; Robinson 1957:434)

The image of the lark and the sparrowhawk is generally taken as a minor borrowing from Boccaccio's *Filocolo*, 2.165-66 (4.109.1 in the

most recent edition: Quaglio 1967:494). Robinson notes the parallel with the words 'For a similar comparison, see ...' (1957:825 *ad loc.*). The fullest account of the parallel is given by Meech:

In presenting the first raptures after the departure of the confidant, Chaucer resorts only to the former of the romances *Isc. Filocolo*. The rhetorical question with which he introduces the consummation appears to have been taken from this source. Filocolo in his basket awaiting its inspection by the Admiral was timid "come la gru sotto il falcone o la colomba sotto il rapace *sparvero*" ['like the crane under the falcon, or the dove under the rapacious sparrowhawk']. (Meech 1959:72)

Other editors invite us to compare the two passages, without explicitly stating that the one is the source of the other (Root 1952:483; Windeatt 1984:309). Since the situations are so different, and since the victim of Chaucer's sparrowhawk is a lark and not a dove, the editors are right to be cautious in describing Boccaccio as the source of this metaphor.

No more compelling is the set of proverbs concerning the lark and the sparrowhawk, one of which is compared by the most recent editor of *Troilus*: 'to flee as the lark does the sparrowhawk' (Windeatt 1984:309; Whiting 1968:L84; cf. F578, F579, P41, Hassell 1982:A81, O53). The context of these proverbs, as cited by Whiting and Hassell, is uniformly military, not erotic.

The erotic possibilities of the image of the bird of prey and his victim were not lost on Chaucer, as we see in Criseyde's dream of the white eagle which tore out her heart and put his own in its place (2.925-931; Robinson 1957:411). In the present context, however, so bloodthirsty an image is out of place. What is needed is something more in keeping with the aspen leaf (3.1200), the ivy clinging to the tree (3.1230-2), and the nightingale, who stops her song when she hears the shepherd speak or some creature move in the hedges, then lets her voice ring out again (3.1233-37). The merciful sparrowhawk of the 'Proprietates' provides just such an image. Like the nightingale, and like Criseyde, the sparrowhawk's victim is frightened but unharmed.

Chaucer does not develop the metaphor (although *Troilus*' 'cares colde' in l.1202 may suggest the sparrowhawk's cold feet). If we are to

suppose that Chaucer could expect his audience to call to mind the story of the sparrowhawk on so small a hint, we must first demonstrate that the story was well known in England at that time. In the course of this demonstration, the history of the story will become clear.

The story is found in a number of sources, told of a variety of birds of prey. Table 2 indicates the lines of transmission. Dashed lines indicate explicit citation or demonstrable use of a source. Unidentified sources are set in parentheses.

<i>Acclpther</i>	<i>Gbrfalco</i>	<i>Ntus</i>	<i>Merulon</i>
Neckham	Neckham	Gerald	('Plinius')
('Philosophus')	Vincent	Thomas	Holcot
Vincent	Albert	Vernon lyrics	
		'Proprietates'	
		Chaucer	

The two earliest accounts of this story are given by Alexander Neckham in his *De naturis rerum*, and by Gerald of Wales in his *Topographia hibernica*. The former was written in the period 1187 X 1204 (Hunt 1984:26), and was well known by the end of the twelfth century (Wright 1863:xiii-xiv); the fourth recension of the latter (to which recension this material belongs) cannot be dated with any precision, but the editor suggests a date toward the end of Gerald's life, c.1220 (Dimock 1867:lv). Neckham's account therefore seems to take primacy, although in other sections Neckham borrowed from Gerald (Hunt 1984:74).

Neckham tells two versions of the story: one of the *acclpther* 'goshawk', the other of the *gbrfalco* 'gerfalcon'. In the case of the *acclpther* Neckham takes the story as an indication of the hawk's nobility (though he mentions the opinion of some that the hawk disdains the bird because it is thin and tasteless after its night of terror) (25; Wright 1863:76-77). In the case of the *gbrfalco*, a much larger bird of prey, Neckham says it is known 'even to those who are little instructed

in the natures of things' that the *grfalco* will cross the sea with a cohort of geese (*aucae*); at night he chooses one to warm his feet, then releases it in the morning and chooses another for his breakfast. Just so, some men feign pious habits but greedily seek temporal benefits (28; Wright 1863:81). The *acclp̄ter* version is taken up by Neckham in his *De laudibus divinae sapientiae* (2.283-292; Wright 1863:379-380), based on the *De naturis rerum*. Neckham's *grfalco* version is quoted (in abbreviated form) by Vincent of Beauvais (Vincent 1624:1209A). The *acclp̄ter* version is also given by Vincent, but his source is a certain unidentified 'Philosophus' (Vincent 16.40; 1624:1181D; Thorndike 1929:2.465). This appears to be a work of the twelfth century, for it tells the story of the barnacle goose, which did not begin to circulate until this time (Vincent 16.40; 1624:1181D; Lawn 1963:196). Vincent quotes the 'Philosophus' eight times in his book on birds, twice in the book on reptiles (on basilisks and spiders), and not at all in the books on land animals and fish (1161B-C, 1167B-C, 1170D, 1181D, 1194B, 1202B, 1206E, 1214B-C, 1474D-E, 1526B-C). The 'Philosophus' adds the detail that if the hawk happens to meet the bird again while hunting, it will not chase it ('Et etiam si eandem alias obuiam venans habuerit, non persequitur'): a detail shared with Holcot's merlin version (see below). I have not found further examples of the story being attributed to the *acclp̄ter* or *grfalco*.

The bulk of the story's occurrences deals with the smaller hawks. Gerald told the story of the *nbus* 'sparrowhawk', its most common subject:

Fertur etiam hoc de niso: quod, ingruente fortius brumali algore, contra vesperam serotinam aviculam rapiat; cui nocte tota ob calefactionis gratiam insidendo, tanquam nocturnum obsequium indemnitate remunerans, eandem mane remittit illaesam. (1.12; Dimock 1867:37)<sup>49</sup>

This version found its way to the continent, whether through Gerald or

<sup>49</sup> This story is told of the sparrowhawk, that, when the wintry cold attacks too fiercely, in the evening he catches a late-flying little bird; he sits on it the whole night for the sake of warmth, and, as if repaying the nocturnal service, he lets it go unharmed in the morning.

independently. It is told by Thomas of Cantimpré as a popular tale ('ut vulgus docuit', 5.91; Boese 1973:217). There is no way of knowing whether Thomas was himself acquainted with an oral tradition of the story, or whether its popular nature was indicated in his literary source; it is worth noting that Thomas says that he compiled his encyclopedia not only from French and German sources but also from books written overseas and in England ('in partibus transmarinis et in Anglia libros de naturis editos aggregavi', 19.7; Boese 1973:414). Albert the Great, drawing on Thomas,<sup>50</sup> notes the story briefly, adding: 'sed non sum expertus' (23.1.24.83; Stadler 1916-21:2.1504). Finally, in the fourteenth century, the *nbus* version appeared in the 'Proprietates', and (if my argument is accepted) was alluded to by Chaucer.

Another small hawk which carried the story was the merlin (Med. Lat. *merlillo*, Anglo-French *merlun*, OF *esmerillon*). Robert Holcot, in his *Convertimint*, a collection of preaching exempla, tells the story twice, of a bird he calls the *merlon* or *merulon*. Since this work has not appeared in print, it is worth transcribing one of the passages in full.

Refert plinius de mirabilibus mundi quod est quedam auis que uocatur merilon culus natura talis est quod uespere quamdam auiculam capit et illam tota nocte pedibus tenet in aurora vero die oriente iam auolare permittit nec illam vnquam postea capere temptat. Per istam auem que [per] paruas auiculas pedibus tenet intelligitur homo in statu culpe diuersis peccatis affectus qui in aurora debet illas dimittere id est cum lumen diuine gracie poterit peccata videre illa per confessionem debet eicere ne littere clause in morte inueniantur id est confessione non mundante in stricto iudicio

<sup>50</sup>

A final resolution of the question of the relation of Thomas' and Albert's animal lore will probably have to wait until the publication of the second volume of Boese's edition of Thomas (Boese 1973). Pauline Aiken has shown that Albert copied many of Thomas' misreadings of Pliny and other sources; however, Aiken was using a text of Thomas' first recension, and so all the borrowings she found were from the first recension (Aiken 1947). It is possible that where Albert quotes material contained in Thomas' later recensions (as he does e.g. 23.1.24.112 [Stadler 1916-21:2.1494] = Thomas 5.52.6-7 [Boese 1973:202], and elsewhere), it is a case of Thomas borrowing from Albert in his later recensions. Until further investigation clarifies this point it is safest to assume that Albert borrowed from Thomas' second recension throughout.

ostendantur. (Holcot, *Convertimln*, fol. 107ra; Herbert 1910:125, no.55; see also fol. 108ra; Herbert 1910:126, no. 62)<sup>51</sup>

I have not succeeded in identifying the Pseudo-Pliny opus in which Holcot found this story; it is not traceable in Thorndike's catalogue (Thorndike and Kibre 1963). The work is likely to be from an English source, however, for a continental source would have called the bird a *smerrallo* or something similar (O.E.D. s.v. *Merlin*; Goetz 1965:1.204); it is possible, however, that Holcot or his scribe anglicised the name. It is tempting to associate this Pseudo-Pliny with Vincent's 'Philosophus', especially since these (and only these) note that the hawk will not hunt the bird if he meets it again.

Another English fourteenth-century instance of the merlin version, this time in the vernacular, occurs in the Vernon lyrics. In the poem entitled by Brown 'Mercy Passes All Things', it is the inspiration for contemplation on the all-pervading power of mercy.

And þis men knowen wel I-nouh,  
 For Merlyons feet ben colde,  
 hit is heor kynde on Bank and bouh  
 A quik Brid to hauen and holde,  
 From foot to foot to flutte and folde,  
 To kepe hire from clomesyng,—  
 As I an hauþorn gan bi-holde,  
 I sauþ my self þe same þing.

Whon heo hedde holden so al niht,  
 On Morwe heo let hit gon a-way.

<sup>51</sup> Pliny, in his 'De mirabilibus mundi', relates that there is a certain bird which is called a *merllon* whose nature is such that in the evening it catches a certain little bird and holds it with its feet all night, but at sunrise it lets it fly away, nor does it ever try to catch it afterwards. By this bird which holds little birds in its feet is understood man in the state of guilt, afflicted with various sins, who ought to let them go at dawn, i.e. when the light of divine grace can see the sins, he ought to cast them out through confession lest letters close be found at our death i.e. be shown in strict judgement, without cleansing confession.' Throughout this section Holcot develops the metaphor of letters representing sins, which man ought to read by the light of the Holy Spirit and destroy, lest they be used against him at the Last Judgement.

Wheþer gentrie tauzt hire so or nouzt,  
 I con not telle þou, in good fay. ...

(Brown 1924:130f.; ll. 173-184)

The ease with which the story passed from one bird to another, while finding its widest dissemination among the small hawks (especially the sparrowhawk), suggests that Thomas was right in calling it a popular tale. It was certainly so widely disseminated that a *stemma* of the literary survivals cannot be constructed. Its presence in the encyclopedias, preaching literature, and folklore all suggest that the story would have been well-known to Chaucer and his audience.

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### Treason and Court Language in the York Corpus Christi Plays

ELZA C. TINER

The language of the court scenes in the *York Corpus Christi Plays* functions on two levels. In one sense it divides the characters according to their moral nature; in another it creates in the plays the social and legal context of a fifteenth-century English court. This court had various functions in the Middle Ages. Ceremonial, judicial, and political business was carried out in its various departments.<sup>1</sup> The following study demonstrates 1) how the language in the court scenes establishes two opposing groups of characters, those who accept and those who reject Christ, and 2) how, throughout the court scenes, Christ's accusers make use of English common law to convict him of treason. These characters, while successful in putting Jesus to death, reveal their sinful nature in their language. Thus they convince the audience of both Jesus' innocence and their guilt. The two levels of language work together to produce this dual effect.

From writings such as the cycle plays and other literature involving court scenes, there is no way of knowing to what extent the dialogue therein accurately reflects a court audience or trial as it was spoken. We may only conclude that such dialogue a) is what the writer would use in that particular literary genre, or b) reflects a traditional

<sup>1</sup> According to Pollock and Maitland, after the Norman Conquest, "... 'the king's court' was not then a term with several meanings; the language of courtiers and courtliness was of necessity the language of business, discussion, pleading.' (Pollock and Maitland 1968:1.83-4). These authors are discussing the prevalence of French in the post-Conquest English 'court', which included both ceremonial and legal aspects. We may also consider the word 'language' to have a wider application. It might refer to court discourse, inferred from writings such as pleading manuals, literature, and documents, but never directly accessible, since we were not present to hear it spoken. 'Language' also implies 'rhetoric' in its varied functions in medieval England, although we cannot be certain that rhetorical training in medieval schools was ever applied to legal court process as it was in classical Rome. Yet, court language in medieval England had distinct forms of its own, and is an area awaiting further research. This paper, since revised, was presented at the Fourth Triennial Congress of the International Courtly Literature Society, Victoria College, University of Toronto August 8-13, 1983.