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Few Words

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HAMSOCKNE

In ancient Anglo-Saxon days, the crime of housebreaking or burglary was called hamsockne. Ham meant "home", being root of the German hame or heim and of our English home and hamlet. Sockne meant "breaking", this respectable saxon verb surviving in our slang phrase "a sock on the jaw". Although slang words often become accepted in a language, an accepted word usually continues so or dies completely and it is rare to find it degenerate into despised slang.

The ancient punishment for hamsockne was death, according to Chap. I, sec. 11, of the Mirrour of Justices, written about 1300 A. D.; and that continued to be the punishment for some centuries after the name died and burglary, once an alternative, became the sole name of the crime.

RAPE

The original meaning in English of "rape" was to snatch, seize, or hurry, with no idea of sexual relations involved. This was the significance of rappa, rappe, rapen, and raffen in Swedish, Danish, Dutch and Old English, and German respectively. The English word came from these northern sources, and not from the Latin rapere which has the same meaning; but the philological similarity is one of many interesting indications that in prehistoric times the Latins and the northern tribes branched from a single racial source.

The very early Anglo-Saxon law used "rape" in its common and historic meaning, it being the crime of the forcible taking of the personal property of another. Sometime prior to the Norman conquest the English conversationally extended "rape" to cover the forcible taking of sexual relations with a woman, and that the law followed is evidenced by the ancient Mirrour of Justices: "Rape is done two ways, that is to
of women." This legal extension of the word was approved and
codified in a statute of Edward I. It was obviously clumsy to
have one name for two distinct crimes, so rape very soon became
limited to the sexual taking of women, there being numerous
other captions to cover the taking of things. The law very early
extended the true root of the word, and held it rape to have in-
tercourse with a female under ten years of age even though she,
consented and no element of force or seizing was involved.

In our modern English rape still retains its original meaning
as a forcible seizure of anything, although it is more commonly
used in the new strict legal sense.

**Abjuration**

In early English law a criminal could not be touched while
in a church, the holy sanctuary being a legal as well as a spiritual
protection. This common law principle is set down and dis-
cussed in Chap. XVII of Britton, a compilation written about
1300 by the order of Edward I.

The law ordered the coroner to call at once at the sanctuary
and call on the criminal to give himself up for trial on a plea of
"not guilty," or to confess and abjure the realm. If the offender
refused both alternatives, his lands and chattels were at once
seized and forfeited, he was outlawed, the church was guarded,
and after forty days no one could bring him food or drink so that
he was forced out or starved. For feeding the outlaw a clergy-
man would be banished and a layman put to death.

By the choice of confession and abjuration of the realm, the
accused forfeited his property and banished himself, but escaped
trial or further punishment in a day when about one-hundred and
fifty crimes were punished by the death penalty. He was al-
lowed to carry out his abjuration or banishment by choosing a
port of departure from England, and while going to such port he
was under the protection of the King. Says Edward, speaking
through Britton; "Let them go with a wooden cross in their
hands, barefooted, ungirded, and bareheaded, in their coat only.
And we forbid anyone under peril of life and limb to kill them
so long as they are on their road pursuing their journey." A
modern novelist, whose name escapes me, has given a glimpse of
a criminal protected by his abjuration, walking in terror just
ahead of the man he has wronged whilst the latter bears a huge