



STANFORD UNIVERSITY LIBRARY

GYPSES:

SOME CURIOUS INVESTIGATIONS,

Collected, Translated, or Reprinted from
various sources, concerning
this peculiar race.

BY

J. WATTS DE PEYSTER.

~~~~~  
*Reprinted by Special Permission.*  
~~~~~

STANFORD LIBRARY

Edinburgh:

E. & G. GOLDSMID.

1887.

397
D419

663977

PARALL GORTNAYO



Gypsies.



“ His captain’s heart * * * reneges all temper ;
And is become the bellows and the fan
To cool a gipsy’s lust.”

“ O this false sonl of Egypt ! this grave charm,
Like a right gipsy, hath, at fast and loose,
Beguiled me to the very heart of loss.”

SHAKESPEARE. 1608.

“ The companion of his [the Tinker’s] travels is some foul,
sunburnt quean, that since the TERRIBLE STATUTE [against Gipsies
and the like], recanted *gypsiisme*, and turned pedlaress.”

SIR THOMAS OVERBURY’S “*Characters*.” Sig. I. Circa 1614.

“ Outlandish persons calling themselves *Egyptians*, or *Gypsies*, are
another object of the severity of some of our unrepealed statutes.”

BLACKSTONE, “*Commentaries*.” B. IV., c. 13. Circa 1765.



GIPSIES.—[Translated from “*Zedler’s Grosses Uni-
versal Lexicon aller Wissenschaften und Künste welche, etc.*”
Leipzig and Halle, 1749.]

Gipsies—*Ger.* Ziegeuner, Zigeuner, Zigeiner,
Zigainer, Zügeuner ; *Lat.* Cingari or Zingari. A

wandering and trooped-together mob, which has stolen in over almost all Christendom, and are variously designated, for, besides the names given above, they are called Attingani, Cigani, Cingai, Cyani, Cigari, Cyngai, Zigeuni, Zigeneri, all, however, words of the same stem. Even the word Attingani, which is the name given them by the Greeks, appears to be one with the others, if the syllable "At" be thrown off and the "t" changed into C or Z. They are called also Taten or Tattarn, or Heyden, also Saracenen, Saraceni and Agareni, or (corrupted), Zagareni, especially, too, Egyptians (*Ægyptiani*), from which it is supposable that the name Cyani or Zingani comes. Since our forefathers, the Germans, were accustomed to shorten names, they may have thrown away the two first syllables of *Ægyptiani* and left only Ciani remaining. See Jacob Thomasius' "Dissertation on the Cingari," Leipsic, 1652, § 4, and so on. In France they are called "Bohemians." They are also called by some learned men Nubians.

Some derive the name Zigeuner (Gipsy) from the German as meaning "Zieht-einher" (Come-in), because these people had no fixed dwelling-place but wandered about hither and thither (*Zeiler's Sendschreib. Epist. 71*) a derivation which is further confirmed by the circumstance that the common people gave the

name Zihegan to land-tramps before Gypsies were heard of (*Zeiler's Sendschreib: Letter 276.*)

As regards the origin of the Gypsies, no agreement has, as yet, been arrived at. It is, however, certain and proved, that they were first seen in Germany in the fifteenth century, under the Emperor Sigismund.

Zeiler writes, they first appeared in Hesse, in the year 1414, but almost all historians put their first appearance in Germany in 1418. Jacob Thomasius, in his "*Dissert. de Cingaris*," §§ 16, 17, prefers this latter date. Counting from this date they passed through all Germany in two years and afterwards turned into Italy, France and Spain. The first bands that came into Germany consisted of 14,000, including men, women and children, and were split up into various small tribes, of which some wandered hither, some thither.

They had with them horses, mules and asses, and were under the command of a king or colonel (obrist) named Michael. Aventinus, however, says the colonel whom they had in 1639, when they were in Bavaria, was called Zindelo, or Zandadel. Stumpfius tells us, in his "*Kajser-Chronic*," that at their first appearance they paid for the necessaries of life they wanted with hard money and that they possessed much gold and silver, although they wore poor and ragged clothes.

The Emperor Sigismund, it is said, gave them, on account of their good behaviour, a free pass and safe conduct (Thomasius, *loc. cit.*). Otherwise the gypsies were of a dark complexion and not over cleanly in their clothing and general way of life. They said they were Christians and that they were from Lower Egypt (Klein-Egypten). On this account they were called, in the emperor's free pass, Egyptians. This is also corroborated by three gravestone inscriptions over their colonels, which Mart Crusius cites in his "Swabian Annals." The *first* runs thus, "Counting from the birth of Christ our Saviour, in the year 1445, on St. Sebastian's Eve, died the noble-born Lord Panuel, Duke of Lower Egypt and Lord of Hirschhorn in the same country." The *second*, "Anno Domini 1453 Obiit nobilis comes Petrus de Minore Ægypto in die Philippi et Jacobi Apostolorum." The *third*, "In the year 1498, on Monday after the Festival of St. Urban, died the well-born Lord John, Frey Graf of Lower Egypt. May God be gracious and pitiful to his soul." As to the cause of their wandering, the people gave out that they had denied Christianity and for seven years became heathen, and this sin they desired to atone for by seven years of pilgrimage. They mixed the Pope in with it as having laid on them the penance of seven years wandering for having forsaken Christianity ("Zeiler's *Sendschreiben*, *Epist.* 71).

Others say that their pretext was that by their wanderings they were doing penance for the sins of their forefathers, who had refused hospitality to the Virgin Mary and the Jesus-child at the time of the flight into Egypt. Others pretended that the gypsies had previously lived in Singara, a city of Mesopotamia, and since they were driven thence by Julian the Apostate had never been able to regain their country, and for this reason they wandered about the world. Others seek their origin in Assyria, others in Cilicia, others in the Caucasus, many in Tartary, others in the province of Zeugitana in Africa, others in Nubia and Abyssinia. So some derive the name from the Zechis, Zichis, Zinchis, who had their dwellings by the Don on the Palus Mœotis and came from Asiatic Sarmatia (Abel's "German and Saxon Antiquities," P. II. p. 329, &c.) Indeed, some would make the gypsies the descendants of Cain, who, like their ancestor, are fugitives and vagabonds, and must wander over the face of the earth (Thomasius, *loc. cit.*, § 54). But these do not know what they are talking about since the whole race of Cain perished [?] in the flood. If some wish to make them out the descendants of Ham this might be, but there is no apparent cause why they should, on this account, be tramps and vagrants, since others of Ham's race have settled habitations.

The gypsies' own account of the cause of their

wandering was only a fiction by means of which they wished to make people willing to tolerate them. This at first succeeded. People pitied them and felt scrupulous about injuring them. It was also supposed that on the ending of their seven years of pilgrimage they would return home. This did not take place, and when called to account for it they replied that the way home was barred to them, that they were not able to return to their country, or that they were obliged to begin another seven years of pilgrimage, and if they did not do so they would be visited with failure of crops and other national visitations. Stumpfius, indeed, says that the *original* gypsies returned to their country on the ending of the seven years. This cannot be so, since as vagrants they had no home and no proper country. They may have wandered into other Christian countries, but there were always many of them remaining in Germany and we have records that since that time there have always been more or less there. Some are disposed to consider the gypsies who were still to be found in Germany as only a crowd of thieves, murderers, knaves and other riff-raff, who, after the departure of the *gypsies* proper, collected together and wished to pass for those people. And it cannot be denied that all sorts of loose characters may have joined them, whom they also willingly received and whom they knew how to stain of a dark color by

various inventions so that they could not be recognized. It is even related of a Spanish nobleman that he fell in love with a gipsy girl and was thus induced to join their company (Thomatus, §62.) In any case it is beyond doubt that many original gypsies remained in the country, to whom all sorts of reckless people joined themselves.

That the original gypsies were more honest than their successors cannot be certainly asserted although Thomasius maintains that it was so. They were, in any case, deceivers who attempted to profit by all kinds of falsehoods as to their own history and circumstances. Yet their successors may have become worse and worse, as is usually the case with such vagabonds. They were shameless beggars who possessed themselves of what they could not obtain fairly by trickery and violence, as also they were excellently trained by all manner of arts and deception for getting people's money away from them. For this purpose they addicted themselves to all sorts of fortune-telling and conjuring, also they pretended to many medicinal secrets, which were, however, nothing but simple nonsense and deception. When cunning did not answer, they resorted to violence, with robbery, murder and plundering. They were even accused of being spies for the Turks, and betrayed to the latter the plans and projects of the Christians.

B

For this reason, ~~for~~ since the year 1500, severe orders and ordinances were issued against them in almost every Christian country in which they were found. ~~and~~

They indeed gave themselves out to be Christians and had their children baptized, but this was only with the expectation of receiving the usual godparents' presents. Otherwise they were but poor Christians, since they availed themselves neither of hearing the Divine words nor of partaking of the Holy Communion.

If it be asked to what nation did the gypsies belong and whence they came, such a question it is difficult to answer. They gave themselves out, as has been said, for Egyptians; but this is not in accordance with truth, for Belonius declares that he had seen the gypsies in Egypt in great numbers under the palm trees on the river Nile and that they were there as much strangers as they were everywhere else (*Zeiler, Epist. 532*). D. Wagenseil, of Altdorf, has here and again maintained in his writings that the gypsies sprang originally from the Jews, who, in the 13th and 14th centuries, suffered dreadful persecutions in Germany and other countries so that those who escaped fire and the sword betook themselves to the forests and there lived for a time, as much as possible, concealed. Finally they came out with a changed language and disguised as to clothing, and gave themselves out as

Egyptians. Afterwards all kinds of loose vagabonds associated themselves to them for the purpose of enjoying a free, disorderly life. (See S. Huebner's *Statts-Zeitung*, and *Conversations Lexicon*, Article "Zigeuner.")

This idea is contradicted by the circumstance that it is difficult to conceive how such a multitude of men—14,000—could remain so long concealed in the forests. The black color of the gypsies, too, opposes itself as not being that which we find in the Jews. Those seem to hit the mark more nearly who say that they first came into Germany from Turkey and the Turkish-Hungarian frontier, for here they are, to the present day, frequently met with. About Gross-Waradein in Hungary there are many gypsies, some having houses, who maintain themselves partly as horse dealers, partly as smiths and partly by stealing. They also sometimes act as hangmen or executioners in Hungary and Transylvania. Some of them pick up exhausted cattle and tan their skins. In Transylvania some of them wash out gold from the sand of rivers and brooks and are obliged to deliver such sand-gold to the imperial treasury at a certain price. They generally go naked and eat the carrion of dead horses, cattle and sheep thrown into the flayer's-field. They get from the inhabitants the diseased and dead cattle, whose flesh they smoke in their huts or dry in the sun

and eat as a great delicacy, but generally raw and uncooked. Of fortune-telling they understand nothing nor do they attempt it as an occupation. In the year 1676 the gypsies plundered the Hungarian miner town of Potack and set fire to it, as well as to the church. Among these gypsies was found a French engineer, Pierre Durois, who had been with them some eight years, and meantime drawn large bills of exchange on France. He was captured by the Imperialists and on him were found plans of almost all the Imperial cities, and the cities of Upper Hungary. It is said that the gypsies of Wallachia furnish musicians, although their music sounds miserably enough. [Of late years gypsy bands and gypsy peculiar music have been in great repute in Eastern Europe.] [1794.] (Mark Zeiler's description of the Kingdom of Hungary, pp. 29, 748, 1017.) The gypsies came first into Germany and thence wandered into other European countries, therefore it is quite supposable that they came from Hungary and the Slavonic countries about it. Thomas Brown says, in *Pseudodox. Epidem.*, L. VI. C., 13, that the gypsy language is Slavonic, which is a further argument for the above-given view, since that language is very common in Hungary and Turkey and even at the Turkish court.

Nevertheless, although they may have come thence into Germany, Hungary cannot be their original

country and the question remains, where is this to be sought? But where can such be found, since the gypsies are a vagrant people, and at home nowhere? The opinion which we find in Salmon's "Present History of Persia," Chap. ix., p. 247, may, perhaps, be the best. He says, "The Fakirs in Mahommedan, the Kalenters in Heathen, and the Gypsies in Christian lands, are as like as one egg is to another, and they are without doubt one race. The Kalanders or Kalenters are essentially heathen begging-monks, and the Fakirs Mahommedan ones. These latter so often go into India, because there are, in that country, as many Mohammedans as heathen, and both orders of devotees (the Kalenters and Fakirs) think as much of one religion as of another, that is, they hold to none. So they form light companies and are now in Persia, now in India, now in Egypt, now in Europe, in which last we call them (*Gypsies*) Zigeuner, Heathen or Tartars. I consider all three sorts, altogether one and the same people, whether they be in Asia or in Europe, only that, according to the people with whom they are, they assume a somewhat altered appearance and name. With the heathens and Mahommedans they pass for a sort of monks who deny themselves in everything, therefore it would not answer for them to take females, generally and openly, with them. Nevertheless, it occurs. When it is necessary, they take them secretly

with them on their journeys in Christian lands. When they find in Catholic ones bands of pilgrims, in Protestant ones, again, beggar bands, consisting of one or more whole families, the gypsies put themselves on a like footing, often join with them, as in Asia with the Fakirs and Kalenters, in one troop, according as they are at one place or another. That they are one people, however, sometimes in Europe, sometimes in Asia, can be seen in Duke Henry of Saxony's "Travels in the Promised Land," when in 1498, according to the custom of his time, he went there. The author of the biography of this prince relates the following, "He (the Duke) spoke but seldom of this journey, as it was now almost forgotten, unless indeed some particular inducement or occasion for it presented itself, such as the mention of the Gigeunter or Zigeuner (Gipsies, as they are called). Against them he was fierce, calling them traitors or spies in the land, because they had recognized him and told who he was, in Syria, in consequence of which he encountered much anxiety and danger. On this account he would not suffer them in his territory, so that during the whole time that I was at the court of Freiberg and otherwise in his Grace's cities and employment, I never saw a gipsy, although they were in the country nevertheless." (See "An Introduction to the History of the Electorate of Saxony.")

But now-a-days it is only too well known that these gipsies are nothing else than a congregated troop of bad characters, who have no willingness to work, but choose to make a profession of idleness, stealing, fornication, gluttony, drunkenness, gambling and the like. One finds among them discharged and deserting soldiers, dissolute servants and apprentices who do not wish to profit their masters, degenerate sons who have run away from home, female beggars who have received a public whipping and who, besides, can no longer earn anything as procuresses or prostitutes. They stain their faces with green nutshells, in order to increase their ugliness and that they may more easily induce the inexperienced to believe that they come from the hot oriental countries. They form for themselves a peculiar language and separate dialect [Argot], in order thus to appear more foreign and that they may communicate with each other concerning their plans without being understood by other people. The real gipsy-troops elect a chief from among themselves, who commands them all and to whom, in general, they yield obedience. The females wear long mantles under which they may the better conceal the stolen clothes and other goods. They have with them horses, pistols and all sorts of arms for use when occasion offers. They especially wish to appear very well versed in calculating nativities, in cheiromancy

... Christian lands.
 These ... roads of pilgrims, in
 ... roads, consisting of one
 ... put themselves on
 ... as in Asia with
 ... according as they
 ... that they are one people,
 ... Europe, sometimes in Asia, can
 ... Saxon's "Travels in the
 ... according to the custom
 ... The author of the biography
 ... the following, "He (the Duke)
 ... as it was now almost
 ... some particular inducement
 ... such as the mention
 ... Gipsies, as they are
 ... Against them he was fierce, calling them
 ... because they had
 ... in Syria, in
 ... anxiety
 ... On this account he would not suffer
 ... that I was at the court of Freiberg and otherwise in
 ... his Grace's cities and employment, I never saw a
 ... nevertheless."
 (See "An Introduction to the History of the Electorate
 of Saxony.")

But now that the soldiers are so scarce, the gypsies are making a bad character of themselves, and choose to make a living by fornication, just like the soldiers, and wish to profit by it, and run away from a public whipping, and earn anything they can, stain their faces with mud, and increase their numbers, and induce the ignorant from the hot countries to take themselves a peculiar pleasure [Argot], in order that they may communicate their plans without being understood. The real gipsy-troop consists of themselves, who command in general, they yield obedience long mantles under which they hide the stolen clothes and other goods. They have with them horses, pistols and all sorts of arms that are wanted on occasion. They especially wish to appear well versed in calculating numbers, in chess, and

and in fortune-telling and they prophesy to people, mostly to the vulgar and for a fee, those things that their dupes wish to hear. They take pains to inform themselves of events in the lives of certain persons, so that they may be ready to relate to them past circumstances and thus create in them and others the impression that they can, with equal skill, foretell the future. They pretend to be able to promise fires and to set them agoing in the most dangerous place, where, nevertheless, they do no damage. Of this we have examples in that they sometimes make fires in barns and the building does not catch. They prefer encamping on the frontier, so that in case they are sought for and pursued they may easily pass into a foreign territory. They also commonly live in the forests. They are accustomed at particular times to have their children baptized, and on such occasions to choose rich and prominent persons for Godparents, in order that they may have the better time in revelling and rioting on the christening gifts received from the sponsors.

It is, besides, certain that the gipsies of every period have been Godless, bad people, who were persecuted most justly. M. Hom [Horn?] has given in his unpretentious "Thoughts on City and Country Beggars" the following description of the gipsies as they were to be found in the Coburg territories,

according to their most recent condition and mode of living. He says: "They confess and avow that they are divided into several bands or troops, which are made up of some six hundred, which are under one captain, of the name of Reichert, and that they assembled every year at a rendezvous. The bands are twenty, thirty, forty, or, at different times, more or less strong. Generally they have no arms, but they have some horses, by means of which they can more easily transport and save their baggage and booty. In the day they send their women and children into the neighboring villages to steal, which they know how to accomplish in a most masterly and handy manner, under the pretext of begging and telling fortunes, while they abstract clothing, goods and small utensils from the houses of the peasants, catch up chickens and geese or whatever they can find to pilfer. To the inhabitants of the places where they find their lodgment and night-quarters they do no injury, but buy their own food or feed on what they stole elsewhere, so that such hosts shall not betray them and when they return may be ready to harbor them again. They put out sentinels to guard against an unforeseen attack and are so swift and nimble that, especially in the woods, they can hardly be overtaken. Their women commonly carry very long and straight knives concealed on their persons, with which they, in case

C

of necessity, defend themselves, and are able the more promptly to kill and more easily carry off the stolen poultry. When asked how they make a living they answer, partly by horse-dealing, partly by begging, partly also from their pay which they get in bills of exchange sent out of Little Egypt by the emperor of Turkey over the Red Sea to the Roman emperor, and by the latter commonly transmitted by the Messrs. Fugger,* of Augsburg. ~~as~~ Since now these gipsy people, as has been said, do much mischief, it is a just and equitable punishment for them, that it is, almost everywhere in Germany, the law that they be sought out by armed pursuit wherever they may be, in towns, villages, hamlets, underbrush or woods, and forcibly expelled from the country. On any marked resistance they may be shot dead. When they are captured they are to be executed without any grace or indulgence and without any further legal proceedings, simply and alone on account of their forbidden way of life and manifest disobedience. The women and children, for their part, are to be condemned for life to the houses of correction and work. The best way for discovering the gypsies is that the mounted road police should fully do their duty and patrol zealously, likewise that the gamekeepers and foresters should always immediately

* The Fuggers were the Rothschilds of the 16th Century.

report what they may meet in the way of such bands of thieves and loose characters and not allow themselves to be diverted from this duty by either gifts or threats."

In the same way, even now-a-days the gypsies are looked upon as mischievous bad characters, indeed, as spies, foreign scouts and traitors in Christendom. In this view they have been frequently banished from Germany as well as from other countries. Indeed, by a decree of the Kammer Gericht at Speyer they were ~~are~~ deprived of all legal protection and declared outlaws (Jablonski Lex. Becmann).

In this connection the first, not unreasonable, question is, are these so-called gypsies to be tolerated in any well-constituted commonwealth, or may it be said of them with justice that they form of themselves a kind of separate commonwealth? [as the Romanists, who are only really true to the Pope, do in every country]. The first question is fairly answered in the negative, in view of the manifold crimes committed by them, this particularly by *Besold* de Trib. Domest. Societ. Spec. c. 4. n. 4, and by *Klock* de Aerario, Lib. II., c. 102, n. 28, &c. The second question, however, in view of their continual vagabondism and other evils occasioned in the commonwealths and states, in which they at any time have attempted to settle down. Of the first, *Besold* gives instances in his Tractat. de

Princ. et Fin. Polit., c. 8, n. 8, and many others agree with these ideas. Thus one finds, not only in these imperial decrees, various ordinances against the gypsies, but whole "circles" in Germany, as well as single departments, have, from time to time, and when this otherwise useless mob has somewhat increased, themselves not only repeated such imperial decrees in their countries, but in some measure sharpened them. As regards the imperial statutes, we find in the final decrees of the Diet at Augsburg, of the year 1500, Title *Zigeunern*; at Speyer, 1544, "Aber der jenigen Zigeuner halber, &c.;" at Augsburg, 1548, Title, von *Zigeunern*; at Augsburg, 1551, § "Nachdem uns anch angezeigt, &c.," and in the next following § "Damit nun in dem, &c.," as also in the police regulations at Frankfort, of 1577, Title 28, "Of *gypsies*," it is strictly forbidden to all Electoral princes, and governments, on the allegiance which they bear to the Holy Empire, that, as regards these *gypsies*, when credible proof exists that they are scouts, traitors, spies, and explore Christian countries for the benefit of the Turks and of other enemies of Christendom, to allow them to travel in or through their states, to traffick, to give them safe conducts, escorts, or passports, and, since the *gypsies* have obtained some passports, or may obtain them hereafter, such passports are, by virtue of these decrees

broken, nullified and abolished. The gypsies must immediately get themselves out of all German countries, keep out of them, and not let themselves be found in them, for when they, nevertheless, hereafter enter them, and any one does them violence or injures them, that person shall not be considered as having committed a crime, or having done anything wrong.

Subsequently, it being found that the above-mentioned laws contained in imperial statutes, did not suffice to drive off this vagrant mob from German lands, not only whole circles, but also separate imperial states have been forced, not only to repeat these laws in their lands, but also, according to the circumstances and exigencies, to make them more severe in one or another point.

Here is, first of all, the imperial decree for the rooting out of the gypsies wandering hither and thither about the country, and of other collections of thieves, robbers and murderers, as also regarding those who harbor them : “ We, Charles VI., &c., to all and each of our subordinate spiritual and secular land or town rulers, and to all our lieges, subjects and vassals, of whatever rank or dignity, who inhabit our archduchy of Austria (Lower and Upper Ems), our gracious good wishes ; and we graciously give you to understand, that although very appropriate mandates

have been issued on repeated occasions by our forefathers formerly reigning as lords and as the secular princes of our archduchy of Austria, having for object the complete banishment of the gypsies wandering about the country along with their wives and children and the other rabble of thieves, robbers and murderers who have joined themselves to them ; and despite of our own gracious orders and especially of the general public decree issued on the 1st of July, 1720, for the general quiet and security of the country, in which we announced to all, the bann and the death punishment issued against these people ; for all this, it appears, to our great displeasure, that these wholesome ordinances and the efforts for carrying them out have not accomplished their desired object and full effect, and that meantime certain of our subjects have had the audacity to give the forbidden lodgments and shelter to this gipsy rabble, pests of the country, both within and after the most carefully arranged time allotted for their departure.

When now our own most highly honoured lord and father Roman Emperor and prince of this country, of most Christian memory, most righteously ordained, as early as the 22d of November, 1686, in a general decree of that date, against harbourers and all those who, in what manner soever, give illegal aid and shelter to this wicked rabble, the incommutable

punishment of death, and, inasmuch as by long lapse of time, this decree seems to have become almost forgotten, we now renew, confirm and publish it in the form following, that although we retain the punishment of death, as in the former, against the gypsies wandering hither and thither in the country, as well as against the mob of thieves, robbers and murderers who have joined them, we also ordain, that their harbourers and all those who, by day or by night, secretly or openly, within or beyond the time allowed for their quitting the country, give forbidden shelter, &c., to the so often denounced mischievous gypsies and robber-mobs, be imprisoned and beheaded, whether such have been sharers of the property robbed and stolen or not, whether they have done so with the hope of gain or not, if they have given them illegal occupation of their houses, barns, grounds, or other place fitted for concealment; consequently in whatever way the forbidden harbouring may have been accomplished, that such harbourer shall be arrested, imprisoned and there [at once, without trial] beheaded, literally with a stroke of the sword sent from life into death.

We command, therefore, to you, who are the first-named, but especially to the local magistrates, most graciously, but at the same time in the greatest earnest, that for contributing to the greater abhorrence and destruction of the gypsies and land-wasting robber

mobs, they renew the placards which, by our order of the 1st July, 1720, were to be posted at the principal road-crossings of every district : to the effect that any individual of the before-named gipsy and robber bands, who resists arrest with the use of arms, may be killed; and also we command that these magistrates add in these placards, with great distinctness of expression, that any person who voluntarily provides these people with a resting place, shelter, by whatever name it may be called, shall be visited with the like death punishment. And finally, in order that this wholesome law and regulation may remain fresh in the memories of our subjects, and that none of them may shield himself under plea of ignorance or any other subterfuge, we also request and order you, state officials and village magistrates in general, as also you, village magistrates, separately, that you read in public to our subjects in the common assembly (Panchadung) every year this renewed definite statute, and that you at the same time earnestly admonish them to heed it, so that every one may know how to conduct himself and keep out of trouble.

Given at our capital and residence, the city of Vienna, August 18th, 1722."

The above statute is to be found, word for word, as we have given it, in Faber's "*Europäisch. Staats-Cantzley*," Part XLI., p. 724 and so on; also in

Anton Balthasar Walther's "*Silesiæ Diplomaticæ*," T. II., part 1st, Part Generalia, pp. 236, 237, 239, and many following. In the same way, in the Duchy of Silesia, when it was still under the dominion of Austria, there were issued many imperial superior-official decrees against the gypsies, aiming at their extirpation, particularly among these one dated Bernstadt, 5th Sep., 1618, in which former orders are confirmed ; with the addition that, if they are not out of the country within fourteen days, and they attempt violence or other dangerous proceedings, they are to be arrested and punished with death ; further, under date of Brieg, 21st March, 1619, it is ordered that the gypsies be driven out, arrested, and according to circumstances, put to death or banished. This by the country police itself, or, if necessary, with the conjoined force of the country and cities. In the same tenor of the 12th of February, 1683 ; of the 4th December, 1685 ; of the 28th of April, 1688 ; of the 3d of June, 1689 ; of the 13th of August, 1695 ; and of the 8th of August, 1703, and its renewal of the 27th of September, 1703, and of the 3d of February, 1706, that the gypsies must be driven back, that the militia must be used for this purpose and if the gypsies resist they are to be put to death. And not less the same of the 19th April, 1708, that for keeping back the gipsy rabble there are

to be set up in all places near the frontiers placards on posts on which their punishment is to be described (*abgemahlet.*) In the same way, an order of the 26th July, 1715, regarding the extirpation of the gipsy mob declared outlaws ; again, of the 23rd June, 1721, and of the 25th March, 1726, regarding extirpation and punishment of gipsies.

As regards the Electorate Saxon countries, there likewise has been no failure in this respect. From time to time the sharpest and most emphatic decrees against such licentious and land-destroying rabble have been made public. Especially the *gipsies*, who, besides, are outlawed completely throughout the Holy Roman Empire, are not to be suffered in any corporation under penalty of 100 Rhinegold florins, to be paid by such corporation, or the forfeiture of its charter ("Entziehung der Gerichte"). Police ordinances of 1617, n. 19, and of 1661, Title II. ; also as a consequence of the mandate of 1709, § 12, their children must not be baptized at any other place than that in which they were born and when this has been ascertained with certainty.—Police ordinances of 1661, Tit. II., § 4. Compare also the general law, Art. 6. And in general they are not to be tolerated on the main roads, housed, sheltered or entertained, as may be seen in many supplementary mandates to the same effect, of the years 1579, 1590, **1621**, 1652, 1670,

1684-'6, 1689, 1703, 1713, 1720, and 1722 ; as also in the official circulars concerning them of the years 1590, 1652, 1665, 1689 and 1696, and elsewhere. To further illustrate the subject we will, here, add the already mentioned most gracious mandate of his royal majesty of Poland and Serene Elector of Saxony, 4th April, 1722, as the last and newest of the kind, against the strong bands of gypsies recently forcibly driven out of Hesse and the bordering states, who then moved into the Thuringian forest and have been seen on the frontiers of Saxony.

“ We, Frederick Augustus, by the grace of God King, Elector, &c., command to all and each, &c., our Greetings, Grace and Kind Will, that they should bear in mind what we and our forefathers, resting in God, have issued through this country in the way of sharp and earnest mandates, both in the year 1689 and subsequently at different periods up to the present time, against the robber gipsy rabble, for the purpose of hunting out and exterminating them, and that they should attend to their contents under the head of gypsies, as respects the pestiferous thief-robber bands, who have reappeared in our lands.

Since then, however, up to the present time, the fatherly objects intended for the best good of our subjects cannot be attained and we now receive the

most trustworthy information that the gipsy bands, not long ago forcibly driven out of Hesse and other neighboring countries and which are said to consist of some 1500 persons, have moved into the Thuringian forest and that already some of this miserable mob have been seen in one and another village on the frontiers. If so, being that necessity unavoidably requires us to control this people, in good time, and with all possible energy, lest they should in our country, as it has already happened in neighboring parts, collect themselves together and here likewise be able to commit murders, robberies and plunderings, we have found it necessary for turning off this evil, not only to repeat and renew the mandates and orders first mentioned, past and present ; but also, by virtue of this, our now given mandate, to sharpen the others in respect to their object and again to order, as we have already done by our general field marshal and directing cabinet minister, Count von Fleming, to our militia, also now to all our vassals, officials, corporations and all subordinate magistrates of the country, that as respects themselves and those under their control, they shall, without delay, make sufficient dispositions for the purpose, and that, when eight days have elapsed from the publication of this our mandate, which shall be posted up everywhere in the corporations, on the pillars along the roads and frontiers, and

in other public places, if any gypsies are found and caught in the towns, market-places, villages, woods and fields of our electorate and its appertaining lands, even if they present open passports or other certificates, that such gypsies are not only given up for confiscation and execution as outlaws, as it was directed in the above-quoted mandate of 1689, but it is permitted and worthy of reward that they be at once shot down or otherwise killed, on the spot, and their property taken from them, and that no one who in this way does anything against them shall be held as having committed any wrong or crime, or be made answerable for what he has done. ~~§~~ The woman and children, however, so taken and caught, are to be delivered over to the next office or court, and either confined and kept at work in the place where they were taken, or if there be there no provision for so doing, be taken thence to the poor and correction house near Waldheimb, or to other poor and correction houses, according to opportunity and circumstances. In addition, for the quicker expulsion of this hurtful race, and the more thorough searching for them, according to the precepts of our mandate, issued in the year 1710 against the thief and robber hordes; on occasion of the gypsies being sighted or pursued, the alarm bells are to be rung, or some other signal given, in order that in conjunction with the inhabitants and subjects, at the same time the militia

also and gamekeepers, which last are included in the same orders, shall assemble in as strong force as quickly as possible, when called out, so that the whole may act against the oft-mentioned gypsies in the way prescribed, or as the necessity of the circumstances may require, and thus our intentions for the safety of the country and of our loyal subjects may be the more appropriately and certainly carried out. To the same end our upper circle chiefs and officials and other judicial magistrates, upon and near the frontiers, are not the less to communicate diligently and properly with the neighboring proprietors and officials, and arrange for a mutual understanding how the hunting up and expulsion and following up of this frequently-mentioned gipsy rabble is to be accomplished in the most effectual, easiest and quickest way.

Accordingly now, the before mentioned vassals, officials, and all and each our judicial authorities and subordinate magistrates, as well as all subjects, will and must know how to properly and exactly observe this decree and to arrange what will be sufficient for carrying out and enforcing it.

In more emphatic witness whereof we have with our own hands signed this mandate and ordered our

privy seal to be impressed on it. Done and given at Dresden, on the 4th of April, in the year 1722.

AUGUSTUS REX. [L. s.]

Henry von Bunua.

Jno. Christopher Gunther. S[ec'y]."

See the "Annals of Christopher Ernst Siculus," Leipzig, Sect. xvii., p. 166, &c., and by virtue of an official circular dated from the Electoral Saxon castle at Budissin, 18th October, 1652, there also exists a "most gracious order," in the margraviate of Upper Lausitz, along with that of his Electoral Serenity of Saxony, in his police order issued at Dresden, on the 23d of April, 1612, referring to his already issued statute concerning gypsies, thus, to-wit: "In virtue of the there drawn-up imperial decree and electoral transcript, and in virtue of the superior magisterial instructions in the margraviate of Ober-Lausitz, drawn up in conformity therewith, the already-named *gypsies*, who are accustomed to move up and down the country and to plague and overpower its inhabitants with robberies, thefts and all sorts of chicanery, are not to be suffered in the country, much less to be allowed to live and trade therein, or to have security and protection given to them, but they are to be hunted out of the land. In case, however, that they show themselves contumacious, the authorities of the place where they

attempt to encamp themselves are allowed to sieze all their property and to throw them into prison and without delay to refer to their superior officials for further orders. Also no one will be held to account in any way who does any violence to them, who, as is said in the letter of the high imperial decree and its electoral transcript, are outlaws in property, estates and body. In order that this transcript and circular, intended and adapted for preserving the safety of the country, avoidance of threatened danger and furthering of the common good, may come to the knowledge of everyone, it is not only to be posted at the usual places, but to be read from the pulpit. In other respects the superintendence of the gipsy bands in Electoral Saxony belongs to the most praiseworthy (hoch-lobliche) country government, as is shown by Wabst in his historical account of the present land-judiciary of Electoral Saxony and its appertaining lands, Sect. II., c. I., § 12, n. 1."

In the Royal Prussian and Electoral Brandenburg lands, they were likewise set, most earnestly, and by all serviceable means and ways, upon driving out and extirpating the gipsy land-tramps who, by means of fortune-telling, prophecies, root-medicines, lying and deceit, robbery and stealing and the like other offences and wickedness, exceedingly mislead simple and inquisitive people and get their property, yes, often in

one day and night make more evil and mischief where they are quartered than the preachers can root out, so as to put things right, by many sermons. To this end it is not only as already ordered in the church-visitation of the Insterburg, and other Lutheran offices of Prussia, in the year 1638, to the effect that gipsies are not to be received and sheltered in the towns, suburbs, and villages, but to be turned into the fields and not suffered in the country; and that those who contravene this order and for some supposed slight gain receive and house such bad and harmful people, are liable to a fine to their landlord of 20 Polish florins; but it is also by various recent royal orders, as that dated Marienwerder, 29th October, 1709; Königsberg, 21st May, 1780; Köln on the Spree, 24th Nov. 1710, p. 73; it has been most strictly commanded that no gipsy shall be tolerated in the Royal Prussian dominions. (See William Henry Beckher's short extracts from the principal royal Prussian edicts and decrees, under the word "Zigeuner"—gipsy). And likewise Gruben's Corp. Constit. Prutea, p. 1, N. 5., p. 73 and P. III. N. 373, 374 and 375, p. 507, &c. See another edict, dated Berlin, 26th July, 1715. His royal Prussian Majesty Frederick William, of most glorious memory, thus complains:

"His Majesty understands to his great displeasure

E

that despite the previously so frequently issued edicts against gipsies, land-tramps, impudent beggars and the like thievish rabble, nevertheless once again large bands of such vagabonds, worthless fellows and village thieves are to be found in his royal-electoral and other possessions, and that, already, many have been arrested and imprisoned. From a fatherly care for his land, for the safety of travellers and general intercourse and commerce, and that everyone may enjoy the royal protection, these people should, on the one hand, be kept away from the frontiers of his provinces, and on the other hand, that quick judgment should be passed on them when taken, and thus the land be cleared of such dregs of people : he decides on this account hereby to order and decree :

1. That henceforth no traveller, male or female, whose rank and condition is made doubtful from his outward appearance or any other reason, shall be allowed to enter his majesty's frontiers or passes, fortresses or towns, unless he present, in addition to his travelling pass, a passport from the government or magistrates of the place whence he comes, describing the place where he belongs, his profession and purpose, and thus legitimizing his person. For this purpose, and that it may be the more exactly executed and all evasion of it prevented, for such towns, market places, and the like, where the gates are not guarded, and for

their suburbs, there, the innkeepers, publicans and tapsters are made responsible for demanding the aforesaid pass and attestation from every stranger and traveller who enters their house, to look it through, and in case they observe anything suspicious in the papers or in the behaviour of the stranger—for immediately informing the authorities of the place. This they shall not omit under a heavy money penalty, and in case they may be detected in any collusion with such stranger or traveller, or with the worthless fellows before mentioned, they shall, without fail, be visited with bodily punishment.

2. Since, also, experience has taught that such rabble are wont to disguise themselves under the names of lottery dealers, thimble-riggers, jugglers and “fast-and-loose” players, and with the occasion to ply their thieveries, such people are henceforth not to be suffered in his majesty’s towns, market-places or villages, either at yearly or weekly fairs or [fairs held at] church-ales, unless they have a special royal permit; this under penalty of the confiscation of their booths or under that of personal arrest, but against all such persons the frontiers of his majesty’s dominions shall be entirely closed and barred off from the exercise of their in any case suspicious trades.

3. Should it be that, in spite of the earnest royal ordinance, a worthless fellow, pickpocket or cutpurse

crosses the frontier and practices his wickedness and he be taken in the act, then, in order to spare the treasury the expense of his maintenance and of other judicial costs, but at the same time to deprive these thieves of the hope that under prolonged arrest they may by force or cunning get away and escape punishment, the following short judicial proceedings will be applied to the case :

When such thieves are caught in the act of real stealing and one may be sure of it, they should at once be brought before the magistrates of the place, who must, particularly at the times of public yearly markets and church-ales, be present and assembled in their office or other headquarters, and the crime with its chief circumstances shall be presented to them in a short written statement. Should it happen that the delinquent, notwithstanding, shamelessly denies the fact, the witnesses present are to be sworn in presence of the delinquent, and then on the sum of their testimony, there always being at least two witnesses, the delinquent shall at once, without reference to the value of the stolen property, or whether the theft was fully accomplished or not, and without further appeal to the King's majesty or to his government, be flogged and, for all time, banished the country.

4. Should it, however, happen that any of this thievish mob commit such an act of theft as is by

common law a capital crime, then the regular process of inquiry, "*servato Juris ordine*," is to be instituted against these misdoers. The magistracy of the place, however, shall see to it that the trial be, as far as possible, hastened and finished.

In regard to this it is commanded to the supreme court at Berlin ; to all the royal departments, high or low ; to the spiritual and secular officers ; to magistrates in the towns and country ; and to the royal treasury officials, respectfully to obey and in their respective places give effect to this gracious expression of the royal wishes. In order that this royal edict may be universally known, it is to be affixed to and posted upon the gates and in the inns and tapsters' houses." See Fassman's "Life and Acts of Frederick William, King of Prussia," part II., p. 40, &c.

Soon after, there was issued, because the discharged and invalided soldiers, as well as others, partly poor, partly loose and bad people, did not choose to be constrained from begging or from exercising forbidden traffic and unallowed business, another royal edict, under date of 1st March, 1717, in which it was ordered that all such hucksters and beggars, whether they were invalids and other natives, or strangers, or gypsies, should, with all their baggage, their wives and children, immediately on being taken, up, be carried

to the nearest military post, and thence to the nearest fortress, there to be confined, to be kept at work and on bread and water, and further directions concerning them to be then asked for. *Ibid.* p., 47.

A renewed and exceedingly sharpened edict against robberies and thefts appeared, dated Berlin, 24th November, 1724, according to which ten dollars was to be paid every time to the detector of a gipsy or thief company, ~~and~~ the gipsies or thieves caught at their work to be hanged without further inquiry, and those who resisted to be shot on the spot. ~~and~~ *Ibid.* p. 693.

Further a new and very much sharper edict against the gipsies, tramps and foreign beggars wandering about the country, under date, Berlin, 30th November, 1739, was as follows :

“ We, Frederick William, by the Grace of God, King of Prussia, &c., &c., declare and publish : Inasmuch as, to our great displeasure, it has been abundantly proved that our at various times issued wholesome ordinances against the *gypsies*, wandering beggars, and vagabonds, who so often show themselves, have been but loosely observed, indeed almost entirely put out of sight, and we desire to have everywhere complete compliance with these circulars tending to the good of the commonwealth.

Thus we renew and confirm all edicts published to this effect, especially the one of the 20th December,

1727, as earnestly as impressively issued, that all foreign beggars and land-hurtful loose rabble shall entirely leave the country, and as regards the natives of that sort, that they shall retire to the places of their birth or to those where they have hitherto for some years lived and maintained themselves. This done, all those who may be anywhere found and taken up shall be immediately carried to the fortresses, where they must be at once received according to the directions of our circular-orders of 25th April, 1728, to all commanders of such. In the same way we renew the printed instructions of the 20th November, 1730, as to what is to be done in regard to getting rid of *gypsies* and other vagrants, and for the purpose of keeping the country clear of such dissolute people. Such are to be seized on the frontiers at the first village they enter and at once carried off.

We, however, sharpen and extend the working of the above, so that from now on, any district magistrate who knowingly accords to such *gypsies*, vagrants and wandering beggars a residence or even shelter and a night's lodging on his property, and such people are not immediately, or as soon as may be, in conformity with our orders, at once arrested and carried off, shall be visited with the loss of his magistracy and with a thousand dollars fine in money. The bailiffs and communities, on the other hand, who are neglectful,

or do not give to the above-mentioned magistrates proper assistance, are to be punished with severe and certain bodily punishment and according to the circumstances even confinement in a fortress.

So soon as such a one, gipsy or vagrant beggar or land-tramp, may be caught and it appears from his examination that he, by clear daylight, has gone through this or that village and at all begged therein, or otherwise acted suspiciously and was seen by people, but not arrested, an official account must at once be sent in to the government (office ?) and this must at once have the case investigated by a treasury employé (ex-officio) and cause the guilty persons to be punished in conformity with this edict. In virtue of which it is enjoined upon all our governments, war and domain-departments, colleges of justice, general treasury officers and treasury employés, officials, district magistrates and commanders, to act energetically in respect of this, as well as of all other orders issued regarding *gipsies*, country-beggars and vagrants, and that no one may excuse himself under plea of ignorance they are to have this edict read every year from the pulpit.

Officially issued with our genuine autographical signature and stamped with our royal signet [apparently

more emphatic than the privy seal] Berlin, November 30th, 1739.

FR. WILHELM.

S. v. COCCEJI.

[Contrast this rude justice of a rough old temporal king with the merciless judicial edicts, following, of a spiritual Romanist Prince and Priest Ruler.]

See Ludwig's "Literary Analecta," Part II., p. 1075, A.

Besides this there is no deficiency in pretty sharp ordinances of other German imperial princes and states against the gypsies. Thus, as an example of the like sharpened ordinance, his electoral princely grace at Mayence, in concert with the four associated Circles issued such in 1714 against the *gypsies*, foreign beggars and other dissolute rabble owning no allegiance, by virtue of which he extends the punishment ~~of~~ of DEATH without any formalities to gypsies and notorious pickpockets, simply and alone on account of their forbidden manner of life and on account of their proved disobedience, their wives and children are to be beaten with rods and branded. Land-tramps, vagrants, beggars, wounded soldiers, foreign Jews and other rabble having no domicile, whether provided with passes and discharges or not, are to be hunted up and

F

forcibly ejected across the frontiers, and in case of any showed resistance, they are to be knocked down and even shot dead. This is the amount of the ordinance as found in the *Electis Juris Publici* of Mayence, Vol. VI., Part VIII., p. 656, &c. In its full composition it runs as follows :

“ First. It has been again most humbly represented to the most high worthy prince and lord, the Lord Lothaire Francis, Arch-Bishop of Mayence of the Holy See, Arch-Chancellor and Elector of the Holy Roman Empire throughout Germany, Bishop of Bamberg, &c., and he has learned with great dissatisfaction that as regards the stringent orders, both Imperial and of the Circle, often published and made known, against the still hither and thither vagabonds, reckless to the common weal, more hurtful *gipsies*, pickpockets, Jew-beggars and other masterless thief-rabble who often also bring with them commonly all sorts of contagious diseases ; these orders seem no longer to be sufficient. In addition it also appears that there is often a want of proper execution and carrying out of the so wholesomely conceived arrangements of the empire, circle, and other governments, and their proposed object has, up to this time, not been attained.

Second. It has been obvious that in our circles themselves, and in one and another of the high and respectable departments, they have given free domicile

to such reckless and thievish rabble, and thus with knowledge of it, whether from fear or other pretext ; besides not applying the rigour of punishment directed in the before-mentioned ordinances and not going hand in hand for properly supporting each other. Therefore, at the last assembly of the associated worthy Upper Imperial Circles, it has again been held necessary on this occasion, not only to repeat and confirm the already-taken resolutions and the circulars containing them in their full contents ; but also to, at the same time, freshly and most stringently ordain that, when discovered, all *gypsies*, notorious pickpockets, ~~and~~ without any grace or indulgence, *sine strepitu judicii*, (without any judicial fuss), and without any further proceeding, simply and only by reason of their forbidden manner of life and proved disobedience, shall be executed with, or, if necessary, by some more severe manner of capital punishment. ~~and~~ Their wives and grown children, however, when they are not at the same time convicted of a theft, shall be flogged, branded and for ever banished from the land, or condemned to perpetual confinement in the correctional workhouses ; and because this loose, wicked and irresponsible rabble begin to move about in places where, on account of the forest, they think to find more concealment and security, and their number visibly increases, even so that, in spite of the guards

posted here and there, indeed even in villages so guarded, one still hears, almost daily, of breaking into houses, of robberies, and also despoiling of travellers, this protection notwithstanding. Their daring impertinence is growing to such a degree that they do not hesitate at threatening the countryman who refuses them a night's lodging, with murder and the torch; that already various sheds, together with the grain in them, have been consumed, having, it is supposable, been fired by these wretches. Thus the country people are withheld by fear from carrying out with the necessary energy and vigour the wholesome regulations decreed by the Circle. It has been further unanimously resolved and ordered to be published everywhere, to wit: That from the publication of this order all land-tramps, vagrant-beggars, wounded soldiers, foreign Jews, *gipsies* and other irresponsible rabble who are not born in the country or in some other way its subjects, whether having passes and discharges or not, are, without exception, at once to quit the whole territory and to bestow themselves elsewhere, or should they remain the most severe and effective punishment will be inflicted on them. ~~That~~ That they be hunted up by armed force everywhere, whether in towns, market-places, villages, copses or woods, and forcibly driven out, also that in case of their offering resistance they are at once to be

knocked down or shot dead on the spot. In order to prevent those in such cases often occurring collisions as to jurisdiction, through which, according to daily experience, many wholesome laws and regulations are rendered unfruitful and remain in the lurch, it has been most definitely determined and approved among the electoral princes and the various governments, that when one or another of the like foreign land-tramps, beggars, soldiers, foreign Jews, vagrants, irresponsible rabble—or, also, others, in a certain measure subjects of the most worthy Circle governments or persons belonging to them—are captured or brought in by scouting parties, patrols, or other arrangements such as it may have been thought well to make, then any one has the power and authority, and indeed is under obligation, as concerns the one or the others of these classes, to give safe convoy for delivering the strangers and foreigners from out their governments and districts, by the most advisable way (and so as to prevent their escape or the like) to the nearest garrison next some fortified place without regard to local intermediate jurisdiction of any species being opposed or unopposed to it. The fortress is also at once to pass them on to another, and so on, until the frontiers of the circle are reached. For so acting there is to be no possibility of anything being quoted as, or of itself, tending to the legal prejudice or to the legal privilege or advantage,

or by whatever name any consequence may be called, for the present or in the future, against any one so acting. And since it has further been discovered that some shameless and audacious persons conceal themselves in the garb of clergymen or other religious professionals, it is in the same way decreed that such strangers, and especially religious persons who say that they are returning from Italy or any other place of pilgrimage, be closely watched, and that, when they are not fully provided with sufficient passes and testimonials, they be detained on their entering the territories of the associated Circles, carried from place to place up to the proper Ordinary, by him examined, and, according to circumstances, handed further on or discharged. Since also, finally, it has been found that the mischievous poachers or venison-thieves creep into the forbidden proprietary forests, and that they therein, with the rifle, by the highest authority forbidden, not only cause great damage, but are audacious enough to murderously attack and fell keepers on guard against them, lest they be recognized, brought in and put in arrest by them, and since consequently they take up and carry on the same capitally punished sort of life as the herein so often mentioned mischievous pick-pockets and *gipsey* rabble with whom they now and then associate themselves. On this account it is therefore decreed, that, first of all, each one of the

high and most worthy Diets provide in their forests for the necessary arrangements and watch that these may be cleared of the deer-stealers and these last arrested and subjected to the punishment due them, and also that they give to each other on proper pointing out and description of the delinquents, all help necessary for taking and delivering them up and that they do not knowingly give to any reputed poacher forbidden concealment or shelter under penalty of like punishment. It is still, as aforesaid, more than ever to be observed, so far as circumstances will permit, that even when the crime is committed in the forest of others, nevertheless, the criminals are to be arrested and they are to be treated with the same penal rigour. In order now that no one may excuse himself by pleading ignorance of the decree now issued, this circular, like the preceding ones, is, by the gracious special order of the Prince Elector to be repeatedly read out and announced in the districts and to be affixed at the open gipsy resorts, signboard posts, as well as to the church doors, and like the previous ones, especially the last of the 2d May, 1711, publicly printed and published, to be most literally complied with. According to which every one will know how to judge and how to prevent injury to himself

Signed under the most venerated prince-electoral

grace and hereto impressed the office seal, Mayence,
22d March, 1714.

[L. s.]

In like manner, quite lately, at the consultations of the Circle of Suabia, held for a time at Ulm, the security of the main roads within its territory was a prominent subject, as is evident from the following circular :

“Since repeated proof is made to the now, here present, general assembly of this Circle, that, despite the manifold and also recently published circulars, and the capital punishment therein declared, the gipsy, pickpockets and other irresponsible rabble so excessively hurtful to the public are once more wandering about hither and thither in this worthy Suabian Circle and have become so bold as, on the 22d of last month, to again attack the Imperial and German post-messenger, and so to misuse him that had he not saved himself by flight, the letter bag with all its contents would have been taken from him. And now it is an unavoidable necessity, in order to oppose such wickedness and at once to preserve from danger the correspondence so important for the public, and the safety of the letter post, from all such commencements of outrage. Thus we wish properly to admonish through this circular all the high and

respectable communities to keep a watchful eye in this regard in their lands, territories and governments. For this purpose they are at once, not only to renew and repeat the often recited district punishments, but also, on any request or intimation, to afford speedy assistance to the post-masters, and this with regular soldiers or in the absence of such, with a trustworthy [armed] and sufficient force and day or night to give this assistance, so that the conveyance of letters, on which so much depends, shall not be hindered and shall be put in safety against the like wicked and highway robber crew. ¶ And when such malefactor in this way shall be detected in the act and caught, then, without formalities, his trial shall be had, according to the present Circle orders, and it is allowable without mercy to inflict upon him the extremest capital punishment, if necessary to break him on the wheel, as a warning and example to others. ¶ To the various documents to the same purpose the present circular is affixed and published, under the common official seal of the five princely benches.

Signed at Ulm, 19th May, 1749. *The Councillors, the Envoys and the Ambassadors of the Princes and States of the worthy Suabian Circle present at the now assembled General Convention.*

According to the High-princely Saxe-Gotha territorial order, P. II., c. 4, tit. 23, in regard to the

gypsies, their possessions and belongings shall, according to the complete prohibition of their travelling in German countries contained in the imperial statutes, be taken from all such gypsies as venture to enter the lands of the principedom of Saxe-Gotha, and they, with their wives and children, shall be driven out of it. And in virtue of the circular issued in the same country, of the 29th January, 1664, in respect to the watch association, the gypsies are summarily to be driven off from the frontiers. For this purpose the officers appointed for the defence of the country are to aid the courts of justice in all localities. And to this end the troops of every district, with their arms and the necessary powder and shot, are to be kept ready, exercised and provided, as also to the end of pursuit from one district or government to another, as is allowed and to be done by virtue of the imperial ordinances.

In the duchy of Würtemberg the *gypsies* were not tolerated, more specially for the reason that they have several times ventured to betray the Duke of Würtemberg, Eberhard, to the Sultan of Egypt, as is shown in *Crusii. Annal. Suev., Lindenspür ad Ordinat. Wurtemb., p. 120, n. 2.*

Now it cannot be denied that the just now enumerated ordinances and the punishment contained in them may, at first sight, appear to many to be altogether

too severe. But just as it is the common good which requires any punishment, so these wholesome laws were required by imperious necessity to make this punishment severe. On this ground the severity of military discipline which often punishes a soldier who, in spite of orders, has stolen a single fowl, with death, is justified, although as an abstract proposition there is no proportion between a fowl and the life of a man. If, however, one fully considers the circumstances which give rise to such severity, the doubt concerning it will soon disappear. Thus writes a certain Politicus (statesman ?) : "The punishment of the least fault is made very severe that the greater crimes may be avoided the more easily, on account of the momentous results which come from the least point of neglected military discipline. It would be right if, in the proper manner, this severe law were published, 'Any soldier who steals even a fowl shall be punished by the "froice," since he has preferred the pleasures of stealing before the sanctity of the laws and the public security, and thus he would seem to consent to what he knew would be the punishment of his act.'"

If now there be a justification of the severe punishments of soldiers, then the severity of the punishments in regard to gypsies and the like rabble are much more justifiable, for according to the extent above shown,—their havings and belongings, their bodies

and lives, notwithstanding one or more public passports may be exhibited, since these were by the imperial ordinances completely revoked, broken and annihilated, and made amenable to laws.

PREISS, as also especially in the *Electis Juris Publici*, T. VI., in the Eighth Part, p. 654, &c., has expressed himself decidedly. Still more concerning this gipsy rabble is to be found in the treatise on the subject, by Ahasuerus Fritschen, "*de Origine, Patria et Moribus Zingarorum*;" as also in Johannes Lunnæus "*de Jur Publ. Lib. IX.*," c. I., n. 161, &c.; in Camerarius' "*Hor. Subcif.*" Cent. I., c. 17; Cent. II., c. 38 and 75, and Cent. III., c. 75; in Schonborner's "*Polit.*" III., c. 26; in Flemming's "*Deutschen Jager*," Theil II., p. 44, &c.; in Ludolph's "*Schau-Buhne*," Theil I., p. 400; in Zubner's "*Natur- Kunst- Berg-Gewerck- und Handlungs-Lex.*;" Arnctiel's "*Mitternächtische Völker*" (Northern Peoples), Th. III., p. 45, &c.; in Falckenstein's "*Nordgauisches Alterthum*" (Antiquity of Northern Countries), Th. I. p. 125, lit. 11; in Jacob Thomasius' "*Disp. de Cingaris*;" in the "*Allgemein Chronik*," (Universal Chronicle), VI. Band, p. 66; in Micaelius' "*Histor. Eccles.*" (Ecclesiastical History), T. I., p. 887; in Wegener's "*Einleit. zu den Welt und Staats-Gesch.*" (Introduction to the History of the World, States, &c.), p. 422; in Bresslouis; *Samml. XXXIII.*, Versuch (Essay), p. 69; in Tharsander's "*Schau-*

Platz," Th. III., p. 331, &c.; in Nerret's "*Heiden Tempel*," p. 1097; in Aventi's "*Annal.*" p. 835; in Aligem's "*Histor. Lex.*" T. IV. p. 973; in Bodin "*de Republ.*" Tit. V.; in Paulus' "*Zeit und Lust*," T. I., N. 198, p. 690; in Voetius' "*Sips.*" T. II., p. 654; in Camer's "*Der Subsiss*," Cent. I., p. 195, &c. See also, in addition, the Article, "*Zeugitane*," a country in "*Africa proper*," on the Mediterranean Sea, in the same "*Zedler's*) Universal Lexicon : &c., &c., therein.

GIPSIES, a word corrupted from Egyptians, is the name given in England to a wandering race of people who are [now] found scattered over many countries of Europe, whither they migrated from the East about the beginning of the fifteenth century. Pasquier, in his "*Recherches Historiques*," says that they first appeared in Paris in the character of Penitents or Pilgrims, in August, 1427, in a troop of more than 100, under some chiefs who styled themselves *Counts*, and that they represented themselves as Christians driven out of Egypt by the Mussulmans. They obtained permission to remain in the kingdom; other troops [bands] followed, and they wandered about in all directions, unmolested for many years, committing petty depredations, and their women assuming the calling of fortune-tellers. In 1560 an Ordonnance of the States of Orleans enjoined all imposters and

vagabonds styled "Bohemians," or "Egyptians," to quit the kingdom under pain of the galleys. *The name of Bohemians*, given to them by the French, may be owing to the circumstance of some of them having come to France from Bohemia, for they are mentioned as having appeared in various parts of Germany previous to their entering France; others derive the word from "*Boëm*," an old French word signifying a Sorcerer. (Moreri, Art. *Bohemiens*; and Ducange's "Glossary," Art. *Ægyptiaci*.) The Germans gave them the name of "*Zigeuner*," or Wanderers; the Dutch called them "*Heiden*," or Heathens; the Danes and Swedes "*Tartars*." In Italy they are called "*Zingari*;" in Turkey and the Levant "*Tchingenes*;" in Spain they are called "*Gitanos*;" in Hungary and Transylvania, where they are very numerous, they are called "*Pharaoh Nepet*," or "*Pharaoh's people*." The notion of their being Egyptians is probably derived from the circumstance that many of them came immediately from Egypt into Europe, but it seems proved that they are not originally from that country, their appearance, manners, and language being totally different from those of either the Copts or Fellahs. There are many gypsies now in Egypt, but they are looked upon as *strangers*, as indeed they are everywhere else.

It is now generally believed that the gypsies migrated

originally from India at the time of the great Moham-
medan invasion of TIMUR BEG; that in their own
country they belonged to one of the lowest castes,
which resemble them in their appearance, habits, and
especially in their fondness for carrion and other
unclean food. Pottinger, in his 'Travels,' saw some
tribes resembling them in Beloochistan. There is a
tribe near the mouths of the Indus called *Tchinganes*
[somewhat similar to their Italian and Spanish, and
almost identical with their Turkish and Levantine
appellation].

The gypsies, in their language, call themselves *Sind*;
and their language has been found to resemble some
of the dialects of India (*Bombay Transactions*, 1820).
They have no traditions or records concerning their
origin; no religion of their own, but they adopt the
outward forms of the people among whom they live,
whether Christians or Mussulmans. Everywhere they
exhibit the same roving habits, a dislike to a fixed
settlement and to the arts of husbandry, uncleanness
in their food, licentiousness, ignorance and intellectual
apathy, a disposition to pilfer and to impose on the
credulity of others. They seldom commit violent
robbery or other heinous crimes, being fearful of
punishment. Maria Theresa ordered those in her
states to be instructed in agriculture, with a view to
their permanent settlement; but her endeavors were

not very successful. In Hungary and Transylvania, however, many of them follow some regular trade and have fixed habitations; they wash gold from the sand of the rivers, and they work iron or copper; some are carpenters and turners, others are horse-dealers, and even keep wine shops or public houses. They abound in Wallachia, Moldavia, and Bessarabia, and they are found in Russia as far as Tobolsk. Grellman, in his '*Versuch über die Zigeuner*,' Gottingen, 1787, conjectures that there are between 700,000 and 800,000 in Europe, of whom 40,000 are in Spain, chiefly in the southern provinces. In England they have much diminished of late years, in consequence of the inclosure of land and the laws against vagrants. J. Hoyland has collected the most accurate information that could be procured concerning this strange race, in his "*Historical Survey of the Customs, Habits, and Present State of the Gipsies; designed to develop the Origin of this Singular People, and to promote the Amelioration of their Condition*." 8vo., York, 1816. He has largely made use of the work of Grellman, "The Penny Cyclopædia of the Society for the Diffusion of Useful Knowledge." London, 1838, vol. xi., GIPSIERS, p. 225.

Die || Zigeuner || in || Europa und Asien || (The Gipsies in Europe and Asia): Ethnographisch-linguistische Untersuchung || vornehmlich || ihrer Herk-

unst und Sprache, || nach gedruckten und ungedruckten Quellen, || von || Dr. A. F. POTT, || ord. Prof. der allgem. Sprachwissenschaft an der konigl. Preuss. Universitat || Halle-Wittenberg. || Erster Theil. || Einleitung und Grammatik. || Halle, 1844. || Druck und Verlag von Ed. Heynemann || London.

This is said to be the best and most exhaustive authority on the origin and language of the Gipsies and was imported for examination and citation in the pamphlet on that subject now passing through the press. Too late for the original purpose its facts will be used in a larger work, for which all these studies in relation to the Gipsies were prosecuted with diligence and care.

A GUY D'AGDE, in the "*Dictionnaire de la Conversation*," article "*Bobemiens*" (Gipsies), has not a single good word for these people, charging upon them that they are not capable of any crime which indicates the possession of energy and courage, in a word, of manhood; but only those which awaken sentiments of contempt and disgust.

In the *Supplement* to this great work, this utterly degrading character is somewhat relieved of such blasting stigma by the statement that in the XVth and XVIth centuries they were noted as military artificers, among the Poles and Turks, and that subsequently they became distinguished as musicians. In Russia

H

the gypsies were not considered either as *Outlaws* or utter *Outcasts*, or even vagabonds. In Germany, two centuries since, they were looked upon as *Spies* in the interests of the Turks and penalties fearfully severe were from time to time promulgated against them. In case they did not obey the laws for their expulsion they were to be flogged until they bled, then to have their nostrils slit, their heads and beards shaved close, and, finally, to be transported out of the country. Any violence committed against them was not culpable.

In Hungary the judicial oath administered to them is curious. "As God drowned King Pharaoh in the Red Sea, even so may the Tsigane be buried in the bowels of the earth, and may he be accursed if he does not speak the truth. May nothing honorable or dishonorable succeed with him. At the first trot may his horse be miraculously changed into a donkey and himself hung on the gallows by the executioner if he testify falsely."

The gypsies have little or no, if any, religion. According to M. Poissonier, Moldavia and Wallachia were inundated by the gypsies. In the latter principality the proverb runs: "Prayer never passes the lips of the Tsiganes and their church was constructed of curds or lard and the dogs ate it." This same is also said of them by Velasquez, in Spain. In Harper's

exhaustive "Cyclopædia of Biblical, Theological and Ecclesiastical Literature," Gipsies are carefully treated :

"They bear different names in different countries. In France they are *Bohemiens* (because they first came thither from Bohemia, or from *Boem*, an old French word meaning "sorcerer," because of their practicing on the credulity of the vulgar ; in Spain, *Gitanos* or *Zincali* ; in Germany, *Zigeuner* ; in Italy, *Zingari* ; in Holland, *Heydenen* (Heathens) ; in Sweden and Denmark, *Tartars* ; in Slavic countries, *Tigani* ; in Hungary, *Cziganjok* ; in Turkey, *Tihengenler* ; in Persia, *Sisech* ; in Arabia, *Harami*. Various nicknames are also applied to them, as *Cagoux* and *Gueux* in France ; *Zieb-Gauner* (Wandering Rogues) in Germany ; and *Tinklers* in Scotland. They call themselves *ROM* (men, or husbands ; comp. Coptic *Rem*), *CALO* (black), or *SINTRE* (from *Ind* ; hence *Zincali*, or black men from *Ind*.)

Some writers have connected them with the *Σιγύωνοι*, mentioned by Herodotus (V. 9), as a people of Median extraction dwelling beyond the Lower Danube, and the *Σιγύωνοι*, described by Strabo (§ 520), as living near Mount Caucasus, and practising Persian customs. Others have referred them variously to Tartary, Nubia, Mesopotamia, Assyria, Ethiopia, Morocco, &c. ; but the account which the Gipsies, at

their appearance in Western Europe, gave of themselves, claimed "Little Egypt" as the original home of the race, whence they were driven in consequence of the Moslem conquests. * * * The results of the investigations made within the last hundred years in the fields of comparative philology and ethnology prove beyond reasonable grounds of doubt that the theories above named are erroneous and that we must look to India, "the nursing home of nations," (*tellus gentium nutrix*), as also the fatherland of the gypsies. It is now the almost, if not entirely, universally received opinion, that they came to Europe from Hindustan, either impelled by the ravages of Tamerlane, or, more probably, at an earlier date, in quest of fresh fields for the enjoyment of their vagabond life, and the exercise of their propensity for theft and deception. This view of their origin rests upon their physiological affinities with Asiatic types of men, as well as on the striking resemblances between the Gipsy language and Hindustanee, and the similarity of their habits and modes of life to those of many roving tribes of India, especially of the Nurts or *Bazegurs*, who are styled the Gipsies of India, and are counterparts of those in Europe, both in other respects and also in having no peculiar religion, since they have never adopted the worship of Brahma. The Nurts are thought by some to be an *aboriginal race*, prior even

to the Hindus. Another theory, which seeks to reconcile the Gipsy statement of an Egyptian origin with the clear evidences of a Hindu one, would find their ancestors in the mixed multitude that went out from Egypt with Moses (see *Exod.* xii., 38; *Num.* xi., 4; *Neb.* xiii., 3), and who, according to this view, passed onward to India and settled there, and from their descendants subsequently bands of Gipsies migrated to Europe, probably at different times and by different routes (see Simson). . . . The Gipsies call *their language* "ROMMANY," and modern philological researches prove that it belongs to the Sanscrit family. It has doubtless received additions and modifications from the languages of the countries in which the race has sojourned, yet it is still so nearly the same with modern Hindustanee that a Gipsy can readily understand a person speaking in that dialect—a fact which tends to verify the statements made as to the zealous care with which the Gipsies have cherished their ancestral tongue.

Finis.

11

10-7-42



Stanford University Libraries



3 6105 010 157 043

397

D419

STANFORD UNIVERSITY LIBRARIES
CECIL H. GREEN LIBRARY
STANFORD, CALIFORNIA 94305-6004
(415) 723-1493

All books may be recalled after 7 days

DATE DUE

1995

DOC MAY 23 1995

FEB 24



