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HIBERNIÆ LEGES ET INSTITUTIONES  
ANTIQUÆ;  
OR.  
ANCIENT LAWS AND INSTITUTES OF IRELAND.



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ANCIENT LAWS  
AND  
INSTITUTES OF IRELAND.

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ON the 19th day of February, 1852, the Rev. James Henthorne Todd, D.D., F.T.C.D., and the Rev. Charles Graves, D.D., F.T.C.D., now Bishop of Limerick, submitted to the Irish Government a proposal for the transcription, translation, and publication of the Ancient Laws and Institutes of Ireland.

On the 11th day of November, 1852, a Commission was issued to the late Right Honorable Francis Blackburne, then Lord Chancellor of Ireland; the late Right Honorable William, Earl of Rosse; the Right Honorable Edwin Richard Wyndham, Earl of Dunraven and Mount-Earl; the Right Honorable James, Lord Talbot de Malahide; the Right Honorable David Richard Pigot, Lord Chief Baron of Her Majesty's Court of Exchequer; the Right Honorable Joseph Napier, then Her Majesty's Attorney-General for Ireland; the Rev. Thomas Romney Robinson, D.D.; the late Rev. James Henthorne Todd, D.D.; the Rev. Charles Graves, D.D.; the late George Petrie, LL.D.; and Major Thomas Aiskew Larcom, now Major-General, Baronet, and Knight Commander of the Bath—appointing them Commissioners to direct, superintend, and carry into effect the transcription and translation of the Ancient Laws of Ireland, and the preparation of the same for publication; and the Commissioners were authorized to select such documents and writings containing the said Ancient Laws, as they should deem it necessary to transcribe and translate; and from time to time to employ fit and proper persons to transcribe and translate the same.



In pursuance of the authority thus intrusted to the Commissioners, they employed the late Dr. O'Donovan and the late Professor O'Curry in transcribing various Law-tracts in the Irish Language, in the Libraries of Trinity College, Dublin, of the Royal Irish Academy, of the British Museum, and in the Bodleian Library at Oxford.

The transcripts\* made by Dr. O'Donovan extend to nine volumes, comprising 2,491 pages in all; and the transcripts\* made by Professor O'Curry are contained in eight volumes, extending to 2,906 pages. Of these transcripts several copies have been taken by the anastatic process. After the transcription of such of the Law-tracts as the Commissioners deemed it necessary to publish, a preliminary translation of almost all the transcripts was made either by Dr. O'Donovan or Professor O'Curry, and some few portions were translated by them both. They did not, however, live to revise and complete their translations.

The preliminary translation executed by Dr. O'Donovan is contained in twelve volumes, and the preliminary translation executed by Professor O'Curry is contained in thirteen volumes.

The Commissioners employed W. Neilson Hancock, LL.D., formerly Professor of Jurisprudence in Queen's College, Belfast, and the Rev. Thaddeus O'Mahony, Professor of Irish in the University of Dublin, who had been engaged on the first volume, as Editors of this second volume of the Ancient Irish Laws.

*The Palace, Limerick,  
September, 1869.*

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\* These transcripts are referred to throughout this volume by the page only, with the initials O'D. and C. respectively.







et hinc totum domini amant

[illegible]

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ANCIENT LAWS OF IRELAND.

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senchus mor.

PART II.

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LAW OF DISTRESS (COMPLETED); LAWS OF  
HOSTAGE-SURETIES, FOSTERAGE, SAER-  
STOCK TENURE, DAER-STOCK TENURE,  
AND OF SOCIAL CONNEXIONS.

PUBLISHED UNDER THE DIRECTION OF THE COMMISSIONERS FOR PUBLISHING THE ANCIENT  
LAWS AND INSTITUTES OF IRELAND.

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VOL. II.

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DUBLIN:

PRINTED FOR HER MAJESTY'S STATIONERY OFFICE:

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LONDON:

LONGMANS, GREEN, READER, AND DYER

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1869.



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DUBLIN, 23rd July, 1869.

MY LORD,

Having received instructions from the Commissioners for publishing the Ancient Laws and Institutes of Ireland, to edit the continuation of the Senchus Mor, we have, in preparing the text and translation for the press, followed as nearly as possible the plan which was fully explained in the preface to the first volume, and have now the honour to submit to the Commissioners, the second volume of the Ancient Laws of Ireland.

We have prefixed *fac simile* specimen pages of the Harleian MS., in the British Museum, which was chiefly used for the first volume, and of the MSS. in the Library of Trinity College, Dublin, H. 2, 15, and H. 3, 17, which have been adopted as the basis of the text of this volume.

Mr. Thomas M. Busteed, who assisted us in editing the first volume, having joined the Indian bar, and been appointed to a judicial office in India, we employed, in his place, Mr. Henry C. Kirkpatrick, A.B., now called to the Irish bar, whose efficient services in aiding us to carry out the Commissioners' directions we have much pleasure in reporting.

We are, my Lord,

Your Lordship's obedient servants,

W. NEILSON HANCOCK.  
THADDEUS O'MAHONY.

The Right Rev.

The Lord Bishop of LIMERICK,

Secretary to the Commission for Publishing the  
Ancient Laws and Institutes of Ireland.





## PREFACE.

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IN the preface to the first volume of the Ancient Laws and Institutes of Ireland, some account was given of each of the nine authors of the Senchus Mor. With respect to five of them—King Laeghaire, King Daire, Rossa, Dubhthach, and Fergus—there is nothing material to add.

With regard to St. Cairnech, there is some new matter to be noticed—and as to St. Benignus, St. Patrick, and King Corc, since the publication of the first volume, objections have been urged\* to the ordinarily received chronology of their lives. These objections, if established, would alter by two centuries the date of the composition of the Senchus Mor. They have been put forward, too, by a writer who evinces such admiration for St. Patrick, and such zeal in investigating the records of his life, as make his opinions on the subject deserving of careful consideration.

The Senchus Mor is the only work which has as yet been discovered of those in which St. Cairnech is said to have taken part. The other writings referred to in his biography† have not been traced. From the circumstance of their being compared to the writings of St. Peter, we may conclude that they were religious works, such as St. Patrick would naturally have prepared for his mission—translations most probably of portions of the Scriptures and of the writings of the early Fathers of the Church. They may also, perhaps, have been in part translations of writings which had been found efficacious in the conversion of the Druids in Gaul and Britain, and which were adapted also to impress the Druids, Poets, and Brehons in Ireland. It is possible that they may have been written in the Greek letters which were used as a kind of cypher‡ among the

\* Nicholson's St. Patrick, Apostle of Ireland in the third century.

† Preface to Senchus Mor, vol. i., p. xix.

‡ Cæsar de Bello Gallico, VI., c 13, 14.

St. Cair-  
nech.  
—

**Druids.** The knowledge which St. Patrick had acquired during his captivity in Ireland, of the Poets, Brehons, and Druids, might have suggested to him that the writings which had facilitated the conversion of the learned classes amongst the Gauls and Britons, would also be well calculated to secure the conversion of the similar classes in Ireland.

The Druidical knowledge as described by Cæsar consisted chiefly of theories with respect to the movements of the planets, the magnitude of the universe, the laws of nature, and the omnipotence of the Pagan deities. The religious tenets of the Druids were transmitted in verses learned by heart by the disciples, but not committed to writing, lest the secrecy might be broken which they wished to preserve in order to maintain their position as the depositaries of all knowledge, authors and interpreters of all law divine and human, remunerators, judges, and executioners.\*

In the poem of Dubhthach given in the Introduction to the *Senchus Mor*, we have a combination of law and religion set forth in elaborate verses, and in the commentary there is a curious disquisition upon the formation of the earth, the number and colour of the winds, the division of the firmament. The sun and moon are included in a list of the principal stars, and in the following singular order:—Saturn, Jupiter, Mercury, Mars, Sol, Luna, and Venus. There is also a disquisition respecting the distance of the sun and moon, the zones, climates, and the divisions of the zodiac. In fact there appears to have been at this time in Ireland a state of intellectual development precisely similar to that described by Cæsar as having existed in Gaul and Britain, before these countries came under the influence of Roman civilization. Even the religious organization adopted by the Irish Druids, Brehons, and Poets, seems to have been much the same as that which had prevailed formerly in those countries. The position of Dubhthach who exercised a general supervision and authority over the rest, was in most respects analogous to that of the Archdruid as described by Cæsar.

\* *Histoire des Gaulois*, by Amédée Thierry, II. i., quoted in the Emperor Louis Napoleon's *Julius Cæsar*, vol. ii., p. 46.

The speech and poem ascribed in the *Senchus Mor* to St. Cair-Dubhthach prove that he possessed some knowledge of<sup>nech.</sup> the Scriptures and of Christian doctrine. He alludes apparently to the Divine condemnation of Eric in the Old Testament\*, a point to which the accomplished authoress of the *Popular History of Ireland* has called attention.†

These circumstances afford strong confirmation of the statement that there were some writings by means of which the learned Druids and poets of Ireland were converted; and who is more likely than St. Cairnech to have been the author of such writings? His intimate acquaintance with the Druidical system in Britain, and with the facts relating to the conversions that had been effected there, would eminently fit him for such a task. These writings though so valuable then, would gradually fall out of use, and so be lost in after times when the conversion of the Brehons was complete, and schools and colleges had been founded, in which the youth were systematically instructed in the doctrines of the Church.

Previous to the publication of the *Senchus Mor*, a doubt was thrown upon the authority of these works, by mentioning them as the "alleged works" of St. Cairnech. The *Senchus Mor* is itself an instance of an important work of a very early date, of which he was one of the principal authors, and there is no good ground for questioning the existence, in the fourth and fifth centuries, of other writings of his, although copies of them are not now forthcoming. We might as well discredit the account§ of the foundation of the Abyssinian Church in the fourth century by Frumentius, and the assertion that the first bishop of that church translated portions of the Scriptures into the Geez language, and out of them taught Arzanes the king's son,

\* Numbers xxxv., 31.

† *Popular History of Ireland*, p. 146.

‡ *Descriptive Catalogue of Materials relating to the History of Great Britain and Ireland*, vol. i., p. 47, note.

§ Kurtz' *History of the Christian Church*, translated by Edersheim, § 94, vol. i., p. 247.

St. Cair-  
nech.

because Lord Napier did not bring back a copy of the works of Frumentius with him from Magdala.

The statement referred to in the preface to the first volume of the *Senchus Mor*, that the birthplace of St. Cairnech was most probably in Cornwall, seems to be confirmed by the fact that his name is still preserved in the topography of that part of England: a parish in the centre of the west coast of Cornwall being called Crantoch, a corruption of his British and Latin name, Carantocus, and the Parish Church being dedicated to his memory.\*

In the history of the life of St. Cairnech he is described as having been engaged, before he came to Ireland, in the discharge of ecclesiastical duties in Wales, and this circumstance has considerable interest, inasmuch as it throws some light upon the much disputed question, as to where St. Patrick was born, and where he spent the early part of his life.

It is obvious from the statement in the life of St. Cairnech respecting the arrangements made with St. Patrick before they went to Ireland, that the intimate relations between these distinguished men, disclosed in the *Senchus Mor*, had commenced at an early period. In the *Annals of the Four Masters*† there is a passage which enumerates those who were most closely connected with St. Patrick. In this list we find "Benin," (St. Benignus), mentioned as his psalmist; "German," (St. Germanus), as his tutor; and according to the reading of Dr. O'Connor, adopted by Dr. O'Donovan, "Cairniuch," (St. Cairnech), as the priest who baptized him.

In connexion with the burial of St. Cairnech at Dulane, in Meath, it is interesting to notice Dr. Petrie's account of the Church at Dulane, as "being a fine specimen of our earliest Christian architecture," and Lord Dunraven's description of it as "grandly old."‡

St. Benig-  
nus.

With respect to the opinion advanced in the preface to the

\* Redding's *Illustrated Itinerary of Cornwall*, 1842, p. 220.

† *Annals of the Four Masters*, First Div, vol. i., pp. 138-139.

‡ Stokes's *Life of Petrie*, p. 366.



first volume of the *Senchus Mor*, that St. Benignus was more probably seventeen than seven years of age when he first left his father's house in order to accompany St. Patrick, a passage\* in the Confession of the latter deserves to be noticed. In this passage St. Patrick speaks of himself at the time of his captivity, which took place when he was sixteen years of age, as "*adulescens pene puer imberbis*," an expression which shows that there is nothing in the use of the word "*puer*," applied to St. Benignus by mediæval writers, inconsistent with his being sixteen years of age at the time. If we adopt the ordinary chronology of St. Patrick's arrival in Ireland (432 A.D.), the supposition that Benignus was sixteen when he met St. Patrick would give 416 A.D. as the date of his birth. A doubt has, however, been raised† about the accuracy of this date, founded on a genealogy quoted by Dr. O'Donovan as given by the O'Clerighs,‡ which describes Sescnean, the father of St. Benignus, as the grandson of Tadhg, son of Cian (who fought at the battle of Crinna) by a son of his called Laei.§

Dr. O'Donovan, in giving the genealogy on the authority of the O'Clerighs, is careful to refer to a passage in the prose commentary in the "*Leabhar na g-Ceart*,"¶ in which St. Benignus is described as the son of Sescnean, and of the Ciannachta of the Gleann Gemhin, of the *race* of Tadhg son of Cian, &c.

This passage clearly implies a long lapse of time, since the descendants of Cian had become so numerous as to be called a tribe. If there was only one step between Sescnean and Tadhg we might naturally expect to find the name of Laei inserted instead of "*the race of Tadhg*."

This construction of the passage in "*Leabhar na g-Ceart*" is confirmed by the statement of O'Flaherty, that the in-

\* Villanueva, p. 187, note 1; Nicholson, p. 99.

† Nicholson's *St. Patrick*, &c., p. 52.

‡ *Leabhar na g-Ceart*, p. iii., note a.

§ Laei is not mentioned in the genealogy given by Michael O'Clery in the *Martyrology of Donegal*, p. 301.

¶ P. 50.

St. Benig- habitants of a Ciannachta in Meath and of the other  
 nus. — Ciannachta in Gleann Gemhin were both descended from  
 Finnchad Coemh, son of Fieg, son of Fennchad Huallach,  
 son of Conla the leper, son of Tadhg.\*

O'Flaherty, moreover, enumerates Tadhg's sons, and the name of Laei is not mentioned among them. It seems plain, therefore, that he was only one of the *race* of Tadhg, and so might have been a son or some other descendant of Finnchad Coemh.

This view would give at least seven generations between St. Benignus and Tadhg, and allowing thirty years for each generation, the date assigned to St. Benignus is not inconsistent with the fact that Tadhg was twenty years of age at the battle of Crinna, inasmuch as the date given for that battle in the Annals of the Four Masters is A.D. 226.

The difference between the words "son" and "race" in a genealogy compiled 1,000 years ago, would be a very slight ground upon which to discredit the commonly received chronology of the life of St. Benignus, but a full examination of the various accounts confirms the opinion that he lived in the fifth century and not in the third.

It has been objected† that if St. Benignus wrote in the fifth century he could not have designated the King of Uladh as King of the Ultonian Eamhain, inasmuch as the Ultonians had been expelled at the time of the burning of Eamhain by the three Collas in A.D. 331. This argument, however, loses all its force when we remember that the Kings of England retained the title of "King of France" until the French Revolution of 1789, although the last remnant of territory formerly possessed by England in France had been lost so long previously as 1558.

St. Patrick. With regard to St. Patrick, the controversies respecting his life have recently been made to furnish ground for attacking the chronology of the *Senchus Mor*. His part in the compilation of that work, though an important incident in his

\* Ogygia, part iii., c. 68.

† Nicholson's *St. Patrick*, &c., p. 56.

life, is so entirely subordinate to his great work of converting St. Patrick. the Irish nation to Christianity, that it is impossible fully to discuss many of the points which have been raised in connexion with his name, without entering upon ecclesiastical questions which would be completely out of place in this preface.

Upon a few of the topics which are biographical and historical, and altogether apart from religious controversy, it is, however, essential to enter, that we may determine whether the objections that have been urged to the ordinarily received chronology of St. Patrick's life can be sustained. The outlines of the life of the great Apostle have been to a considerable extent lost in the mass of literary offerings which his admirers for fourteen centuries have accumulated in their desire to preserve to posterity the minutest details of the life of one to whom Ireland is so deeply indebted.

In his Confession, written when he was far advanced in years, and when, notwithstanding the extraordinary success of his mission, the Irish converts were exposed to much persecution and danger, and when he lived "daily in expectation of being murdered or entrapped, or reduced to slavery, without having given any occasion for it,"\* St. Patrick tells us that a longing and not unnatural desire had arisen in his breast to revisit his native country and the friends of his early youth. He writes—"Whence also, though I should wish to leave them and to go into the Britains, though I should gladly and readily go as to my country and parents, and not only so but even as far as the Gauls, should visit my brethren that I might see the face of the saints of my Lord. The Lord knoweth that I greatly desired it, yet being bound by the Spirit (which witnesses against me if I should do so, and declares that I should be guilty), I fear to lose the labour which I have begun; yet not I, but Christ the Lord who commanded me to come and be with them for the remainder of my life, if the Lord will,

\* Translated from Villanueva, p. 207.

St. Patrick. and if he shall keep me from every evil way, that I may not  
 — sin against him.”\*

By means of this passage it is easy to account for the belief prevalent in Ireland, that St. Patrick remained with his converts in this country until his death, and that he was buried at Downpatrick, thus ending his Christian labours near “Sabhal,” now Saul, where he had made his first convert, and founded his first church in Ireland.

The English tradition as given by William of Malmesbury is on the other hand one which is so natural that we can readily understand how it obtained credence, from our sympathy with the feelings attributed to St. Patrick moved by which, it is said, that when wearied by his long and severe labours in Ireland, and sensible of the rapid inroads of old age on his physical strength, he determined to return to his native land and spend the remainder of his days among the scenes of his early youth at Glastonbury.

William of Malmesbury while admitting a doubt as to whether he was actually buried there, describes St. Patrick as belonging to the British nation, and seems to acknowledge the grounds upon which the tradition arose, viz., the extreme probability that he would be anxious to end his days at Glastonbury, which was endeared to him by many early associations and memories, and which might not unnaturally be described as his “native land.” That the St. Patrick of whom William of Malmesbury speaks is not any other person bearing that name, seems clear from his description of him as the disciple of St. Germanus, and as having been sent by Pope Celestine after his ordination, as a bishop and an Apostle to the Irish nation.

If St. Patrick was born in the vicinity of Glastonbury, and had there spent his early years, there is nothing whatever impossible or incredible in the assertion made in the Annals of the Four Masters already referred to, that he was baptized by St. Cairnech. St. Cairnech we know was a Cornishman, who became a Welsh ecclesiastic, and as Glastonbury in

\* Villanueva, p. 203.

Somersetshire was in the neighbourhood of Bristol, which **St. Patrick** was in the direct route from Cornwall to Wales, his presence there on the occasion of the baptism of St. Patrick is by no means improbable. That the theory of St. Patrick's connexion with this district does not rest on mere ungrounded conjecture is shown by the honour so long paid to the saint, in a church dedicated to the Blessed Virgin and St. Patrick, at Glastonbury.

Glastonbury was fortunate in escaping the fate which overtook many of the seats of the early British Church. The Saxon conquerors by whom most of the churches and monasteries of England were overthrown, did not enter Somersetshire until they had themselves been converted to Christianity, and softened by its influence. Instead therefore of bringing destruction and ruin to the religious houses, they signalized their piety, and their appreciation of the virtues of the monks, by the foundation of a monastery which was amply endowed by the Christian King Hina.

Its vicinity to the sea exposed it to the ravages of the Danes, but it was restored by St. Dunstan, and in after times the abbots of Glastonbury, owing to their immense wealth obtained from the Saxon monarchs, possessed considerable political power—had seats in Parliament as barons, and till the year 1154, took precedence of all the mitred abbots in England. The high honour so long paid to the memory of St. Patrick, at a place which occupied such a prominent position in the English Church, is what we might naturally expect if the neighbourhood of Glastonbury had the prestige of being his birthplace.

In the *Annals of the Four Masters*, we are told that Nempthor was his native place. The meaning of this name is said by Colgan to be "Holy or Heavenly Tower."\* Now, in one of the most recent accounts of Glastonbury it is mentioned that "on a hill a little to the north-east of Glastonbury there is a curious tower called the Tor of St. Michael, which from its elevation and peculiar shape serves as a land-

\* Lanigan's *Ecclesiastical History of Ireland*, vol. i., p. 91

St. Patrick. mark in navigating the Bristol Channel; on the west side of it is a figure of St. Michael the Archangel.”\*

To the statement in Fiech’s Hymn that St. Patrick was born at Nempthor, the scholiast adds, that Nempthor is a town in Scotland of which the Irish name was Alcluit, and the Roman-British name was *Caer Britton*, now *Dumbarton*. Hence the theory supported by Usher and others that St. Patrick was a native of North Britain, having been born at *Dumbarton*, and that he was carried away captive from thence in his youth.

The justice of this inference founded on the statement of the scholiast and the other evidence adduced, is rendered extremely doubtful by information contained in the Irish version of *Nennius*.† Mr. Herbert in supplying an introduction and additional notes to that work, has discovered that the Latin copies mention two British cities named “*Caer Britton*,”‡ and he appears to be quite unable to determine which of these cities was *Dunbarton*, and which was *Bristow* (*Bristol*).

It would thus appear that there were in St. Patrick’s time, two cities called *Caer Britton*. The name in both cases was gradually altered. In the one case it passed through the forms “*Dunbreatan*,” “*Dunbritton*,” “*Dunbarton*,” in which some trace of its earliest form is discoverable. In the other case it appears as *Brit-stow*, *Brightstowe*, and *Bristol*, in which all traces of its derivation were soon lost. It was quite natural that the scholiast, finding that Nempthor (*Alcluit*) was identified as *Caer Britton*, and being unaware that *Bristol* had also borne that name, should at once conclude that the former was the place indicated as the birth-place of St. Patrick.

The words used by St. Patrick in his Confession appear to be conclusive as to which of these cities we should select. He speaks of going “in *Britannias*” (the plural number). Now, the names by which the Romans had distinguished the different

\* *M'Culloch's Geographical Dictionary*, Ed. 1841, word “*Glastonbury*.”

† *Publications of Irish Archæological Society*, Dublin, 1848.

‡ In the Irish copies one of them is called *Caer Breatan*, and the other *Caer Brut*.—*Additional Notes to Irish Version of Nennius*, pp. iii., iv.

parts of Britain were obliterated by the Saxon conquest, <sup>St. Patrick.</sup> which commenced in St. Patrick's lifetime, and were probably in a short time forgotten. St. Patrick, however, would naturally use these names for the different parts of the island.

Great Britain was known to the Romans as *Britannia*, but that portion of it which was immediately subject to them they distinguished by the name of *Britannia Romana*, designating the rest of the country *Britannia Barbara*. *Britannia Romana* was at an early period divided into two provinces, one to the south of the Thames and Severn, and one to the west of the Severn and the Dee, which included Wales. These provinces were called respectively *Britannia Prima* and *Britannia Secunda*, a mode of distinguishing them similar to that which we have adopted in the appellations of Upper and Lower Canada.

In the course of time other provinces were added: *Maxima Cæsariensis* comprised the central parts of England; *Flavia Cæsariensis* lay to the north; and *Valentia* included that portion of the extreme north of England and the south of Scotland, which lay between the Roman roads or walls, one of which extended from Carlisle to Newcastle, and the other from the Frith of Clyde to the Frith of Forth.

From the division of the empire by the first Christian emperors down to the time of St. Patrick, *Britannia Romana* was divided into these five provinces. The gradual change which took place in the nomenclature of the Roman colony was similar to that recently effected, by which the name of Canada formerly applied only to the two provinces of Upper and Lower Canada, has come to have a wider signification by including the Dominion of Canada, which comprehends the additional provinces of Nova Scotia, and New Brunswick.

Now, if a man whose father and grandfather were Canadians, and who was proud of his connexion with these provinces as distinguished from the rest of the Dominion (*e.g.* Nova Scotia), desired to specify the place of his birth, the simplest manner in which he could indicate his native country would be to speak of it as "the Canadas." If he used the term "Canada" in the singular number he would

St. Patrick. leave it doubtful whether he meant the old provinces or the  
 — Dominion.

When, therefore, St. Patrick expresses his wish to go "in Britannias," as to his native country, and to his parents, he must be understood to refer to the old Roman provinces, *Britannia Prima* and *Britannia Secunda*. In the very centre of the district thus indicated *Caer Britton* (Bristol), *Glastonbury*, and the *Tor of St. Michael* are situated, being actually in the former province, but separated from the latter only by the river *Severn*.

The second *Caer Britton* (*Dumbarton*), on the other hand, is in the province called *Valentia*, the latest addition to the Roman territories; and if St. Patrick was really a native of that province, he would naturally have spoken of it as *Valentia*, or, when speaking generally of his native land, would have made use of the comprehensive term *Britannia* (*i.e.*, *Britannia Romana*). A *Nova Scotian* would not be likely to speak of "the Canadas" as his native land, inasmuch as this term was applied only to Upper and Lower Canada before *Nova Scotia* was annexed. He would naturally either distinctly specify *Nova Scotia*, or use the more comprehensive name "*Canada*," which is properly applicable to the whole Dominion.

It is to be observed that the mistake of supposing *Caer Britton* (Bristol) to be *Caer Britton* (*Dumbarton*) was one which might readily be made from the remarkable similarity of the position of the two places. Both were great Roman military stations, at the head of important western estuaries; Bristol being in the same position with regard to the river *Severn* as *Dumbarton* is with regard to the *Clyde*. Both were situated close to the junction of two rivers\*—Bristol, near where the *Frome* meets the *Avon* in the tidal part of the latter, and *Dumbarton*, near where the *Clyde* and *Leven* unite in the tidal part of the former. In one circumstance, however, Bristol was more favourably placed than *Dumbarton*, *viz.*, in its close proximity to *Caer Baden* (*Bath*),

\* *Lanigan* (*Ecclesiastical History of Ireland*, vol. i., p. 93) suggests that *Bonaven* means river-mouth.



which was a flourishing Roman colony, much resorted to <sup>St. Patrick.</sup> by wealthy Romans, by whom it was called "Aquæ Solis et Thermæ," and which was of sufficient importance to have civil officers of the rank of Decuriones, a position which had been held by St. Patrick's father. The Roman remains still found at Bath furnish evidence of its ancient greatness, and the Roman encampments still existing at Clifden, on the Avon, at Rownham, and at Abbotsleigh attest the estimation in which it was held as a military station. And so Bristol, Glastonbury, and the Tor of St. Michael or Nempthor, would be all situate in a district of encampments, which some have thought to be the meaning of the name Taberniæ or Tiburniæ, which occurs in the description of Bonavem or Bonaven Taberniæ, the place where St. Patrick's father resided at the time of his capture. This place is also said to be near the western sea, or the Atlantic ocean, a description which is much more applicable to the position of Bristol than to that of Dumbarton, and it is not unreasonable to assume that the place of St. Patrick's birth (Nempthor), and that of his father's subsequent residence, were not far distant from each other.

The theory of St. Patrick's birth at or near Dumbarton is not the only one we have to consider. Dr. Lanigan suggests that he was born at Boulogne in France, and in support of his opinion refers to the language used by St. Patrick in his Confession, already noticed. He also quotes various authorities to show that there was a place called "Brittan" in that country quite distinct from Armoric Brittany, which received its name at a later period from the Britons, who were driven out of England by the Saxons, and settled there.

But the true interpretation of the language of the Confessions is probably to be found by referring to the division of the Western Empire effected by the first Christian Emperor Constantine, and to the names then given to the provinces, names which were still recognised in St. Patrick's time not only by Roman citizens, but also by the Church.

Constantine divided the empire into four governments, or prefectures as he called them; the prefecture of the East, the

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St. Patrick. prefecture of Western Illyria, the prefecture of Italy, and the prefecture of the Gauls. The last of these was again divided into three sub-prefectures, viz., that of Gaul, which comprehended seventeen provinces; that of Spain, in which there were seven provinces; and that of Britain, which contained five provinces. The prefecture of Gaul included not only France and Belgium, but part of Germany also, the capital and centre of government being at Treves in Germany.

From these circumstances it is manifest that when St. Patrick spoke of going to "the Britains" and if possible to Gaul, he could not have meant to indicate by the term "Britains" a part of Gaul near Boulogne, which, whatever name it may have borne at an earlier period, had been known in the language of Roman officials and in that of the Church from the time of Constantine, as a part of the province of Gaul, and as distinct both from the ancient provinces of Britannia Prima and Secunda, and from the three other provinces which with them constituted Britannia Romana.

The fact that the Church adopted and recognised the territorial divisions made by Constantine explains the apparent subordination of the British Church to that of Gaul, of which we see indications in the missions of St. Germanus and of St. Lupus to check the Pelagian heresy, and in the desire of St. Patrick to visit the Lord's Saints in Gaul. To what extent both these churches were subordinate to the Pope, as Bishop of Rome, whose authority especially over the western parts of the Empire, was recognised at the Council of Nîce (A.D. 325), and confirmed at the Council of Constantinople (A.D. 381), half a century before the mission of St. Patrick, it would be beyond the limits of this preface to consider.

From the fact that St. Patrick speaks of his *brethren* in Gaul the Armoric Bretons have claimed him as a kinsman, just as the Americans claim to have an interest in Shakspeare in no degree inferior to our own, because their ancestors left England at a period subsequent to his death. Dr. Lanigan

suggests the older connexion which existed between Britain and Gaul, owing to the circumstance that the former was colonized from the latter, but such connexion does not explain the obvious fact that St. Patrick in speaking of his proposed journey, most carefully distinguishes Gaul from Britain.

It remains for us now to consider how far the theory that he was born and resided with his parents in the vicinity of Glastonbury and Bristol is consistent with the particulars which he has given us of his capture and of his subsequent escape and return to his home.

The date almost invariably assigned for his consecration is the year 432 A.D., at which time he was forty-five years of age according to Tillemont and Lanigan.\* His capture is said by himself to have taken place when he was sixteen, which must therefore have been in the year 403 A.D. The Roman Conquest of Britain, commenced by Julius Cæsar in 55 B.C., had gradually extended until all England, Wales, and the part of Scotland to the south of the fortified road or wall which ran from the Clyde to the Forth, were brought under the sway of the Empire; beyond this northern wall were the Picts to the eastwards, and to the west the colony of Irish Scoti.

The decline of the Empire which commenced at the time of the division made in A.D. 395 by Honorius and Arcadius the sons of Theodosius the First, had proceeded so rapidly that when Alaric, king of the Goths, invaded Italy, in the year 402 A.D., Stilicho, the minister of Honorius, found it necessary to withdraw all the Roman soldiers who had been stationed along the northern wall from Dumbarton to the Frith of Forth. The effect of this proceeding was in all probability that the territory left unprotected (Dumbarton and the province of Valentia) was overrun and laid waste by the northern barbarians; and in addition to the evil done by these marauders Gibbon tells us that England suffered from the ravages of invaders (supposed to be the Scots

\* Lanigan's Ecclesiastical History of Ireland, vol. i., p. 135.

St. Patrick. of Ireland), who landed upon the western coast. That this should be the part of England selected for their operations is not surprising. The city of Bath, renowned for its wealth and the luxury of its inhabitants, was a tempting prey to those whose object was plunder. Its strength, however, was well known, and hence an alliance may have taken place between the leaders of the Picts, of the Caledonians, and of the Ulster Scoti, joined also perhaps by the kings of Leinster, of Meath, and of Mann, and a combined expedition may have been organized as soon as the news of the withdrawal of the Roman troops, in A.D. 402, was noised abroad. There is nothing, therefore, improbable in the supposition that in the following year many thousand Roman citizens of the south of Britain were carried by the enemy into captivity, to what appeared to them to be distant kingdoms near the extremity of the earth.

The theory that the neighbourhood of Bristol was St. Patrick's birthplace and the home of his early youth is not inconsistent with the account which he gives of his escape from the county of Antrim, where he had served as a slave, and of his return to his parents' house in "the Britains." The allusion in the Confessions to the voices of the youths at Fochlut\* (in Mayo) leads us naturally to infer that he had himself been there during his first sojourn in Ireland. If such was the case his visit must have taken place in the course of his journey homewards, after he had effected his escape from captivity. It is not improbable that fearing to venture into any seaport in Ulster, he directed his steps towards the western shores of Ireland.

The youths of Fochlut, in the kingdom of Connaught, may possibly have sheltered and assisted the fugitive, and directed him to the harbour of Drogheda, at the mouth of the Boyne, which, from its proximity to Tara, the residence of the monarch of Ireland, was the port most frequented by persons from all parts of Ireland, as well as by strangers from

\* Fochlut. Between Ballina and Killala, in the county Mayo, *vide* O'Donovan's Genealogies, Tribes, and Customs of Hy-Fiachrach, p. 463, note b.

England, and from which he might have had opportunities St. Patrick. of returning to his friends.

In those days of imperfect navigation it is not unlikely that a ship sailing from the Boyne for Bristol might find extreme difficulty, if contrary winds were prevalent, in making her port of destination; in many cases it would be necessary at last to pass round the Land's End to Penzance in order to effect a landing, and so the vessel might well be, as described, three days at sea. We may suppose this to have been the case with the vessel in which St. Patrick sailed for Britain. Disembarked there at a distance from his destination, he would be obliged to undertake a long and weary journey overland to Bristol. Avoiding the coast which, as is stated, was unsafe, in consequence of the attacks of enemies, he would naturally keep inland among the hills and across Dartmoor, the security thus obtained compensating for the additional toil, fatigue, and delay. It might be objected that so long a period as twenty-eight days would not be required to walk from Penzance to Bristol. The difficulties to be encountered by a small party under such circumstances are, however, to be kept in mind. Within the last year, with every resource and assistance that could be supplied by wealth and contrived by modern skill, the English troops were unable to reach Magdala from Annesley Bay, which is about an equal distance, in a shorter time. We need hardly then be surprised that a party wholly destitute of any such appliances should be slow in accomplishing a march through a country at that day probably as wild as Abyssinia at present.

The connexion of St. Patrick with the old provinces of Britannia Prima and Secunda explains many of the allusions in his epistle to the tyrant whom he calls Coroticus, and who is supposed to be the same as Theodoric, king of Cornwall, by whom St. Fingor or Guinger, the son of an Irish king, banished by his father for receiving St. Patrick and embracing Christianity, was massacred with all his followers about the year 455 A.D. The position of Britain at the supposed date of that epistle, overrun with

St. Patrick. Scots and Picts, and with Pagan Saxons, obtaining in the south occasional assistance from Roman officers, who themselves became petty tyrants, makes the suggestion\* about Theodoric much more probable than Mr. Nicholson's hypothesis† that Coroticus was the same as Carausius, who lived so early as A.D. 287.

Considering the whole group of facts that have been referred to, the vicinity of Glastonbury, Bristol, and Bath in the old provinces of Britannia Prima and Secunda would seem to be the most probable birthplace of St. Patrick. That doubt should exist on such a point is no cause of reproach to the Irish Annals. The birthplace of the greatest of Grecian poets was a subject of contention between seven cities of Greece, and the historians of Rome were unable to fix the birthplace of the first Christian emperor Constantine, who lived only a century before St. Patrick, so that, as Gibbon tells us, there was a literary and almost a national contest as to whether he was a native of Britain, Nicomedia, or Dacia. Gibbon himself has only ventured to say that Dacia was most probably his native land.

In support of the views put forward in this Preface with respect to the native place of St. Patrick and St. Cairnech, it is interesting to refer to the allusion in the writings of the great antiquary who has passed away since this volume was commenced, for the publication of which he was a Commissioner. Writing in 1849, Dr. Petrie says—"I suspect that you got Christianity in South Wales long before we got it into Ireland; and, also, that we are indebted to you for it."‡

The difficulties in reconciling the different statements as to particular incidents in the life of St. Patrick have been used for the purpose of throwing discredit on the early biographies, and for attempting also to overthrow the ordinarily received chronology, and to substitute the

\* Descriptive Catalogue of Materials relating to the History of Great Britain and Ireland, vol. i., p. 60, note.

† Nicholson's St. Patrick, &c., p. 32.

‡ Letter in Stokes' Life of Petrie, p. 365.

third for the fifth century as the time in which he St. Patrick. flourished.

Before condemning the ancient Irish Annals in such a wholesale manner, it is worth while to consider whether any circumstances existed likely to cause error in the early chronologies, whether it is possible to ascertain the limits of error likely to be produced by such circumstances, and whether the discrepancies in the Irish records exceed these limits.

We are so accustomed to the modern method of measuring time from the commencement of the Christian era, that we are apt to forget that until the overthrow of the Western Empire the mode of computation employed was either the Greek or the Roman, the former of which was by Olympiads, the latter dating from the foundation of the city of Rome. Besides these two modes, there were in use in countries such as Ireland, beyond the limits of the empire, methods of computation peculiar to themselves. It was not until the century after that in which St. Patrick prosecuted his mission in Ireland (or about A.D. 527) that the mode of computing time from the birth of our Lord was first proposed by Dionysius Exiguus. It was adopted at different periods by the various countries of Europe. It was not in general use in England until after the year 816 A.D., when it was prescribed by the Council of Chelsea.

The era then introduced was found in later times to be by four years incorrect ; it has, however, been ever since used under the name of the "Vulgar Era."

The first English writer of eminence who is said to have employed the Christian method of chronology was the Venerable Bede ; his dates are however not free from error, for according to Hales there is a mistake of one year in all his calculations.

A further complication, which increased the difficulty of ascertaining all dates prior to the 25th March in any year, arose from the circumstance that England adopted that day as the commencement of the year, while Scotland, following no doubt the example of Ireland and most of the other

St. Patrick. countries of Europe, adopted the 1st of January. This circumstance would cause a difference of one year in the English records, when compared with those of other countries, as to the dates of all events happening between the 1st of January and 25th of March. This latter anomaly continued until the middle of the eighteenth century. In the reign of George II. the English system was abandoned, and the first of January has since been recognised as the commencement of the civil year.

From these circumstances a calculation has been rendered necessary with regard to all events recorded prior to the sixth century, in order to deduce from the record their dates according to our present system of chronology.

After the discovery of the error of four years in the calculations of Dionysius, but previous to the detection of the mistake committed by Bede, and of the effect produced by the fact of there being different dates for the commencement of the year, the commonly received chronology of many events was probably one or two years incorrect.

The remarks of Dr. O'Connor, quoted by Professor O'Curry upon the chronology of the "Annals of the Four Masters," are in complete accordance with the statements which have here been made. He asserts that until the year 800 A.D. the Annals generally date the events four, and sometimes five years before their proper time. From that year until A.D. 1000 they are three and sometimes two years too early, but from A.D. 1000 the chronology is correct.\*

Now, if the early dates had been invented subsequently, we might expect to find the chronology correct as well with respect to events prior to A.D. 1000 as with respect to those which took place in later times; and, on the other hand, as these Annals profess to be founded on ancient records, we cannot reasonably expect to find them free from the errors of Bede and Dionysius.

If we examine the records of the death of St. Patrick we shall find some of the discrepancies to fall within the limits of error above referred to.

\* "O'Curry's Lectures on the MS. Materials of Ancient Irish History," p. 151.



The following dates are given in different records :—A.D. St Patrick. 489, 490, 491, 492, and 493. They are all obviously derived from the same original, being within the limits already indicated.

In connexion with this subject the particular mode in which dates were calculated before the year 800 A.D., in which the Christian era was adopted, has not perhaps been sufficiently considered.

Dr. Lanigan has alluded to this point in a reference\* which he makes to the “Annals of Innisfallen,” and in which he remarks that in those Annals the date of the death of St. Patrick is calculated from the *Passion and death* of our Lord. He explains that the method employed by Bede and others for reducing all such dates to the Christian era was to add in each case thirty-three years. Dr. Todd also has given from “Tirechan’s Annotations” in the Book of Armagh an instance in which the same event is mentioned as having taken place so many years from *the passion* of Christ. He, too, adds thirty-three years in order to reduce that date to the Christian era.†

Such then is the change necessary in order to bring into accord with our modern system of chronology, the dates of events recorded in the ancient manuscripts of this country; and as this calculation must have been made by the writers who lived at the time of or immediately subsequent to the introduction of our modern system we can easily understand how much confusion must have arisen from the copyist simply mistaking the letters A.P. (Anno Passionis), for A.D. (Anno Domini), thus causing an error in date of no less than thirty-three years.

A more natural source of error or one more likely to escape detection in after times it is scarcely possible to conceive. Writers on this subject, instead of examining the difficulties on chronological principles, have adopted the suggestion that there were two St. Patricks living at the same time, and that the one who was born in Ireland was

\* Lanigan’s Eccl. Hist. of Ireland, vol. i, p. 362.

† Todd’s St. Patrick, Apostle of Ireland, p. 395.

St. Patrick. the same who was buried at Glastonbury. This hypothesis is rejected by Dr. Lanigan, who insists that Sen Patrick and St. Patrick are one and the same person.

The *Chronicon Scotorum* recently published, serves to show how completely the apparent discrepancies can be reconciled. The editor of that work indeed understands the *Chronicle* to refer the birth of St. Patrick to the year 353 A.D., and pronounces this to be a gross error; but if we assume 353 to be the number of years from the *death* of Christ, and adopt Bede's method of adding thirty-three years in order to reduce that date to the Christian era we get A.D. 386, which is within one year of the date of the birth of St. Patrick, as calculated by Dr. Lanigan upon the assumption that he must have been at least forty-five years of age when he was consecrated bishop, and before his arrival in Ireland in A.D. 432. If he was consecrated in A.D. 431, then A.D. 386 would be the exact date of his birth on the same hypothesis.

There are two conflicting accounts of the death of St. Patrick given in the *Chronicon Scotorum*. The year A.D. 660, in which there was great mortality in Ireland, is said to have been 203 years after that event; his death would thus be placed in A.D. 457, just before St. Benignus was appointed his successor. It is, however, also mentioned that he died in the year 489 A.D., and it is observable that these two dates are just thirty-two years apart, so that as above explained the discrepancy may have arisen from mere oversight or carelessness.

If we must choose one of these two dates as the period of the termination of St. Patrick's mission in Ireland, there can be little doubt as to the principle on which the selection ought to be made. The words of the Psalmist—"Three score years and ten, and if by reason of strength four score years," fix seventy years as the natural limit to an active and laborious life, such as St. Patrick describes his life in Ireland to have been; while the appointment of St. Benignus as his successor in A.D. 458, is also a circumstance which may serve to guide us in our selection. If St. Patrick was so vigorous

that his life was prolonged to the age of 102, which age <sup>St. Patrick.</sup> he must have attained if his death took place in A.D. 499, how can we account for his early resignation of the See of Armagh?

It remains for us then to endeavour to reconcile the apparently conflicting statements made by other authorities also as to the year in which his death took place. The year 457 A.D. is assigned by some, while the *Annals of Innisfallen* mention the year 432, from the *death* of Christ, or 465 of the vulgar era and 469 of the Christian era. This latter date corresponds with the year obtained by adding thirty-three years to the date (A.P. 436) given in "*Tirechan's Annotations*" to the Book of Armagh, as referred to by Dr. Todd.\* This date also corresponds with the Glastonbury account of his death in A.D. 472, allowing a margin for the error to which, as shown above, the early records were liable.

The Glastonbury tradition alleges that he retired from Ireland some years before his death, just as St. Benignus his successor, and St. Ninian, the Apostle to the Picts, his contemporary, are said to have spent their latter years in repose. We may thus take the year 457 A.D., as the year of his resignation. He was then seventy years old, and we may well believe that he took refuge for the remainder of his life at Glastonbury. The exact date of his death is not known, different writers having extended his life to 78, 82, and even to 85 years.

The accounts given of the ceremonies which took place at Saul, near Downpatrick, in A.D. 457, of obsequies which lasted twelve days, and celebrations of various kinds which continued for a year, and to which the clergy flocked from all parts of Ireland, are much more suggestive of a leave-taking than of a funeral. The news that the great Apostle was about to retire from the work in which he had laboured so long, and accomplished so much, would excite a natural desire among his disciples and converts, to testify their respect by coming to say farewell, and his piety would

\* Todd's St. Patrick, Apostle of Ireland, p. 395.

St. Patrick. prompt him to take advantage of such an occasion to encourage and stimulate them to further efforts by joining with them in the religious services of the Church. The scene might have been in some respects not unlike the parting between St. Paul and the Elders of the Ephesian Church, at Miletus.\* The curious dispute as to the possession of his body related in the Annals of the Four Masters, was perhaps a contest between rival parties each anxious that he should take up his residence for the remainder of his life amongst them. The dispute is said to have terminated in both parties being led to think that they had gained their object. Possibly St. Patrick may have assured the claimants from Armagh that he would not go to Downpatrick, and those from Downpatrick that he would not go to Armagh, and then fulfilled both assurances by leaving altogether a country where his presence would only be a cause of division and strife, and to which from failing health he could expect to be of no further use, while in returning to his native land and to his kindred, he would gratify the natural feelings which he had so strongly expressed.

Upon a subject which has engaged the attention of so many able men, and on which so much has been written as the life of St. Patrick, it would be presumptuous to offer a positive opinion; but, in defence of the *Senchus Mor* and of the Irish Annals which corroborate it, we have thought it right to examine how far it was possible to reconcile the conflicting statements of authors on the simplest principles of chronological correction, and to submit our conclusions as suggestions for the completion of the biography of the great Apostle of Ireland.

We cannot conclude our observations on St. Patrick without calling attention to the tone in which some of our antiquaries speak on this subject. Mr. Nicholson to whom we have already referred, has, in his recent work,† quoted, apparently with approbation, the offensive remark of Gibbon with respect to the sixty-six authors who before

\* Acts, xx.

† Nicholson's *St. Patrick*, &c., p. 1.

the ninth century had written in praise of the Apostle. A St. Patrick. —  
 recollection of the singular inaccuracy of the only two  
 assertions,\* made by that historian with regard to Irish  
 affairs, might have made the writer in question hesitate to  
 adopt the objectionable language made use of when referring  
 to this subject. Gibbon has stated that Ireland was colonized  
 from Scotland, and he denies that St. Patrick was of good  
 birth. Mr. Nicholson does not venture to support either  
 of these views,† but in accordance with the opinion, now  
 universally held, says “the Scots of North Britain were a  
 successful colony from Hibernia or Scotia, as it was sometimes  
 called;” and in proof of St. Patrick’s undoubted rank  
 he quotes a passage from the epistle to Coroticus, in which  
 the Saint states, “I was of honourable birth according  
 to the flesh, my father being a Decurio, for I gave up my  
 nobility.”

Had Gibbon not been misled by his contempt for the  
 writings of the early admirers of St. Patrick he would  
 probably have reserved his opinion until he had read the  
 works alleged to have been written by the Saint. Had he  
 done so he would have escaped falling into the error which  
 has been thus exposed.

Mr. Nicholson himself affords his readers an opportunity  
 of exercising that charity and forbearance which we ask  
 should be extended to the writers who narrated their impres-  
 sions of St. Patrick more than a thousand years ago. Those  
 biographers wrote under great difficulties. The invention of  
 printing had not supplied them with authorities, and the  
 manuscripts on which they were compelled to rely, were few  
 and imperfect. Compare their position with that of modern  
 investigators. We have the works of Ussher and Lanigan,  
 the researches of O’Donovan and O’Curry, as well as the  
 publications of the Archæological Society and of the Celtic  
 Society, and yet, with all these advantages, Mr. Nicholson  
 in his “St. Patrick the Apostle of Ireland in the Third  
 Century,” by an oversight excusable only when we consider

\* Gibbon, chaps. 25 and 36.

† Nicholson’s *St. Patrick*, &c., p. 38.

St. Patrick. the difficulty of the subject treated of, has done a signal injustice to one of our greatest antiquaries. This oversight we have next to notice.

King Corc. In the preface to the first volume of the *Senchus Mor* an objection is noticed which had been made to the account therein given of the compilation of that work, viz., that King Corc was not a contemporary of St. Patrick, and it is distinctly stated\* that Dr. O'Donovan and Professor O'Curry had both been taken into consultation upon the subject of that and other objections to the chronology, that both had concurred with the Editor of the volume in thinking that those objections were not well founded, and that there was no reason to doubt the statement of the nine alleged authors of the *Senchus Mor* being contemporaries; and, yet, in spite of this explicit assertion, Mr. Nicholson, although making frequent reference to that preface, takes Dr. O'Donovan's opinion from a note which he published in the *Annals of the Four Masters* fourteen years previously, in which note he expresses his agreement with O'Flaherty's opinion "that King Corc was not a contemporary of King Laeghaire or St. Patrick's mission."

Dr. O'Donovan seems to have made this statement in the note to the *Annals* without having investigated the subject for himself. The ground of his opinion is that given by O'Flaherty—"For Corc was grandfather of Aengus Mac Nadfraech, the first Christian king of Munster," and he adds as his authority—*Ogygia*, III., 786.

This opinion was commonly received until the editing of the *Brehon Laws* rendered it necessary that the subject should be specially considered. Thus it had been adopted by the late Dr. Petrie† in his *History and Antiquities of Tara Hill*, and by Dr. Todd in his *Life of St. Patrick*;‡ but since the conclusions arrived at after investigation by Dr. O'Donovan, Professor O'Curry, and Dr. Hancock,

\* Preface to 1st Vol. of *Senchus Mor*, p. xxvii.

† Trans. Royal Irish Academy, vol. xviii., part ii. (1839), pp. 71 *et seq.* See also p. 52.)

‡ Page 483, note 1.

were made public, Dr. Todd has signified his concurrence <sup>King Corc.</sup> in their view by publishing it as his opinion "that Corc, son of Lugaidh, was King of Cashel in the time of St. Patrick."\* The same view is now adopted by others also.†

A doubt, similar to that already noticed with regard to St. Benignus, has been raised as to the chronology of King Corc. It is founded on the genealogy given by Keating. The portion material for consideration is the following. "Aengus, son of Nadfroach, son of Corc, son of Luighaidh, son of Olioll Flann Beg, son of Fiachadh Muilleathan, son of Eoghan Mor." Referring to Keating's Genealogy as an authority, Mr. Nicholson takes the record of the death of Eoghan Mor at the battle of Magh Mucruimhe in A.D. 195, and adding twenty-five years for each generation, argues that King Corc must have been born in A.D. 265. The first part of the genealogy appears to have escaped his notice, for it presents a difficulty in the way of his hypothesis much greater than that occasioned by the assumption to which he objects.

Let us suppose (to put the case most favourably for Mr. Nicholson's view) that Aengus reached the age of eighty-one. The expression made use of in recording his death in battle is, that "his prosperity was cut off,"‡ which seems to imply that he was then in the prime of life, and not a man in extreme old age; but supposing that he was eighty-one years old in A.D. 489, his birth must have taken place in the year 408 A.D., and on this hypothesis the supposition that Corc was born in A.D. 265 (i.e. 143 years before) renders it necessary to allow seventy-one and a half years for each of the two intervening generations.

But, if we assume Corc's death to have taken place in A.D. 442 (which is sufficient to establish the chronology of the *Senchus Mor*), and suppose him to have attained the age of eighty-one, which will give us A.D. 361 as the year of his birth, we need allow only fifty-five years and one-third for each

\* Todd's *Wars of the Gaedhil with the Gaill*, p. 124, note 2.

*Illustrated History of Ireland*, p. 144.

Preface to first vol. of *Senchus Mor*, p. xxvi.

King Core. of the three intervening generations between him and Eoghan Mor; and when we bear in mind the innumerable instances in which in early times the eldest sons of Irish Chieftains fell in battle without issue, and that consequently the race was continued through the younger branches of the family, this is not an extravagant supposition.

If Mr. Nicholson had examined the entire of Dr. O'Donovan's note, he would not have left unnoticed the difficulty with regard to the date at which the death of Aengus took place; and, recollecting that the record of this event as having occurred in A.D. 489, and of the death of Eochaidh the son of Aengus, in A.D. 523, proves beyond a doubt that Aengus lived in the fifth century, he would not have insisted that the story of St. Patrick's life and mission in the fifth century was apocryphal, because Dr. O'Donovan, in the belief that St. Patrick was a contemporary of King Aengus, had expressed a doubt as to whether he were also a contemporary of King Core.

It is evident in this case, as well as in that of the doubt raised with regard to St. Benignus, that a careful examination of the records of their lives only serves to strengthen and confirm the statements made in the introduction to the *Senchus Mor*.

Selection  
of Text.

The text of the present volume has been settled almost entirely on the plan recommended by Dr. O'Donovan in his translation of the *Senchus Mor* from the MSS. in H. 3, 17, and H. 2, 15, T.C.D., which have been taken as the basis of the work. The interpolations are almost, without exception, those suggested by that eminent scholar in his original translation. A fragment from Rawlinson, 506, a MS. in the Bodleian Library, Oxford, has been given as an appendix, on account of its containing some additional matter on the subject of the Law of Social Connexions, not found in any of the Dublin MSS.

The concluding part of the Law of Distress, has been taken, as advised by Dr. O'Donovan, from the MS. in H. 3, 18, from which other shorter interpolations have also



been derived. Dr. O'Donovan's original translation of the two first named MSS., viz. those in H. 3, 17 and H. 2, 15, <sup>Selection of Text.</sup> has been made the basis of the translation given in this volume; but the whole has been revised on the plan explained in the preface to the first volume. In like manner, Dr. O'Donovan's notes to his translation have been made the basis of the notes to this volume.

The portions of the *Senchus Mor* in the MS. in H. 3, 18, T.C.D., were translated by Professor O'Curry and afterwards by Dr. O'Donovan. The text of the concluding pages of the Law of Distress is an interpolation from the MS. in H. 3, 18, which was transcribed by Professor O'Curry; it is marked in the margin of the Irish text, C. 816-824, and Professor O'Curry's translation has been adopted as the basis of the translation of this portion. The letters O'D. and C. in the margin, refer, as in the first volume, to the transcripts of Dr. O'Donovan and Professor O'Curry respectively, and not to their translations.

With the exception above noticed, little assistance as regards this or the former volume has been derived from the MS. in H. 3, 18, the only MS. of the *Senchus Mor* translated by Professor O'Curry. That MS. is very defective throughout, the introduction, for example, as given therein, being by no means so complete as that of the Harleian MS. from which the Irish text of the first volume was printed;\* while the glosses and commentary are much less copious, as may be judged from the fact that while the original translation of the introduction glosses and commentary in the Harleian copy amount to 53 pages, that of the same portions as contained in the MS. H. 3, 18, amounts to but 29 pages. The disproportion between the rest of the *Senchus Mor* as found in the Harleian MS., MS. H. 3, 17 and MS. H. 2, 15 on the one hand, and in H. 3, 18 on the other, is far greater as regards the other parts than that shown to exist in the case of the introduction, with the glosses and commentaries thereon. In fact a great deal of what relates to the *Senchus Mor* in the MS. H. 3, 18, consists of only scattered and disjointed fragments, useful chiefly for the purpose of interpolation or notes, as supplying

\* A *fac simile* specimen page of the Harleian MS. is prefixed to this volume.

**Selection of Text.** — occasionally a fuller reading or a word or sentence not found elsewhere—a use to which they have been put in the present volume as well as in the former, in accordance with the suggestions of Dr. O'Donovan. It may not be amiss, perhaps, to add that the whole of the interpolations and notes from that MS. employed in Vol. I. would not, if added together, amount to three pages of the work.

Other short interpolations, marked in the margin C., and ranging between C. 2137 and C. 2906, have been taken from Egerton 88, a MS. in the British Museum, transcribed by Professor O'Curry, but translated by Dr. O'Donovan. The Irish text as printed has been in every case compared with the original MSS.

**Description of MSS.** The MSS. in H. 3, 17, H. 2, 15, as well as that in H. 3, 18, having been fully described in the Preface to Vol. I., page xxxi., &c., it is only necessary to add respecting them, that the MS. in H. 3, 17 is a thick vellum MS. in small quarto, consisting of 874 columns, marked with Arabic figures in a modern hand; that the contents are miscellaneous, consisting chiefly of law tracts; and that the work is made up of fragments of several books, written at various times, probably in the fourteenth, fifteenth, and sixteenth centuries.\*

The collection of MSS. marked H. 2, 15, is a large folio volume of 238 pages, partly written on vellum, partly on paper. The fragment of Brehon laws contained in the work appears to have been written not later than the beginning of the fourteenth century.\* From this MS. the text of the "Law of Social Connexions" at the conclusion of this volume has been taken.

The collection of MSS. marked H. 3, 18, from which the text of the latter part of the Law of Distress in the present volume has been taken, is a small quarto volume of 665 pages of vellum, and 194 pages of paper, written apparently in the 16th century. The first 500 pages contain various tracts and fragments of Brehon Laws. The remainder consists of several independent glossaries, poems, historical tales, and pedigrees, &c.

\* A *fac simile* specimen page of each of the MSS. H. 2, 15, and H. 3, 17, is prefixed.

The book of MSS. marked Egerton 88, from which a <sup>Description of MSS.</sup> few passages in the first part of this volume have been interpolated, is a small folio book consisting of ninety-three folios, the greater part in double columns, a small portion at the end in triple columns. This book, which from a notice nearly defaced at the top of folio 79 A, and another at page 2 of folio 2, appears to have been copied for Domhnall O'Davoren in the year 1567, contains tracts on Brehon laws, with some historical and romantic tales, a fragment on Irish grammar, and an ancient Irish glossary. At the lower margin of folio 11 B there is a note to the following effect:—"This is the eve of the great festival of Mary, and it grieves me that Donogh O'Brien is in danger of death from the son of the Earl of Ormond, and it is a wonder to me that Cairbre is courting counsel from Connor. The Park is my residence. Magnus for Domhnall, and himself travelling Eire. Anno Dom. 1567."

The MS. marked Rawlinson 506, in the Bodleian Library, Oxford, is a small folio book, written on vellum, with a few leaves of paper at the end containing some Latin entries. The portion from folio 16 to folio 61 contains tracts on Brehon laws. The first fifteen folios and the remainder, from folio 61 to the end, contain fragments of grammatical and topographical works. The law tracts in this MS. were written, in the opinion of the late Professor O'Curry, by Adam O'Cianain or O'Keenan, in "a fine clear hand, like that in the Book of Ballymote, but better." In the Annals of the Four Masters, under the date A.D. 1375, the death of Adam O'Keenan (O'Cianain), a canon and learned historian, is said to have taken place at Lisgoold, in Fermanagh, near Enniskillen. O'Reilly (Irish Writers, p. 102) says that he had in his possession two volumes on vellum, in the handwriting of this O'Keenan, one of which was a copy of ancient laws. If Professor O'Curry's opinion be correct, we should thus have the close of the 14th century as the date of the MS. Rawlinson, 506. The O'Cianains or O'Keenans appear to have been a literary family, for besides this Adam O'Cianain, we find the death of Gilla-na-naev O'Keenan,

**Description of MSS.** abbot of Lisgoold, noticed under the year 1345 of the same annals. Moreover, there is recorded, under the year 1405, the sudden death of Gilla-na-naev, the son of Rory O'Keenan, ollav or chief professor of history of Fermanagh, while the death of Cormac O'Keenan, a learned historian and poet, is mentioned at the year 1508.

**Evidence from MSS. of anti-quity of Senchus Mor.** These manuscripts contain in some places references to more ancient copies of the Senchus Mor as the authority for particular glosses or commentaries on portions of the law. Thus, in the treatise on Hostage Sureties (p. 133) we are told that "this is the old reading of the same Yellow Book." And again (p. 135), with reference to another portion of the commentary, we read "that which follows down here is from the Senchus Book of O'Scoba;" and further still there is a distinct reference to an older writer (p. 139), where it is said—"The author here advises the defendant, if pledges or sureties have not been accepted from him for his own pledge, to take the hostage surety of the plaintiff until what is lawful be given to him."

The particular member of the O'Scoba family whose work is referred to has not been ascertained. Two persons of this name are mentioned in the Annals of the Four Masters as having attained to a distinguished position in Ireland. One Ua Scoptha became a comharb of Comman (probably abbot of Roscommon), and died in the year 1093; and Carbry O'Scoba, a friar of the order of St. Dominic, was appointed Bishop of Raphoe in 1266, and died in 1275.

Professor O'Curry, in his list of ancient Irish books, most frequently referred to in other MSS., mentions "The books of O'Scoba of Clonmacnoise." If the Senchus of O'Scoba referred to at p. 139 was one of his books, it must have been in existence in the eleventh century, before the first introduction of English law into Ireland, in the reign of King Henry the Second.

It also appears that the books used by the compilers of the MSS. from which the text is taken were themselves founded on books still more ancient. Thus in the Law

of Fosterage (p. 147), after a description of the rules of Fosterage as to the clothes to be worn by children of different ranks of society, there is added—"Another version; no book mentions a difference of raiment, or that there should be any difference in clothes at all." This remark clearly indicates that the compiler of the manuscript referred to as the other version, had himself before him a number of distinct books containing the Senchus Mor, with different commentaries.

The reference to a Yellow Senchus (Senchus Buidhe), explains perhaps the contraction "S. B." which occurs after several passages of the commentary. The passages thus marked probably rest for authority upon the Yellow Book referred to (p. 133). It also suggests an explanation of the contraction "S. D." which occurs in the margin or at the end of other passages. This is probably a contraction for "Senchus Dubh," and refers to a Black Senchus; or it may be a contraction for "Senchus Dul," a Senchus Book, and may refer to the Book of O'Scoba, quoted at page 135.

If the contractions "S. B." and "S. D." indicate as here suggested law MSS. of different colours, such designation would only be in accordance with the well-known practice of distinguishing Celtic MSS. Thus we read of the Yellow Book of Leacan (Leabhar Buidhe Lecain), the Black Book of St. Molaga (Leabhar dubh Molaga), the Red Book of Mac Egan (Leabhar ruadh Mhic Aedhagain), the Speckled Book of Mac Egan (Leabhar breac Mhic Aedhagain), and others mentioned by Professor O'Curry.\*

A few words that have a technical meaning have been left untranslated in this as in the first volume. The interpretation there suggested of "Cain" Law, as a law applying to all Ireland, and of "Urradhus" Law, as applying to the local modifications of the general laws, consequent on the division of Ireland into separate kingdoms, seems confirmed by the portions of the law included in the present volume. Thus the universal law of fosterage is called "Cain Iarrath." The laws of tenure are called "Cain Saerrath" and "Cain Aigillne," and the law of social connexions is called "Cain

\* Lectures on the MS. Materials of Ancient Irish History, pp. 20, 190.

Subject  
matter of  
volume.  
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Lanamhna." The "Urradhus" law is only referred to in a few cases for minute distinctions.

The subject matter of the portion of the Senchus Mor contained in this volume are—

The completion of the Law of Distress commenced in the first volume.

The Law of Services of Hostage-Sureties.

The Law of Fosterage.

The two Laws of Tenure ; and

The Law of Social Connexions.

Law of  
Distress.

The part of the Law of Distress given in the first volume related chiefly to the different kinds of distress, and the modes of taking the same ; the portion in this volume is chiefly concerned with the mode of keeping the distress, the limitations as to taking a distress, and the cases of exemption.

The untranslated words retained in this part of the work are those that distinguish the places in which a distress could be kept. Amongst them are two kinds of forts, called respectively "Lis" and "Dun," and it has been thought right to preserve this distinction by calling them "Lis"-fort and "Dun"-fort respectively, as it is plain they are not equivalent terms. The two words are preserved all over Ireland in the names of many towns and townlands, as Liscarrol, Lismore, Lisnagarvey (now Lisburn), Lisnaskea, and Listowel, &c. ; and Dunboyne, Duncannon, Dundalk, Dundrum, Dungannon, Dunmore, Dunsaney, &c.

In the case of pounds there are several distinctions which it has been thought right to preserve. Thus the "Mainner"-pound, or enclosure of the man by whom the distress was taken, is distinct from the "Scor"-pound. The "Forus nacra," another term applied to a "Mainner"-pound, is distinguished from the "Forus nditin," a habitation of the chief poet, and from the "Forus mbreitheamhan," a habitation of the Brehon.

As to the treatment of the distress when taken, the law prescribes that it was to be brought into a strong place for secure keeping and protection, and gives minute directions as to the penalty in case of any accident happening to cattle taken in distress.

There were seven greens appointed for distress, at which the debt was demanded. Each grade or rank had an enclosed green field in which cattle might be lodged. Every such green was to be level land, and at a distance from the border of the territory (p. 13) in order to insure the safety of the cattle confined therein, which might otherwise be stolen. In the limitations prescribed in taking a distress, the rights of parties who had claims for free quarters or food-rent on the defendant were recognised as prior to those of creditors if of lower rank than the parties entitled to the free quarters. This arrangement is similar in principle to the landlord's priority of claim over an execution creditor in English law.

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In like manner certain cattle were exempt if other less valuable cattle were present sufficient to satisfy the claim. In the case of a kinsman-surety, even his land should be taken before the exempt cattle, as he might use the cattle as food, but land would be of no use without the cattle; and in the case of both debtor and kinsman-surety, the person of the party liable was exempt as long as he had either cattle or land to satisfy the claim.

In the case of fools, madmen, idiots, and dumb people, their persons were exempt from distress, but their guardians could be distrained; and as regards women and boys, they were held liable for their own debts only.

The law contains strict provisions for punishing every illegal act in connexion with a distress, whether committed through ignorance, difficulty, or carelessness. It prescribes appropriate fines for the different illegalities, and provides that the expense of feeding and tending the cattle while impounded should be paid out of the value of the distress.

With regard to the persons who could act as law-agents in taking a distress, there was a prohibition against a stranger, or a landless man acting in this capacity, and there were also restrictions as to the selection of advocates.

There were special provisions in the case of a debtor who had no property. He could be arrested after one day's notice,

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if he was of chieftain grade, unless he could get a native to become surety for his remaining in the territory until the case was tried. If he attempted to escape he might be at once arrested in any other territory except that in which he committed his crime, or made his contract, or that in which his residence was situated. This privilege of passage gave him freedom elsewhere. If he had no residence, some authorities held that he might be taken at once; others maintained that he could only be taken in the territory in which the offence had been committed.

The dignity of kings was preserved in the ancient law by the provision that they should not be distrained directly, but that certain officers of theirs called steward bailiffs should be distrained in their place. In the Commentary this privilege is extended to bishops also. The great dignity of the chief poets in Ireland, like that of the arch-druids in Gaul and Britain, as described by Cæsar, would readily enable St. Patrick, on the conversion of the druids, to secure this privilege of freedom from distraint, and many similar privileges, for the Christian bishops. The prerogative of the Crown at the present time, by which the Queen sues and is sued through the Attorney-General, is very similar to this privilege.

The Irish law contains also some special provisions respecting the absconding of a debtor, and with regard to the length of the "anadh," or stay, and the "dithim," or delay in pound—terms which have been explained in the preface to the first volume. These periods are regulated according to the distance between the residence of the plaintiff and that of the defendant, and also according to the nature of the property taken, or of the grade of the person to whom the property belonged.

The Commentary contains some curious regulations as to the mode in which the right of distress is to be carried into effect in the case of different animals, and in relation to persons of different trades, occupations, or professions. These provisions indicate that the chief wealth of the country consisted then, as now, in cattle, sheep, and pigs



One leading peculiarity is the great estimation in which bees were held—so much was this the case, that there is among the Brehon Laws a short code on the subject of bees. The difficulty of obtaining sugar in early times naturally rendered honey an object of considerable value. From the fact that the subject of one of the Georgics of Virgil is the management and care of bees we may learn what an important place the keeping of bees and the production of honey occupied in early Roman agriculture; we need not, therefore, be surprised that they should occupy a similar position at the same period, as well as in later times, in Ireland. More favoured lands, in which the climate rendered such care less necessary, are described as “lands flowing with milk and honey.”

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Distress.

The sugar-cane was so little known to the Greeks that one of Alexander's generals, in noticing an Eastern campaign, mentions that “the people got sweetening matters from reeds, without bees.” The lateness of the period at which sugar became an article of commerce appears from its being noticed as a novelty by the early Crusaders, and from its being used in Europe only as a medicine until the year 1466. The references to bees, and to the regulations respecting them, afford in this way a curious evidence of the real antiquity of the Irish laws, as it would never have occurred to a writer living at a time when sugar was abundant, and honey of comparatively small value, to attach such importance to bees as to make them the subject of special legislation.

In the taking of different kinds of distress special ceremonies were required to be observed. These singular observances were not however peculiar to Ireland. Gibbon has noticed\* how in the jurisprudence of Rome at an early stage all proceedings were marked by outward signs; and as an illustration of this usage, he mentions that “a work was to be prohibited by casting a stone.” Similarly in the Irish Law we have this regulation, “in the distraint of barren cattle that are not in a cow-house a stone is

\* Decline and Fall of the Roman Empire, chap. 44.

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to be thrown over them three times before witnesses, after which they are put into a 'coman'-pound for a day and a night."

We are not then to pronounce any of the other ceremonies prescribed in the Irish Laws, for which a parallel has not yet been traced, peculiar or anomalous; they are in truth only indicative of the very primitive state of society which must have existed in Ireland when the laws were first established and those ceremonies came into use.

Law of  
Hostage  
Sureties.

The next subject treated of in this volume is the law of hostage sureties. This branch of law arose from the division of authority arising from the fact of Ireland being composed of a number of distinct provincial kingdoms and sub-kingdoms. The provincial kingdoms were originally five in number; their situation, though not their exact boundaries, is indicated by the names of Meath, Leinster, Munster, Ulster, and Connaught. Before the *Senchus Mor* was composed, Ulster had been divided into the kingdoms of Ulad, consisting of the parts of Ulster east of Armagh; Oirghialla, including the parts of Ulster south and west of Armagh, and Ailech (now Derry), including the parts of Ulster north and west of Armagh.

The sub-kingdoms were very numerous, and probably corresponded in size with many of the modern baronies which retain the names of the ancient sub-kingdoms, such as Fews and Oneilland in Armagh, Farney and Dartry in Monaghan, Deise in Waterford, Conilloes in Limerick, &c., &c. The inhabitants of each sub-kingdom were chiefly of the same tribe of people, and it is to them rather than to the provincial kingdoms that the law of hostage sureties no doubt related.

When the plaintiff belonged to one of the sub-kingdoms or tribes and the defendant to another, recourse was had to a system of sureties quite distinct from the kinsman-sureties elsewhere mentioned. The "Giall" or hostage-surety of the defendant was one whom a plaintiff might sue if the defendant absconded, and from whom a plaintiff

was bound to accept pledges and securities. Again, if the plaintiff did not accept the pledges or securities offered by the defendant, the defendant might proceed against the hostage-surety of the plaintiff. If the hostage-surety for either party had to pay, he was to be indemnified by the party for whom he was surety.

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Hostage  
Sureties.

One of the principal features of Irish society which has been transmitted to us by history and by tradition was the prevalence of fosterage, or the custom of placing the children, especially of chieftains and of leading men, in the charge of other members of the tribe during their early years. In this volume there is a treatise of considerable length on this subject, entitled *Cain Iarrath* or the "Cain Law of Fosterage."

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Fosterage.

Of fosterage in Ireland there appear to have been two kinds, viz.:—Fosterage for affection, and fosterage for payment. In the former the foster parents received no remuneration, in the latter the terms were regulated according to the rank of the contracting parties.

The most ancient scale of prices of fosterage mentioned is as follows:—three "seds" for the son of an 'Og-aire'-chief; five "seds" for the son of a 'Bo-aire'-chief; ten for the son of an 'Aire-desa'-chief, and of an 'Aire-tuise'-chief; and thirty for the son of a king.

In the Commentary there are later modifications of this scale, and it is said that the price of fosterage is the same for all ranks up to that of the 'Bo-aire'-chief, and amounts to three cows. For an 'Aire-desa'-chief the price was four cows; for an 'Aire-echta'-chief, six cows; for an 'Aire-ard'-chief, nine cows; for an 'Aire-forgill'-chief, twelve cows; and for kings the price was eighteen cows. It is mentioned also that in the case of Poets, who formed a distinct class of society, the price of fosterage varied, according to their grades—for there were seven grades of Poets.

The ancient law books prescribe no distinct dress for the different orders of society, but the Commentary mentions that distinctions in this respect had subsequently been adopted,

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which it proceeds to describe. The son of the King of Erin was to wear satin and to have clothes of scarlet colour; he was to have silver in his scabbard, and a brooch of gold with crystal inserted in it. The sons of chieftains were only to have tin scabbards. The sons of the kings of a territory were to have only a silver brooch. Minute regulations as to the kind of food to be given to the children of the various ranks in fosterage are also laid down.

The provisions of the law respecting the instruction to be given to foster children indicate the primitive state of society existing at the time at which the law was framed. The boys of humbler rank were to be taught the herding of lambs and calves and kids and young pigs, as well as kiln drying, combing, and wood-cutting. The girls were to be taught the use of the primitive stone implement for grinding corn, called a quern, kneading, and the use of the sieve.

The sons of chieftains of the higher ranks were to be taught horsemanship, shooting, chess-playing, and swimming; and the daughters were to be instructed in the arts of sewing, cutting out, and embroidery. The interest taken in those early times in an amusement still retaining its popularity, especially among the wealthy, is shown by a provision in the law to the effect that the son of a king was to have a horse in the time of races.

In a series of very minute regulations the law provides for the determination of the various intricate questions and disputes which might arise out of the custom of fosterage. Thus the foster father, in case he was changing his residence and leaving the territory, might "through necessity" return to its parents a child which he previously had in his charge; or he might return it because "it was not fit to be fostered," in case, for example, it was afflicted with some disease. Again, he might return a child from pride or caprice; and for each of these three cases regulations are laid down respecting the fosterage fee, whether it is to be retained by the foster father, returned, or divided with the parent of the child.

The father on the other hand might from necessity take away his child from fosterage. If, for example, he was leaving

the territory, or if the child was not properly taken care of. Or he might take it away from pride or caprice, although the child was properly cared for by its foster parents. Or he might take it away from bad fosterage, although not influenced to do so by that circumstance; and for all these cases provision as to the fosterage fee is also made. Law of  
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The period of fosterage terminated when the young people arrived at a marriageable age, or, as it was called, the age of selection, which was fixed at the age of fourteen years for girls and seventeen for boys. It might be terminated sooner by death, or by the child committing such an offence that the foster father was afraid to be responsible for his crimes.

This liability of the foster father for the crimes of his foster children is the subject of very minute and elaborate regulations in the law. It varied according to the kind of fosterage. Thus in fosterage for affection, the foster father was not liable for crimes committed by the child when not with him; and in the case of fosterage for payment, he is only liable for crimes of neglect and for the child's first crime of intention; but after the father is warned, or if he knew of the disposition of the child, he is liable for all crimes of intention. The foster father was also liable for injuries which the foster child might sustain while under his charge, and was entitled to a share of the compensation for such injuries recoverable from the person who inflicted them.

When the foster father restored the child to its own parents he presented it with a parting gift, which came to be called the "seds of lawful maintenance," and the validity of the foster father's claim to be maintained by the foster son in his old age, depended upon whether at the end of the fosterage he had given the prescribed number of "seds." This claim arose only in case his own children were dead or were unable to support him, and in case there was no person whom he had previously fostered in a condition to discharge the duty.

With regard to girls who had been fostered, less was expected from them towards the support of their foster parents, and this circumstance is mentioned as one of the

**Law of Fosterage.** reasons why a somewhat larger fosterage fee was paid in their case.

The system of fosterage appears to have been connected with the "Geilfine" tribe relationship which existed in Ireland, for it is mentioned that the relations who were within this degree were those who received the children in fosterage. The direct "Geilfine" tribe relationship was that of the father, son, grandson, great-grandson, and grandsons to the fifth generation, and in what was called the reverse line, i.e. the brother of the father and his sons to the fifth generation. From the fact that the custom of fosterage existed to a later period in Ireland than in neighbouring States it has by some writers been represented as a reproach to the ancient institutions of Ireland, but as it is well observed by Mr. Thorpe on the word 'foster' in his learned Glossary on the Ancient Laws and Institutes of England, "it would seem that the custom of placing a child out as foster son or daughter with another having a child or children, so that all might be bred and educated together, was as prevalent among the Anglo-Saxons as among the Scandanavian nations." We find, too, in the Laws of Wales,\* sufficient indications of the existence of the practice in that country.

**Laws of Tenure.**

In the next sections, "Cain Saerrath" and "Cain Aigillne," considerable light is thrown upon the interesting subject of the ancient Irish tenures, or relations between the occupiers of land and the chiefs of the tribe. It is, of course, impossible to explain this intricate matter fully until the rest of the laws have been revised and published, especially the parts relating to tribe law, and to the tenure of land by the tribe, as well as the law relating to chieftains and grades of society; but sufficient information is furnished in the two important sections contained in the present volume to enable us to indicate, at least, the main characteristics of the Irish law upon the subject.

The first important characteristic appears to be that each

\* Ancient Laws and Institutes of Wales. Folio edition, 1841, pp. 393, 541, 588, 684, &c.

occupier of land belonged to a tribe, and was liable, in common with the other members of the tribe, to certain tribal obligations, such, for example, as the support of old members of the tribe who had no children ; he was also subject to his proper share of liability in certain contracts entered into by others, if made with the assent of the tribe. Laws of  
Tenure. —

As he might himself involve the other members of his tribe, he was not perfectly free as regards the contracts which he could make ; neither was he free as to the disposal of the land, which was considered, to a certain extent, common tribal property. Thus, he could not sell his land or alienate it in favour of an adopted son, a member of an extern tribe. He was bound to offer the land on sale to his nearest kinsman, before external persons (*i.e.*, persons not of the tribe) could obtain it.

The tribe might protect itself by proclamation against an unworthy occupier of tribe land, and was guarded by law from any liability in consequence of the acts of labourers, cottiers, foster-sons, pupils, or of a son whose father was living, unless such son was supporting his father. The chieftainship of the tribe was an office like that of the president of a republic, and not a matter of absolute private right like that of an hereditary monarch.

Thus, the law prescribes—

“ Every head defends its members, if it be a goodly head, of good deeds, of good morals, exempt, affable, and capable. The body of every head is his tribe, for there is no body without a head. The head of every tribe, according to the people, should be the man of the tribe who is most experienced, the most noble, the most wealthy, the wisest, the most learned, the most truly popular, the most powerful to oppose, the most steadfast to sue for profits and to be sued for losses.”—(p. 279.)

This law furnishes perhaps some explanation of the prevalence of fosterage, inasmuch as the training which that usage provided was obviously well calculated to develop many of those qualities upon which the selection of the chief ultimately depended. The necessity for the possession of

wealth on the part of the chieftain led to another peculiarity in Irish tenure. The chief's claim for rent was contingent on his supplying stock to the occupiers of his land. There were two modes in which he might do this. The stock might be given either in "saerrath" or "daerrath." These words have hitherto been translated, from the analogy of the Feudal Law, "free tenancy" and "base tenancy," and this translation was adopted in the introduction to the first volume of the *Senchus Mor*; but Dr. O'Donovan, though using the translation in the "Book of Rights," was not satisfied with it, for he observes (p. 41), with respect to the terms "saer tuatha" and "daer tuatha"—

"The relation is not fully explained by the terms of the translation, 'noble tribes' and 'unfree tribes.'"

The more attentively the treatises on the laws of tenure were examined the more forcible did Dr. O'Donovan's objections to such translation appear. It has, therefore, been thought best to preserve the Irish terms, merely adding the general common characteristic of both tenures, viz., the giving of stock by the chieftain; and hence, in this volume the "Cain Saerrath" has been termed the 'Cain'-law of 'saer'-stock tenure, and the "Cain Aigillne" has been explained as relating chiefly to the law of 'daer'-stock tenure.

It is somewhat remarkable that the mediæval writers who have most condemned the Irish laws of tenure have omitted to notice in their description of them this essential characteristic, namely, that the stock was supplied by the chief. In their narrowness of mind they could conceive no stable structure of human society but the modified feudalism which they saw around them, and which they consequently felt bound to advocate without any enlightened or impartial investigation of the system which they condemned.

But it is the circumstance that the chief supplied the stock, and the occupier the labour, which makes the Irish system similar to that called by political economists *Metayer tenure*—a system which, originally introduced in the states and colonies of Rome, was common in France till the Revolution



of 1789, and continues to the present hour, in the north of Italy. Prevailing to such an extent in territories subject to Roman jurisdiction, we can readily understand that it received the sanction of St. Patrick, who was the descendant of Roman colonists. We can also understand, without depreciating their capacity, how the Norman chiefs, familiar with it in France, were so ready to adopt it in Ireland, that the most stringent enactments were required to compel their continued observance of the English laws.

In 'saer'-stock tenure the chief gave the stock without requiring any security from the tenant. He gave it in consideration of receiving an annual return for seven years of the value of one-third of the stock given. The chief might claim this return in the form of manual labour at the time of the erection of his 'dun'-fort, or of the reaping of his harvest; or if the chief did not need manual labour, he might require the 'saer'-stock tenant to attend him in a military expedition, and to send a man to do homage to him at the time of the payment of rent.

No member of a tribe could be compelled to take stock in 'saer'-stock tenure from the chief of his tribe. He was, however, obliged to take it from his king, and in this way a wealthy monarch could, by judiciously distributing his stock, secure a valuable force of soldiers in his 'saer'-stock tenants. The tenant might, if he was weary of his tenure, return the stock at any time. If the chief reclaimed the stock, the tenant might offer to take stock on security, that is, on 'daer'-stock tenure, and might claim an addition on that account; and if the chief did not comply, he had then to leave one-third of the stock with the tenant as a penalty for reclaiming it.

The case of a king or chieftain not having sufficient property was met by provisions relating to a man's taking stock from an external chieftain or external king in 'saer'-stock tenure. The office of chief was not necessarily hereditary, and although the possession of property was one of the qualifications for the position, there was no want of respect for hereditary rank, inasmuch as provision is made for the

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case of an inferior chief whose father was not a chief. On the other hand, the chief of "true family by father and grandfather" was declared entitled to returns "with all noble rights in general."

The only trace of Metayer tenancy which Adam Smith could find in the British Isles in his time (1776) was that of steel bow tenancy in Scotland, a system which has some resemblance to the "saer"-stock tenure, and which may have been introduced by the Irish colonists.

The principal Irish tenure appears to have been the "daer"-stock tenure into which the tenant entered by choice, and in which he was required to give security for the stock received. From this optional nature of the tenure, the law respecting it was called "Cain Aigillne," that is the 'Cain' law of options in tenure. The securities given under this law were called "Giallna"-securities, to distinguish them from the kinsmen sureties. Though this tenure was optional in its commencement, there are provisions for securing its continuance against capricious termination on either side. In 'daer'-stock tenure the stock which the chieftain supplied to the tenant consisted of two parts—one being in proportion to the honor price of the chief—and the other in proportion to the food rent to be received in return; the first was called "seoit turcluidhe," (returnable "seds," *i.e.*, property), and the second "turcrec" (proportionate stock.) The "seds" included such property, as horses and oxen, as were necessary for tillage; and the proportionate stock appears to have been generally given in the form of a certain number of cattle.

A considerable part of the "Cain Aigillne" is occupied with a description of the proportionate stock required for the different food rents. Thus we have three cows prescribed as the stock to be given for a wether with what was called "accompaniments" as rent. Six cows are required to be given as the stock for a food rent consisting of a calf of the value of three sacks of wheat, a salted pig, three sacks of malt, half a sack of wheat, and a handful of rush-light candles; and twenty-four cows are required to be given as stock for a

food-rent consisting of a cow of prescribed size and fatness, a salted pig also of prescribed size, eight sacks of malt, a sack of wheat, and three handfuls of rush-light candles of prescribed length.

The "Cain Aigillne" contains traces of very careful provisions for guarding against the arbitrary termination by either chief or tenant of 'daer'-stock tenure when once entered into. Thus if the tenant wished to terminate the tenure without the consent of the chief, for the purpose of benefiting himself by taking stock in 'saer'-stock tenure, he had to return the stock and the "seds with double," and to pay double food rent for the year in which he returned them; or if the tenant desired to clear off to another chief, then in addition to double restitution and double rent he had to pay half honor price to the chief.

If the chief sought to determine the tenancy in a case where there was no neglect or disqualification on the part of the tenant, the latter was entitled to retain one-third of the stock and returnable "seds" as compensation for the loss of the rest of the stock, and was not required to pay food rent for that year. If the object of the chief in recalling the stock was to show contempt for the tenant, the tenant was further entitled to retain his honor price, in addition to the third of the stock.

Each party was protected also against the wilful neglect of the other. Thus if the tenant, although able to pay his rent and perform his services, neglected to do so, he had to pay double food rent, to make double restitution of the stock, and to pay 'dire'-fine until it amounted to the honor price of the chief. In the case, however, of the tenant finding himself through poverty unable to pay, if he returned the stock just as he had received it, he was released from all penalty, on the ground that no one should be oppressed for not doing that which, from poverty, he is incapable of doing.

If the tenant was afraid to continue to hold the stock of the chief on account of false judgment or false testimony on the part of the chief, then he was entitled to an immediate

settlement, as if the chief was dead; and in such a case the services which the tenant had rendered were counted against the stock so as to diminish the amount which the chief was entitled to receive, whilst in some cases the chief forfeited his right to the stock altogether upon this way of settling the account.

If the chief, through poverty, had to claim back his stock from the tenant for his own support, he was, on the ground of his want of means, exempt from the penalty of a forfeiture of the third of the stock; he lost, however, the food rent of the year in which he recalled the stock.

These provisions show that in 'daer'-stock tenure both chief and tenant were treated as parties entering into a contract on equal terms, and that the rights and duties of both were equally recognised. The principles thus established are in marked contrast to the servile theories of the feudal system, and contain the germs of that reciprocal equality of contract and obligation by which it is sought in modern times to regulate the relations of employer and employed.

In the list of the various food rents mentioned in the Law of Tenure, considerable light is thrown upon the state of agriculture in ancient times. Then, as now, we find cattle occupying the first place in importance, whilst pigs rank before either sheep or horses. The cultivation of wheat is so general that it is referred to as a standard of value; barley is grown for malt, and ale is the beverage most frequently referred to. In the first volume of the *Senchus Mor* we find that mention is made of all the implements necessary for the cultivation and manufacture of flax, a fact which shows an early predominance of what is still the staple manufacture of Ulster.

In all these things we find a state of affairs not very dissimilar to that which exists at the present day. There are, however in the laws two circumstances—one an omission, and the other a special reference—which mark, in some degree, the date of some of the latest of the commentaries. The first is the absence of all mention of the potato, which was known in Europe in the year 1588, and was introduced into Ireland

by Sir Walter Raleigh in 1610; the second is the importance attached to the production of honey, as already noticed, to which much attention was given until the introduction of sugar as an article of commerce in the sixteenth century. In the preface to the first volume of the *Senchus Mor* the date of the Harleian MSS. was fixed at A.D. 1578, and the two circumstances just mentioned are strong though indirect proofs that the manuscripts cannot belong to a later period.

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The last subject treated of in this volume is the "*Cain Lanamhna*," or 'Cain'-Law of Social Connexions. The connexions discussed are eight in number—two relate to land, five to family or quasi-family relations, and one to the law of husband and wife. The two social connexions relating to land are those between a chief and his "*Aigillne*" or 'daer'-stock tenants, and between the Church and her tenants of ecclesiastical lands. The connexion between the chief and his tenants has been fully explained, but it is a remarkable indication of the intimate and, as it were, family nature of this connexion, as recognised in Irish law, that it is specially enumerated along with the strictly family connexions.

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Some light is thrown in this section upon the manner in which the lands with which the Church in Ireland was endowed at a very early period were managed. The tenants of these were called "*Saer-Manaich*" and "*Daer-Manaich*,"—terms implying amongst the tenants of ecclesiastical lands a distinction between 'saer'-stock tenants and 'daer'-stock tenants similar to that which existed amongst the tenants of laymen.

The peculiarity of the connexion between the Church and the tenants of its lands was, that "preaching and offering and requiem for souls were due from the Church to its tenants of ecclesiastical lands, and the receiving of every son for instruction, and of every monk to right repentance." From tenants, on the other hand, there were due to the Church "tithes and first fruits and alms, and full honor price when they were strong in health, and one-third honor price at the time of death." The Church had, too, the same power of

pronouncing "judgment and proof and witness" upon its tenants as was possessed by a chief in respect to his tenants.

In connexion with the controversy as to when the payment of tithes was first made a rule in Ireland, the distinct reference to tithes as a charge upon the tenants of ecclesiastical lands, apart from any direct mention of tithes as a general charge, is interesting, as it is quite possible that tithes would, at the earliest moment, be required from the tenants of ecclesiastical lands before they were demanded from the tenants of laymen; and thus some of the conflicting statements as to the period of their general introduction may be reconciled. But as there are further and more full references to the payment of tithes in the unpublished portions of the laws, it would be premature to do more than indicate the subject here as a matter of interesting investigation.

The family or quasi-family connexions next noticed are five in number—those between a father and daughter, between a daughter and her brother, between a son and his mother, between a foster-son and his foster-mother, and between a tutor and his pupils.

The portion of family law with which this part of the *Senchus Mor* deals was in the case of the father, his obligation to foster his daughter, to pay the price of her fosterage to the foster-father until she was of marriageable age, and to wed her to a man of equal family. The father was entitled to receive the whole of her first "Coibche"-wedding gift, the two-thirds of her second, the one-third of her third wedding gift, and a proportion in a descending ratio of her "Coibche"-wedding gift, as far as the twenty-first.

The responsibilities which rested upon a brother are next described. They appear to relate to the brother who succeeded the father as heir and head of the family. He incurred the same obligation as his father in respect to his sister, but was entitled to only half the father's share of the first and second "Coibche"-wedding gifts; he was, however, entitled to a proportion of her legacy portion and of her body-fine. The law, moreover, laid him under an obligation to support her in old age, and to assist her in poverty.

The mother's obligation was to foster her son ; and the son's obligation was to aid his mother in poverty, and support her in old age. A daughter was under a similar obligation to her mother, her father, and to the men of her tribe. The foster-mother was bound to carry out her obligation of fosterage, and at its termination to give to her foster-son the gift called the "seds of lawful maintenance." The foster-son was bound to assist his foster-mother in poverty, and to support her in old age.

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The foster-tutor or literary foster-father was bound to instruct his pupil without reserve, to prepare him for his degree, to chastise him without severity, and to feed and clothe him during his pupilage. The foundation of this custom of literary fosterage is traced to the time of "the school of Fenius Forsaidh." The foster-pupil was bound to assist his tutor in poverty, and to support him in his old age. The pupil was also to give him the honor price of the degree for which he prepared him, and all the gains of his art while he was learning it, and the first earnings of his art after he left the house of his tutor.

There was one power common to these connexions. The father, the brother (when head of the family), the mother, the foster-mother, and the literary foster-father, had a certain authority over the daughter, sister, son, foster-son, or foster-pupil respectively, an authority which is described as that of pronouncing "judgment and proof and witness" upon them. The form is qualified in the case of the mother and the foster-mother by the condition that they must be "indifferent" (in the sense of impartial) witnesses, but the full nature and extent of this power is not explained in this part of the law. Whatever it may have been, the chief is declared entitled to exercise it over his 'daer'-stock tenants, and the Church over her tenants of ecclesiastical lands, whether holding by 'daer'-stock or 'saer'-stock tenure. The provisions of the Irish family law do not appear to have any connexion with the ancient Roman law. The Irish law demands for the mother a position equal to that of the father, and there is no trace of the exercise of that arbitrary power which was wielded

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by a Roman father over the members of his family, and which in effect reduced them to the condition of mere slaves.

The Irish Law in its provisions that the father and brother should receive a share of the daughters' and sisters' wedding gifts resembles the Hindoo law. The relation of pupil and literary foster-fathers has also its prototype in the same law.

In the reign of King James the First, the Irish law was abrogated, and the obligation of providing for the support of parents was not enforced in Ireland for more than two centuries, until the passing of the Poor Law of 1838. It was, however, cherished amongst the customs of the people, and even the collateral claims of sisters upon the son who inherits the farm on the father's death are at the present day a recognised charge upon the land in districts in which tenant-right prevails. In the remittances of the Irish emigrants, which have been remarked as much greater than those of the emigrants of any other nation, we perceive still existing the same spirit of strong family affection and of mutual obligation and dependence which in early times was promoted and enjoined by this law.

The next branch of the Irish social connexions provided for in the *Senchus Mor*, is that which existed between husband and wife. This branch included also irregular connexions entered into between men and women. With regard to regular marriages the law, so far as it affects property, recognises three distinct cases.

The first case was, where husband and wife had equal property; the second, where the wife was supported upon the property of the husband; and the third, where the husband was supported upon the property of the wife. In the first of these cases the wife, who was called the wife of equal dignity, was recognised in all respects as equal with her husband, and it was not lawful for either party, except in certain specified cases, to make contracts without the consent of the other.

The exceptional cases were those of contracts tending equally to the welfare of both; such as alliance of co-tillage



with a lawful tribe when they have not themselves the means of doing the work of ploughing, tilling land, collecting food and house furniture, or alliance for buying stock and other necessities. Every arrangement with regard to the placing of their children with a friendly foster-father, and every lawful contract which brought mutual comfort and gain into the common habitation was allowable. In order to be lawful, however, such contract should be a fair, conscientious, contract—impartially just—with ready acknowledgment of what was bought, &c.

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At a time when the English law of husband and wife, which has now, for three centuries, been substituted for the Irish law in this country, has been condemned by a Committee of the House of Commons, as unjust towards the wife, and when the most advanced of modern thinkers are trying to devise some plan by which wives may be placed in a position more nearly approaching to equality with the husband, it is interesting to discover in the much despised law of the ancient Irish, the recognition of the principle on which efforts are being made to base our legislation on this subject.

The details of the law need not be dwelt on here, as they are more adapted to the primitive state of society in which it was framed than to the present day. So are also the details with respect to cases of separation, adultery, seduction, abduction, violence, deceit, lunacy, and unequal or irregular connexions.

There is, however, one point worthy of special notice, viz. that by the early Irish law, in cases in which children required protection, they were put under the care of foster-parents. It is somewhat remarkable that after the lapse of so many years, and after the failure of the attempt to rear children on the non-family system in the Charter schools, and on the half-family system of Foundling Hospitals, the true family system corresponding to Irish fosterage should have been revived in modern times by the Protestant Orphan Society of Ireland, adopted by other orphan societies, and finally urged upon the legislature as the

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proper mode of providing for orphans, supported by the poor rates. The Act sanctioning this application of the rates, restricts the age at which children can be kept out at nurse to ten years—a restriction somewhat similar to that imposed by the half-family system of the Foundling Hospital; but the fact that the guardians of one of the principal unions in this country have applied to be entrusted with the power of leaving the children with their nurses until the more advanced age of twelve years, is a confirmation by the experience of the present, of the wisdom of the limits for the duration of fosterage which were established and for centuries observed under the rules laid down by the *Senchus Mor*.

Conclusion. Although two volumes of the *Senchus Mor* have now been published, there is still much to be done for the complete elucidation of the ancient Irish laws. The earlier treatise on criminal law contained in the Book of Aicil, and the later treatises on Co-tenancy, Verbal Contracts, Division of Tribes, Paths of Judgment, Taking Possession of Land, &c., &c., all contain matter of deep interest to the statesman, the historian, and the antiquary.

Until the translations of these treatises, which have been made in first draft by Dr. O'Donovan and Professor O'Curry have been published, after revision such as the portions contained in the first and this volume have undergone, it will be impossible to give a complete account of the ancient Irish law system, or to be perfectly certain as to its interpretation. The different parts of a system of laws are so intimately interwoven with each other that each part assumes to a certain extent a knowledge of the rest.

It is, therefore, difficult to form a final opinion of the whole from the parts already published. It is also difficult, in the absence of evidence as to the date of the different glosses and commentaries of the different law schools and jurists, to judge of the adaptation of the special provisions of the law to the changing structure of society in the different portions of the lengthened period during which the laws were in force.

Apart, however, from the details which, living as we do in

a totally different age, it is hard for us to appreciate properly, Conclusion.  
 there is some historic evidence as to the general characteristics of the entire system. The only period during which the laws in the *Senchus Mor* were acknowledged over the whole of Ireland was from the preparation of the code under St. Patrick's auspices in the fifth century until the invasion of the Pagan Danes in the end of the eighth century. The first attack of that people on any part of Ireland is said to have taken place A.D. 792. This period was marked by the rapid extension of learning and civilization in Ireland, as well as by those grand missionary efforts in the cause of Christianity which gained for her so well-merited a renown. So many of the Irish missionaries and ecclesiastics of this period distinguished themselves at home and abroad that in after times Ireland was named the Island of Saints.

After Ireland had suffered for three hundred years from the harassing inroads of the Danes, and after a partial conquest by the Normans had been effected, we find that in all the places where the feudal law of the Normans was brought into competition with the ancient Irish law, there sprang up a desire upon the part of the Irish descendants of the Norman chieftains to adopt the latter; and when we reflect that the tenures and other incidents of the feudal system, which the Irish objected to, have been since abolished, and that the whole relation of landlord and tenant in Ireland has come to rest on contract and not on tenure, we can understand this preference for the Irish laws on the part of the Anglo-Norman colonists—a preference so decided as to require the most stringent statutes of Norman Irish Parliaments to restrain it. We have thus strong contemporary testimony that the Irish laws were to a large extent suitable to the then existing state of Irish society.

The opinions hitherto entertained and generally promulgated of the ancient laws of Ireland have been chiefly derived from interested persons who felt bound to advocate the introduction of the English law. In the controversies on this subject the defects of the Irish laws were mainly noticed,

**Conclusion.** while the great principles recognised therein were entirely, overlooked.

But if we are to judge of the Irish laws on the whole and see how far they were adapted to attain that which jurists assert to be the great object of all law, viz., not merely to settle disputes as they arise, but to infuse into the hearts of the people a love of justice, we shall find that the great lawyer who was most influential in the final overthrow of the Irish laws, and who has freely criticised their provisions, has himself furnished the strongest testimony to the extensive and beneficial effect of the ancient laws and judicial system of Ireland upon the character of the Irish race, in those remarkable words with which he concludes his "Discovery of the true causes why Ireland was never entirely subdued and brought under obedience to the Crown of England until the beginning of His Majesty's (King James the First) happy reign." "There is," says Sir John Davis, "no nation of people under the sun that doth love equal and indifferent justice better than the Irish, or will rest better satisfied with the execution thereof, although it be against themselves, so as they may have the protection and benefit of the law when upon just cause they do desire it."

W. NEILSON HANCOCK,  
THADDEUS O'MAHONY.

senchus mor.

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SENCUS MOR.

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PART II.

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VOL. II.

B

## senchus mor.

### DO COIMEO DLIGTEACH ANMSO.

- DISTRESS.** **—** Segas athgabail 1 noub arochib 1 nduinib dia  
diciun; plan cach diciun; daer cach dicell; coir  
cach coimeour; diuuch cach dechberne; dligtech  
cach lerugad; dilmuin cach anpot; ainidun cach  
C. 2700. necubur; ar ruis fiaeu cach ninoligi [nao imoie  
dechbiri iar ndia ocu duine.]

- Segas athgabail, .i. atairgidur in atgabail ir na dub aroib da  
diciun ir in dun no a ninut inill. Diciun, .i. cia ro bhuirid oc dul ir in  
dun ocu a tabuir a mainner. Sian cach, .i. in ceit imain. Daer  
cach dicell, .i. ra conuib ocu gairid, .i. a facbail amuig cin coimeo.  
Coir cach coimeour, .i. buachuill oca coimeo amuig cio a los cio  
an oide. Diuuch cach dechberne, .i. plan can cuic feoit in ro uile,  
ocu eiauit i coluinn fiae ceana, aet ir in tan ir galur bunuib nama,  
C. 2701. .i. galur bunuib no roioiche de, ni eiauit imurpo annidre [a corp fiaech  
aet atgabail aile] gebur imin cinuib. Dligtech cach lerugad, .i.  
mainnuir dligteac tall in aroie, no rinn feoir a lo. Dilmuin cach  
anpot, .i. dilmuin lium in tanpoitciu, ce fuactnuigis mil oib re cele  
ina ceit imain no na mainnuir dligteig, .i. cema bhuirid roibiuir mainnuir.  
Ainidun, .i. cin in fairre tall ma eadaingen in dun. Ar ruis fiaeu  
cach ninoligi, .i. lain oire ocu let oire ocu trian oire innti do  
brobuir, ocu a dul fein a corp cinuib do feceamuin toichea, .i. i teacht  
C. 2701. a ngraim aetina gae ni oib muiguidur ir na [inroebuir ro].

- Maob imuib facbuirur cin coimeo, no muna hairgidur tall  
C. 2701 [mao eadaingin in] dun, ira dul for gneim naetina do dia  
muiguidur, ocu cuic feoit la taoebh. Muna te amuga ir cuic  
feoit nama. Cach ni diemur don atgabail, ir einuclunn ocu  
oire inech rin do fechemuin toichea. Cac ni imurpo na ro

1 'Dun'-fort.' In the Irish law the 'Dun' and 'Lis' are both mentioned as places  
of protection; but not being synonymous (*vide* p. 51, *infra*), the Irish terms have  
been retained.

2 'Mainner'-pound. In Irish law there appears to have been more than one  
species of pound. In the Commentary (p. 51, *infra*), the 'scor'-pound is mentioned  
in the same passage with the 'mainner'-pound. The 'mainner'-pound is explained  
in the Gloss. (p. 11, *infra*), to mean the enclosure or habitation of the man by whom  
the distress was taken, and is distinguished from the 'forus nditin,' or habitation  
of the chief poet, and 'forus mbreitheamhun,' or habitation of the brehon.

## SENCUS MOR.

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### OF THE LEGAL KEEPING HERE.

**D**ISTRESS is brought on dark nights into forts to DISTRESS.  
protect it; every protection is exempt; every  
neglect is condemned; every keeping is right; every  
necessity is blameless; every improvement is lawful;  
every inadvertency is venial; every wilful neglect is  
wrong; for fines are sought for every illegality which  
necessity does not save according to God and man.

Distress is brought, i.e. the distress is brought in the dark nights, to protect it in the 'dun'-fort<sup>1</sup> or in a place of security. To protect it, i.e. *the motive was to protect it* though it was injured in going to the 'dun'-fort and in bringing it out of the 'mainner'-pound.<sup>2</sup> Every *protection* is exempt, i.e. *provided there was proper driving*. Every neglect is condemned, i.e. *in leaving the cattle exposed to dogs and thieves*, i.e. to leave them outside without a guard. Every keeping is right, i.e. a herdsman should guard them outside both by day and night. Every necessity is blameless; i.e. all this is exempt from the five 'seds,' and they go for the original debt generally except only where there is original disease, i.e. original disease, or the act of God, in which case, however, they do not go in the original debt, but another distress shall be taken for the debt. Every improvement is lawful, i.e. a lawful 'mainner'-pound within in the night, or good grass in the day. Every inadvertency is venial, i.e. I deem the inadvertency pardonable, though one of the animals may attack the other during proper driving or in the lawful 'mainner'-pound, i.e. though they should be injured in the 'mainner'-pound. *Every wilful neglect is wrong*, i.e. not to have a watch within, if the 'dun'-fort be not strong. For fines are sought for every illegality, &c., i.e. full 'dire'-fine and half 'dire'-fine and one-third 'dire'-fine are due for it to the defendant, and *the beasts* themselves go for the original debt to the plaintiff, i.e. whatever of them is thus destroyed without necessity involves the liability of restitution.

If *the distress* be left outside without a guard, or if it be not secured within if the 'dun'-fort be not strong, there is incurred the liability of restitution if it be killed, and five 'seds' besides. If it is not lost it (*the penalty*) is five 'seds' only. Whatever part of the distress is lost *by neglect* there is honor-price and 'dire'-fine due for it to

**DISTRESS.**            **DIÉT**maṛtur in einioclunn ocuf oipe oṛin bunuṛ ainnṛoḃe, ocuf aṛṛṛin nama do fechemuin toicheḃa, ocuf einioclunn oṛin na faiche a cechtur ḃe.

Maṛ oṛoiche ḃe no maṛburtur in aṛḃabail ría naṛmṛin lobṛa, no maṛ an aoenur no meabutur a coṛa in in ceṛt imain no in in mainneṛ ḃliḃtiḃ, cía tainic cintuḃ ne ḃliḃḃ fo cetoṛin cin cu tainic, in a nḃul a ríachuiḃ in fechemuin toicheḃa.

Maṛ i naṛmṛin in lobṛa tancutur na heṛnuilí rin riu in i nḃul ar ron a ríac lobṛa ocuf bunuṛ ríac oic.

Maṛa mil ḃib feṛin no ríacṛnuṛḃ ne ceile in in ceṛt imain no in in mainneṛ ḃliḃtiḃ, no maḃ ḃalur bunuṛ cinnṛi ría naṛmṛin lobṛa, ocuf tainic cintuch ne ḃliḃḃ fo cetoṛin, a maṛt do biḃbuṛḃ, ocuf a fech do fechemuin toicheḃa.

Muna tainic cintuḃ ne ḃliḃḃ fo cetoṛin, loḃ cuic feṛ do na maṛtuṛḃ do ḃul a lobuḃ ar caḃ laṛte naicṛta, ocuf a bunuḃ ríach do ic ne fechemuin toicheḃa.

Maṛ i naṛmṛin lobṛa tancutur na heṛnuilí rin riu, in i nḃul ar ron a ríach lobṛa, ocuf a bunuḃ ríach do ic ne fechemuin, cenmoṛa in ḃalur bunuṛ cinnṛi a naṛmṛin lobṛa, uair maṛa ḃalur bunuṛ cinnṛi a naṛmṛin lobṛa, a maṛt do biḃbuṛḃ, ocuf a fech do fechemuin toicheḃa ocuf a ríac lobṛa.

Maṛa ḃalur cuntuburṛuḃ ocuf tainic cintuch ne ḃliḃḃ fo cetoṛin, leṛ a maṛt do biḃbuṛḃ, ocuf leṛ a ríac do fechemuin toicheḃa. Muna tainic cintuḃ ne ḃliḃḃ fo cetoṛin, loḃ cuic feṛ do leṛ na maṛt do ḃul a lobuḃ ar caḃ laṛte naicṛta, ocuf leṛ a ríac uḃaḃa.

**Sic.** Maṛa ḃalur cuntaburṛaḃ iar naṛmṛin lobṛa, leṛ a maṛt do biḃbuṛḃ ocuf a bunuḃ uile uḃaḃa ocuf leṛ a ríac loṛṛa.

Maṛ i naoenur no meabutur a coṛa in in luḃ imain, no in in mainneṛ nṛnḃliḃtiḃ, no in in cumuṛḃ nṛlceṛna; no maṛa faill coimeḃa, no maṛa taitur ría naṛmṛin lobṛa, cuic feoṛt do

<sup>1</sup> *Forfeiture.* In the margin of the MS. there is added here, "ocuf a bunuḃ ríach," (and his original debt.)



the plaintiff. Whatever part is not lost there is honor-price and 'dire'-fine *due* for it to the original owner, and restitution only to the plaintiff, and honor-price to the owner of the green in either case. DISTRESS.

If the distress has been killed by the act of God before the time of forfeiture, or if the legs have been broken by the animals themselves during the proper driving or in the lawful 'mainner'-pound, whether the debtor has or has not at once submitted to the law, it shall go to liquidate the debt due to the plaintiff.

If it was in the time of forfeiture that these things occurred to them they (*the animals*) shall go for the fine of forfeiture and the original debt shall be paid.

If it was an animal of themselves that attacked another during the proper driving or in the lawful 'mainner'-pound, or if it was an undoubted original disease *that killed them* before the period of forfeiture, and the debtor had submitted to law at once, their flesh *is given* to the defendant, and the debts *due shall be paid* to the plaintiff.

If the debtor has not submitted to the law at once, the value of five 'seds' of the flesh shall become forfeited every natural day, and the original debt shall be paid to the plaintiff.

If these accidents occur to them during the time of forfeiture, they (*the animals*) shall go for the fines of forfeiture, and the original debt shall be paid to the plaintiff, except in the case of undoubted original disease during the time of forfeiture, for if it was a decided original disease *that carried them off* during the time of forfeiture, their beef *is given* to the defendant, and the *original debt is paid by him* to the plaintiff, besides the fine for forfeiture.<sup>1</sup>

If it was an uncertain disease *that killed them* and the debtor submitted to the law at once, half their beef *shall be given* to the defendant, and half the debt to the plaintiff. If the debtor has not submitted to the law at once, the value of five 'seds' of half the flesh shall be forfeited every natural day, and half the debt shall be paid by him.

If it was an uncertain disease *that killed them* after the time of forfeiture, half their flesh *shall be given* to the defendant, and the whole of the original *debt* and half the fine for forfeiture.

If their legs were broken by themselves during furious driving, or in an unlawful 'mainner'-pound, or in the intermixture of various cattle; or if it be *a case of* neglect of guarding, or of theft before the time of forfeiture, there are five 'seds' *due* to the kinsman-surety for

**DISTRESS.** inbleoguin in cáe ní díb fín, ocur feoit a comaiscintá; ocur  
 — laín díne ocur leé díne ocur trían díne íf in taitur.

Nocha nfuil ní do cínúé íf ná hepnúilíú fín aét aétgín, cínmoéa in taitur, uair maó eiríde, atait cuic feoit do cínúch ann, ocur laín díne ocur leé díne ocur trían díne; ocur inuinn fín ocur mara míl díb fein nó fuaétnúíó ne ceile íf in luat imáin, íf nann de do dúl ne laín ar fgaé aétgína, uair naé e féin íf fep laíne, ocur ícuíó fe fécmaó im díne, ceítre cuiceó i mbuín, ocur leé im ead.

Mar é in fechem toicheóa nó imeir taitur fórru nua naimíur lobéa, íf fiach gairí fairí don búobuíó, ocur a féc don fechemuín toicheóa.

Mara neé eile nó imíur taitur fórru nua naimíur lobéa, enecclunn don fechemuín toicheóa, ocur díne ocur eíneclunn don búobuíó, ocur a féc ó búobuíó do fechemuín toicheóa.

Mara neac eile nó imeir taitur fórru i naimíur lobéa, a imdenúí don búobuíó ná feoit nó lecreaó illobuíó .ó. aét mar íat tallta ann ná feoit nó lecreoíam amúga nó a lobuíó, íf enecclunn ocur díne ocur aétgín do fechemuín toicheóa, ocur ní fuil ní do búobuíó.

Mara íat tallta ann ná feoit ná deacur i lobuíó, íf enecclunn do fechemuín toicheóa, ocur díne ocur aétgín do búobuíó, ocur a féc on búobuíó do fechemuín toicheóa.

Maó fó fíut ní do ná fetuíb ar maícin íf in maínníur íar ná marbaó i naimíur lobéa, ocur ní dechuíó in aétgabail i lopuíó uile, ocur do cuairí ní dí; aét ma nó menmnuíú in fechem toicheóa ní aírúe don aétgabail do dúl i lobuíó do, aét mar do ná fetuíb íf ler in fechemuín toicheóa nó marbaó ní ann, íf cranncur ecurruíó cu fepur in míl díb do nínne in foguíl; íf a dúl ina leé. Mar ler in búobuíó íf íc do ne fechemuín toicheóa.

Cantain eile.

Mar dífoicíe de nó marburtur in aétgabail nua naimíur lobéa, nó mara naoenur nó muíoburtur a cora ina ceit imáin,

every one of these cases, and 'seds' of the same nature ; and there is full 'dire'-fine and half 'dire'-fine and one-third 'dire'-fine *due* for the theft. DISTRESS. —

There is nothing due to the debtor in these cases but restitution, except for theft, for if it be this, there are five 'seds' *due* to the debtor for it, besides full 'dire'-fine and half 'dire'-fine and one-third 'dire'-fine ; and this is the same as the case in which an animal of themselves has attacked another during the furious driving, a part of it falls to the ground by way of restitution, because he himself is not the inflictor of the injury with his own hand,\* and he shall pay the six-sevenths *of the distress* for a man, the four-fifths for a cow, and one-half for a horse. Ir. Man of the hand.

If it was the plaintiff that stole them before the time of forfeiture, fine for theft shall be due of him to the defendant, and the plaintiff *shall be paid* the debts due to him.

If it was another person that stole them before the time of forfeiture, honor-price is *due* to the plaintiff, and 'dire'-fine and honor-price to the defendant, and the debt *shall be paid* by the defendant to the plaintiff.

If it was another person that stole them after the time of forfeiture has set in, the defendant is to prove such 'seds' of them as he would have allowed to be forfeited, and if it were such 'seds' as he would have allowed to be lost or to become forfeited that were taken, the plaintiff shall have honor-price, 'dire'-fine, and restitution, and the defendant shall have nothing.

If it was the 'seds' that had not become forfeited that were taken *in the theft*, the plaintiff shall have honor-price, and the defendant shall have 'dire'-fine and restitution, and the debt *shall be paid* by the defendant to the plaintiff.

If one of the 'seds' be found killed on the next morning in the 'mainner'-pound in the time of forfeiture, and all the distress had not become forfeited, but some of it had ; if the plaintiff has observed that a particular portion of the distress had become forfeited to him, and if it is suspected that one of the 'seds' belonging to him *thus by forfeiture* has killed any beast, lots are to be cast between them to know if it was one of them that has done the injury ; it (*the beast on which the lot falls*) goes for its crime. If it has fallen on a beast belonging to the defendant he shall pay for it to the plaintiff.

Another version :—

If it is the act of God that has killed the distress before the time of forfeiture, or if the legs of the cattle taken in distress were broken

**DISTRESS.** ո՞ր ի՞նչ մայրն ունիցի; օսիւր տանու բնութիւնը թէ ունիցի քո  
 —————  
 շէտիւր, ի՞ր ա՞նձը ար քոն ա՞րիւնքը քո բնութեան տօնիւնը.

Մայր ի՞նչ տանու բնութիւնը թէ ունիցի քոն, ո՞ր ի՞նչ  
 մայրն ունիցի, մայր տանու բնութիւնը թէ ունիցի քոն  
 մայրն ունիցի, ի՞ր ա՞նձը ար քոն ա՞րիւնքը, օսիւր ի՞նչ  
 բնութիւնը քոն ի՞նչ թէ բնութեան տօնիւնը. Ո՞ր տօն, մայր ի՞նչ  
 տանու բնութիւնը թէ ունիցի քոն, քոն քոն տանու բնութիւնը  
 թէ ունիցի քոն տանու ի՞նչ մայրն ունիցի, ի՞ր ա՞նձը ար քոն  
 ա՞րիւնքը քոն ի՞նչ տօնիւնը.

Մայրն ունիցի թէ մայրն ունիցի ի՞նչ տանու բնութիւնը  
 տանու, ո՞ր մայրն ունիցի թէ ունիցի քոն ի՞նչ տանու  
 տանու, ո՞ր մայրն ունիցի թէ ունիցի քոն ի՞նչ տանու  
 տանու, ո՞ր մայրն ունիցի թէ ունիցի քոն ի՞նչ տանու  
 տանու, ի՞ր ա՞նձը քոն տանու, օսիւր ա՞նձը քոն տանու.

Մայրն ունիցի տանու բնութիւնը թէ ունիցի քոն, քոն  
 ի՞նչ տանու, ո՞ր թէ մայրն ունիցի տանու քոն, մայր  
 տանու բնութիւնը թէ ունիցի քոն տանու ի՞նչ մայրն  
 ունիցի, ի՞ր ա՞նձը ար քոն ա՞րիւնքը, օսիւր ի՞նչ տանու  
 տանու քոն ի՞նչ տանու, օսիւր ա՞նձը քոն ի՞նչ տանու  
 տանու.

Մայրն ունիցի թէ մայրն ունիցի ի՞նչ տանու բնութիւնը  
 տանու, ա՞նձը քոն տանու օսիւր ա՞նձը .1. ա՞նձը քոն, քոն  
 տանու, օսիւր ա՞նձը տանու.

Մայրն ունիցի տանու բնութիւնը թէ մայրն ունիցի ի՞նչ  
 տանու, օսիւր տանու բնութիւնը թէ ունիցի քոն շէտիւր, ի՞նչ  
 ա՞նձը քոն, օսիւր ի՞նչ ա՞նձը քոն տանու.

Մայրն ունիցի տանու քոն, օսիւր ո՞ր տանու բնութիւնը  
 թէ ունիցի քոն տանու ի՞նչ մայրն ունիցի, ի՞ր ա՞նձը ար քոն  
 ա՞րիւնքը, օսիւր ա՞նձը քոն ի՞նչ տանու, օսիւր ի՞նչ տանու  
 տանու, օսիւր ի՞նչ տանու քոն ի՞նչ տանու, օսիւր ի՞նչ տանու  
 տանու.

Մայրն ունիցի տանու քոն ի՞նչ տանու տանու բնութիւնը  
 ի՞նչ տանու, ա՞նձը քոն տանու ի՞նչ տանու տանու, օսիւր  
 ի՞նչ ա՞նձը քոն.

during proper driving of *them*, or in the lawful 'mainner'-pound, and the defendant has submitted to law at once, they (*the injured cattle*) shall go for the debt to the plaintiff. DISTRESS. —

Even if these accidents occurred to them in the time of forfeiture, or though *they occurred* before the time of forfeiture, unless the defendant had submitted to law before the time of forfeiture had arrived, they shall go for the debt of forfeiture, and the original debt shall be paid to the plaintiff. Or indeed, if these casualties occurred to them in the time of forfeiture, and the defendant did not submit to law until after the arrival of the time of forfeiture, they shall go in *discharge* of the debt just as the pledge goeth which is overtaken by the act of God.

If an original disease has killed the *cattle taken in distress* before the time of forfeiture, or if one of themselves has attacked the other during proper driving or in the lawful 'mainner'-pound, and that the defendant had submitted to the law at once, the beef is *given* to the defendant, and the debt *paid* to the plaintiff.

If *any* of these accidents occurred to them after the time of forfeiture, with the exception of the original disease, or though they may have occurred to them before the time of forfeiture, if the defendant had not submitted to law till after the time of forfeiture, they shall go in *discharge* of the debt for forfeiture, and the value of five 'seds' in beef shall become forfeited every natural day, and the original debt shall be paid to the plaintiff.

If an original disease had killed the *cattle taken in distress* before it became forfeited, the beef *shall be given* to the defendant and he shall pay the debt, i.e. the original debt, and the fine for *allowing* forfeiture to the plaintiff.

If it be an uncertain disease that had killed the *cattle taken in distress* before the time of forfeiture, and the defendant submitted to law at once, half the beef is *given* to the defendant, and half the debt to the plaintiff.

If it (*the disease*) came upon them before the time of forfeiture, and the defendant did not submit to law until after the time of forfeiture, they shall go for the fine of forfeiture, and the original debt shall be paid to the plaintiff, and the value of five 'seds' of half the beef shall become forfeited every natural day.

If it is after the time of forfeiture the uncertain disease has come upon the *cattle taken in distress*, all the original debt due to the plaintiff shall be paid to him, as well as half the fine for *allowing* forfeiture.

**DISTRESS.** — Máir in aoenur po maigriut a cora ina luath imain, no ina mainnir innoilgiú, no maíra cumuig nílceatúra, no maíra fáill imchoimeá; no maíra éatuir, cinmoíta lan oíre ocuig leé oíre ocuig tuiam oíre ír in éatuir maíra naimíur lobéa, cin cu éainic bíobuioí re oígeó co éainic íar naimíur lobéa, can ní don atgabail o íin amach do dól a lobuio, ocuig aitéigin commaité oíruic on fechemuin toicheóa, ocuig cuic fet oimbleóuin in gaé ní díb íin, ocuig noíca íruil do cínach aét aitéigin inech po loíteó do atgabail, cinmoíta in éatuir; uair ma éiríe, ír cuic íeóit ann eio o cínuch eio o imbleóuin, ocuig laín oíre, ocuig leé oíre, ocuig tuiam oíre, ocuig lan éineclunn. Ocuig ír inunn íin ocuig míl díb íeín do íuáctnugá re ceile ina luath imain, no ina mainnir innoilgiú; aét íann de do dól re íar ar ígaé aitéína, uair naé é íeín ír íer íaíme, ocuig ícuio íé íeétnuio ím óuine, ocuig ceitíre cuiceó í mboín, ocuig leé ím each.

Ra íeruir íeé íaité íur in [atgabail] cach cin co íer íaité ía íeíne.

Ra íeruir, .i. cu íaib a íir agat na íeé íaité íer í mberuir in atgabail gabur ím in cinuig cu íeéclunn íaíu do íer in íeínechur. Cach cin co íer íaité, .i. mech oíur na íaité, ocuig aitéigin a íeoir. Íaité na íeé ígnáó tuaité, ío bí ír in íaité do beruir in atgabail; ocuig aat eí íer íeruir in gaé íaité do na íib íaité íin, amuil ír bíer in íeabur íir, .i. íaité aínm cach ae.—S.D.

Íeáguir íeruir; ní íuíl aét eí íeruir ann; íeruir naíra, íeruir nóícin, íeruir mbreíteamun.

Íeáguir íeruir, .i. atáirgíeíur arur eile ann, .i. eíre ír ía ina íeé aí. Aét eí íeruir ann, .i. aét eí arur ano. Íeruir naíra, .i. mainnir, .i. arur in íir uíl ag in aíra fechemun toicheóa, .i. íur í ngabteí atgabala. Íeruir nóícin, .i. arur in ollamun íuio, .i. óun, .i. í nóíenigteí na cuic íeóit deíínacha. Íeruir mbreíteamun, .i. arur in breíteamun, .i. eí in aró ollaman.

<sup>1</sup> *Greens.* Vide *Senchus Mor*, vol. i., p. 293.

<sup>2</sup> *The Feini.* Vide *Senchus Mor*, vol. i., p. 32.

<sup>3</sup> *Green.* From this it would appear that every chieftain had an enclosed field or green, attached to which were three enclosures for lodging the cattle taken as distress. They grazed the field by day, and were sheltered in the houses at night or during inclement weather.

If their feet were broken in driving them furiously, or in an unlawful 'mainner'-pound, or if it be a case of intermixture of various cattle, or neglect of guarding; or if theft *has taken place* (except full 'dire'-fine, and half 'dire'-fine, and third 'dire'-fine *be paid* for the theft) before the time of forfeiture, even if the defendant did not submit to the law until after the arrival of the time of forfeiture, no part of the distress shall thenceforth become forfeited, and full restitution shall be made by the plaintiff, and five 'seds' *shall be given* to the kinsman-surety for each of these cases, and the debtor *himself* shall get nothing but restitution for the part of the distress which was destroyed, except for the theft; for if this *has taken place there is a fine* of five 'seds' for it whether the distress had been taken from the debtor or the kinsman-surety, and full 'dire'-fine, and half 'dire'-fine, and third 'dire'-fine, and full honor-price. And the case is similar when one of the animals has hurt another during furious driving, or in an unlawful 'mainner'-pound; except that a part of it falls to the ground by way of restitution, because he himself is not the inflictor of the injury with his own hand,\* and he shall pay the six-sevenths of the distress for a human being, the four-fifths for a cow, and the half for a horse.

DISTRESS.

\* Ir. Man  
of the hand.

Thou shouldst know the seven greens<sup>1</sup> for the distress at which every debt is *demanded until it is paid*, with the grass of the green, according to the Feini.<sup>2</sup>

Thou shouldst know, i.e. that thou mayest know the seven greens into which is brought the distress which is taken for the debt until it satisfies the debts according to the Feinechus Law. Every debt, with the grass of the green, i.e. the sacks are given to the owner of the green, and compensation for his grass. Each of the seven grades of the laity has necessarily a green, because it is into a green of those the distress is carried; and there are three enclosures in each green<sup>3</sup> of these, as the book states below, i.e. a green is the name of each.—S.D.

Let the 'forus'-pounds be considered; there are but three 'forus'-pounds—the 'forus'-pound for pleading, the 'forus'-pound for protecting, the 'forus'-pound of the brehon.

Let the 'forus'-pounds be considered, i.e. other habitations are recognised, i.e. three besides the seven. But three 'forus'-pounds, i.e. but three habitations. The 'forus'-pound for pleading, i.e. a 'mainner'-pound, i.e. the habitation belonging to the man who is suing for the plaintiff, i.e. by whom distress is taken. The 'forus'-pound for protecting, i.e. the habitation belonging to the chief post, i.e. the 'dun'-fort, i.e. in which the last five 'seds' *remaining unforfeited of the distress* are protected. The 'forus'-pound of the brehon, i.e. the habitation belonging to the brehon, i.e. the house of the chief Ollamh.





It is brought into the greens of the man of judgment. The *number of* grades that each person advances entitles him to a similar number of sacks for his green. DISTRESS.

It is brought into the greens, i.e. just judgment is passed concerning it by the Feini. For his green, each ascending grade increases by one sack. The grades, i.e. it is he that owns the green of separation,<sup>1</sup> i.e. some of the pleading and of the passing of judgment is done there, i.e. to pass judgment upon it.

The first 'forus'-pound is the green, the second the 'dun'-fort, the third the house, i.e. the number of grades which advances for taking the distress, i.e. three carry it out to four, the same is the number of places in which are put *the sacks* which are adjudged that he should have for his green to detain the distress therein—*S.B.*, i.e. or the number of grades which each of these advances over the same is the number of places in which is put the sack which is adjudged to be due to him for his green for detaining a distress. The 'Og-aire'-chief has the place of one sack, and the 'Aire-forgill'-chief has the place of seven sacks. The 'Og-aire'-chiefs possess a 'tir-cumhaile'<sup>2</sup> of land, and every grade from that up to the king of a territory has respectively a 'tir-cumhaile' of land in excess over each preceding one; and he possesses seven 'tir-cumhailes' of land, as does every one of the Septenary grades<sup>3</sup> of higher dignity than he, to detain distress by the size of the green into which the distress of the kinsman-surety is brought.

### A green of separation for the sick.

A green in which the sound cattle can be separated, i.e. from the unsound, i.e. from the diseased, and he (*the plaintiff*) shall pay a fine of five 'seds' unless the place to which the distress is brought is so, i.e. a green in which may be separated the beast which is in the middle of disease, i.e. sickness, from the healthy beast of the distress of the kinsman-surety or the sick beast of the distress of the debtor.

A level land; a central territory; the possessions of ancestors, excepting new dignitaries ennobled by the Feini.

A level land, i.e. it should be arable land. A central territory, i.e. that it be not on the border, i.e. that it be central in the territory, in the middle of the

**DISTRESS.** *Sic.* **Luigið** fœanaitre, .i. cupub teallach atur no fœanatar, ocuf narub tîr ðuibîð. Cinmotha nua neime, .i. rî ocuf rîle teacmuig oc neoc na bi gnat. In eime nua cin cub tîr atar no fœanatar; no cinmotha in nua do beir for uairliuga ar, in eime bir ege ina fœitce. Tîr noibîð in doer cele no fœarunn ceannuig, uair nocha ðleður in atgabail do breit inntibîðe, .i. no ma for tîr eile.

Îreo ðleður mintîre, ocuf cominnell tuaitce, ocuf teallach fœanaitre, ocuf rînn fœoir, ocuf fœrc fœitrlîct, ocuf fœrc in tœar breitîr, ocuf fœrc cin anad etîr ðatgabail inbleoðuin; ocuf cuic fœoit ðinbleoðuin i fœchmuillad cað nech ðib, ocuf nocha nruil nî do chintuð.

Îreo îf fœrc fœitrlîct ann, a breit inunn in conuîr tuccad amach in atgabail, ocuf îf ann ata rmaæt ar in fœchemuin toicheða in tan tainic inbleoðuin fœcha do fœarluuð a atgabail; ocuf muna tainig, nocha nictur nî fœr cin co fœrg fœitrlîcta no cin cu fœrg in tœar breiter, .i. cupub i tœar briaður a ðera tall fœuil na hatgabail, no cum aat tîr briaður fœirc cin foruf fœchemun.

**Nach** comðeð beaf mo loð nech adgair fœi hinbleoðuin.

**Nach** comðeð, .i. nî cumann, no na tœialla, .i. atgin a fœad nama, no îf atgina cona ðiabluð. Adgair fœi hinbleoðuin, .i. na camaimrîðeð no na cotaimrîðeð nî îf mo na loð ineich aga mbia fœ agna for cintuð do gabail in atgabail do inbleoðuin, ocuf gubîð a lœtgabail ðiabulca i natgabail aile ðe, .i. na comaimrîðeð do gabail ðinbleoðuin nî îf mo na loð inec do aicpuð ar cintuch, .i. ma luga in cin, .i. atgin inec rîo ðleæt do cintuch iar nelo îreo gabur do rîne cintuig, ceapc atgina imurîo ðon fœit inec rîonaf fœirre, cia rîo elorð in buðbuîð in fœchium naile, .i. cîð fœi fœite neð eile.

**Faibîo** co ðiabul ar fœr cinuîð, aruf ðiabluð fœi helo. Nî agaruf nað cintuch acht do rîit loð rîach aroillîtur; îf ðe ata, do buing agnu ericc.

**Faibîo** co ðiabul, .i. gabur aoen atgabail imin atgin cuna ðiabluð ðon rîr do rînne in cinuig, iar nelo, uair ðiabluð cintuig îf i atgabail

<sup>1</sup> *Notice along the track.* For the different kinds of notice, vid. 'Senchus Mor,' vol. i., pp. 105, 269, 289, 303.

territory, or where there are no robbers or buyers. Possessions of ancestors, i.e. that it be the possession of a father or grandfather, and not a land left as a legacy. Except new dignitaries, i.e. a king and a poet that one happens to have whom he has not had always. The new dignitary is *excepted*, although he does not *inherit* the land of his father or grandfather; or except the new thing which ennobles the dignitary, i.e. *cattle* which he has in his green. But not so the legacy land of the 'daer'-stock tenant, or purchased land, for it is not lawful to bring the distress into these, i.e. or if upon other land.

DISTRESS.

The distress of the kinsman-surety is entitled to level land, a central territory, the possession of ancestors, good grass, notice along the track,<sup>1</sup> notice by the third word, and notice without stay; and there is a *fine* of five 'seds' to the kinsman-surety for the neglect of any of these, but nothing to the debtor.

Notice along the track means to bring the notice over by the same way along which the distress had been brought out, and the plaintiff shall be subject to 'smacht'-fine when the kinsman-surety had passed him by to redeem his distress, *without meeting him face to face*; and if he has not, nothing shall be paid to him, though it be not a notice by the track or a notice of the third word, i.e. that it be the third word he shall say within (*at the defendant's house*) that the distress was taken, or that they be the three words of the notice at the residence of the party to the suit.

No one can seize more than the value of the thing he seeks from the kinsman-surety.

No one can seize, i.e. he is not capable, or let him not try, i.e. restitution of the debts only, or restitution with its double. He seeks from the kinsman-surety, i.e. let him not proceed to take in distress from the kinsman-surety more than the value of the thing which he demands from the debtor, but he shall take the double half-seizure in another distress, i.e. let him not attempt to take from the kinsman-surety a thing of greater value than that which he claims from the debtor, i.e. if the debt be smaller, i.e. restitution of the thing which was due from the debtor is obtained from the tribe of the debtor after his evading, just restitution is to be made by the surety for the thing for which he went security, even though the defendant has absconded from the other party, i.e. though it be to the green of another person.

He takes it with double from the debtor, for there is double for absconding. The debtor is not sued except for the amount of fines which he has incurred; hence is derived *the maxim*, "suit exacts 'eric'-fine."

He takes it with double, i.e. one distress is taken for the restitution with its double from the man who owed the debt, after his evading, for the double of the

**DISTRESS.** imbleoguin briaicup no gellaó. Ní asarup naé cintuch, .i. noéa nacaricup naé cin ar cintué aét cu roich ar imbleoguin. Loigiseé na riad no hairpeltuiseó do dleptin do cintuch. O icup imbleoguin iat, cemuo aíl a nacru for cintuch ar ahaéle nochá nicunn, .i. raíte; no naé cin for imbleoguin aét in posealtaró ocup in tapc ocup in tain. Do buing asru epicc, .i. do buing epic cintuig asru imbleoguin, no toib-giétur epic oit ran acru bopluéur, .i. oia nacru ní ip mo ina aitéin icpuid riacha inn, no dono toibgeó asru imbleoguin in epic no dleé do cintuch, no ní acup in pechiuín for in cintuch in aitéin, uair do buing imbleoguin.

Seagair athgabail imbleoguin i raíte náiricup porgill, no ollamun filid, no breiteamun airó.

Seagair athgabail, .i. átarigicup aégabail in imbleoguin a raíte an ainead porgill, na cuic feoit deginucha bup ann cin lobuó, ocup muna be aét cuic feoit ann uile, ip a breit ne forup no ne raíte cu tiannup lobta (.i. combiann co fearcar), ocup a breit a raíte airig porgill gurub inni lobup, .i. o tic co dicit iat tocaituín a ne ip in raíte ber coir ar topach .i. tiaguit na cuic feoit deginucha i lobuo oi. No breiteamun airó, .i. ite berda breit fuirp.

Arpeadup in dicinn dithma on tatma co raile fpu innrucup in nimbleoguin, arup innruic gach nimbleoguin.

Arpeadup, .i. átarigicup na cuic feoit deginucha in arup oib rin co ti uide adub cinnuó a dithma no a éotma, .i. doen ocup treip, 7ul. Fpu innrucup, .i. ar fpu innrucup fpu himbleoguin, .i. o éoroctar ain botai corai ainuil beti a uide, .i. ain ocup treip. Arup innruic, .i. ar ai a denia do uoin, ce gabtur aégabail de uime ip ime ip coir gac oligeó adubrumup romuinn do denum im in aégabail, .i. ip in raíte noeginuig fpu tiadéuin éintuig ne oligeó; ocup oia ti, tot i naism aitéina do cuic feoit na hoide rin; muna ti on traé co roile ní téit, .i. inu nuc pechiuim tocheoa laip da forup buóin; ma no dithmupur oca co ruice cuic feoit, berup na cuic feoit rin fpu raíte duib ro oia tuba fpu raibuib cu ngebu a ruarluco oia tirta do éaduib oligeó do; ocup muna tí, ní cumuig cina ní dithmup don aégabail do tabuirt a gcoruib riad, ocup gac ní na dithmun do neaiteabuir.

*Sic.*

<sup>1</sup> *No debt.* In the margin of the MS. the following Gloss occurs, "no nac cin, .i. buoen, aét posele, .i. aitéin gabala do imbleoguin raíte" (or any debt, i.e. the debt itself, but expense of feeding, i.e. restitution of the seizure to the kinsman surety).

*Part.* This part was equal to his own honor-price.

debtor is the distress of the kinsman-surety who guarantees or gives his word or promise. The debtor is not sued, i.e. no debt<sup>1</sup> is claimed of a debtor if it has been demanded of the kinsman-surety. The amount of the fines incurred is due by the debtor. When the kinsman-surety pays them, though he (*the plaintiff*) should wish to demand them of the debtor afterwards, he, i.e. the surety, cannot, i.e. or no debt is *due* from the kinsman-surety, except *the expenses* for feeding, notice, and driving. Suit exacts 'eric'-fine, i.e. the suing of the kinsman-surety exacts 'eric'-fine from the debtor, or 'eric'-fine is exacted from thee for false suing, i.e. if thou seek more than restitution thou shalt pay fines for it, or the suing of the kinsman-surety exacts the 'eric'-fine due of the debtor, or the plaintiff does not sue the debtor for the restitution, because he had taken it from the kinsman-surety.

DISTRESS.

The distress of the kinsman-surety is brought into the green of an 'Aire-forgill'-chief, or of an 'Ollamh'-poet, or of a high judge.

The distress is brought: The distress of the kinsman-surety is brought into the green of the 'Aire-forgill'-chief, i.e. the five last 'seds' which remain of *the distress* without being forfeited, and if there be but five 'seds' in it (*the distress*) altogether, they are to be brought to an enclosure or to a green to be detained there until the period of forfeiture arrives, (they remain there until the evening,) and are then removed to the green of the 'Aire-forgill'-chief, where it (*the distress*) becomes forfeited, i.e. when it comes to delay in pound after spending the proper time in the proper green at first, i.e. the five last 'seds' of it become forfeited. Or of a high judge, i.e. it is he that will pass judgment upon it.

What remains unforfeited of *the distress* from one period of forfeiture to another may be carried to a '*forus*'-pound through consideration for the kinsman-surety, for every kinsman-surety is entitled to consideration.

May be carried, i.e. the five last 'seds' may be brought to one of these habitations until the period of the determination of its total forfeiture or failing has arrived, i.e. one day, and three days, &c. Through consideration for, i.e. for observing fairness to the kinsman-surety, i.e. to allow him additional time on account of his liability, i.e. one day and three days. Is entitled to consideration, i.e. for the sake of proof by himself, for though distress is taken from him *for his guarantee* it is right to observe *for him* every law which we have mentioned before respecting the distress, i.e. in the last green for the debtor's submitting to law; and if he does *submit*, the five 'seds' of that night shall go into his account for restitution; if he does not within twenty-four hours, it shall not, i.e. that part<sup>2</sup> of *the distress* which the plaintiff carried with him to his own enclosure; if it lessens *by forfeiture*, while in his keeping, down to five 'seds,' these five 'seds' shall be removed to one of these greens, to show before witnesses that he would accept of a ransom, should they come to offer him law; but if they do not come, he cannot but let the part of the distress which has been forfeited pass as part payment for the original debt, and the part which is not forfeited is not so to pass.

DISTRESS.

C. 2706.

C. 2706.

C. 2706.

‘Do tuic athgabail [fir cinao a faithce ar feoip  
in dicinn diéma], ar ní dlegur inniucur toxiul, na farg,  
na foruir, na [fogeta], do aṡgabail naé cintuiṡ, [aéit  
lui cept fia fiaṡnuib inniucad].

‘Do tuic athgabail, .i. do tuic athgabail on fir ip cintuch ip in braithe  
a tabuir hi, .i. cae cin mann cin biao i faite in fechemun toicheo, .i. cin  
a braithe a leé naile, .i. cin farg, cin foruir, cin fogeta. Ar ní dlegur,  
.i. triar do ceéur aṡ toxiul, .i. fpiérléet, no in tpear braithe, no diaf  
la tpe. Foruir, .i. do na feét foruib, no cin cumuṡ níl-éetia, .i. ció  
cruin in cumunn, .i. ció bunuch, .i. ruin feoir, .i. do caé cintuch in aṡga-  
bail aṡ no aṡa, uair noéa necin do neóe tuine imaroen per aṡ gabail  
aṡgabala cintuiṡ mar eol do buoen a gabail, ocuf a braithe ne foruir fein  
uile a ceoir, ció bec ció mór in aṡgabail, ocuf a beé ann ne ne noíéma  
ocuf ne ne lobéa, cu nṡec a lobuo uile.

C. 2442.

[Fir na bi faor neaé ara cina faóirín ara catao, na faoirne,  
na faorain, na foṡnam, na foṡuṡao, na fuiriuṡ, na dicin  
nemed na uaral; aṡt ip lui cept fia fiaṡnuib, inge ana  
daṡgabail iar faire caíe ar a mberar, aṡt tuibao deóbiru fo  
fuir aṡa ṡaé coir a coimṡléta feine a fir braithe iar cubur  
ocuf aighe. .i. ní dínebad do ṡner a faire naé uairle ṡin  
aṡgabail do gabail de, aṡt dínebad fuir ne na faire, dia nṡain  
feichein toicheo dliṡtéé don ti ip a faire fil for biuba.  
Iarṡain tainic in traoirne ruin, ip aighe na díṡnann, aṡt foṡaíe  
a hana umoruo, ció iarṡain tí in faorain.

Loṡ enec daṡgabail inbleoṡain fo éaoil, ocuf cuic feoir.

Iar fir faoirne rin, ocuf ma ṡin fir faoirne, ip loṡ enech nama  
fo éaoil daṡgabail inbleoṡain, ocuf a fuil for loṡ enec ann  
for ana aiginta an tpeoir.

<sup>1</sup> ‘Saire’-privileges. Free-quarters, i.e. eating, drinking, lodging, protection, &c.  
‘Saire’ is sometimes used for the exemption connected with the enforcement of  
‘saire’-privileges.

The distress of the debtor is forfeited in the green DISTRESS. where it is kept until its forfeiture is determined, for the same strictness as to seizure, or notice, or 'forus'-pound, or grazing, is not due in the case of the distress of the debtor *as in that of the kinsman*, but proper proof before worthy witnesses *is required*.

The distress is forfeited, i.e. the distress is forfeited from the man who incurred the debt in the green into which it is brought, i.e. *on the way* without fodder or food into the green of the plaintiff, i.e. without bringing it elsewhere, i.e. without notice, without an enclosure, without feeding. Is not due, i.e. *the following conditions are not required*, three carrying it out to four persons, i.e. notice along the track, or of the third word, or two persons for witness. 'Forus'-pound, i.e. one of the seven 'forus'-pounds, or without the intermixture of various cattle, i.e. though the 'cumunn'-grass be withered, i.e. though it be 'bunuch'-grass, i.e. good grass, i.e. for every debtor for the quick or lawful seizure, for a person is not obliged to have any other along with him in taking the distress of the debtor if he knows how to take it himself, and he may carry it all into his own 'forus'-pound at first, whether the distress be small or large, and detain it there during the period of delay in pound and the period of forfeiture, until it is all forfeited.

It is true that no one is exempt from his own liability on account of his dignity, or 'saire'-privileges,<sup>1</sup> or protection, or service, or support, or refection, or sheltering of dignitaries or nobles; but just proof on oath before witnesses *is required*, except as regards the delay of the distress according to the 'saire'-exemption of all to whom it is given, except exemptions of necessity, which extend the periods of stay properly in the rules of the Feini by true judgment according to conscience and nature. That is, his dignity or nobility will never protect a man from being distrained, but it will protect him during the period of the 'saire'-exemption, if the plaintiff cede law to the person whose 'saire'-privileges are upon the defendant. Afterwards the 'saire'-exemption came in this case, which is the reason that it does not protect, but it extends, however, its stay, even though the protection came afterwards.

The amount of honor-price of the distress of the kinsman is set <sup>a</sup> Ir. *Let* free,<sup>a</sup> and five 'seds' *besides*. into the wood.

This is after knowledge of the 'saire'-exemption, and if without knowledge of the 'saire'-exemption, it is the amount of honor-price only of the distress of the kinsman that is set free,<sup>b</sup> and that which <sup>b</sup> Ir. *Let* is for honor-price should have the natural stay of the 'seds.' into the wood.

**DISTRESS.** Ocur aóeir leabair ní fuil raoire for ní dia realbairt itir.

Loḡ enec umorpo, daṡḡabail cirta for ana na raoire iar fir, ocur cuic reoit ; ocur ma ḡin fir raoire, ir loḡ enec nama for ana na raire ocur a fuil for loḡ enec ann for ana aiginta an reoit buoem.

Loḡ enec do ḡner po caoill daṡḡabail cirta ocur inbleogain, aṡ ḡo ferṡar raire fair ; ocur a mbia for loḡ enec ann for ana na raire la taob ana aiginta na reot. Ocur mana ferṡar raire fair, ir ana nama foṡaiḡir.

Arail oib po ir ara nemṡrenchur fein, arail aile ir ar nemṡrenchur an tí aḡa mbiaṡ, ocur ir inann, umorpo, a rmaṡṡa, .i. cuic ṡreoit.]

Fir foeruma ; foerpuigṡur raire ; lan raire caich dia aṡuir, maṡ uairle in macc.

Fir foeruma, .i. ir fir lium cura maiṡ firṡreṡnuigṡur in ṡraire po uairliatuiḡ fir in foermu, .i. in fir poṡraḡunni cuṡuma na raiṡne buir do foerum ar rḡaṡ a biṡ, ir a cuṡuma uile ar rḡaṡ foṡnaṡma ; aṡ muna be cairṡin laimbaiṡa, leṡ inuṡpo ar a rḡaṡ ríṡe. Lan raire caich dia aṡuir, .i. a laimbaiṡaṡ, ocur a lanfoerum, ocur a lan tam, ocur a leṡeneṡlunn, ocur ir ar airṡioin in mic do beruṡ. Maṡ uairle in macc, .i. ir ann ata foerum ṡraḡbail don aṡair ar a uaiḡur.

1ṡ lanaiṡ foermu uil don caṡ ir a mac a uaiḡur a laimbaiṡa buoem cu foṡaioṡ cuṡuib eaṡ ber don caṡ ir a haṡer a uaiḡar a laimbaiṡa uoem co foṡaioṡ. Ar eṡcuirṡur don aṡuir rin cu

<sup>1</sup> *And a book.* The Irish of this sentence is found on the upper margin of the right hand column of p. 36 of the original MS., viz., Egerton 88, in the British Museum.

<sup>2</sup> *True protection.* It is stated in Egerton 88, 36 a, b, C. 2444, that every one is entitled to protection, food, and attendance according to his dignity, and it is added : "one day *of food and protection* to the 'fer midhbaidh,' two days to the 'og-aire' chief, three days to the 'bo-aire' chief, five days to the 'aire-desa' chief, ten days to the 'aire-tuisi' chief, fifteen days to the 'aire-ard' chief, twenty days to the 'aire-forgaill' chief, a month to the king of law."

<sup>3</sup> *Frec-quarters.* See note on page 18, *supra*.

<sup>4</sup> *Protection.* poerain. This is defined in C. 1386, to be protection after leaving the house, the protection in the house being called 'comairec.'

<sup>5</sup> *Condimet.* Ponarom, i.e. obsonium, laimbaiṡaṡ co foṡaioṡ, (full food with ponarom) is explained in C. 1278 ; full food with ale or fleshmeat or both ; ponarom there is the same as the Latin *obsonium*. It is written poṡnaioṡ in H. 3, 17, col. 128-9.



And a book<sup>1</sup> says there is no 'saire'-exemption upon any of his (the kinsman's) possessions at all. DISTRESS.

But honor-price of the distress of the debtor shall have the stay allowed in the case of the 'saire'-exemption after knowledge, and five 'seds' besides; and if without knowledge of the 'saire'-exemption, it is honor-price alone upon the stay of the 'saire'-exemption, and whatever is for honor-price in the case is upon the natural stay of the 'sed' itself.

Honor-price of the distress of the debtor and the kinsman-surety is always set free, but so as it is known that there is a 'saire'-exemption upon it; and what shall be for honor-price shall have the stay of the 'saire'-exemption besides the natural stay of the 'seds.' And if it be not known that there is 'saire'-exemption upon it, it is the stay alone that it extends.

Some of these 'seds' are treated according to their own dignity, others according to the dignity of the person who has them, and their 'smacht'-fines are equal, i.e. five 'seds.'

True protection:<sup>2</sup> free-quarters<sup>3</sup> are graduated; the full free-quarters of every son are given to his father, if the son be nobler.

True protection, i.e. I hold it true that the free-quarters are well graduated according to the nobleness of the protector, i.e. of a man who relinquishes a part of the share of protection in lieu of his food, and the entire of it for the sake of condiment; but if full food is not offered, it is half protection that shall be in lieu of it. The full free-quarters of every son to his father, i.e. his full food and full protection and his full party (*his suite*), and half his honor-price, and it is out of respect for the son these are given. If the son be nobler, i.e. it is then protection is obtained for the father in right of him.

The full protection<sup>4</sup> which every son enjoys in right of his own full food with condiment<sup>5</sup> is allowed to the father in right of his own full food<sup>6</sup> with condiment. This is an exception to the father, in

\* *Full food.* The 'biathadh' was the bread or food which any person received on his travels, or coshering visitations; 'fonaidhm,' or 'fosnaidhm,' which is probably cognate with the Latin *obsonium*, was all fleshmeat or anything else used as condiment, 'annlann,' or kitchen, along with the bread. Besides food and *obsonium* he was also entitled to sanctuary, or 'comairce,' while in the house, and to 'foesamh' or personal protection, after leaving the house. This protection might be diminished or increased by relinquishing any portion of the food or *obsonium*, or claiming more. In this way one might eat or drink out all his protection. The protection was valued at the same amount as the food and condiment. If he ate and drank nothing he had full protection as long as he remained in the house, and until he arrived safe at the next house, in which he was entitled to similar maintenance and asylum, and life-guard.

**DISTRESS.** mudo mouite do gebuð re biad, cin cu beð aét leð biadud a mic do, cumbeð lan poerum in mic do pagbail ar a rgaé; no in lanud poermu uil don caé iſ a mac a dualſur a lainbiata udein co fonarom no a leithbiadta uodein co fonarom, cuiruib eð ber don caé iſ a haðuir a dualſur a lainbiatu buðen co fonarom, uair iſ inunn lainbiadud in aður ocuſ leðbiadud in mic o buſ a dualſur in mic ber einuclunn do.

Da trian fair e caich dia maithir i nama gairne.

.1. Da trian a biata cu fonarom tucud di, ocuſ leð einuclunn, .i. no diciturite in maithir ina in taithir, ocuſ da trian poermu in inic pagbur; .i. in cutruma ata for rgaé da trian biata in mic iſeð ata ar rgaé a trian [no a da trian] biata re co fonarom, uair iſ e da trian in leðe trian in lain, .i. da trian in poermu uil don cach iſ mac a dualſur a lainbiata udein cu fonarom iſeð uil don éach iſ maithir a dualſur a lainbiata udein co fonarom. Ar eſceaptuſ don maithir for cin cu beð aét leð eniuclunn in mic di, da trian poerua do pagbail di cumud móite rogabud biad. Ho dono da trian in poermu uil don cach iſ mac a dualſur da trian a lainbiata cin fonarom iſeð uil don cach iſ maithir a dualſur da trian a lainbiata uðen co fonarom, uair inunn da trian a lan poermuſ co fonarom, ocuſ da trian in leð poermu facbur ſum cin fonarom, uair leð einuclunn in mic uil don maithir fóſ annuð ata don aður in tan iſ uairle in mac.

C. 2444. [Leat faoirne dia primumu, ocuſ dia mac ſuſ bi gairne; trian faoirne dia mbuime ocuſ dia inſin, ocuſ dia moſa manéuime; ceſſaimne faoirne dia muai inuſaic ocuſ dia mac ſaincſon, aét mac ar lui gairne no fo ſið, .i. aét an mac eloðuſ re gairne, uair iſeð a lan biata; uair ceſſaimne enecſainne athar uil do mac inſoi ocuſ don éarſaig, ocuſ iſ ar gabtar

<sup>1</sup> Or his half-food with condiment. The Irish for this is in the margin of the original.

<sup>2</sup> Honor-price. Suppose the father was a farmer, and the son an archbishop, then the father would rather take his position in society from the respectability of his son than from his own station.

<sup>3</sup> Or the two-thirds. The Irish for this is in the margin of the original.

order that he might obtain the more food, because he has but half the food of his son, he can leave the full protection of the son in lieu of it ; or the full protection which every son enjoys in right of his own full food with condiment, or his half food with condiment,<sup>1</sup> shall be *due* to the father in right of his own full food with condiment, for the full food of the father is equal to the half food of the son when it is in right of his son he has honor-price.<sup>2</sup>

DISTRESS

Two-thirds of the free-quarters of every one is *due* to his mother in the rules as to maintenance of *the old*.

That is, two-thirds of his food is given to her with condiment, and half honor-price, i.e. or the mother has less of land than the father, and she relinquishes two-thirds of the protection of the son, i.e. the proportion which is for the two-thirds of the food of the son is for the one-third or the two-thirds<sup>3</sup> of her food with condiment, for two-thirds of the half is equal to one-third of the whole, i.e. two-thirds of the protection which is due to every son in right of his own full food with condiment is what is due to every mother in right of her own full food with condiment. This is also *made* as an exception for the mother, though she has but half the honor-price of her son, she relinquishes two-thirds of his protection that she might get the more food. Or else two thirds of the protection which every son has in right of two-thirds of his full food without condiment is what is due to each mother in right of two-thirds of her own full food with condiment, for the two-thirds of her full protection with condiment, and two-thirds of half protection which he relinquishes without condiment are equal, for the mother also has half the honor-price of the son as well as the father when the son is nobler *than either*.

Half his free-quarters<sup>4</sup> is *due* to his first wife, and to his son who performs the maintenance ; one-third free-quarters to his foster-mother and to his daughter, and to his working-man ; one-fourth free-quarters to his wife *so long as* worthy, and to his emancipated son,<sup>5</sup> excepting the son who evades the maintenance or absconds, i.e. excepting the son who absconds from the maintenance of *his father in his old age*, for it is his full food ; for the fourth of the honor-price of the father is *due* to the son who does not support his father, and to the 'carthach'-woman, and from this it is derived i.e. the 'dor-

<sup>4</sup> *Free-quarters*. 'Saoire' or 'suire,' i.e. eating, drinking, lodging, protection, &c.

<sup>5</sup> *Emancipated son*. The Irish words mean literally, a son who has property of his own.

**DISTRESS.** rin, .i. dorpmuine; no mac arlúí gairne, ceṛmaime enecclainne  
 doibhíodé. No fo ríó, .i. do ní an fuaéctain, .i. an mac ríngalaó; ocuf  
 no ar diultat uil ann, uair noóa fuil enecclann do a  
 duálzurf atar; ocuf noóa nuil enecclann na faorann do ara  
*Sic.* duálzurf don mac bíf ar fannelo o nathairín gín a gairne  
 do denam, .i. an mac faorleizi, ocuf da cuicrío a lan biaata go  
 fonaíom tugat do ann, ocuf da cuicrío faorma no fagat ar  
 a fcaó, uair inann da cuicrío an leíte ocuf cuicrío in lán, ocuf  
 deic mba an lan ann. Cuicrío fairne dia dorpmuine ocuf dia mác  
 faonlat gín a gairne.]

### Seceat fairne dia fuíodir.

.1. do doérn epinnuch na nifil, ocuf da trian a lambiata féin  
 tucut do, uair íf inunn do trian na ceatruime ocuf feretó in  
 lán, ocuf da rann déc in lán.

Trian einiucloinne carch dia doer, acó ríó, ocuf feótmuó a  
 einiucloinne ríde dia doer; ceṛmaime einiucloinne gac aoin dia  
 fuíóder acó rí, feótmuó a einiucloinne ríde dia fuíodir.

Lan í namur meirí ocuf let í namur, gíl, trian í namur  
 tatúige, ocuf in a teagluó buif do gner, ocuf beiríó a eocha  
 amach. Seótmuó do oer tatúigi oileana; iní aoroiú in rí ar  
 gac amur diubhí, a letríde afeó no ríó gac fer diubhíum epimí.  
 no arimí.

### Seacótmuó fairne dia amur uperígi.

.1. do daoer epinnac na nifil, ocuf da trian a lambiata  
 fein tugat do, uair íf inunn do trian na ceatruime ocuf feretó  
 in lán, ocuf da rann déc in lán.

C. 2446. Lan í namur meirí, ocuf in gac noicenn [do gner], ocuf let  
 C. 2446. in a amur comuioeéta do gner, trian in a amur tatúige [chena]  
 co bpaicell, [ocuf in a teaglach bíf do gner ocuf beiríó a heoó  
 amach ocuf amuich], feótmuó in a amur tatúige cin cineó ríócle,  
 ocuf in a gilla tairtill, ocuf let, ocuf ceatruime, ocuf feretó, ocuf

muine'-woman; and the son who evades the maintenance, these are entitled to one fourth of honor-price. Or 'fo-fich,' i.e. who commits violence, i.e. the fratricidal son; or the 'or' is a negative, for there is no honor-price due to him in right of his father; and there is no honor-price or protection due in right of him (*the father*) to the son who absconds from the father so as not to maintain him in his old age, i.e. the emancipated son, and two-fifths of his full food was given to him, and two-fifths of protection he relinquished in place thereof, for two-fifths of the half are equal to one-fifth of the whole, and ten cows are the whole. One-fifth of his free-quarters is due to his 'dormuine'-woman and to his son who evades the maintenance.

DISTRESS.

### One-sixth of free-quarters to his 'fuidhir'-servant.

That is, to the Irish 'daer'-servant of the common people, and the two-thirds of his *master's* own full food were given to him, for two-thirds of the fourth are equal to one-sixth of the whole, i.e. two-twelfths of the whole.

One-third of the honor-price of each person is due to his 'daer' servant, except in case of a king, whose 'daer'-servant has one-seventh of his honor-price; one-fourth of each person's honor-price is due to his 'fuidhir'-servant, except in case of a king, the seventh of his honor-price is due to his 'fuidhir'-servants.

Full honor-price for the butler, and half for the valet, &c., one-third for the groom, who is always in his household, and brings his horses out. One-seventh to frequenters in general; and of what the king is entitled to for *injury done* to each of these, half the same is due to each man of these from him.

### The seventh of free-quarters to his 'urerghi'-servant.

That is, to the Irish 'daer'-servant of the common people, and two-thirds of his *the master's* own full food were given to him, for two-thirds of the quarter are equal to one-sixth of the whole, or two-twelfths of the whole.

Full honor-price for the butler, and for every 'dichenn'-servant always, and one-half for his valet *who is* always in attendance, one-third for his groom with wages also, who is always in his household and brings the horses out and *holds them* outside, one-seventh for his groom without fixed wages, and for his courier, and one-half, and one-fourth, and one-sixth, and one-twenty-fourth are due to

**DISTRESS.** [cētrumad rando ríchit] doibrynn ina neneclunn. Al mbiathad, ocuf a rúire fo neneclunn; no íf rectmud raire doib fo uile.

C. 2446.

Íf í roðuile eniucluinne beuirt na hamuif dia neneclunnuib rúin. Al mbiathud ocuf a raire fo neneclunn, no íf rectmud raire doib fo uile. Al gilla gloniuir amuil a amuif lete; ocuf í rectur maiḡin oigona innro uile. Ocuf íf lan in ḡac naoen maiḡin oigona, ocuf íf lan in ḡac ndicinn cōbe baile í mbe do ḡner.

Lan raire caich rria cunnuimne neiniuchruice ar a nai raðeirín.

.1. In lanad roerum do raguibitir in cuinnium do beir ruice nimðerḡa for a éiniuch cuna tiachtuin ar a naḡuib uðein do caicium bið reáda fele, .i. biad neimeacluinne inn ro.

Leath raire mad fuit notruide neach rri rothuḡ techta.

.1. Leť roerum ragbur mara nead eile furdiur uad í neach rin do caicium bið céilrine plaḡa, bið recta fele dam, .i. biathad a mamud nach eile, .i. in rri íf fearir, tet do caicium in bið rin.

In plaḡe no cuirurur na dama do caicium bið céilrine ann rin, ocuf leť roerum na plaḡa ragbuio rium for in ti do mad doib in biad, uair leť roerum ragbuio ar rḡad in bið céilrine do ḡner, ocuf a lan roerum fein ragbuio rium ar in plaḡe. Muna tucad in biad do na damuib itir, in cetruma no biad don plaḡe í neamtabuirt in bið do buðein curub eo biar dona damuib ina neamtabuirt doib. No dono cu na hicur ner in plaḡe eiric í neamtabuirt in bið itir, uair ro deilḡ in biad ner in plaḡe; aét in cetruma no bia don damu cu tiachtuin doib ara naḡuib uðein, fo aicneð reáda fele, no ḡnaḡ lepa, curub eo beaf í neamtabuirt in bið rin doib.

<sup>1</sup> *Food of tenancy.* That is, food given by the tenant as rent.

them as their honor-price. Their food and their free-quarters are according to their honor-price ; or all these are entitled to one-seventh of *their master's* free-quarters. DISTRESS.

This is the proportion of the honor-price of *their masters* which the servants have as their honor-price. Their food and their free-quarters are according to their honor-price, or the seventh of free-quarters is *due* to all these. His horse-boy is as his 'amus-lethe'-servant ; and all this *relates to injuries inflicted upon them* outside a sanctuary. It is full honor-price in every sanctuary, and it is always full honor-price for every 'dichenn'-servant wherever he is.

The full free-quarters of every one for the unbecoming entertainment of their own accord.

That is, the full protection which the entertained party would relinquish who bring a blush of shame into the face of *their host* by coming of their own accord to consume the food of one night's entertainment, i.e. this is the food of honor-price.

Half free-quarters if another person sends one upon lawful entertainment.

That is, he loses one-half of protection if it be another person that sends him to consume the food which is due to the chief from his tenant, i.e. the food of one night's entertainment, i.e. the food given to a party for a night's entertainment on the authority of another, i.e. of a higher man, they go to consume this food.

The chief has sent the parties to consume the food of tenancy' in this case and half the protection of the chief (*which the chief himself would give*) they (*the parties*) relinquish to the person who gave them the food, for it is half the protection they relinquish in lieu of the food of tenancy at all times, and his own full protection they relinquish to the chief. If the food has not been given to the parties at all, the proportion which the chief should have for the non-giving of the food to himself is that which shall be *due* to the parties for the non-giving of it to them. Or indeed *others say* that 'eric'-fine is not paid by the chief at all for the non-supplying of the food, for the food was separated from the chief (*out of his possession*); but the portion which would be due to the party on their coming on their own account, according to the nature of a night's entertainment, or constant dues, shall be *paid* for the non-supplying of the food to them.

DISTRESS.

Διαὸ celfine na πλαῖτα ριν, ocur in πλαῖτ πο εἰρη α θαμ  
 ρεαῖτα ρελε θα καῖτιυμ; ocur ποερυμ na πλαῖτα πο ραγβαῖλ αρ in  
 cele, ocur α λαν ποερυμ πο ραγβαῖλ πο na θαμυῖβ αρ in πλαῖτ  
 ρον αἰνιυθῷ buoem, αρ ιρ e tuc βιαθ ποῖβ. Ocur ιρ ann ριν πο  
 γαθυρ in θα ποερυμ πο ραγβαῖλ α θαλγυρ in αοen βιθ, ocur  
 muna tucur in βιαθ πονα θαμυῖβ ιτιρ, ρμαῖτ ann πο αἰνιυθῷ  
 βιθ celfine na πλαῖτα οἰc ρερ in βπλαῖτ, αρ ιρ e ποερυμ na  
 πλαῖτα ραθυβιτυρ αρ in celi ann, ocur nochα ηρυῖλ ρμαῖτ τοῖτιντα  
 on πλαῖτ πονα θαμυῖβ ο po ηερβυθ βιαθ ποῖβ, πο ποно εεana na  
 beτ ρμαῖτ τοῖτιντα on ceile ποn πλαῖτ υαιρ πο τιθnuiz in βιαθ  
 πονα θαμυῖβ. Ocur cu nibeτ ρεῖτμυθ μαρβῆτα, ocur διαβλαθ  
 in βιθ, ocur einuclunn on ἐέle πο na θαμυῖβ μαρο τοῖνεθ, υαιρ  
 πο ολιγυρτυρ in βιαθ πο τιθnuizyρτυρ in πλαῖτh, ocur cu na beτ  
 ρμαῖτ on cele ποn πλαῖτ, υαιρ πο eapb α βιαθ πο neoc eile.

### Синμοῦτα πορερυιθ λῖνα no αἰρβιατα.

.1. imuperyuθ θαῖne πο εἰαῖτυn πο καῖτιυθ in βιθ celfine,  
 υαιρ nochα λῖαιτε in βιαθ, .1. nι τορμυῖz ρυῖpe cἰa beτ πορερυῖz  
 θαῖne no uapal βιαταθ ann no nochα ρῖαιτε in ποῖρυμh, .1. nι  
 τορμυῖz ρῖἰpe πορερυῖz nθαῖne πο βιατυθ no ηῖρἰn βιθ ποῖβ, no  
 ποно μα θαρρῖυpe inθαλα nae, ocur leτ ρυῖpe in αιle; no ποно  
 μαθ ποθυῖze, ρυῖpe πορῖ οἰb πο.

Sic.

Μαρα λῖnβιαθαθ cu πορnαιom, ιρ λαν ποερυμ ραγθυρ αρ α  
 ργαῖ. Μαρα λῖnβιαθαθ cἰn πορnαιom, no λεῖβιατυθ cu πορnαιom,  
 no ταῖρερἰn λῖnβιαθαθ co πορnαιom, ιρ leτ ποερυμ ραγθυρ  
 αρ α ργαῖ. Μαρα nι ιρ λυγα inα λῖnβιαθαθ τοῖτιντα πο, in  
 ταῖnμῖρἰnne ποn βιυθ ταῖρερἰρ πο cἰυῖρἰb eo in ταῖnμῖρἰnne  
 ρἰn ποn leτ ποερυμ ραγθυρ αρ α ργαῖh ματα ποερυμ, ocur  
 muna ρυῖλ, nochα ηρυῖλ nι αρ α ργαῖ.

Νἰρ caῖtheθ in βιαθ ann ρἰn, ocur mo po καῖτιυθ, in ταῖnμῖρἰnne  
 ποn βιυθ po caῖt cyῖub é in ταῖnμῖρἰnne ρἰn ποn λαν  
 ποερυμh ραγθυρ αρ α ργαῖ, μα τα πορnαιom; no ποно ιρ leτ  
 ποερυμ muna ρυῖλ πορnαιom, ocur cἰa no ταῖρῖzeα nι βυθ mo πο

<sup>1</sup> Another. The chief had transferred the food and the fines consequent on the non-supplying it to another party.

<sup>2</sup> If. In the margin of the MS. here are the words "ρεan λeαθυρ μαρ ρἰρ ρen" (an old book if it be true for itself).



This is the food of tenancy of the chief, and it was the chief that sent his party for a night's entertainment to consume it; and in this case the protection of the chief is left on the tenant, and the full protection is left by the parties on the chief according to his own quality, for it was he that gave them food. And here it is found that two protections are relinquished on account of one food, and if the food is not given to the parties at all, 'smacht'-fine shall be paid to the chief for it according to the nature of the food of tenancy of the chief, for the protection of the chief was left on the tenant in this case, and there is no 'smacht'-fine due of the chief to the parties for keeping them fasting as he had ordered food for them, or else there is no 'smacht'-fine for fasting due of the tenant to the chief when he offered the food to the parties. And there would be a fine equal to one-seventh of that for manslaughter, and double food, and honor-price due of the tenant to the parties if he kept them fasting, for they owned the food which the chief had offered, and there is no 'smacht'-fine due of the tenant to the chief, for he had ordered the food for another.<sup>1</sup>

Excepting the case of excess of number or of noble food.

That is, too many people came to consume the food of tenancy, for the food is not the more plentiful, i.e. the free-quarters does not increase, though there be an excess of people or an excess of noble food, i.e. the protection is not the longer on that account, i.e. it does not increase the free-quarters to feed an excess of people or to give them a part of food, or if it be full free-quarters to the one, and half free-quarters to the other, or if there be many, still it is only one free-quarters for them that is due from him.

If it be full food with condiment, it is full protection that is relinquished for it. If it be full food without condiment, or half food with condiment, or offering of full food with condiment, it is half protection that is relinquished for it. If it be less than full food that is offered to him, the proportion of the food which is offered to him is the same proportion of the half protection that he relinquishes for it if there be protection, and if there be not, there is nothing in lieu of it.

The food was not consumed in this case, and if it was consumed, the proportion of the food which was consumed is the proportion of the full protection which he relinquishes in lieu of it, if there be condiment; or it is half protection unless there is condiment, or that more food was offered than the quantity consumed; or else

**DISTRESS.** biud ann ina in cutruma ro caithed; no dono in cutrumu bið  
 ro caithed ann ir a foerum aicintu ar a r̥gath cu na caithum,  
 ir a leat ar r̥gat ma ta fornuom, ocuŋ muua fuil for nochā  
 nfuil nī ar a r̥gath.

· Da trian fairne caich f̥u að, aét nī aḡa mbīð f̥leð  
 techta, no coire b̥ruḡuīð, oḡ f̥uŋoðuīn; foðuīlciur oḡ  
 [fairne] f̥u hīnnruicc, [lēt fairne f̥rua haninnruaic.]

C. 2448.  
 C. 2448.

Da trian fairne caich, .i. biad̥ ocuŋ fornaom cu tairc̥rīn tairc̥rīme;  
 ocuŋ ir f̥ice laŋ amluīð, .i. da trian na fairne f̥aīl̥l̥uīḡ uīl̥i, cuic la dec in  
 fornaoma, ocuŋ cuicīð in f̥uḡḡoe, cuna f̥ice f̥aīl̥l̥uīḡ, .i. da trian foerum  
 f̥agbuŋ cach f̥u ōiḡuīc bið lae do tabuīre do; da trian a laīnbīata co  
 fornaom tucud̥ do, ocuŋ da trian a foerum f̥agbuŋ ar a r̥gath. Aét  
 nī aḡa mbīð f̥leð techta, .i. aḡa mbīð linn ōl̥iḡeð, uair ir f̥uŋ do  
 cuaiḡh a meanma o do biad̥ linn no f̥eðil ann na buð luḡa na laīnbīatuīð,  
 .i. in f̥eðil eīl̥l̥ḡeḡuīr ir in coire da b̥ruīc, .i. maḡin a mbīð cuīrūm, no cairne  
 for t̥uīḡ, .i. ir oḡ biad̥uḡa mbe for ann cīð f̥u do beŋuŋ, .i. foerum  
 oḡ f̥aor̥em com̥rlan f̥agbuŋ f̥er na hīeāðī f̥u obuŋ in̥nruic in laīnbīathað.  
 [Lēt fairne f̥rua haninnruaic, .i. lēt bīata co fornaom tucad̥ do ann:  
 lēt fairne f̥u tīnchar tēcta, f̥u f̥eīr, ar tēc, ar tīne, ar lēŋŋra, ar  
 ōerḡaḡ, cīn bīatha aét nīŋeḡaḡ.]

### Lēat fairne f̥u tīncuŋ tīnpoḡin in bīð.

.i. a mbīad̥ f̥eīn caithuŋ f̥unn, .i. no foerum f̥agbuŋ f̥u  
 tīneacuŋ nech fo tīnpoḡin fo taōeð cu ōl̥iḡeḡuch, ocuŋ laīnbīa-  
 thuīð cen fornaom tucud̥ do ann, no lēt biad̥uīð cu fornaom, no  
 tairc̥rīn laīnbīata co fornuom, .i. f̥eēt la cu lēt; ocuŋ ir i  
 ceḡruīme na f̥uīre uīle dīa mbe fornaom ir lēt na f̥uīre, .i.  
 cuic la dec, dīa mbe fornaom ocuŋ tairc̥rīn laīnbīata īt tēora  
 ceḡruīne na f̥aōire.

Ca hait a b̥raḡbuīð ōuīne f̥aor̥um aīr buḡeīn, ocuŋ a biad̥ do  
 ēaiteð do? Ir aīð fo on a nīnbuīð ro ōaīl̥l̥ḡeḡuīr ōam na t̥aīn̥iḡ f̥e  
 foruŋ eīle dīa f̥aīḡuīð, maḡ ro f̥aīl̥l̥ḡeḡo ar in ōam buḡeīn, no maḡ

· <sup>1</sup> On a previous occasion. In C. 2448, the reading is 'f̥eēt̥uŋ aīle,' for 'foruŋ  
 eīle,' of the text.

the quantity of food which was consumed shall stand against its natural protection when consumed, and its half in lieu of it *when offered*, if there is condiment, and unless there is condiment there is nothing in lieu of it. DISTRESS. —

Two-thirds of the free-quarters of every one for luncheon, except one at which there is lawful banquet, or the 'briughaidh's' cauldron, for which there is full *free-quarters*; full free-quarters attaches to integrity, half free-quarters to non-integrity.

Two-thirds of the free-quarters of every one, i.e. food and condiment with offer of lodging; and thus he has twenty, i.e. thus he has two-thirds of all the free-quarters, the fifteen days of the condiment, and the five that try the patience,\* \* Ir. Of the patience. (i.e. *without condiment*), which makes twenty; i.e. two-thirds of protection every one relinquishes for giving to him luncheon of one day; two-thirds of his full food with condiment was given to him, and two-thirds of his protection he relinquishes in lieu of it. Except one at which there is lawful banquet, i.e. lawful ale, for this is what he (*the author of the law*) had in view, when there is ale or fleshmeat at it not in smaller quantity than full food. Or the 'briughaidh's' cauldron, i.e. the flesh which is put into the cauldron to boil, i.e. when there is ale, or a cauldron on the fire, i.e. it is full food if these are there though they be given for luncheon. For which there is full *free-quarters*, i.e. full protection or complete protection he relinquishes for these particular things when the full food is good. Half free-quarters to non-integrity, i.e. half food with condiment was given him in this case; half free-quarters for lawful supplies, for lodging, for house, for fire, for vessels, for bed, without food except what they bring *themselves*.

Half free-quarters is *due* for convenience to prepare the food.

That is, they consume their own food in this instance, or one relinquishes protection for convenience for lawfully preparing his food, and full food without condiment was given to him in this case, or half food with condiment, or offer of full food with condiment, i.e. seven days and a half; and the fourth of all the free-quarters, if there be condiment, is half the free-quarters *without condiment*, i.e. fifteen days, if there be condiment and offer of full food it is the three-fourths of the free-quarters.

In what instance does a man leave protection upon himself and consume his *own* food? In this instance, *viz.*, when he served a party that had not come to him on a previous occasion,<sup>1</sup> whether the party themselves had neglected it *intentionally*, or had been obliged to go away upon urgent business, and he (*the host who was to*

**DISTRESS.** Do cuasúir ne torcu deitberne, ocur no caithirtur rim a biað, ír a leð faorim fasbur air; ocur ír é rin aon inaò ír in berla fene ana fasbann neð faorum air ocur a biað boden do éaitheò do.

### Cuiceað ruirne. Fíu tús fíu tise.

1. nech no raið biað ír in ló inn rin; mað ír in oitche ír ce-  
tuirme inech no raið biað.—S.O., .i. cuiceð ruirne in bíð, .i. tiri  
la, ocur ír í deaámuir na ruirne uile. Dia mbe fornaom ír  
cuiceð na ruirne uili, re la; dia mbe fornaom cu toirceirin laim-  
biata it oét la dec.

Ma deoð a lo, ír decmuir na ruirne in bíð, ocur ír é ríetmuir  
na ruirne uile, .i. laite cu leð, ocur dia mbe fornaom ír de-  
muir na ruirne uile, .i. tiri la. Dia mbe fornaom cu toirceirin  
laimbiata, it reét la dec cu leð; ocur ír do riðuib cuna com-  
ghrauib in ríet ro, ocur ní geb gneim etir reuib cin biað no  
cin toirceirin mbíð.

### Alch rgeo rgeatuch.

1. dam reatá fele ro. Maò rauro in biað rearb no rgetuch  
do na damuib, muna fear a reirbe no a rgeatuirge air, ír rlan don  
muinntir, aét aétgin bíð innruicc uaruib máta acur, ocur muna  
bpuil nochá nupailiunn oligeð orpuð a ceannuch, ocur ciad no  
faruð cneð doib do éaitium in bíð, rlan can ní tíc ruu. Maò no  
fear a reirbe no a rgethuirge, ocur ní ar pat roðla tucu doib e,  
aétgin bíð innruic cu na diabláð tíc ruu; ocur nochá npuil einu-  
clunn, uair nochá comfóuile bíð gaité; ocur mað no far cneð  
doib do caithium in bíð, ír loð oéruira na cneide no far doib de

<sup>1</sup> *Berla Feini.* This probably refers to the most ancient part of the laws which are believed to have been written in the Berla Feini dialect.

<sup>2</sup> *Food.* The Irish of the above paragraph, is added in the original MS. in a different handwriting, which Dr. O'Donovan thought was that of Giilla-na-naev Mac Egan. For a notice of the Mac Egan family of Brehons, *vide* Preface to *Senchus Mor*, vol. i., p. xxxiv., *et seq.*

*entertain them*), consumed the food, he relinquishes half the protection for it; and this is the only instance in the 'Bérlá Feini,' where a man relinquishes his protection for having consumed his own food.<sup>2</sup>

DISTRESS.

One-fifth of free-quarters is the lessening incurred for drink by day.

*The one-fifth* is the lessening which food incurs in the day; if in the night, it is one-fourth that food incurs—S.D., i.e. one-fifth of the free-quarters of the food, i.e. three days, and it is the tenth of the whole free-quarters. If there be condiment, it (*the lessening*) is one-fifth of the whole free-quarters, six days; if there be condiment with offer of full food, it is eighteen days.

If drink by day, it is one-tenth of the free-quarters of the food, and it is the twentieth of all the free quarters,<sup>3</sup> i.e. a day and a half, and if there be condiment, it is the tenth of the whole free-quarters, i.e. three days. If there be condiment with offer of full food, it is seventeen days and a half; and this section has reference to kings and persons of equal grade with them, and it has no effect among the Feini without food or without offer of food.

Unless *the food or drink* be mawkish.

This is *the case* of a party for one night's entertainment. If bitter or mawkish food has been given to the parties, unless the bitterness or the mawkishness has been known to the host, the people of the host are free, but so as they give, as restitution, an equal quantity of wholesome food if they have it, and if they have not, the law does not command them to purchase it, and even though injury might arise to them who are entertained from using the food, it is safe<sup>4</sup> not to pay any to them. If the bitterness or mawkishness of the food was known to the host, but so as it was not given to them for the purpose of injury, restitution in wholesome food, with its double, is to be made to them; and there is no honor-price due, because it was not "the distribution of stolen food;"<sup>5</sup> but if injury has arisen to them from consuming the food, the price of the cure of the injury which resulted to them thereby shall be paid by him to them. If it was for the sake of inflicting injury that it was given to them, resti-

<sup>2</sup> Free quarters. The free-quarters lessened as the food and condiment increased.

<sup>4</sup> It is safe, i.e. the host is exempt from the payment of 'erie'-fine for the injury.

<sup>5</sup> Stolen food. If the host had given stolen food to his guests he should pay honor-price.

DISTRESS.

do ic friu. Mar ar faé fogla tucaó doib é, aitégin bíó innhuic cu na diablaó dic friu ina anbhocul orruuó, ocuf maó ro caitéruur in biaó, íf amuil guin éurp tpe erce.

Maó tucaó linn fgeatach dona damuib ocuf ní fúir in muinntir in fgeatúige, íf rlan doib aét linn oléteé uaidib niata acuó, ocuf muna bfuil acuó nochá nupailiunn olégo orruó a ceannuó.

Maó ro fear a fgeathuige ag in muinntir ría ná tabuiré dona damuib íf éric anbhocuil do ná damuib ann, ocuf gebíó gneim naitégina a léit per ná damuib in linn, ocuf nochá neicin doib aitégin eile tar a eir, aét muna bfuil acuó, ocuf mata acuó olegur duib a tabuiré, ocuf icuit éric anbhocuil, .1. létgabail diabulta in bíó; ocuf nochan ar faé fogla ro foelúó orruó, ocuf dá maó eó, íf diablaó, ocuf emiuelunn ocuf aitégin, ocuf íf ecin in aitégin rin do airiuc do gner, ce beé eg in muinnter cin cu be; ocuf maó ro far foguil doib do cáitúin in bíó íf lan fiach no fogla ro far doib de dice.

Munub ar faé fogla ro anbhocuil orruó, ocuf ro far foguil doib de, íf amuil inoébhíne torbuíó in aitégin; ocuf íf inuno rin ocuf biaó fearú no fgeataé í fí no in anbhí.

Dá gáit in biaó fearú no fgeatúó co fí a fepíbe, gebíó gneim naitégina a léit riu, ocuf nochá neicin aitégin doib do gner tar eir ná haitégina do caitéruur, ce beé acuó cin cu bé. No dono nía ta acuó, olegur duib a tabuiré, ocuf muna bfuil, nóá nolegur duib a ceannuó.

Mar ar faé fogla ro anbhocul, íf aitégin do gner do ic ann, ocuf nóá neicin in biaó do ceannuó do gner ocuf muna bfuilíe reoit artíó ro herbaó do éinn bíó.

Leat fúiré fí lan foerum.

.1. in cutruma bíó ro cáitheó ann ífá foerum aicinta fí a fgeat; ocuf in cutruma do bíó tarúgur ann íf a léit foerum

tution in wholesome food, with its double, shall be made to them, for their deception, and if they have consumed the food, it (*the case*) is the same as injuring the body by wounding. DISTRE-S.

If mawkish ale has been given to the parties and the people of the host were not aware of the mawkishness, they are exempt from penalty, but so as they give lawful ale if they have it, and if they have it not the law does not command them to purchase it.

If its mawkishness was known to the people of the host before giving it to the parties, it is 'eric'-fine for deception that is due to the parties in this case, and it founds a claim of restitution of the ale for the parties, but they are not obliged to make any other restitution afterwards, unless they have it, and if they have it they are bound to give it, and they shall pay 'eric'-fine for deception, i.e. the second portion of the double seizure of the food; and it was not for the sake of injury that it was recommended to them, but if it was, then double, and honour-price and restitution are due, and this restitution must be always made, whether the people of the host have it or not; and if injury resulted to them from the consumption of the food, the full fine for the injury which resulted shall be paid by the host.

If it was not for the purpose of injury that it was deceitfully recommended to them, and injury arose to them therefrom, it (*the crime*) is similar to an illegality inflicted without design with respect to restitution; and this is the same as giving bitter or mawkish food with knowledge or without knowledge.

If they consume the bitter or mawkish food with knowledge of its bitterness, it founds a claim of restitution for them, but restitution need not be given to them at any time after they have consumed what was given in restitution, whether they (*the host's people*) have it or not. Or indeed, if they have it, they are bound to give it, and if they have it not, they are not bound to purchase it.

If it was for the purpose of injury that it was deceitfully recommended to them, restitution is always to be made for it, and it is never compulsory to buy the food, nor give it unless there be 'seds' within which may be ordered for food.

### Half free-quarters for full protection.

That is, as to the complement of food which was consumed on the occasion, it is entitled to its natural protection, and it is half protection.

**DISTRESS.** — **ar** a rḡat, mata fofnairiom, ocuf muna fuil fonairiom ní fuil ní **ar** a rḡat.

**C. 2449.** **Suire** lubru [.i.] on tpat co raile, 7rl.

Cio fodepa foefum do bet ar in foer, uair ir ar loḡ fuire lubru on tpat co raile, 7rl., do rinne in aice? Ir e in pat cumuid da biud tucufur dufur na hoise.

Oḡur mugruine fofailteir fo miað. Fortacht ina laithe luað.

.1. in ti dia tabuir monur lai, fofailteir fuire in fir rin do fo miað.—**S. O.**, .i. fofailteir mað fuiréin uair do berur ar in mugruine fo uairliatuige in ti ar a tabuifur in fortaét, no fo méit na fupatáta do berur ann, .i. mað leť lai no trian lai, curub leť fuire aire, no trian fuire; no dono cio bec cio moir in mugruine cu roib lan fuire no leť fuire ann. Leť foefum faḡbuit na ḡraio fene ocuf in taire dea cin fonairiom, ocuf ma ta fonairiom ir lan foefum.

Cinnuid aihuē uḡuuir faḡbuid na ḡraio flatha ḡin fornairiom, ocuf ma ta fornairiom ir a da éuruma, ocuf ar in faoer faḡbuit é iar ndenum na lubra, ocuf ata turuid don ti do ḡin li, ocuf don ti aḡ a ndentur í cein befur oca denuid, ocuf noch a nfuil foefum don ti oca ndentur in lubra iar tairecin a denma, act muna bfuil do neri dligid turuidá, ocuf da mbet ir a bet do.

Fo aicneð mede no laiguit na lubra, ata in traire lubra ar in ti do riḡne, no ar in ti oca ndentur, cein befur oc a denuid; ocuf fo aicneð mede no laiguit na lubra ar in ti oca ndentur iar tairecin a denma, ocuf cum a cumaid don duilénne do berur in faoer don fir oca ndentur in lubair.

**C. 2657.** **Ní** tuarluce naé fuire no nach feofum [ber irle aḡra ber uairle enech].



tion *that is given* for the complement of food which is offered, if there is condiment, and if there is not condiment, there is nothing for it. DISTRESS.

A workman's free-quarters, i.e. from one day to another, &c.

What is the reason that the artisan has protection, for it is for the price of a workman's free-quarters from one day to another, &c., that he did his work? The reason is that double rations might be given to the man of perfection *in his art*.

Sick attendance to workmen is given according to rank. Relief for his day according to its value.

That is, *as regards* the person to whom a day's work is given to do the free-quarters of that man is given according to his dignity.—S.D., i.e. if it be noble relief that is given for the work it is conferred according to the dignity of him to whom the relief is given, or according to the extent of the relief which is given in the case, i.e. if it be one-half day or one-third of a day, it is one-half free-quarters or one-third of free-quarters for it; or indeed, whether the work be small or great there shall be full free-quarters or half free-quarters for it. Half protection is relinquished by the Feini grades and the 'aire-desà' chief, without condiment, and if there is condiment it is full protection *that is relinquished*.

Certain decisions of authors leave the chieftain grades without condiment, and if there be condiment, they (*the chieftain grades*) *shall relinquish* twice as much, and as for the artisan he relinquishes it after the work is finished, and there is exemption to the person who does it, and to the person with whom it is done, while it is being done, and there is no protection to the person with whom it is done after it has been finished, unless he has it according to the law of exemption, and if he has it so he shall enjoy it.

According to the largeness or smallness of the work, the person who executed the work, or the person with whom it is executed, shall, while it is being done, enjoy workman's free-quarters; and according to the largeness or smallness of the work, the person with whom the work is done, after it has been finished, shall enjoy the same, and the artisan shall give an equal share of the wages to the person with whom the work has been done.

No free-quarters or protection shall set aside the suit of one who is of higher honor.

## DISTRESS.

C. 2657. [i. ní beir uairli nað enecclann, cío írlí inaí iní aḡarṭar ann, a. ní ír mo na loḡ enecé fír in foeram don aḡabail do leḡan ar pe pe in foerain in inbaid ír dár an fír faorma in ecmaíí ro ḡabao an aḡabail, a. lubra ocuḡ bíð ocuḡ fonaoma.]

- .1. loḡ einiuch don aḡabail inbleoḡuin fo cáille, ocuḡ cuic  
C. 2658. feoit iarí fír faíre [no iarí faíre], ocuḡ a fuil fop loḡ einiucé fop anao ná faíre. Mað ḡin fír faíre, ír loḡ einiucé nama fo cáille do aḡabail inbleoḡuin, ocuḡ a fuil fop loḡ einiucé [fop  
C. 2658. anao aicmṭa in feoit no] fop anuo ná faíre.

Loḡ einiucé do aḡabail éintuḡ fop anuo ná faíre, ocuḡ cuic feoit, ocuḡ a fuil fop loḡ einiuch fop anuo aicmṭo in tfeoit. Ma ḡin fír, ír loḡ einiucé fop anuo ná faíre nama, ocuḡ a fuil fop loḡ einiucé fop anuo aicmṭo in tfeoit.

Mað aḡabail inbleoḡuin ḡabṭur tar faíre, loḡ emech dī fo cáill, ocuḡ cuic feoit laí, ocuḡ a mbi faíí do ḡabail laí in aḡabail. Muna be faíre, loḡ einiuch nama do lecin ar, cin feotu. Ír deíðe írbeíríuṃ fuaí a éabuíṭ do fnaoḡ fír ír tualuḡ. Ma aḡabail éintuḡ, loḡ einiucé do fop anuo ná faíre ocuḡ a anao fém; muna bé in faíre on éintuicé ní bfuil faíre fop ní dīa faíbað íteir.

C. 2707. Ní ḡaíḡtur níne ceṭra in aḡabail, [each, ḡil.]

.1. cuic feoit a fmaét a. na ceṭra aḡa níne ar a nuaḡḡur féin, no ceṭra na níne aḡuṃíe funn a. inunn inuḡíro aṭaí cuic feoit i ḡabail na ceṭra ír níneð iarí napað ocuḡ iarí tḡoírecað, cío o éintuicé cío o inbleoḡuin; ocuḡ do tuata aṭaí na cuic feoit fí iarí napað ocuḡ iarí tḡoírecað; ocuḡ nochá nḡuíl ní do ecluír, uairí do ní éínnḡuic dī elo do lecin. co mbeírínn a emecclunn uile uairí; ocuḡ nochá nḡenuinn aét éínnḡuic leṭe do tuata ele do lecin, ocuḡ cío éínnḡuic dūine o bíaí tochuí aṭa leṭ emecclunn do o do dēna maíṭ dā tochuí, ocuḡ o bíaí leṭemecclunn do aṭa lan fmaét do.

<sup>1</sup> *Exempt cattle*, 'nimhe.' These are frequently referred to in the Brehon Laws. Their division into twenty-five classes is fully described in C. 814, 815.

That is, a thing which is higher than honor-price, though lower than the thing which is sued for in the case, i.e. a portion larger than the honor-price of the protector of the distress is to be let go during the period of the protection, when it was, notwithstanding the knowledge of the protection, in his absence the distress was taken, i.e. work and food and condiment.

The amount of honor-price of the distress of the kinsman is set free,\* and five 'seds' after knowledge of the free-quarters, or after notice, and all that is for honor-price while the free-quarters lasts. If without knowledge of the free-quarters, it is the amount of honor-price only of the distress of the kinsman that is set free,\* and what is for honor-price during the natural stay of the 'seds' or while the free-quarters lasts.

The amount of honor-price of the distress of the debtor during the period of the free quarters, and five 'seds,' and what is *due* for honor-price are entitled to<sup>b</sup> the natural stay of the 'seds.' If without knowledge, it is honor-price during the period of the free-quarters only *that is due*, and what is over honor-price during the natural stay of the 'seds.'

If the distress of the kinsman has been taken notwithstanding notice of the exemption, the amount of honor-price of it shall be set free, and five 'seds' besides, and *the fine* that is upon it is to be taken by him in distress. If the notice has not been given, the amount of honor-price only shall be let go, without the five 'seds.' Hence it is said above to give it to the protection of a man that is able to protect it. If it be the distress of the debtor, he shall have honor-price during the time of the free-quarters and his own stay; unless the notice has been given by the debtor there is no free-quarters upon any part of his property at all.

The exempt cattle,<sup>1</sup> a horse, &c., shall not be taken in distress.

That is, five 'seds' is the 'smacht'-fine, i.e. the cattle which are exempt in their own nature, or the cattle of the dignitaries are referred to here, i.e. there are indeed five 'seds' alike due for distraining the cattle which are specially exempt, after notice and fasting, whether from the debtor himself or the kinsman; and these five 'seds' are due to the laity after notice and fasting; and there is nothing due to a church, for to evade renders it (*the church*) fully unworthy, and deprives it of all its honor-price; but it only renders a layman half unworthy to abscond from his liabilities, and though a man be unworthy, so as he has property with which he does good, he has half honor-price, and when he has half honor-price he has full 'smacht'-fine.

DISTRESS.

Ir. Let into the wood.

Ir. Upon.

DISTRESS

Mar ne napað ocur tpoṛcað no gobao na cethra iṛ nimí in athgabail, iṛ oílṛi gað athgabail uilí im inóliḡeð athgabala do venum ria co ruice deð mbu no deð feotu; no oílṛi leṛi gaða athgabala do tuata co ruice cuic bu no cuic feotu; ocur nochā nṛuíl deðbir neime na nimnime ria nabað ocur ria tpoṛcað a n-uṛruaḡur, ocur ata iarl nabað ocur iarl tpoṛcað.

Ata imurpo a cain deðbir neime ocur nime ria napað ocur ria tpoṛcað, ocur iarl napað. Nochon fuil deðbir luí na cleṛe i nṛuṛuḡur o buṛ neime im a gabail in athgabail, ocur ata a cain imurpo cuma i ngabail in cleṛhe iṛ neime ne napað ocur ria tpoṛcað. Ma no buí cleṛe naṛ buð nimie ann, nochā nṛuíl deðbir neṛuim inā nemneṛuim a cain, ocur ata i nṛuṛuḡur im athgabail. Nochā nṛuíl deðbir cinṛuḡ inā inbleoḡuin a cain im in aḡgabail inā um in eṛcuine, ocur ata i n-uṛruaḡur. Iṛ ann ata cuic feoit i ngabail i neimioð cethra i n-uṛruaḡur ria napað ocur tpoṛcað in tan iṛ eṛic foḡla no oleṛt ann, no cið feð cuir no cunnurṛa ocur noḡar aḡtaḡ neime aṛuṛthe ann na neimneime.

Marā fech cuir no cunnurṛa, ocur no aḡtaḡ neime aṛuṛthe ann, aṛt ma ta neimneime iṛ comaicinta do aice, cuṛub taoṛca gabur in neimneime inā i neime. Muna bṛuíl neimneime iṛ comaicinta do aice, cuṛub taoṛca gabur inēime iṛ comaicinta inā inēime nach comaicinta.

C. 2708. In cinṛuch i neimneime do gabail de ria na nimie, a neime ria na ṛeṛunn, a ṛeṛunn ne na bṛaiḡe, a bṛaiḡe fo deoiḡ. [Ocur ma no gabarð ní oib ṛin ria na ceile, cuic feoit ann, cið do cinṛaḡ cið oinbleoḡain .i. in gaibṛeṛ an cinṛaḡ a cinarð oinbleoḡain cen beṛ tṛi ac in cinṛaḡ. Febṛeṛ imorpo inā cinarð ṛen no a cinarð a ṛiaḡarṛna iarl nembeit cethru aile oca cia beṛ tṛi oca.]

In oinbleoḡuin imurpo, i neimneime ne na ṛeṛunn, a ṛeṛunn ne na nimie, a nimie ne na bṛaiḡe, a bṛaiḡe fo deoiḡ.

<sup>14</sup> *Cain'-law*. A law applying to all Ireland.—*Preface Senchus Mór*, vol. i., p. xlv.

<sup>15</sup> *Urradhus'-law*. The local modifications of the general laws consequent on the division of Ireland into separate kingdoms and territories.—*Preface Senchus Mór*, vol. i., p. xlv.

If the cattle which are exempt had been distrained before notice and fasting, every distress is forfeited for being illegally taken, as far as ten cows or ten 'seds;' or, *according to others*, half every distress is forfeited by a layman as far as five cows or five 'seds;' and there is no distinction of exemption or non-exemption before notice and fasting in 'Urradhus'-law, but there is after notice and fasting.

There is however in 'Cain'-law a difference as to exemption and non-exemption before notice and fasting, and after notice. There is no difference as to small or large in 'Urradhus'-law when it is exempt cattle that are taken in distress, but there is in 'Cain'-law, in which the fine (*i.e.* five 'seds') is for taking a large beast which is exempt, before notice and fasting. If there was a large beast which was not exempt, there is no difference of necessity or non-necessity in the 'Cain'-law respecting distress, but there is in 'Urradhus'-law. There is no difference as to debtor or surety in 'Cain'-law respecting the distress or respecting the incapable person, but there is in 'Urradhus'-law. There are five 'seds' fine for distraining exempt cattle in 'Urradhus'-law before notice and fasting when it is 'eric'-fine for injury that is due, or if it be for debts of bargain and contract in which no stipulation of exemption or non-exemption was made.

If they be debts of bargain and contract, and that a certain exemption was stipulated therein, if he has non-exempt cattle of the same nature, the non-exempt cattle shall be distrained before the exempt. If he has not non-exempt cattle of the same nature, the exempt cattle which are of the same nature shall be taken before the exempt which are not of the same nature.

The non-exempt cattle of the debtor may be taken from him *in distress* before his exempt cattle, his exempt cattle before his land, his land before his person, and his person last of all. And if one of these things has been taken before the other, there shall be a fine of five 'seds' for it, whether it has been taken from the debtor or from the surety, *i.e.* the surety<sup>a</sup> shall not be taken for the liability of the debtor while the debtor has land. He shall, however, be taken for his own liability, or the liability of his chief, when he has no sufficient cattle, though he may have land.

As to the kinsman, his non-exempt cattle are taken before his land, his land before his exempt cattle, his exempt cattle before his person, and his person last of all.

<sup>a</sup> *Surety.* From the context it appears that the terms *cintac* and *inbleogain* should be transposed.

DISTRESS. 1m արշուծ բօճա իր, no 1m քիշուծ արք no cunnարէա.

Ար քրօսարք քե հինկեօջում ճախր in քարան քե na ումե, ար 1ք քեք ռօ արշօ մեանա an ոջօւր cumած մօ no քրած արք քեօր քե արշում inա քարան. Արօ ումնքարմ no ռերած քեած, noչա ունօւլլլեծ ռօ քարւն քաօ քաօ ումե ռօ ճախլ a ոջլլ քր.

Արօ ումնքարւն ռա 1ք ումե ռերք քեած, in արն քեք քարմ no ումնքարմ na քաօ ումե an, noչա ռր ռօ քարւն քար ումե ռօ ճախլ in աճախլ.

Արօ քարմ քար ումե ռերք քեած, noչա ռր ռօ քարւն քար ումե ռօ ճախլ արն քարմ քար ումնքարւն an. Մաա քե ղեճե արա, ար no քե նեմնքարւն քաօ ումե, no na քա ումե an, noչա ունօւլլլեծ ռօքարմ քարմ քար ումե ռօ ճախլ 1 ունճախլ anարք.

Ոա քոն քօ արաա արք ռա քեծ.

.1. Ա արւան խարք ռարա քեք, արք a խաչ ա in քր ար; no արօ a արւան քեք արա ուարք, .1. in քօ արքարա, .1. արք ռա արքարա, no արք ռա քարաւ; na քոն արաա արք ռա ռ.

Մած քօ ճաած in աղախլ in քեօր ուլ արք ռր, մած քօ քրք in ար քօ ճա՝ a քե արք ռր, արք քեօր ռօ արք ռօ ար an; no cumած ար արք քեօր ռօ, արք a ռա արա ռօն ար 1ք ար ուար ճաած, արք ար արա ռօն ար 1ք a ար ուար ճաած. Մաա քրք in ար քօ ճա in աղախլ՝ a քե արք ռր, 1ք լեճ արք քեօր an, արք արա na արք քեօր ումն արք.

These are *regulations* respecting 'eric'-fines of injury, or respecting <sup>DISTRESS</sup> debts of bargain and contract.

Out of leniency to the kinsman it is that his land is taken before his exempt cattle, for the mind of the author *of the law* perceived this fact that he would require 'seds' for consumption more than land. Though one should be entitled to an article not required for immediate use, it is not unlawful for him to take an article required for immediate use which is not exempt as a pledge for it.

If a person should be entitled to an article which is not required for immediate use and which is exempt, as long as there is an article which is not exempt, whether it be required for immediate use or not, to be had, it is not right for him to take in distress an article required for immediate use and which is exempt.

If a person should be entitled to such an article which is exempt, it is not right for him to take one which is exempt as long as there is to be had one which is not exempt. Should this be not to be had, if there be an article not so required, whether it be exempt or not, to be had, it is not then unlawful for him to take in distress an article of necessity which is exempt.

### The cows which are sold between two possessions.

That is, *the case of a cow* whose body *belongs* to the one man, and her milk to the other; or the body belongs to both, i.e. the cow which is a subject of controversy, i.e. between two lay superintendents of church lands, or between two priors; the cows which are subjects of dispute between two persons.

If the 'sed' which is owned by two persons has been taken in distress, if the person who took it had known that it was between two persons, there is a *fine* of five 'seds' due to each of them for it; or five 'seds' to both, two-thirds of which go to the person for whose liability it was not taken, and one-third to him for whose liability it was taken. If the person who took the distress did not know it to be between two persons, it is half five 'seds' *fine* that is due for it, and the conditions<sup>1</sup> of the five 'seds' mentioned before shall be upon them.

<sup>1</sup> *Conditions*, i.e. the fine shall be divided between the owners in common in the same proportions as the five 'seds' just mentioned, that is, two-thirds to him who owed nothing, and one-third to him who owed the debt for which the distress was made.

DISTRRESS.

Na buin co ngalur.

.1. In bo galur; mara cinneti cunad tpe na gabail in atgabail  
 iŕ marb h, cuic roeit ann, ocur atgin. Mara cunnatabuir, iŕ  
 cuic roeit ann, ocur let atgin. Mara cinneti cunach, iŕ cuic  
 roeit nama.

No tarb i naimŕir dapa.

.1. Mara cinneti cunad tpea fupuirpe a gabala in atgabail  
 taimic milleb in laeta ocur in laiŕ, iŕ cuic roeit ann, ocur  
 atgin in laeta ocur in laiŕ. Mara cunnatabuir, iŕ cuic roeit  
 ocur let atgin in laeta ocur in laiŕ. Mara cinneti cunach  
 tpe, iŕ cuic roeit nama.

Cach bo oib ro aga ta laet do neob iŕ nime cethra, cuic roeit  
 na ngabail i nachgabail, ocur atgin a laeta ma do cuatur i  
 noitŕce, ocur cinneti cunad tpea na ngabail in nachgabail do  
 cuatur i noitŕce. Mar cunnatabuir, iŕ cuic roeit ocur let  
 atgin in laeta. Mara cinneti cunad tpe, iŕ cuic roeit nama.

Daera neime cethra fŕi hibleoguin acht cin a  
 mbel padepin.

.1. atgabail mburŕneeta, .i. n1 gebtur i cinuib in inbleoguin  
 cein ber tpe oc in cinuib; gebtur imurŕo ma cinuib fein, no i  
 cinuib a tiagurŕa iŕ neimmbet cethra eile oca, cia bet tpe  
 oca.

Let cacha atgina ma inoligeo ŕia napub ocur tpeŕub, ocur  
 cuic roeit imurŕo iŕ nime cethra iŕ napub, dia mbet cethra  
 eile oga; ocur muna bet, iŕ ŕlan a ngabail iŕ napub ocur  
 tpeŕub.

C. 2710. [N1 gaibter nachgabail dŕuŕh, na dapaŕtaib,] na oin,



The cows with disease.

DISTRESS.

That is, the diseased cow: if it be certain that it was in consequence of taking her in distress she died, five 'seds' *is the fine* for it, and restitution. If it be doubtful, five 'seds,' and half restitution. If it is certain that it was not, it is five 'seds' only.

Or a bull in time of bulling.

That is, if it be certain that it was in consequence of its being taken in distress the loss of the milk and of the calf ensued, it is five 'seds' *fine* for it, and restitution for the milk and for the calf. If it be doubtful, it is five 'seds' and half restitution for the milk and for the calf. If it be certain that it was not in consequence of it (*the distress*), it is five 'seds' only.

For every cow of these which has milk and which is an exempt beast, there is a *fine* of five 'seds' for taking it in distress, and restitution for the milk, if they have run dry, and that it is certain that it was in consequence of being distrained they have run dry. If it be doubtful, it is five 'seds' and half restitution of the milk. If it is certain that it was not in consequence of *the distress*, it is five 'seds' only.

His exempt cattle are free for the kinsman except for the trespasses of their own mouths.

That is, distress of 'Bruighrechta,' i.e. *the exempt cattle* of the kinsman shall not be distrained for debt as long as the debtor has land; but they shall be distrained for his own liability, or for the liability of his chief when he has not other cattle, though he may have land.

The half of every distress is *forfeited* for the unlawful *taking* of it before notice and fasting, and five 'seds' *is the fine* for taking exempt cattle after notice, should he (*the debtor*) have other cattle; but if he has not, it is safe to take them after notice and fasting.

A fool, a madman, a male idiot, a female idiot, a

**DISTRESS.** [να οινμιτι, να ηαιμβιλ; να ατςαβαιλ α cono βερται α  
C. 2710. cirta ocur α ραιτ].

[Όρμιτι, .i. co raé. Όαραχταιθ, .i. πο θαβαρ αν ολαι φυλλα.] Οιν,  
.i. on an fer. [Οινμιτι, .i. fomen. Ηαιμβιλ, .i. ouine na bi bil uplabra.

Να ατςαβαιλ α cono, .i. να coonais βεραισ eric ιρη cirtaθ do  
gniter rruu.]

.i. cach ni do βερυρ in oin ocur in αιρλιcυθ don λυετ πο, ni  
icuit α bρine; icuit imurpo α cirta coiri ocur λαιιie, .i. in tan  
na biθ oca ρein, no nach ιnςnιmρuις ιat.

Να hιnnθεapθ ρealbα na hαtςαβαλα ban na mac  
ρια tρopcyθ.

.i. ρealb ap naθ hιnnθεmιn cιn do poctuin, .i. no cpod ban no  
macc, .i. ni ριnnταρ cuic α ρealb acτ biθ πορ α ρaithe ριn namia.  
.i. no in ρet ιnnuθa coitcιnn.—S.b., .i. cpod ban no macc, .i.  
ριαρiυ ti aer caθnuις doib, .i. cein bet coθnuις don ρine ceana;  
muna bet imurpo coθnuιθ don ρine, ρabuyr oibρum cutpumuyr  
na ρiac oleguyr don cιntuch acτ ρρiα cιnta ρein, .i. ρabail  
atςαβαλα πορ in ecoθnuch um in αιtςin, uair ata ρaillecτα cella  
do; ocur in letςabail diabulτα πορ in coθnuch, ocur cuic ρeoir.  
ιρ αιpe naς ρabuyr atςabail in locta poθmιnn uair ni ρailteρ  
cιall oca.

Γaιbτεap ιapum ap in econn loς ρiac do poille.

.i. γaιbτεap ιapum do na hecoθnuicuib loς na ρiach po αιρill-  
nιtuyr ann. Aιtςin imech ρabuyr oibρum, ocur α diabulθ oia coθ-

<sup>1</sup> *Fit for work*, i.e. when they are not able to perform work sufficient to pay for their crimes of foot and hand.

dumb person, shall not be distrained: their adult guardians, who bear their crimes and get their wages, shall be distrained. DISTRRESS.

A fool, i.e. one who can earn wages. A madman, i.e. upon whom the magic wisp has been thrown. An idiot, i.e. the male. An 'oinmit,' i.e. the female idiot. A dumb person, i.e. one whose utterance is not good.

Their adult guardians shall be distrained, i.e. the adults who obtain 'eric'-fine for the injuries done to them.

That is, everything which is lent or given in loan upon interest to these people (*i.e. fools, &c.*) shall not be paid for by their family; they (*their family*) shall however pay for their crimes of foot and hand, i.e. when they themselves have not wherewithal to pay for them, or when they are not fit for work.<sup>1</sup>

That the possessions of women and boys taken in distress before fasting should not be uncertain.

That is, property upon which it is uncertain that any claim lies, i.e. the property of women or boys, i.e. it is not known whose property it is, excepting only that is on their green, i.e. or the increasing 'seds' generally.—S.B., i.e. the cattle of women or boys, i.e. of boys before they come to the age of reason, i.e. as long as there are sane adults of the same tribe to be distrained in their stead; but if there be not sane adults of the tribe, they (*the women and boys*) may be distrained to the amount of the debts of the debtor, but they are liable for none except for their own debts,<sup>2</sup> i.e. distress is taken from the infant for the restitution, but not for the fines, for there is expectation that he will have sense; and the second portion of the double seizure from the adult, and five 'seds.' The reason that the parties before mentioned are not distrainable is because they are not supposed to have sense.

But the adult without sense is distrained for the amount of the debt which he incurs.

That is, distress is taken from the adults without sense for the amount of the debts which they themselves have contracted. Restitution of the thing itself is taken from them, and double from their

<sup>2</sup> Except for their own debts. This should be "the women and boys cannot be distrained for any debts except their own."

**DISTRESS.** nícuib. 1r aipe ní gaibtear fonn don ecotnué áct aitéigin uair  
ní he ro elo apud ná tpoircuó rin ra coonuiḡ.

Ní gaibtear aḡgabail neime ḡraio flatha no eculra  
conar farctur doib cu dechmuio.

.1. im cinuio nibleoguin; cein bet ḡraio peime don aicme ní  
gaibtear athgabail neim, ḡrl., conarbarctar doib cu deactmuio  
níónuio. 1r ar rin 1r foillur cío bec in emeclunn beḡ do neoó a  
duailḡar a dāna, cunuo apud dechmuioḡe biaḡ farir.

Conar farctur doib cu dechmuio, .i. cunā cairbentur doib bié i  
nupnuigḡe ne ne dechmuioḡe cin tpoircuó forpud.

Cuic feoit cach ninnoligioḡ aḡgabala, acht nimio ime  
dechbepe do ainfir no ainchear.

Cuic feoit cach ninnoligioḡ, .i. in gach inoligioḡ do nícuir im in  
aḡgabail aité no aḡa eimioion bet i turbuioḡ, .i. iar napuo ocup tpoircuó  
ata ro rin, .i. cuic leat uingḡ. Nimio ime, .i. ainfir do, ní ficitir ar ma  
ceḡra níme ro gabuó, no ar ma uairle in ti oia ḡgabur oluor a ḡlinne  
faveirin; no ní ficitir ar ma mo in aḡgabail oluor ino do oligurctur, ocup  
ní ficitir ar ma écuma a feóiuḡ no ar ma ferir fru arailḡ; no ní ficitir

<sup>1</sup> C. 2711, adda, 1h gaibtear athgabail nemeḡraó flatha na eculra, ḡrl.,  
.i. cen beir ḡraó pene dá naicme.

Ca baile a tet roḡelt ocup blet ocup lobao a cenn aḡgabala inbleogain  
ocup na tet áct roḡailt ocup blet a cenn aḡgabala cintois?

1r annro on, .i. ná deoraó ocup ná murcunḡa, ná uair, ná mna, ná  
hecomn oca fpepctheir ciall coonuiḡ. Gabtar aḡgabail toib imān aitégin,  
ocup tet roḡelt ocup blet ina cenn, ocup ní tet lobao. Ocup in aḡgabail  
gabtar dá coḡnaá in an leḡgabail duabla tet roḡelt ocup blet ocup  
lobao ina cennrioḡe. Ocup ḡurab mo roḡar inbleogain.

The exempt cattle of a *person* of chieftain grade, or of a church, &c., shall not  
be distrained, i.e. as long as there are people of the 'Feini' grade of their tribe.

In what case does it appear that *expense* of feeding, and tending, and forfeiture

senior adults. The reason that restitution only is taken from the adult without sense is because it was not he who evaded notice of fasting, but his seniors. DISTRESS.

The exempt cattle of the chieftain grade or of the church shall not be distrained until a delay of ten days has taken place.

That is, respecting the liability of the kinsman ; as long as there are Feini grades of the tribe the exempt cattle shall not be distrained, &c., until they are waited upon for ten days. From this it is evident, that though one's honor-price be ever so small in right of possession, yet a notice of ten days should be served on him.

Until a delay of ten days, &c., i.e. until it is shown to them that they have been waited upon for ten days, without fasting upon them.<sup>1</sup>

Five seds *are payable* for every illegal taking of distress, except what is defended by necessity or ignorance or difficulty.

Five 'seds' for every illegal taking, &c., i.e. for each illegality that is committed respecting the quick or legal distraint which is protected by exemption, i.e. those which follow down here are after notice and fasting, i.e. five half ounces.<sup>2</sup> What is defended by necessity, i.e. he (*the distrainer*) is in ignorance; he does not know whether they were exempt cattle that were taken, or whether the person from whom they were taken is nobler than his own surety; or he does not know whether the distress taken was more than the debt due, and he does not know whether his law agent is equal to or better than the other; or

accumulate upon the distress of the kinsman-surety, while only *expense of feeding* and tending accumulate upon the distress of the debtor? In this case following viz., the strangers, the foreigners from beyond sea, bondmen, women, and sane infants who are expected to get good sense *when they grow up to years of discretion*. Distress is taken from them for restitution, and *expense of feeding* and tending accumulate upon it, but forfeiture does not. And the distress which is taken from sane adults for the double half-seizure has *expense of feeding*, and tending, and forfeiture added to it. The advantage of the kinsman-surety is greater.

<sup>2</sup> *Five half ounces.* In C. 2711 there is added "o baotharb," i.e. from idiots, or incompetent persons. This class of persons make half restitution, and pay one-fourth, one-eighth, and one-tenth of the five 'seds,' i.e. the '*smacht*' or *fixed fine* for *distraining after an illegal manner*.

**DISTRESS.** ar ma mo ina loḡ a riad do inbleoḡuin, no diabluḡ do áintuḡ no gabail; no ni ríctir ar ma mo ina loḡ einuḡ do athgabail inbleoḡuin ro bepuḡ re popur. No aincear, .i. noch acaemnuicir gan na neche rin do dénum co innoligḡuch, no ni caemnuicir cin cétia eile do bpeḡ lair, .i. annra a hicc, .i. porcruio nimana popro co mburḡter; ar dio hana co mall a tagar a maribad. Aincear, don ni roibe dia rine neac ba olig-tacha dia gabail olḡar in ti roḡ gabad; ocyr muna roib popur bad ferir fur na gabad. Ocyr ir aincear dono, ni caemnuicir a tabuirḡ co taca a hupéuile. Aincear dono ni caemnuicir cin cétia nime do tabuirḡ, uair do lenrat de, ocyr ni caemnuicir cin urain riach do tobuirḡ, uair bayreimio tabuirḡ éana. ocyr ni ruair pécium acht in pécium éac cío écum.

### No ecunnuir.

.1. ecuibḡ, .i. ir ḡrochcubur do cin farce nólíteach uad re caithe no cumunn burḡ co cumuicḡ; ocyr aḡbeirum fua cubur fadom ir inhuice gach ae, ocyr ir ḡo iarium; ocyr ni ríctir rium diaḡ ni moir ir ecomilan ann. No duo ni bi eol a corur cetherpleḡta, ocyr ni caemnuicir anad fur in da deac-muio ina diaḡ ar oman a marbḡta co ndeacuib amuḡa.

Ecubur dono, ni ríctir rom a tuigḡt ina diaḡ, acyr ro muguibḡ, .i. let ocyr cetruiḡa ocyr cuicḡ na cuic reoit inuile a triur, ocyr aḡgin.

Ecunnuir dono, .i. lir ocyr buailḡ ocyr farce, in cinuio do denuill ruu i ninaḡ oib rin co hinoligḡeḡ, .i. ni ríctir arma ecomaduir doib in roir ocyr in manner ocyr in dun arrobḡar inhuice uile a ló no ala ló in tan porracuib. Ecunnuir, .i. cin rinn reoir, ocyr cin cumuic nílcaḡia, ocyr cin farc in tuer breḡir, no cin mannuir éall ocyr amuḡ. Ocyr ro pec i a ló ruime, muna faca ir leath cúic reoit.

<sup>1</sup> *Difficulty.* The following brief commentary on the passage from C. 2711, is somewhat clearer than that already given:—

“No ainchir, .i. ni caomnacair cin neme cétia do gabail a naḡgabail, ocyr ni ruair pecham aile, ocyr nri cumaing gan ní bu mó do gabail a naḡgabail mar a ní ro oligurair.”

Or difficulty, i.e. he could not but take exempt cattle in distress; and he could not find another law agent, though the one he had was of inferior standing and he could not avoid taking in the distress more than he was due.

he does not know whether more than the debt has been taken from the kinsman-surety, or double from the debtor; or he does not know whether more than the honor-price of the distress of the kinsman-surety has been taken to the enclosure of the distrainer. Or difficulty, i.e. he could not avoid doing these things unlawfully, or he could not help taking away other cattle. *Difficulty*, i.e. it is difficult of payment, i.e. they were over-driven so that they were hurt; for had they remained going slowly their death might ensue. Or difficulty,<sup>1</sup> i.e. there was not of his tribe one who could more legally distrain than the person who did distrain; and if he had not a better enclosure into which to bring it, *he might bring it into his own enclosure*. And it is a difficulty, too, that he cannot bring it (*the distress*) until it is prohibited. It is a difficulty also that he cannot but drive out exempt cattle, for they clung to him, and he could not but pay the balance of the debt, for it was payable before *by the very fact*, and he could not find an advocate but the one he brought, though he was incompetent.

DISTRESS.

### Or except what is defended by carelessness.

That is, he is not an accessory to it (*the carelessness*) i.e. it is want of thought in him not to give lawful notice of trespass or broken pound with mixing of cattle; and he says to his own mind that all is right, but it is afterwards found to be a mistake; but he did not know it, because there was not much of imperfection. Or else he did not know the fourfold division of the law of distress, and he was not able to wait, though they (*the exempt cattle*) followed, from fear of the cattle he was distraining being killed, so that they (*the exempt cattle*) went astray.

Want of thought now means, he does not know that they came out after him, and they were lost, i.e. there is one-half and one-fourth and one-fifth of the five 'seds' due under these three conditions,<sup>2</sup> besides restitution.

Carelessness now, i.e. to be guilty of impropriety towards them in either of those places unlawfully, i.e. at a 'lis'-fort, a cattle pen, a green, i.e. he does not know whether the 'scor'-pound, the 'mainner'-pound, or the 'dun'-fort in which they all were sound for a day or two days when he left them, was fit for them. Carelessness, i.e. without good grass, and without mixture of various cattle being guarded against, and without notice of the third word, or without a 'mainner'-pound within and without. And he looked to all this the day before, unless he did so it is half five 'seds' of fine upon him.

<sup>2</sup> Three conditions.—*Anfis*, ignorance; *ainches*, difficulty; and *econnus*, carelessness.

DISTRESS.

No etge.

C. 2712

.1. [Hí ro toun in beirna], ní díb bfuir araidle no a haenur, no bfuiríoríum faderín, ocur ír fearíron. Hí díub bfuiríur ram, ocur ní ler a chumao, ocur ní bío borbíur do anó, no íní mugaíochur tét ina díad a ísur, no a mbuailíó, nó a líur.

Leath riach cach ainpí.

.1. in tan íogeba neó día níaríaríó, .1. leó ná cuic íet in gao in do ná hepníulíb aínbír aóubríumír íomuíno, ocur aíríuc ná híumíríuríó íucíó a náíníur, ocur aíríuc ná haíéíma uile íamíó aíl don tí írí haíéíín hí.

Cá íéíbír eíuríuríó íín, .1. in íamíbíríur ío ocur ínge íre íaoegíul náígneíó íuar? Ír í an íéíbír, ná íeíó ío búo íoír do íabáíl in aíhíabáíl íuar ír íat ío íabuíó aní, ocur in íuime íar íabuíó in aíhíabáíl ían íleíí in íín aní ír íe ío íabáí no ío íleíé. Ocur neach eíle a íubuííet íur íur íleíé in íínuíé, ocur cu náí hícuí e, ocur ní íííííííí íur íur ío; ocur íochá íarílí ínílííéíó do a íabáíl ná haíéíabála; ocur íuar ímííííí cu ílííéíé ío íoííí í, ocur ní íío ína aíéíín cu ná ííabuíó do íhíníuch, no aíéíín do ímbíeíííí; ocur ní neíme íeíhíí ío íabáí íuar íeíí, ocur ní íeíó íleííur íon híeíéamííí a íuíó í íleííur ío ná íleííur in íín, aíé íoííí ná haíéíabála amáíl cu ílííéíé.

Íuní ímíííí ínílííéíó do íála do aní a íabáíl a náíníur, ocur ní ílííéíéíó íon aííne íín íur ná í-eíííííí ío aííe búíéín, ocur íoír íe ío íeí aír aní íe ío ílíí íní ío acíur.

Ceathruima cach aincep.

.1. íeíííííe ná cuic íet uíó in gao ní ír amíheí aóubríumír íomuíno. Ír aíníeíí do an íoí lílí a ííeíííí a íhíabála díá náíá íríá a íínííííí a íaííur a íaríabáí; íuná an do íeíí íríáíá íín, .1. íeíhííííe cuic íet ína íuííííé líír, lí aíéíín cach

<sup>1</sup> Above, i.e. that description of ignorance already referred to in the phrase beginning, "except what is defended by necessity, or ignorance, or difficulty," p. 49, *supra*.



Or crime.

DISTRESS.

That is, he did not close the gap, *i.e.* one of them (*the cattle*) hurt another, or itself, or it hurts himself, and this is better. He hurts one of them, and it was not his duty to mind them, and it is not any impropriety in him, or what is lost goes after him into a 'scor'-pound, or a cattle pen, or a 'lis'-fort.

Half fine is incurred for each case of ignorance.

That is, when one could obtain information if he would inquire, *i.e.* half the five 'seds' for each of the kinds of ignorance which we have mentioned before, and a restoration of the excess which was carried off in ignorance, and a return of the whole restitution if the person whose restitution it is should desire it.

What is the difference between this, *i.e.* this ignorance and that referred to in the phrase "except the three neglects of the pleader mentioned above?"<sup>1</sup> The difference is, the 'seds' that it is right to take as distress were taken *as stated* above, and the person<sup>2</sup> from whom the distress was taken was the person of whom the debt was due. In that case it was another person that had told him that the debt was due, and that it was not paid, and he did not know but that it was true for him; and he did not happen to commit any illegality in taking the distress; and *as stated* above also it was lawfully carried out, and there is not more than restitution with its double *due* for the debtor, or restitution for the kinsman; and also it was not exempt cattle that were taken in the case mentioned above, and it behoveth the judge to say, not whether the debt was due or not, but whether the distress was lawfully carried out.

But here (*in this case*) he happened to commit illegality in distraining through ignorance, and it is not lawful for the advocate not to have a knowledge of those cases, and it is right that there should be a fine upon him even though what he claimed is due.

The fourth for every difficulty.

That is, the fourth of the five 'seds' is due of him for everything which we have mentioned before as a difficulty. There is a difficulty for him while his distress is being pursued if he waits till they are overtaken, and their death follows, in this case he shall pay fine for it, *i.e.* the fourth part of five 'seds' for their coming with him, with

<sup>1</sup> Person. Literally, "and the person from whom the distress might be taken and who owed the debt, was the person who was distrained for the debt."

**DISTRESS.** nae. Ipe aincear fuil ann, in caemnucair feair naile don rime,  
 — no ní fuaire fechium buí cuma dia gabad araire, no ní roibe  
 cuingille techta oca tall, no ní caemnucair cin ní do neimi  
 ceiriu do gabail.

Cuicead cach ecuibri.

.1. cuicead na cuic fet uad in tan na tarla for cubur fir  
 indligid na mainnriuch in indur ro tertiuz in mainniur ne  
 ndul amach, ocur ní firi a lot tar a eiri, ocur niri facuib neach  
 oca coméd. Munur tertiud ne ndul amach, ocur ní firi a lot,  
 ir leth na cuic fet. Ma ro firi a lot, ir cuic feoit uad ann.  
 Ocur ir cinnti cunad triu do cuadur amuza; ocur mar chunn-  
 tabuir ir leth-airhgin.

Airhgin gaé eðge.

.1. airtin ir in cinnti do nithur ner na hinuilib, ina lecad ir  
 in lir a mbias, no ir in mbuailid a mbid, no ir in fairthe a mbid,  
 in indur ro ofuice na hinuta rin aca tabuir na haegabala  
 erid, ocur ní ro iat ar éir, ocur tancudur na diais amach,  
 ocur cinnti curub triu do cuadur na hinuile amuza, ir airtin.  
 Mara cunnatabuir in triu no nach triu do cuadur, ir leth  
 airtina. Mara cinnti cunad triu, ir rlan.

Cach uair ir indliged, leth cuic feoit, no cethruime cuic fet  
 no cuicead cuic fet do rinne fechium toicheda in in aegabail,  
 eric a indligid do ic do ocur an aegabail do bec ina laim no  
 co tincur é in geallad. Caé uair ir indliged cuic feoit no  
 net ir mo mar cuic feoit do rinne in fechium toicheda in in  
 aegabail, eric a indligid do ic do, ocur airc na haegabala uad;  
 no dono cid bec cid moir in rinndliged do ní fechium toicheda  
 in in aegabail, eric a indligid do ic do, ocur cin airc a aegha-

restitution of everything. The difficulty is, he was not able to **DISTRESS.** *distrain* any other man of the tribe, or he could not find a law agent competent to take another distress, or they had not the proper pledges within, or he could not but take exempt cattle.

One-fifth for every *case* of carelessness.

That is, one-fifth of the five 'seds' are due of him when he was not aware of the illegal state of the 'mainer'-pound when he tried it before going out, and he did not know of its being injured afterwards; and he left no one to keep it. If he did not try it before going out, and that he did not know of its being injured, it is half the five 'seds' *that he shall then pay as fine.* If he knew of the injury, five 'seds' are due of him for it. And when it is certain that it was in consequence of it (*the injury done to the pound*) they went astray, *it is a case for restitution*; if it is doubtful, it is *a case of half restitution.*

Restitution is *incurred* for every crime.

That is, there is restitution *due* for every crime that is committed with respect to the cattle, *i.e.* by leaving them in the 'lis'-fort in which they usually are, or in the cattle-pen in which they usually are, or in the green in which they usually are, when he (*the plaintiff*) opened these places in bringing the distress out of them, and did not close them afterwards, and they (*the other cattle therein remaining*) came out after him, and when it is certain that it was in consequence of *his neglect to close the places aforesaid* the cattle went astray, he shall make restitution. If it be doubtful whether it was or was not in consequence of *his neglect* they went astray, he shall make half restitution. If it be certain that it was not in consequence of *his neglect*, he is free.

Every time that the plaintiff has committed illegality respecting the distress, he shall pay the 'eric'-fine for his illegality to the amount of half five 'seds,' or one-fourth of five 'seds,' or one-fifth of five 'seds,' and the distress shall remain in his hands until he has tendered pledges. Every time that the plaintiff has committed illegality to the amount of five 'seds,' or more than five 'seds' respecting the distress, he shall pay the 'eric'-fine for his illegality, and the distress shall be returned by him; or, indeed, *according to others*, whether the plaintiff has committed little or much of illegality respecting the distress, he shall pay the 'eric'-fine for his illegality,

**DISTRESS.** bála uada no cu tincur é cu ngealluib. No dono cach inóligeo do dena im in aḡgabail i nuirruḡur no cu ría diabluḡ, in aḡgabail do beḡ ina laim, ocur icuro epic a inóligiḡ; ocur o ro ría diabluḡ, lecuo uada in aḡgabail ocur icuro epic a inóligiḡ; ocur iḡ aḡ gabur rin feḡait co noiabluḡ fḡi tairiuc techta.

Mar e in feḡam rucurḡur in feḡium toicheḡa ler do gabail na haḡgabala in feḡeam a gabala cu hinóligeḡ, ciḡ moḡ oinóligeo do i raine uaire, iḡ epic caḡ inóligeo do dena tic do.

Mar é in feḡhem ruc ler inn feḡhem a gabala co hinóligeḡ, ciḡ moḡ do inóligeḡ do ní a nínannur uaire no ciḡ a raine uaire, munur cloeḡḡ inn feḡhium, noch a nícuno aḡt epic an inóligiḡ iḡ mo do gena.

Ma do rinḡrut aḡraen inóligeḡ aḡgabala, in feḡhium toicheḡa ocur in tairie, ma ro feḡur aḡraen in tinoiligeḡ, no ní feḡur neḡtur de, iḡ fíac inóligiḡ do coimic doib eturruḡ.

Maro fíur in ḡara de, aní fuil a fíur doib tic do, iní uil i nainḡur do coimic doib eturruḡ; no cumao a ic don aigne a aenur ḡaḡ uair nach fuil fíur aḡ neḡtur de.

### ḡrian naitḡina ar mīraḡbail.

.1. ḡrian naitḡina fíur; ocur noch an e fein do chuḡurḡur iat iḡin ḡroch innuḡḡ rin, .1. in ḡrian naitḡina rin o cach coḡnuch urruḡ uile a coḡcine a feḡḡeḡt feḡhian ḡa nḡḡur comar ocur comingaire, .1. ar na ceḡre feḡḡmḡ im ḡuine, no ar na ḡri caiceo im boin, no na ḡeḡa cethruime im each, .1. ar in ḡrochraḡbail itir conu ocur ḡatuḡe; ocur ní é fein ro imeḡ ḡrochinuḡḡ ḡaite foḡruḡ.

Urruḡ rin ḡa nḡḡur comar ocur comingaire, ocur nḡr buḡ ler in inḡaire in la rin, ocur ḡamaḡ ler, do biaḡ aḡḡin uada.

Na huile ḡaine do na nḡḡur comar na comingaire, ciḡ a lo ciḡ a noḡḡe, ce tḡur na hinnile chucuo, iḡ ḡlan doib a cur uaitib in conuḡ cetna aḡt na fíurḡit acuo iat o ḡḡ co hoḡḡe;

and he shall not return the distress until he is tendered pledges. DISTRESS.  
Or in 'Urradhus'-law, for every illegality which he shall commit respecting the distress until it (*the penalty*) comes to double, the distress shall remain in his hands, and he shall pay the 'eric'-fine for his illegality; but when it comes to double, he shall return the distress and pay the 'eric'-fine for his illegality; and hence is derived 'Fedhait' with the double in lawful repayment.

If it be the law agent whom the plaintiff brought with him to take the distress that has taken it unlawfully, whatever amount of illegality he has committed at a different time, he shall pay 'eric'-fine for every illegality which he has committed.

If it be the law agent that has brought with him another law agent who has distrained unlawfully, whatever amount of illegality he has done at the same time or at a different time, unless the law agent has been changed, he shall pay nothing but the 'eric'-fine of the greatest illegality which he has committed.

If both the plaintiff and the advocate have committed illegality in taking the distress, if both were cognizant of the illegality, or if neither of them was aware of it, they pay the fine for illegality equally between them.

If one of them knew of it, he shall pay for what he knew, and what he is ignorant of shall be paid equally between them; or the advocate alone shall pay it whenever neither of them is aware of it.

One-third of restitution *is incurred* for leaving the *distress* unprotected.

That is, one-third of restitution *is imposed* upon him; and it was not himself that had placed them in that bad place of defence, i.e. this third of restitution is due of every adult sane native in general of whom joint tillage and joint herding is due, for looking on at anything straying *without preventing it*, i.e. four-sevenths for a man, three-fifths for a cow, or three-fourths for a horse, i.e. for leaving them in a bad plight exposed to dogs or thieves; and it was not himself that left them thus exposed to thieves.

This is *in the case* of a native of whom joint tillage and joint herding is due, but the herding was not his *turn* that day, but if it were, restitution would be *due* from him.

*As to* all persons of whom neither joint-tillage nor joint-herding is due, either by day or by night, though the cattle should come to them, they are safe in sending them away by the same road, provided that they detain them not with them from day till night;

**DISTRESS.** ocuf da fuirgic, aicgin forruud ina cupr uaitib irin oirde; ocuf ma dlegur comur ocuf comingairc dib, ir trian naitgina ina cupr uaitib ir in lo, ocuf aicgin mar ir in oirde. Ocuf ni do fein rannic in la rin; ocuf damud do, no buo aicgin complan ina cupr uata cio a lo cio a noirde.

Mil atcithur a pochruid chuithe no fpu bpuinne noirde, ocuf ir doig a mugud, aicgin for codnuch muna poipe. Diam demin a mugud, ir cethruinne dipe la haicghin ar a pellceet gaite. Cio for bir cio for cuithe atcet ir eo in cetna fil fair muna be rgiath aga ditin; diambe, ir plan do dia ruca i farc; ma deebir do cin farc ir plan muna tairce. Ir aicghin dia tair a teryrghin. Ma cunntabuirt ir leet.

Trian naitgina ir in mil atcithur for rechran itir chomaithe muna hinneirur, ocuf taruēt a teryrghin. Ma cunntabuirt ni tairreo, ir feruod naitgina for codnuch inhirin.

Ma deebir gabur de, a inhirin deor rghannul deabta, ocuf tarcc fir muirthe; no ricib deebir oilceana ir lan do, ocuf ni dlegur de a foruicir in bunuo in mil.

Lech cach fec no raiorrumur for mac no ingin in aer ica leet dipe, muna taircet no tairuier.

Aicgin for codnuch ma doig lair a dul amuza, ocuf ni fil inoebir; dia mbe inoebir, ir plan do aet cu no farc uad. Aicgin fair muna no itir; dia mbeir iarctain, ocuf ni fer in tairreo cobuir, ir leet aicgina fair. Muna fer a dul amuza, ir trian naitgina for codnuch muna beire farcc. Ma ruc farc iarctain, ocuf ni fer in tairruod cobuir, ir feruod naitgina. Ma bo et, ocuf ir doig lair a dul amuza, ir leet aicghina muna beiruod a farc; dia mbeire ir plan do. Ma iarctain, ocuf ni fer in tairruod cobuir, ir cethruinne naitgina. Muna ricir a dul amuza, ir feruod naitgina muna beire a farcc; ir plan do dia

but should they detain them, they shall make restitution for sending DISTRESS.  
 them away in the night; and if joint-tillage and joint-herding  
 be due by them, they shall make one-third restitution for sending  
 them away in the day, and *full* restitution if in the night. It  
 was not the turn of him *who sent them away* that came on that day;  
 but if it were his turn, there would be full restitution *incurred* for  
 sending them away either in the day or in the night.

When a beast is seen near a pit or river at nightfall, if it be likely  
 that it will be lost, a sane adult shall make restitution if he came not  
 to relieve it. If it be certain that it would have been lost, it is one-  
 fourth 'dire'-fine with restitution *that is incurred* for looking on as  
 in a case of theft. Whether it is seen on the brink of a river or a pit  
 the same fine is upon him if there be not a fence to protect it; if there  
 be, he is free if he gives notice; if necessity prevented him he is  
 safe for not noticing. It is a case of restitution if he could have  
 saved it. If it be doubtful it is a case of one-half restitution.

One-third restitution is due for the beast which is seen straying  
 among neighbours if *the fact* be not told, and that it (*the beast*) could  
 be saved. If it be doubtful that it could be saved, there is one-sixth  
 of restitution *imposed* upon the sane adult for it.

If moreover it be necessity that has prevented him *from giving the*  
*aid*, he should then tell of the sudden danger, and *give* notice to a man  
 of the family; or generally if necessity prevents it he is safe, and  
 he is not bound to give relief to the owner of the beast.

Half of every fine which we have mentioned *falls* upon the  
 son or the daughter come to the age of paying half 'dire'-fine, if  
 they have not given notice or saved.

The sane adult shall make restitution if he thinks that it (*the beast*)  
 will be lost, and that no necessity exist; if there be necessity, he is  
 safe provided that he gives notice. Restitution *falls* upon him if he  
 knew it not; if he gives *the notice* afterwards, and it is not known  
 whether he could give help, it is a case of half restitution from him. If  
 it be not known that they (*the cattle*) would have been lost, it is one-  
 third restitution upon the sane adult unless he gives the notice. If he  
 gave the notice afterwards, and it is not known whether relief would  
 be given, it is a case of one-sixth of restitution. If it be so, and that he  
 thinks that they would be lost, it is a case of half restitution if he does  
 not give the notice; if he gives the notice he is free. If afterwards,  
 and it is not known whether he could have given relief, it is a case of  
 one-fourth of restitution. If he does not know that they would be

**DISTRESS.** mbeirne. Ma ruc iartain, ocur ní fep in tairpé cobuir, ír aile  
 dec aitéina fair. Muna beia etir, ocur ata inoébirur, ocur  
 ní fep in tairpé cobuir, ír let fiaé for cach ae in uair rin.

In inbuid atcí in coónuch in innile oca mbreir do gatuib, no  
 aga marbaó do conuib, no aca mbauro do feithib no in uiruib,  
 ír cethnuime oipe fair in gac gne oib rin.

Ma inpocur do caillib no o' feithib no daóuib, ír aitéin fair.  
 Ma for mepuáó a lo atchí, ír trian naitéina fair. Ma mac  
 inair íca let oipe, no fep let chuinn ocur let cille atace, ír  
 let cachai rianne oib fo fair, .i. oétnuio oipe, ocur let aitéin,  
 ocur fepuó naitéina. Ocur itir comaithe ata in rlióit fo, ocur  
 cin oébirur amuig no éall inno. Cia beó oébir tall, muna  
 beó amuig, ní oitne ní de beor. Cio oébirur amuig dono, munab  
 oébir tall, ní oitne ní de beor, ma doic a roéctuin cin muáó.  
 Ma cunnabuir lair inuipio, ír let gacha rianne fo rairur  
 fair. Ma oébirur amuic ocur tall, ír og rlan in gac gne oib,  
 fo uile.

Tarc do mna no do mic; acli ecumung inno uile.

.1. a inuipin do mna no do mac ípé olegur an inbuid nar  
 caemnuair tararzuin. Ír ann ír lan oib ainuipin. No muna  
 caemnuair tararzuin no inuipin ír rlan oib a céctur de, .i.  
 a fuacru do céctur de, ní olegur naill oib, ar ír dicumic oib  
 naill act tarca.

Ír ann ata in tarc in tan bir in tecumung; munab e in  
 tecumung ní cobuir in tarc. Dia té amuá in fet, let in trian  
 for in mna no for in mac muna berut in tarc.

Oeth la cach nepic nepic na noí, .i. neó dia mibi loí enuic dia

<sup>1</sup> *These*.—In the margin of the MS. is found, "S.L.C.F. dixit hoc."

<sup>2</sup> *Notice*.—In the margin of the MS. the letters S.D. are found here.

<sup>3</sup> *An oath*. In C. 2010 the following passage occurs, which throws some light  
 upon this rule:—

"Oí aét ru hoí eiric, .i. foíul aóamthar rinto ocur aóbeir in ti for  
 a noéinaó for fuaó uat ní ír mó ina in ní aóamthar, ocur cio beac  
 aóamthar de ír rir ino for foíul acurthar anó."

Full oath for full eric, i.e. trespass is acknowledged here, and the person upon



lost, it is a case of one-sixth of restitution if he does not give the notice; if he does, he is free. If he gave it afterwards, and it was not known whether he could have given assistance, it is one-twelfth of restitution *that falls* upon him. If he does not give it at all, and no necessity exists, and it is not known whether he could have given assistance, there is half fine upon every one in such a case.

DISTRESS.

When the same adult sees the cattle being carried off by thieves, or being killed by dogs, or being drowned in sloughs or in waters, it is one-fourth 'dire'-fine *that falls* upon him in every case of these.<sup>1</sup>

If it be near woods or quagmires or fords *he has seen the cattle*, it is full restitution that is incurred by him. If he has seen them straying in the day, it is one-third of restitution he incurs. If he be a son at the age of paying half 'dire'-fine, or a man of half sense or half reason that has seen them, it is one-half of each of these  *fines*  that falls upon him, i.e. one-eighth of 'dire'-fine, and half restitution, and one-sixth restitution. This case is between neighbours, and no necessity exists on the plaintiff<sup>a</sup> or defendant.<sup>b</sup> If there be necessity<sup>a</sup> Ir. *Without.* on the defendant, unless it be on the plaintiff, it does not protect<sup>b</sup> Ir. *Within.* (the defendant) from it (the penalty). And if there be necessity on the plaintiff, unless it be on the defendant, it does not protect the plaintiff from any of it (the penalty) either, if it be thought by him that it (the distress) would pass without being lost. But if he deems it doubtful, the one-half of each fine which we have mentioned falls upon him. If there be necessity on both plaintiff and defendant, there is perfect safety in every one of these cases.

Notice by the wife or the son; but all these regulations are in cases of inability.

That is, the wife or the son is bound to give the notice when they are not able to save. This *giving of notice* exempts them. Or if they are not able to save or tell, they are safe from both, i.e. notice is to be given by either of them, no more is required of them, for they are incapable of aught else save only to give notice.<sup>2</sup>

The notice holds good when the person *by whom it is given* is incompetent to save; if he be competent to save, the notice is of no avail. If the 'sed' has been lost, half the third *shall be the fine* upon the woman or upon the boy, if they have not given the notice.

An oath<sup>3</sup> for every full 'eric,' i.e. one who has honor-price shall whom it is committed asserts that more was taken from him than what is acknowledged, and though what is acknowledged be ever so small there must be proof of the amount of the trespass claimed.

**DISTRESS.** — luğa ina diaiğ po méo na fiach etir iní díbter an. In tan íf let aitégin for in coonuch, íf anoğ in éric, uair íf cunnatabuirt in taruirtur, íf aipe íf anoğ. Cunuo ano íf oğ cup ba deébir amuig, uair munab deébir robeir aitégin cia buo cunnatabuirt tall.

Acht cach pollur po per einnge no aneinge iar nairilluó.

.1. do gniat fiaduin co pollur cunuo eannucc im na deébirí, .i. o buí pollur do fiaduin ní hecin nech dia mbi loğ einuach ainn rin, .i. cunuo e aipilluóter o na fiaduin cunuo ennuc gac deébir.

Foxul tar ceap: tairuc cu nearduib a torbai.

.1. a tpuim fri liar o buóbuio tar tairerin cup, .i. in aithgin cup in torba, íf eíbaduch dí aithgin in bleéta ocup gnuiruib cach innle, .i. cin nech raóerin muio, .i. aithgin chinuig no inoigstuch gairtur, ocup íf ar chinuach gairthur, ocup ic baíe noo gairiut, .i. diabluó gnuiruib, ocup laéta, ocup nich bpiúter don athgabail, a tpuim do cinuach in cetnu péta, etpuim aithgin nama.

Con gnuiruib cach do roirbe ar baethuib, do cach cairgchiug do rogairtur friu.

.1. cun gnuiruib in éach po etir inoiburtur na baith, aitégin gnuiruib, .i. rínepuil gac fair, no let rínepuil gac aifair; ífe aiput po fia co fia cuite tobuig, po aicnuo na cruche.

.1. do cach aen aigíthuri do gabad íf taur 1 let ruu íf de

swear after him according to the amount of the debts which is to be deducted. When it is half restitution *that is incurred* by the sane adult, the 'eric'-fine is not full, for it is doubtful whether he could have saved *the beast*, and this is the reason why it is not full 'eric'-fine. It is a case of full 'eric'-fine when there is necessity on the plaintiff,<sup>a</sup> for if there was not necessity he would obtain restitution though there should be uncertainty with the defendant.<sup>b</sup>

DISTRESS.

<sup>a</sup> Ir. Without.

<sup>b</sup> Ir. Within.

Except where innocence or guilt is clear by desert according to evidence of witnesses.

That is, the witnesses clearly prove *the truth*, i.e. that he is innocent with respect to these necessities, i.e. when it is evident to the witnesses there is no one with honor-price then required to swear, i.e. when it is proved by the witnesses that the necessity was real and not pretended.

Distraining beyond justice : restitution with defect of profits.

That is, out of a cattle-shed at the 'lis'-fort from a defendant notwithstanding the offer of justice, i.e. the restitution with the profits, the defect of the restitution is the milk and the work of the cattle, i.e. this was for the person's own debt, i.e. restitution is taken from the debtor or unlawful person, and it is from the debtor *himself*, not from his kinsman, that it is taken, and infants take it, i.e. double of the work, and of the milk, and of whatever part of the distress is injured, is required as the severity of the law against the debtor in the first instance, the leniency requires restitution only.

With payment for the work of all who prevent the infants, and for every accusation that is preferred against them.

That is, with wages for the services of those who went out and prevented the infants, i.e. restitution for their work, i.e. a 'screpall' for every freeman, or half a 'screpall' for every one not having freedom ; and it shall extend to the amount paid for levying, according to the nature of the territory.

That is to say, whoever is pursued and overtaken it is he that

**DISTRESS.** Γαϊδύρ athgabail, no ír e icur ym, no ír fpuir ícthur, .i. p̄er in mbuobuird, .i. athcur p̄il punn fop na boethuib, cu tap̄out ath-apuð ocur ath-toichde, ocur ní d̄ilur uat̄ib an athgabail cin cu gaibit d̄ligit. Mar̄a mac i naer icu aĩgina do punne in foxul tap̄ cept, aĩgin lāta na hāthgabala ocur ḡn̄im̄uird in lōta p̄o tair̄m̄eĩḡ aĩḡ d̄il ma d̄eguid amach, ocur aĩric na hāthgabala amuĩḡ. Mar̄a mac in aĩr ica let d̄il̄e do punne in foxul tap̄ cept, aĩthgin lāta ocur ḡn̄im̄uird na hāthgabala uat̄a, ocur aĩḡin ḡn̄im̄uird in lōta p̄o tair̄m̄eĩḡ ma d̄iaĩḡ amach, ocur aĩruc na hāthgabala amuĩḡ; ocur let gāa hepcu icur cod̄nuch. Mar̄a cod̄nac do punne in foxul tap̄ cept, c̄id̄ a t̄iḡ in b̄robuird, c̄id̄ ar̄ conuĩr, c̄id̄ p̄ia napuð, c̄id̄ p̄ia t̄p̄opecuð, c̄id̄ ad̄uird in t̄p̄opec̄e, c̄id̄ iar̄ napuð, c̄id̄ iar̄ t̄p̄opecuð, aĩthgin lāta ocur ḡn̄im̄uird na hāthgabala uat̄a, ocur oth̄p̄ur cach̄ p̄eoir̄ b̄p̄uĩt̄ur cup̄ub p̄lan, ocur p̄et̄ ar̄ fon̄ aĩḡina lāta no ḡn̄im̄uird na hāthgabala c̄en̄ bēt̄ur̄ oca lēḡiur̄ cup̄ub p̄lan; ocur cuic̄ p̄eoir̄ ocur d̄iablað in gāc̄ p̄et̄ m̄aĩuĩr̄, ocur c̄eth̄uĩr̄da in gāc̄ p̄et̄ na m̄aĩuĩnn̄, ocur noch̄a n̄p̄uĩl̄ en̄ecl̄uĩd̄ ír in b̄p̄oxul̄ tap̄ cept.

Ma thap̄ḡur̄ d̄liḡuird do ad̄uird in t̄p̄opec̄e ata d̄il̄r̄ a p̄iach̄ uat̄a a t̄p̄opecuð tap̄ d̄liḡeð, ocur eĩric̄ foxuĩl̄ tap̄ cept. Mar̄ p̄ia napuð ocur p̄ia t̄p̄opecuð do punne in foxul tap̄ cept, no c̄id̄ iar̄ napuð ocur iar̄ t̄p̄opecuð, mar̄ p̄iar̄ in t̄p̄eĩr̄ in̄c̄eĩm̄n̄ĩḡte, c̄id̄ beo d̄e b̄uĩr̄ mo, d̄il̄r̄ cach̄a athgabala ma h̄im̄ol̄ĩḡeð athgabala do ecl̄uĩr̄, cu p̄uice d̄ech̄ in̄bu no d̄ech̄ p̄et̄u, no d̄il̄r̄ lēt̄i gācha athgabala in h̄im̄ol̄ĩḡeð athgabala do tuatu, co p̄uĩḡe cuic̄ ba no cuic̄ p̄et̄u; no eĩric̄ foxuĩl̄ tap̄ cept cup̄uib̄ eð beĩr̄ uat̄a.

**Ḑiabluo tair̄ic̄ do athgabail̄ inbleoḡuin̄ o daethuib̄.**

- .i. ír̄ é d̄iabluo p̄uĩl̄ ann̄ aĩḡin lāta ocur ḡn̄im̄uird̄ p̄e taeb̄  
 C. 2713. [aĩthgina na hāthgabala] .i. d̄iabluo naĩḡina uĩle do inbleoḡuin̄  
 a t̄p̄om̄, in̄ c̄et̄na p̄et̄. Āc̄ t̄p̄om̄ ír̄ in̄unn̄ ocur t̄p̄om̄ c̄ĩt̄uĩḡ in̄

shall be distrained, or shall pay this to them, or the person to whom **DISTRESS.** he shall pay it is the defendant, i.e. there is a return to be made of the distress here by infants, until they give a second notice and make a second suing, and the distress is not forfeited by them although they have not taken it lawfully. If it be a son at the age of paying restitution that has made the seizure unjustly, he shall make restitution for the milk of the distrained cattle and pay for the work of the people who went out after him to prevent him, and also restore the distress. If it be a son at the age of paying half 'dire'-fine who has made the seizure unjustly, he shall make restitution of the milk and pay for the work of the distrained cattle, and for the work of those who went out in pursuit of it, and restore the distress to the claimant;\* and the sensible adult pays half of each 'eric'-fine. If it <sup>\*Ir. without.</sup> be a sensible adult that has made the seizure unjustly, whether at the house of the defendant or on the road, either before notice, before fasting, or the night of the fasting, or after notice or fasting, he shall make restitution of the milk and pay for the work of the distrained cattle, and he shall tend each beast that has been hurt until it is well, and a 'sed' shall be given for restitution of the milk or labour of the distress as long as it is under cure until it is well; and five 'seds' and double restitution for every 'sed' that lives, and fourfold restitution for every 'sed' that does not live, and there is no honor-price for the unjust seizure.

If law be offered to him on the night of the fasting he forfeits his debts due to him for fasting beyond what is required by law, and pays 'eric'-fine for unjust seizure. If the unjust seizure had been made before notice and fasting, or after notice and fasting, if before the three days of grace, the penalty shall be whichever of the two following is greater, viz., the forfeiture of the distress for the illegal taking thereof to the church, until it amount to ten cows or ten 'seds,' or the forfeiture of half the distress for the unlawful taking thereof to a layman, until it amount to five cows or five 'seds;' or else the 'eric'-fine for unjust seizure.

Double restitution of the distress of the kinsman to be made by the infants.

That is, the double which is for it is restitution for the milk and the work besides restitution of the distress, i.e. double of all the restitution to the kinsman-surety is the severity of it, in the first instance. The leniency of it is the same as the severity of the

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**Darius.** cétna feét, amuñ acrubairctur .i. cairuc do mbloeguin in athgabail ó baetuib, in diabluó no rairiur do chintac.

Trí eprócuir mbloeguin, diabluó laéta, ocur diabluó ngnim-  
ruio, ocur diabluó anec no bpuunntur; ocur diabluó i nech ír luí  
in cétna feét, a cutrumur rin in feét tanuiri ocur leé cuic feoit,  
a cutrumur rin in tpeir feét ocur cuic feoit.

Ció ro deira nach ro imcomur éinuig ocur airi riáguilteir ro?  
Nín. Oircurtur, ocur ír eó ro deira in tpeircurtur uair ír co-  
naisge doib acruó do dénum ocur inóliged do dénum oc in agra  
rin ina cin ropuio.

Ció ro deira cunúó mó ícuir trí hmbloeguin inar trí cirtach?  
Nín. Ír coonaisge doib acra do dénum for in ti na deira cin  
triu inar for in ti do roine, ocur ar inuucur mbloeguin in  
éinuig nech aile.

Íteirde mna mic; ina céit cinuig doib inn rin dian  
épruib athgabala inn rin. Leth dipe nairuib máó ala  
reacht iar mbrethuib forru co cairuc inuuc cach ae,  
C. 2718. [.i. iair lacht ocur gnimruioh ocur colaimn.]

Íteirde mna mic, .i. inar íca aitéina, .i. ar aó a gabala orpuó  
inn rin, no ír cet cin cupéa, uair ír co o— do gabail athgabala in  
cach cin éana, .i. ír do na nechib ír mo ír auir, no ír anéar auir  
imn ngabail aith no aóa, maó é in aia reacht iar mbreith breite orpu.  
Cach athgabail inchupéa in baile nar oléet acht ma aitéin oib, leé dipe  
la aitéin do bet ann; no dono ír do na nechib ír mó ír anéar im in  
athgabail leé dipe orpuó inar cupéa da tucta, ocur noch a tabuithur  
in baile a riáct cupuó no bet gan dia lu cupu leé dipe do bet ari ann.

<sup>1</sup> *Competent.* The corresponding word in the MS. was not lengthened out by Dr. O'Donovan. Probably 'codnacha,' competent was intended.

<sup>2</sup> *For it.* In the margin here there is an observation—ní maínt int oró gnao peine do bí orpu in péo rin, "it was not a good order of the Feini grade they had over them at that time." In C. 2366 the various punishments and penalties of children of various ages are laid down. It is stated among various other maxims and rules that when boys have attained the age of paying restitution, their age is

debtor in the first instance, as we have said, i.e. restitution is to be made to the kinsman-surety of the distress by the infants, the double which I have mentioned to the debtor. Distress.

The three severities, i.e. severe penalties imposed by the law in favour of the kinsman-surety, double of milk, and double of work, and double of the thing which is injured; with the double of the thing which is a 'lui' on the first occasion, the equal of it and half five 'seds' on the second occasion, the equal of it and five 'seds' on the third occasion.

What is the reason that this is not regulated according to crime and age? Answer. It is an exception, and the reason that this exception is made is because they are more in the position of the sensible adult to institute a suit and be guilty of illegality in that suit than in the case of the crime of assault.

What is the reason that they pay more to the kinsman-surety than to the debtor himself? Answer. Because they are more in the position of the sensible adult to institute a suit against the person who has committed no crime against them than against the person who has, and on account of the guiltlessness of the kinsman-surety of the crime of another person.

These are women and boys; this is the penalty upon them for their first crime in the difficulties of distress. Half 'dire'-fine upon them if for the second time after judgment having been passed upon them, with perfect restitution of every thing, i.e. both milk and work and body.

These are women and boys, i.e. boys at the age of paying restitution, i.e. they are then subject to the conditions of distress, or it is the first crime that incurs castigation, for they are already competent to take distress for every liability, i.e. this is among the things least understood, or most difficult respecting the quick or legal seizure, if it has been done the second time after judgment had been passed upon them. For every distress that is put up where only restitution was required of them, there shall be half 'dire'-fine with restitution for the second offence; or indeed among the most difficult things respecting the distress is this that half 'dire'-fine should be upon them at the age of punishment, if it be inflicted, and even if it is not inflicted where it is incurred, or even if he is to be without food and with castigation, still half 'dire'-fine is to be upon him for it.<sup>2</sup>

no longer taken into consideration with regard to crimes, that during the stage of their lives from one till seven they were to be punished by castigation, withholding of food with castigation, and restitution.

DISTRESS.

C. 2718,  
2714.

[Maré inneṭam ruḡarṭair an fechem tobairḡ leṛ do ḡabair na haṭḡabala inneṭam a ḡabala co hinoligṭeḡ, ciṛ moṛ uinoligṭe do né i raine uairṛe iṛ eṛic caḡ inoligṭe do ḡena oíc do.]

Maré inneṭam ruḡ leṛ inneṭam a ḡabala co oligṭeḡ ciṛ moṛ uinoligṭe do ne ininunṇuṛ uairṛe no ciṛ raine uairṛe, muna ru claoḡlairḡ inneṭam, noḡa nícanṇ aṭ eṛic in inoligṭi iṛ mo do ḡena.

Ma do ruṇṇaṇaṛ aṛaon inoligṭi aṭḡabala, in feṭam tobairḡ ocuṛ in tairḡne, maṛo feṇaṇaṛ aṛaon in inoligṭi, no ní ruṭiṛ neṭaṛ de, iṛ riac inoligṭi do cómic doib etuṛru.]

### Diabluḡ naichḡina nech ru bṛiaṭhra.

Sic.

.1. diabluḡ lair; réṭ aṛ fon aṭḡina laṭa ocuṛ ḡuṇṇuṛuḡ in ai ruṭ beṭe oca leḡuṛ .1. do chinṭuch ocuṛ do inbleoḡuin; in suḃluḡ comlan iṛ in tṛeṛ cinuḡ aṛ iṛ coṇaḡ, uair iṛ tair tairṛeṛin ciṛ doib inoír .1. aṭḡin tṛlan foṛoḡ inech bṛiṛteṛ uon aichḡin .1. iṛ na réṭuḡ diabluṭa cia toirṛeṛ réin cinco toirṛe .1. diabluḡ rṛuṛin aṭḡin in uirṛe oḡeḡuṛ a mbṛiṛuḡ na haṭḡabala, no i foṛṛeṛuḡ nimana foṛṛuḡ, no diabluḡ dia tṛoiṛce in cí uair ḡabaḡ in aṭḡabair co hoḡ, .1. diabluḡ lair in mbuin mbṛiṛte, ocuṛ bó lair in mboin mbliṭ, no ṛlan nombi, no uono iṛ do chinṭach in bṛiṛuḡ, ocuṛ iṛ do inbleoḡuin mbeo. No uono cumu eḃu diabluḡ ann feṭ ṛlan aṛ fon aichḡina laṭa no ḡuṇṇuṛuḡ in tṛeoiṛ bṛiṛte in aṛuṭ beṭuṛ oca leḡuṛ in ruib bṛiṛtuṛ ann.

### Cu feṭ in uṃaṛ aile do neoch beṛ oḡ maṛuṛ.

.1. cu feoiṛ i muin a céle .1. bó la ḡaḡ mboin tṛláiṇ do ruairḡ .1. iṛ na réṭuḡ cetaṛṇa cuna toṛaṭtuṛin réin .1. a cuṛuma leo.

Doneoch beṛ oḡ .1. do neoch maṛuṛ uib co hoḡ co comṛláiṇ, rṛeṛa do aṭḡin ḡuṇṇuṛuḡ ocuṛ laṭa ocuṛ do coluinṇ aṭḡina.

<sup>1</sup> *Completely.* That is, fasts during the whole time required by law.



If the plaintiff carried with him in going to take the distress the intention of taking it unlawfully, whatever amount of illegality he had committed on a different occasion, he shall pay 'eric'-fine for every illegality which he has committed. DISTRESS.  
—

If he carried with him the intention of taking it legally, whatever amount of illegality he has committed either at the same time or at a different time, unless he changed his intention, he shall pay but 'eric'-fine for the greatest of the illegalities which he has committed.

If both the plaintiff and the advocate have committed illegality respecting the distress, if both of them knew of the illegality, or neither of them knew of it, they shall pay the fine for illegality between them.

### Double restitution of the thing which was injured.

That is, as much more with it; a 'sed' for the sake of restitution of the milk and work, while *the injured 'seds'* are under cure, i.e. to the debtor and to the kinsman-surety; there is complete double restitution for the third offence to be made by one who is a sensible adult, for *the distress was made* notwithstanding the offer of justice by them both, i.e. perfect restitution to be paid *by the sensible adult* of the part of the restitution which is injured, i.e. for the double 'seds,' whether they survived themselves or did not survive, i.e. as much more along with the restitution is the 'dire'-fine which is due for injuring the distress, or for over-driving it, or double restitution if the person from whom the distress was taken fasts completely, i.e. as much more with the injured cow, and a cow with the milch cow, or perfect ones *for the injured*, or the injured to the debtor and the live cattle to the kinsman-surety. Or indeed double means a perfect 'sed' by way of restitution of the milk or work of the injured beast while the injured beast is under cure.

With a 'sed' in addition to every 'sed' that survives perfect.

That is, with one 'sed' upon another, i.e. a cow along with every cow that survives perfect, i.e. for the quadrupled cows when they themselves survive, i.e. an equal number along with them.

That survives perfect, i.e. such of them as survive safe and sound, corresponding with restitution of work and milk and body.

DIFPRESS.

Cúic feoit in muin a cinaid̃ gac̃ rochuinn gairiur tar ceart no dligeð. Nach rochuinn do fuide ecunn do athgabail ir fair a cindepin.

Cúic feoit, .i. cúic feoit ir na mainib riñ ó cach deocódnúe do roine in ciñ. Mara coonuē gabur in athgabail tar cept ir eutpuma na ha- gabala uata ocuf cuic feoit ocuf atchur amuil atbér a mbreuib neime; no ir co tairuat at apud nama .i. in athgabail imbleogum diabluó uile, no ir oib anoir, ocuf ir na hīb réuib ata let aró .i. eoir ina cúic ocuf a tpi. Tar ceart no dligeð, .i. im piachuib cinntacha, .i. im ecinn- tacha. Nach rochuinn do fuide ecunn, .i. nach deaḡ coonuch fuirur in t-éconuch do gabail athgabala, cuic feoit ar in coonuch ar a fuide nama, cin co deina in dligeð rrua. Ocuf dia ndearua, ir a ic on coo- nuch amuil lio é fein do gnech; no ir aígín on coonuch caé nech bpiurur don athgabail ocuf cu na bié rmaét fair eoir ir in in dligeð do déna in t-éconuch iartain .i. ir fair a cin do ní riñ for in coonuch cin an in- dligeð do ní int econuch.

Maré in coonuch ro fuirur tar int econuch do gabail nahath- gabala, mareð a dubuirt per a gabail cu hinndligtuch, no ma ro bí a tuicir cumao cu hinndligtēc do gebed int econuch fein in athgabail ir tiactuin ro lan in coonuig̃ an.

Maré a dubuirt per a gabail cu dligeðc̃, no mar̃ ro bia tuicir cumuo do dligtuch no gebed int econuch fein, ir tiactuin ro lan in econuig̃ ann.

c. 2714. [Nach airliur a mbidh athgabail do na damhthar dligi ní dleghar de dīpe];—ar ur meple cach nin- dligiud̃.

.i. ar ir mī airle don cach do ní inndligiud̃ gabail impe tar gealluib, no don ti fuatur hí gan gelluib gan airge, no ir amuil meple fear na hairliur muna timeirge cept for fechiumuin.

c. 2714,  
2715.

[Ma ro gabur tar fer na hairliur do luim o fētemain tobairḡ geall ocuf airge do gaba l̃ ó briuba, ocuf n r̃ gaba uat̃a; ac̃

<sup>1</sup> *Bretha Neime*. This is quoted in *Senchus Mor*, vol. i., p. 113, as *Bretha Neimhedh*. It is a law tract given in O'D. 2189, *et seq.*, which treats of the law of persons of distinction.

Five 'seds' is the fine for the crime of every man <sup>DISTRESS</sup> of sound mind who distrains unjustly or contrary to law. Every person of sound mind who sends an imbecile to distrain shall be accountable for his offence.

Five 'seds,' i.e. five 'seds' of these cattle *shall be paid* by every sane adult who committed the offence. If it be a sane adult that has taken the distress unjustly he shall pay the equivalent of the distress and five 'seds,' and return *the distress* as is stated in the 'Bretha Neime';<sup>1</sup> or it is only on his giving of the second notice *that he is bound to return the distress*, i.e. for the distress of the kinsman-surety there is double *restitution* of all, or it is from them both, and in the 'seds' which are unequal, i.e. between the five and three. Unjustly, or contrary to law, i.e. respecting ascertained debts, i.e. *as distinguished from those which are not ascertained*. Every man of sound mind who sends an imbecile, i.e. every sane adult who sends an imbecile to take a distress is subject to a penalty of five 'seds' for the mere sending of him, even if he has not committed illegality in taking it. If he does, it shall be paid by the sane adult just as if he himself had done it; or the sane adult shall make restitution for whatever part of the distress is injured, after which there shall be no 'smacht'-fine upon him<sup>2</sup> at all for the illegality which the imbecile shall commit, i.e. it is for his crime of abetting this is imposed on the sane adult, i.e. the crime of illegality which the imbecile commits.

If it is the sane adult that sent the imbecile to take the distress, and if he told him to take it illegally, or if he understood that the imbecile himself of *his own* accord would take the distress illegally, *the sane adult* shall come under full penalty of a sane adult for it.

If he told him to take it legally, or if he understood that the imbecile himself would take it legally, he shall come under the full penalty of an imbecile.

Every 'arlis'-enclosure in which a distress is *detained*, to which its due of law has not been given, is not entitled to 'dire'-fine; for every illegality is as theft.

That is, because it is ill advice for every one to commit illegality in taking it notwithstanding *the offer of* pledges, or for the person who carries it off without pledges or security, or the owner of the 'arlis'-enclosure is like a thief if he renders not justice to the suitor.

That is, if the owner of the 'arlis'-enclosure has undertaken on behalf of the plaintiff to receive a pledge and security from the

<sup>2</sup> Upon him. In margin here, no ra beð a veip leabur eile, "or if there be another book says."

**DISTRESS.** ma. no eirnuig in biuba ne toichiuo noliḡti, iḡ cuic feoit ocuḡ enecclann ocuḡ dublao fíac, ocuḡ dublao mbrí, ocuḡ feéttmao maḡbét. Ocuḡ mana no eirnuig in biuba ne toichiuo noliḡti iḡlan do atgabail do bḡeít lair. Iḡ a dá ninoḡti ádaig anaiḡi.

Manan ḡab fep na hairlíri do laim ḡella ocuḡ airḡeo do gabail o biuba, iḡlan do biuba atgabail do bḡeít leḡ cin ní do ocuḡ cin ní uada.]

Ilmuine ana aigep nimorponao cin fuiriuach iar fuir, cin polḡusa do neéctur dalina.

Ilmuine .i. iḡlan don ti no ḡab in imraichne in athgabail runn, uair ni neime cethra no ḡabao in athgabail .i. iḡ oilmuin doḡum na hiana inḡfuigap i nempurmuin na hachgabála, no iḡ oilmuin i neimurmuin fuisḡ inḡḡuio na hana na haḡabála. Cin fuiriuach iar fuir .i. cin fuiriuach don ti no ḡabao in athgabail, iar mbeḡ a fepa aice na himurpaoa. Cin polḡusa .i. in tíaétuin ara ceann .i. in dapa fepa do bḡeḡ a fairs, ocuḡ in fepa eile da fuairluao .i. no cio beao do polḡuisḡ iḡ fiachuch.

Má fechium polḡuisḡ, iḡ é icuḡ foḡelta ocuḡ ní ficitir in tí iḡa hinnile. Maḡia fepḡur fíoe, ocuḡ ní ficitir fechium iḡ e icuḡ foḡelta. Má fip doib anoir, icuḡ foḡelta anoir fpi faithe naile, ocuḡ nḡta ní ma ina faithéa féin.

In puann tic inḡḡuio na haḡabála, ma in fep iḡ a fep polḡuisḡ, leḡ na cuic fep fair ocuḡ foḡelta, no iḡ foḡelta nama. Má in fepa noḡ nuḡ polḡuisḡ iar na fip cin a bḡeít fop cuḡ uada, leḡ dono na cúic fep fair. Má fip doib oiblinuib ní hicur ní ann.

In imurpaoa tainic inḡḡuio na hachgabála amach, maḡ chunnuic in fechium toicheḡa hí, máḡ ap in conuip do cunḡuic hí iḡa mbeḡ amuil in fechium fipite iao. Má puangḡur leḡ co puice a teach iḡeo oḡḡur de a coimeo, ocuḡ a fapḡ do bḡeít. Ocuḡ

<sup>1</sup> *That follow.* In the MS. an aliter spelling of the word in the original is also given "nempurmuin."

defendant, and they have not been accepted of from him; but if the defendant has waited for lawful seizure, *the penalty* shall be five 'seds' and honor-price, and double debt and double food, and the seventh of what was killed *upon the owner of the enclosure*. But if the defendant has not waited for legal recapture of the distress *the other* is safe in taking his distress away with him. There are two illegalities face to face (*balanced against each other*).

If the owner of the 'arlis'-enclosure did not undertake to receive pledges and security from the defendant, the defendant is safe in taking away his distress without anything *to be paid* to him or by him.

The excess is pardonable when not detained after knowledge had, or neglected by either party.

Pardonable, i.e. it is safe for the person who took the cattle that followed in distress here, for it is not exempt cattle that were distrained, i.e. he is not accountable for any number of cattle that follow<sup>1</sup> the distress, or he is not amenable for the excess that follows after the driving of the distress. When not detained after knowledge had, i.e. not detained by the person who took the distress, after he had known of the excess. Or neglected, i.e. as to coming to meet it, i.e. *to mind it*, i.e. the one man to give notice of it, and the other to redeem it, i.e. or whichever of them neglects is amenable.

If it be the plaintiff that neglects, it is he that shall pay for the *expense of feeding* when the owner of the cattle is not aware of it. If he, i.e. *the latter*, is aware of it, and that the plaintiff is not, it is he that shall pay for the *expense of feeding*. If both knew of it, both shall pay for the *expense of feeding* in another man's green, but there is nothing *to be paid* if in their own green.

*As to the part of the cattle* which come out after the distress, if it be the man whose cattle they are that neglects them, he shall pay half the five 'seds,' and for the *expense of feeding*, or for the *expense of feeding only*. If it be the man who carried them out that has neglected, after knowing that they were not brought back from him, half the five 'seds' shall be upon him. If both knew of it, nothing shall be paid for it.

*As to the excess* which came out after the distress, if the plaintiff has seen it, if he has seen it upon the road, it shall be as 'Sechium sirite.' If they came with him as far as his house he is bound to mind them, and give notice of them. There is nothing due to the

**DISTRESS.** nochá nfuil ní do cintuch i neam mbreith an fairc, acht ní tét fogelt na bleé ina lobad ina ceann no cu ructhur a fairc. Ocur atait cuic feoit do imbleoúin i neim mbreith in fairc, ocur nochá tét fogelt rl. Ocur ó beirtur a fairc fogelt ocur bleé do rith ría i comhpeim rir in athgabail, ocur lobuó do tui ina ceann iar noul na haégabala a lobuó; ocur nochá nfuil anad na dithim do riasuil uirpe iar rin. Ho dono cuna beé éric do chintuó ná imbleoúin i neammbreith a fairc, aét ní tét fogelt na bleé ina ceann no cu ructur a fairc.

### Coiméire gach naer i fogelta.

.1. ír commor iní ír dír i cin in míl bic ocur in míl moir a ngleé in feoir ós, innaé imléisíó ar in duine nach deachuró dpuarluó a athgabala. Cunu currua pethur fogelt air i cinuó míl bic ocur míl móir; no dairhe a imléisíó ar in comairhe nar coimeó a innele ar fearunn a comuigéig, cunu currua ata rmaét air i cinuig míl big ocur míl moir.

Cate deéir eturruó rin ocur in baile ata ír in inao aile cun ngealut da dairuó rri ro dam, ocur cunzelut da dairuó feth ro dam? Im comhairum a tir noiburó ata ríde ocur in coimeair a fearunn aéur ocur renathur runn; imurro im comaircear ocur in athgabail ata annro.

### Cunzeling in rri riacuil.

.1. comzeltur éric for ingelt in míl mbic amuó eric riacuil in míl moir. Fodailter bec i mbecuib .i. ma luga inart na fect nadmunna coir cemuó luga in da miach.

<sup>1</sup> *At the same rate as with the distress.* Dr. O'Donovan gives the following explanation of the matter here referred to:—"If after the plaintiff has legally taken and driven out a distress to the full amount of his claim, other cattle follow the distress, having passed over the fences (without any fault of the di-trainer, who had closed the gates and had left no gap in the fence), and came after the other cattle as far as the house of the party distraining, then the party distraining might keep them as a part of his distress, but he should feed and tend them as well as the cattle which he had legally distrained, and also send notice to the defendant that such

debtor for the non-giving of the notice, but neither *expense of feeding*, nor of tending, nor forfeiture shall accumulate upon it until the notice is given. There are five 'seds' due to the kinsman-surety for the non-giving of the notice, and neither *expense of feeding*, &c., shall accumulate. But from the time that the notice is given *expense of feeding* and tending shall accumulate at the same rate as with the distress,<sup>1</sup> and forfeiture shall be added to it when the distress shall become subject to forfeiture; and there is neither stay nor delay in pound to regulate it afterwards. Or, *according to others*, there is no 'eric'-fine due either to the debtor or the kinsman-surety for the non-giving of the notice, but neither *expense of feeding* nor tending shall accumulate upon it until the notice is given.

DISTRESS.

There is equal 'dire'-fine upon *cattle* of every age in the *expense of feeding*.

That is, what is due for the damage of the small beast and of the large beast in feeding on the grass is equal, in revenging his illegality upon the person who did not come to redeem his distress. The feeding of the small beast shall amount to the same sum as that of the large beast; or to revenge his illegality upon the neighbour who has not kept his cattle from the land of his neighbour, for which he pays equal 'smacht'-fine for the trespass of the small beast and the large beast.

What is the difference between this and the other case where it is stated that two 'dartaigh'-heifers graze as much as a great ox, and that two 'dartaigh'-heifers graze more than the great ox? In that case it relates to the calculation of the hereditary property and the arrangements of the lands of father and grandfather; but here it relates to co-occupancy and distress.

Equal fine for the damage by every beast in grazing.\*

\* Ir. Every tooth.

That is, equal 'eric'-fine<sup>2</sup> is exacted for *damage in grazing* in the case of the small beast as for *damage in grazing* of the large beast. Small is distinguished in the case of small *animals*, i.e. if less than the seven 'nadmunna'-beasts, it is right that the two sacks should be less.

cattle had followed him, and were in the pound along with the legal distress. The owner of the cattle might then redeem them at once; but if he neglected to do so, they remained as a part of the distress until the time of forfeiture arrived, when they were sold to pay the debt, and the price of fodder and attendance."

\* 'Eric'-fine. In the original MS. "eric" has a stroke under it, which in the MS. is also placed under words obviously repeated by the mistake of the scribe.

DISTRESS.

C. 2716. [Fiachach gach pulladh do cechtar dalina ghl.]  
nach d'ima dethbhr.

.1. muna roib deéthbrur turbur oca eimóitín in b'obur, ír ann atait na neche rín do ríth íer in athgabail, uair da roib turbur air nochá nocháir fogelt ná blét ina lobur i ceann athgabála. Míach ar gac naen anmann do innúle cinntúis ocúr athlumpúire d. Míac ar féet n annunna do innúil inbleoúsin ocúr rínn féoir doib. In luas ír fognuma, nochá nfuil deéthbr chintúis ná inbleoúsin uime ríde, acét mar ealaðonúc ro buí oca coimeo rínepull do ar laithe aicenta. Mar ainealaðonúc ro buí aca coimeo nogl no gebinn ír lét rínepull do ar gac laithe aicenta.

Ácht aiprúis fogelt fo míad naime ocúr re.

.1. ácht aiprúis fogelt ocúr blét, ocúr lobur do dul ina ceann fo uairliatúis .i. fo met ná haime, ocúr fon comut ree ro buí amuis h' turbur rín ráiníc i naimeir lobéa ocúr ræpúir ar lobur h', ocúr nochá ræpunn ar fogelt, nach ar blét, ocúr iní nach ríachúir a lobur do dul a corpuib fiach.

[S]aibut baetha cachta inóligeo.

.1. ír tairbhr baíir don ír cachtur in athgabail dia toirctep gealla ocúr etíre do.

Cetharóa ír gáibut a cethirpíct .i. da focul ocúr da forngabail .i. diablú na h'athgabála ná focul cío amuis cío anall tar ceap, ocúr ír inunn do céctur de i forngabail dia raile um ná cuic rétuib.

Mar aca focur beoin ro gaburtur in fechium toicheo in in athgabail tar geallúib ocúr tar aiprúib, ír cuic feoit ocúr diablú uat. Mar ar conuir ro gabúir uimrú ír cuic feoit ocúr diablú uat, ocúr ma ruc íer aiprú ír eric focul tar ceap.

<sup>1</sup> *Forfeiture.* In the MS. lobur has a stroke under it, which in the MS. is also placed under words obviously repeated by the mistake of the scribe.

<sup>2</sup> *The original debts.* This is stated differently in C. 2716. "That is, he retains the remnant for *expense of* feeding and tending, if there be less than five 'seds' on the last night, i.e. he keeps to himself the remnant of the distress which did not



Every 'fulladh' of either party is amenable, &c., <sup>DISTRESS.</sup> which necessity does not save.

That is, unless there is necessary exemption to protect the defendant, these things shall run, *i.e.* accumulate upon the distress, for if he had exemption neither *expense of* feeding nor tending nor forfeiture shall accumulate upon the distress. A sack for every beast of the cattle of the debtor to which a field of eaten-down grass is given. A sack for seven 'nanmunna'-beasts of the cattle of a kinsman-surety to which top-grass is given. As to the wages of the attendant there is no difference of debtor or kinsman-surety about it; but if it was a skilled person that was minding them, he shall get a 'screpall' for every natural day. If it was an unskilled person, or a lock or fetters, that kept them, half a 'screpall' shall be paid for it for every natural day.

But expense of feeding shall be paid for, according to the greatness of the number and the *length of* time.

That is, but *expense of* feeding and tending and forfeiture<sup>1</sup> shall accumulate upon it according to its importance, *i.e.* the greatness of the number and the length of time that it was out in consequence of exemption, during which the period of forfeiture arrived, and it frees it from forfeiture, but it shall not free it from *expense of* feeding or from *expense of* tending; and the part of it which does not go in the forfeiture shall go in *i.e.* to *pay* the original debts.<sup>2</sup>

Fools make illegitimate impoundings.

That is, it is an exhibition of folly in a man to impound a distress if pledges and a hostage be offered him.

There are four things which they oppose in the fourfold *law*, *i.e.* two distrains and two recaptures, *i.e.* double of the distress for its unjust taking, whether by plaintiff or defendant, and they are both alike in re-distraining each other as to the five 'seds.'

If it was at his own house the plaintiff detained the distress, notwithstanding the offer of pledges and securities, five 'seds' and double restitution are due of him. If it was on the road he took it, five 'seds' and double are due of him, and if he has carried it with him beyond *both*, he shall pay 'eric'-fine for unjust distraint.

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become forfeited until *expense of* feeding and tending it are paid for. Or he retains the remnant which did not go for *expense of* feeding and tending to go for the *liquidation* of the original debt."

**DISTRESS.** — Մար ա որսւոյն քիւ իար քօշաբարտըր իմքե ու իր ին միւս  
 նախած, իր զուք քօւտ սած, օսըր մա քիւ իւր տարիւր իր էրիւք քօշու  
 տար զարտ սած. Մարա որսւոյն քիւ իար ու իր ին միւս ն-ախած ու  
 քաօսիցարտըր ին միւսուո ին աճգաբաւ ճիւ ճաւաւ ճիւ աւրջ, իր  
 զուք քօւտ սած; օսըր եւեւլոնն օսըր լանքիւս ճաւաւ քօր ին  
 քեւեւոն տօւիւս մա ու իւր տարիւր քիւրք.

Մար աք օսըր ու քաօսիցարտըր հի իր զուք քօւտ օսըր եւեւ-  
 լոնն; օսըր աք քիւ ին տրարմած ա քօշուարտըր եւեւլոնն իննա;  
 .1. քօնել քօրսւր ու ծնում ու ծոն քեւեւոն տօւիւս, օսըր  
 ճաւաւ ծոն քեւեւոն տօւիւս իմքե քիւ ճաւաւ քիւ աւրջ ու  
 ճաւաւ ծոն միւսուո; ծա մօւլիցեւ ին քեւեւոն տօւիւս իննա  
 անար. Ա քօշու ա քիւրք ին քեւեւոն տօւիւս ծոն միւսուո ճիւ  
 ճաւաւ ճիւ աւրջ ու տօւարտ ծոն քեւեւոն տօւիւս; օսըր իր  
 աք ճաւար քիւ, իննա ու քիւրքու ծիցեւ քիւ սօ լօջ եւուսի քիւ իր  
 քիւրք, քնաի քօր եւեւլոնն ու եւ ին քիւ քիւրք քօր  
 օսըր ինք աբեւ, ին քաւաի սած օւսա ա եւ.

Մար աք քօրսւր ին քեւեւոն տօւիւս ու քաօսիցարտըր ին  
 միւսուո հի ճիւ ճաւաւ ճիւ աւրջ, իր զուք քօւտ սած օսըր տօւաւս.

Տօրի քիւննուլ քօրսւր քիւս ճաւաւ: ճիւն տաւջ տաւջ  
 քաի աւրքելա իննաւ ծիցեւ.

Տօրի .1. տաւլեր, ու աւրկնիցար. քիւս տարաք աք իննա քիւսարտըր  
 ին աիգաբաւ աք քօննալ օն քօրսւր ու օն քիւր քօ քիւ ին քիւր քիւ .1. զուք  
 քօւտ օսըր եւուլոնն օսըր տօւաւս իր քօննալ քօրսւր, մա տարք  
 ծիցեւ; ու մա տարք ծիցեւ, իր զուք քօւտ, ու քիւ քօ տարք ծիցեւ  
 քնաւ քօ.

Լանլօջ եւուսի ծոն քիւ իր քիւրք մա ու քիւրք քիւր, օսըր  
 զուք քօւտ օսըր տօւաւս ու միւսուո, օսըր իր իննա քիւր  
 օսըր քիւրք, օսըր իր քիւր ին լեճգաւալ տօւաւս քիւսարտըր տար,  
 քնա ա ծա իննալիցեւ քօւս ու իննա. Օսըր ա քնա քիւս ու  
 քեւեւոն տօւիւս, օսըր զուք քօւտ ու միւսուո օսըր աիցիւ  
 լաւա օսըր ճիւննաւ, տօ մե.

Իրք իր քննալ քօրսւր ան ու քիւ տօն ու քիւրք քե քօրսւր  
 քնաւ ու քիւրք քե քօրսւր տօնա քաւ քիւրք, օսըր ու ու քիւ տօն.

<sup>1</sup> From one 'forus'-pound to the other. In C. 2717, 2718, բառալ քօրսւր is de-  
 fined thus:—To bring what ought to be brought to his own 'forus'-pound into  
 one of the seven 'forus'-pounds, or to bring to his own 'forus'-pound a thing  
 beyond the value of his honor-price.

If it was in a cattle-shed or in a paddock he has taken it (*the distress*) five 'seds' are due of him, and if he has carried it beyond *them* it is 'eric'-fine for unjust distraint that is due of him. If it was from a cattle-shed or a paddock the defendant carried off the distress without pledge or security, five 'seds' are due of him; and the plaintiff shall pay honor price and full fine for larceny if he has committed any concealment respecting it.

If it is on a road he seizes and carries it off, he shall pay five 'seds' and honor-price; and this is the third instance where honor-price is found to be paid for it; i.e. the plaintiff having removed the distress from one 'forus'-pound to another, and the plaintiff having taken it without accepting of pledge or security from the defendant, the plaintiff has been guilty of two illegalities above. To be carried away from the green of the plaintiff by the defendant without giving pledge or security to him is *illegality on the part of the defendant*; and that is taken from this *maxim*—"When one urges the law to obtain the honor-price of a man for his wealth, it is not more proper to have honor-price for *seizing the distress while remaining upon the road* than for carrying it off from his house."

If it was from the 'forus'-pound of the plaintiff the defendant has carried it off without pledge or security, he shall pay a fine of five 'seds' and double *restitution*.

Flitting from the 'forus'-pound incurs the fine of larceny: the deed of every distrainor who does not submit to law is *regarded as concealment*.

Incurs, i.e. it merits or deserves. The person who carried the distress wandering from one 'forus'-pound or habitation to the other<sup>1</sup> habitation incurs the fine for concealment, i.e. five 'seds,' and honor-price and double *restitution are the penalties* for flitting from the 'forus'-pound if law was offered to him; if law was not offered, it is five 'seds,' or this *fine* shall lie even though his right has not been offered.

There is full honor-price due to the man who owns the green if *the distress* has been secured by him, and five 'seds' and double restitution to the defendant, but this is after the evading of notice and fasting, and it is by the double half-seizure it is regulated above, so that there are two illegalities face to face. And the plaintiff is entitled to the original debt, and the defendant to five 'seds' and restitution for the milk and work, if such there were.

'Fuinneal foruis' means to bring to one of the seven 'forus'-pounds what ought to have been brought to his own 'forus'-pound,

**DISTRESS.** — do breic ruiríde do breic re foruir buóein. No donno ípéð íf  
 ruinnel foruir ann ní don loḡ einiuch taill do breic ruirín  
 aḡsabáil amach, no ní don aḡsabáil amuich do breic ruirín  
 loḡ enec anunn. Cuic feoit ocuḡ enecclunn sic ann.

Íf ann ata enecclunn ann í nínbuio ro ḡaburḡur impe ar tur  
 tar ḡealluib ocuḡ tar aḡḡib, ocuḡ munuḡ ḡabao nochá nḡuail  
 aḡ cuic feoit uao.

[‘OL]ḡsur tairiuc diabul aḡḡina.

.1. olḡsur á tairiuc ná haḡḡabála ocuḡ loḡ einiuch ḡur ná  
 fathé, ocuḡ cúic feoit do fechemuin, cu naḡ apuḡ in ro; ocuḡ  
 dia tucḡur apuḡ ocuḡ tḡoḡcuḡ íf diabluḡ ná cét aḡḡabála,  
 uair roḡ olḡ hí uile, ocuḡ loḡ einiuc don aḡḡne, ocuḡ ar á  
 fathé nach eile, no cío dia fathé buóein, ocuḡ cuic feoit; ocuḡ  
 íf í ruinn ná cuic fet—tḡuan do fíḡ fathé, ocuḡ tḡuan do  
 fíḡ ná haḡḡabála, ocuḡ tḡuan don aḡḡne.

Ḍuḡ cu cuic fetuib ífelb n-aḡḡeḡ.

.1. in leḡsabáil ocuḡ ná cuic feoit, ocuḡ á ruinn anḡe eturíḡa;  
 no íf tḡuan don aḡḡne .1. ar in ainmruinne beiruir .1. fíac  
 inḡleḡeḡ aḡḡabála inḡrín. .1. íf ḡuḡ curuice cuic feoit  
 dia felb in fechiuin ocuḡ in aḡḡne ḡeḡíḡer inḡn ae inḡn cainḡín  
 .1. cuirí tobuḡ ḡleḡur.

Cío ina nḡebuḡḡuríuin á felb an aḡḡne, uair ní do atá in  
 fíach inḡleḡeḡ aḡḡabála? Íf é in faḡ fḡḡeḡa, uair íf do ná  
 cuic fetuib do beḡar íf in inḡleḡeḡ aḡḡabála do beḡur loḡleḡeḡ  
 á toxuḡl do, .1. dá tḡuan ná cuic fet fín do fechemuin toicheḡa,  
 ocuḡ tḡuan do aḡḡne toxuḡl, dá tḡuan cotuc aḡḡne toxuḡl do  
 aḡḡne fechemnuir; no doná cunabeḡ ní do ná haḡḡeḡuib etir,  
 aḡ abet do ná fecheḡnuib uile, .1. ruinn ar do íḡrín aḡḡne toxuḡl  
 ocuḡ aḡḡne taḡḡa; no á leḡ do aḡḡne ocuḡ á leḡ do fechemuin  
 toicheḡa; no á leḡ do aḡḡne ná fecheḡnuir ocuḡ á leḡ don  
 fechiuin toicheḡa.

*Sic.*

<sup>1</sup> *Honor-price.* The definition of ‘loḡh-enech’ will be found in C. 224, 689,  
 and in O’D. 1345. It is the same as ‘eneclann.’ The definition of ‘ruinnel  
 foruir’ in C. 2717, 2718, is much clearer than the above. See note <sup>1</sup>, p. 78.

or to bring to his own 'forus'-pound what ought to have been DISTRESS. brought to them. Or sitting from the 'forus'-pound is to bring a — part of the honor-price of the defendant\* with the distress out, or to \*Ir. Within. bring a part of the distress *from* the plaintiff\* with the honor-price' \*Ir. With- of the defendant. Five 'seds' and honor-price shall be paid for it. out.

The instance where honor-price is due is where it (*the distress*) was seized at first despite of pledges and securities *which were tendered*, but if it has not been so seized there are only five 'seds' due of him (*who distrains*).

The double restitution should be restored.

That is, it is right to restore the distress and *to pay* honor-price to the owner of the green, and five 'seds' to the law agent, this is with second notice ; and if notice is given and fasting *takes place*, it (*the penalty*) is double of the first distress, for it was all due, and honor-price is due to the advocate, and five 'seds,' whether it is in another man's green, or in his (*i.e. the person who distrains*) own green ; and the five 'seds' are divided *thus*—one-third is given to the owner of the green, and one-third to the person who distrains, and one-third to the advocate.

It is lawful to have as much as five 'seds' in the possession of the advocate.

That is, the half-seizure and the five 'seds,' and they are divided into two parts between them ; or one-third *is due* to the advocate, *i.e.* for the proportion which he obtains, *i.e.* this is the fine for illegal distress, *i.e.* it is right that five 'seds' of his possession should reach the law agent and the advocate who pleads about the cause *or* covenant, *i.e.* he is entitled to the share of the man who levies.

Why does he (*the author of the law*) say "in the possession of the advocate," for the liability on account of the illegality of the distress is not on him? The reason of it is, that it is out of the five 'seds' which are paid for illegal distress that his fee for driving out is paid to him, *i.e.* two-thirds of these five 'seds' are due to the plaintiff, and one-third to the distraining advocate, and two-thirds of the share of the 'aigne toxail'-advocate to the 'aigne Fechemhnus'-advocate ; or else that nothing is for the advocates in particular, but that it all goes to the law-agents, *i.e.* it is divided in two between the 'aigne toxail'-advocate and the 'aigne tagra'-advocate ; or half to the 'aigne toxail'-advocate and half to the plaintiff ; or half to the pleader in the suit at law and half to the plaintiff.



A man cannot sue for the recapture of a distress <sup>DISTRESS.</sup> to which he did not give its due *allowance*.

That is, he (*the defendant*) does not incur the same *liability to give security* as if the distress was taken into a 'forus'-pound by the plaintiff,\* and so he takes his distress with him, as there is no *liability of* <sup>\* Ir. With-</sup> security at this side before him, i.e. respecting fine or double *restitution*, i.e. there is a balancing here between the two illegalities, i.e. one against the other, and the distress must be restored to the plaintiff.\*

The infants are guiltless where they have not been instructed by the sane.

That is, the infants are guiltless when they have distrained, and notice of it is to be served again because it was not by the advice of the sane they distrained.

The *adults who were* not sensible are here said to be guiltless if pledges have not been accepted from them; if they carry off the distress with them afterwards, it is not right to *re-take* it afterwards until notice is served again. But it is not necessary to re-sue the sensible adult, if it were not sensible adults that came to offer pledges and securities after *the taking* of the distress. If they have not been accepted from them, it is safe for them to carry it out, and the force of the 'guiltless' is, that it is necessary to serve notice on them again.

If it be a sensible adult that has gone to get back the distress and offered pledges and securities for it, and they were not accepted from him, it is safe for him to take back or carry it off, and it shall not be carried out again without a second notice.

If it be adults *who are* not sensible that have gone to get back the distress, and it was not their sensible guardians that had told them *to do so*, and they offered pledges and securities for it, and they were not accepted of from them, it is safe for them to carry it off, and it shall not be carried out again without a re-suing.

If it be adults *who are* not sensible that have gone to take the distress, and that it was the sensible adults who had sent them, and that they had been told to take it lawfully, or that they had not been told to take it lawfully or unlawfully, full *fine* shall be paid according to the class of the adults *who are* not sensible for every illegality which they have committed. If they had been told to take it unlawfully, full fine shall be paid for it, according to the class of the sensible adult.

If it be the party to the suit (*the plaintiff*) that has brought a  
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**DISTRESS.** — inóligeð co nicfuð do denum impe, cío i nainfecht cío i ndeguro a chele, nochá nfuil ní uaða áct lan in inóligeð ír mo díb.

Mar é in fechium ruc ler óligeð do denum uimpe, gac inóligeð do dena uimpe inainfecht írlan in inóligeð ír mo díub uaða. Cac inóligeð do déna iar raine fecta ír a nic uile. Cach inóligeð do denuit imaraoen impe, fechium toicheða ocur aigne, cu ríur doib imaraen, ír a íc don fechemum toicheða aenur. Cach inóligeð do denuit gan ríur doib imaraen ír a íc don aigne aenur. Mar a ríur ag nechtur de, in tí aga mbia a ríur a íc do aenur.

### Gabail etechta.

.1. for conuir, no gabail impe cu hinóligeð cin a leuco írin mbac nachuir, uair atá eiric ina fearchmuillur ocur ina nemleuco a cam, atá eiric ina nemleuco i nupriatur, ocur nochá nfuil ina fearchmuillad.

### Ácht ainbriur no aincheaí, 7rl.

.1. aincit ná deðbire in cintuch ar fogallta i naimrír fogelta, ocur aincit ar díthim i naimrír díthma, ocur ní aincit ar fogelt nach ar blet.

Cair cír lír uair achgabail do fearchmuib. [C]írne aurgeaurt fechiumnuir? Nín. Deoruir, doer, díthir.

.1. in tan ro fetut cin loz fechiuman eile ír ann atá ro; ocur muna fetut, ír ólgeð doib fein tacra a caigne. Ocur ina eoin do nechtur in dá fechium loz ar fearcham do tacra, ír e buobuir do beir muna fagba fechium toicheða cin loz. In oiríur tra do geb in tuaral neac bur cutrúma ríur in írú, cin loz, do tacra a caigne, ír e do gebir, uair ír urcuillte don írú in tuaral in caignin.



person with him to take the distress, as regards every illegality which he, (*i.e. that person,*) may happen to commit respecting it, whether at once or at different times in succession, nothing shall be recovered from him but full *fine* for the greatest of these illegalities. DISTRESS.

If it be the party to the suit (*the plaintiff*) that took a person with him to take the distress lawfully, as to every illegality which he shall commit respecting it at the same time, he shall pay full *fine* for the greatest of these illegalities. As regards every illegality which he shall commit at a different time, he shall pay for them all. For every illegality which both shall commit respecting it, *i.e. the plaintiff and the advocate*, both knowing of it, the plaintiff alone shall pay. For every illegality which they shall commit without the knowledge of both, the advocate alone shall pay. If either of them is aware of it, the person who is aware of it alone shall pay for it.

### Unlawful seizure.

That is, upon a road, or to take it unlawfully without letting it into the paddock, for there is 'eric'-fine for *taking advantage of the neglect and for not letting it into the paddock*, in 'Cain'-Law, there is 'eric'-fine for not letting it into the paddock, in 'Urradhus'-Law, and there is not for *taking advantage of the neglect*.

Except ignorance or difficulty, &c.

That is, the necessities protect the debtor against *expense of feeding* in the time of feeding, and they protect him against delay in pound in time of delay in pound, but they do not *then* protect him against *expense of feeding*, nor *expense of tending*.

Question—How many are the difficult distresses to the law agents? Who are they that are prohibited from acting as law agents? Answer—A stranger, a bondman, a landless man.

That is, this is the case when the parties are able to *plead their cause* without paying another law agent; and if they are not able to *pay*, it is lawful for them to plead their own cause. And if either of the two parties to a suit is obliged to fee an advocate for pleading, it is the defendant that shall pay, unless the plaintiff can procure one without a fee. As long, however, as the man of the upper class obtains an advocate equal in rank to the man of the lower class, without fee, to plead his cause, it is him he employs, for it is prohibited to the

**DISTRESS.** — Máda fagba imurro int ipul, cin loḡ, uaful bur ceteruma  
 nef in uaful eile, cuiruibed ber im. canḡin fpuḡ; no ip berut  
 aḡaile uḡduir, cumuḡ lair in uaful cuinḡe a ceteruma i naḡuib  
 in ipul, ciḡ é acpuḡ ciḡ é acupḡthup, cia ḡo beruib loḡ cin co  
 tuca. ḡrem ḡib rin noch a ḡleḡur ḡuib tíaḡtuir ḡacra a  
 canḡne fein no canḡne nech eile, ciḡ neaḡ eile cin loḡ cin cu  
 faḡuit; ocur ḡa tḡruit atait cuic feoit uaitḡib.

ḡrem eile ḡuib ḡleḡur ḡuib tíaḡtuir ḡacra a canḡne fein  
 muna faḡuit neach eile cin loḡ, aḡ icuit eipic i nḡḡliḡeo ḡo  
 ḡenuit taill iapuir; ocur noch a ḡleḡur ḡib tíaḡtuir ḡo acra  
 canḡne nech eile cu loḡ no cin loḡ, cin cu faḡbut; ocur ḡa tḡruit  
 atait cuic feoit uaitḡa.

Ar ní faḡut a nachur a fine.

.1. cia noḡ naḡta cuir no cunnraḡa, no ciḡ aḡaḡ noḡ ḡabao oc  
 ḡabail nathḡabala, ḡo toḡḡata fine poe.

ḡuine ḡo anuar ip upcuillre ḡo ḡabail athḡabala ocur  
 ḡpechiumnur im in can, ocur noch a nḡḡliḡtuch neamurpoemuḡ  
 a toicheḡa, na nemlecaḡ ḡo ḡabail aḡabala, no ḡpechiumnur  
 imin canḡin im leaḡ nech, no cu tucuit ḡa nḡliḡteḡa leo, ḡa  
 faḡuit iat [ar comloḡ no anaiḡci, ocur muna faḡuit] ip ḡir  
 a toicheḡ ḡpurpoemuḡ, ocur a lecuḡ ḡo ḡabail athḡabala, ocur  
 ḡpechiumnur imin canḡin; ocur ḡa nḡeḡna nḡliḡeo ip eipic a  
 nḡliḡi ḡic ḡoib.

Maḡ ina leaḡ fein, noch a nḡḡliḡtec neamurpoemuḡ a toiche  
 na lecuḡ ḡo ḡabail athḡabala, na ḡpechiumnur imin canḡin no cu  
 tucuit ḡaine nḡliḡteḡa leo, ḡa faḡuit iat cin loḡ; no muna faḡbut,  
 ip ḡir a toicheḡ ḡpurpoemuḡ, ocur a lecaḡ ḡo ḡabail athḡabala  
 ocur ḡpechiumnur imin canḡin; ocur ḡa nḡeḡnut nḡliḡeo, ip eipic  
 a nḡliḡi ḡic ḡoib.

Ach be nach aile ḡo ḡona a leḡa ḡoibḡ fine ḡia-  
 chuige.

<sup>1</sup> *Equal rank*, i.e. one of equal rank with the man of lower class.

lower classes to plead against the upper classes in any cause. If, <sup>Distress.</sup> therefore, the man of the lower class can procure a man of the upper class, without fee, equal in rank to the other (*his antagonist*), it is he shall plead his cause; or, as other authors say, it is the duty of the man of the upper class to seek one of equal rank<sup>1</sup> to plead against the man of the lower class, whether it is he that sues or is sued, whether he gives a fee or does not. Some of these (*the upper class*) are not bound to come to plead their own cause or the cause of another, whether they procure another person without fee, or with fee; and should they come to plead, five 'seds' are due of them.

There are others of them who are bound to come to plead their own cause unless they procure another person without a fee, but they shall pay 'eric'-fine for the illegality which they shall commit in the suit afterwards; but they are not bound to come to plead the cause of another person for fee or without fee, whether *the other person* can procure an advocate or not; and should they come, they shall pay a fine of five 'seds.'

For they cannot enter into any engagement, which the tribe cannot set aside.

That is, though they have entered into covenants and contracts, or whatever security they may get in taking distress, their tribe can oppose it.

The above are persons who are prohibited from taking distress and pleading a cause, and it is not unlawful to oppose their suit, or to prevent them from taking distress, or from pleading a cause in behalf of another, until they bring two persons allowed by law with them, if they can find them for a fee or gratis,<sup>2</sup> and if they cannot find them, it is right to assent to their suit, and to permit them to take distress, and to plead a cause; but if they be guilty of illegality they shall pay 'eric'-fine for their illegality.

If it be in their own behalf, it is not unlawful to oppose their suit, nor to prevent them from taking distress, nor from pleading a cause until they bring persons allowed by law with them, if they can procure them without a fee; or if they do not, it is right to assent to their suit, and to permit them to take distress and to plead a cause; and if they commit illegality, they shall pay 'eric'-fine for their illegality.

Who has not another to act in his behalf on account of a tribe liability.

<sup>2</sup> *Gratis.* The Irish for this is inserted from margin.

**DISTRESS:** .1. nochá nfuil aice neac eile doḡne e, no ní fagbuit neach eile d'péiumnuir a cainḡin i nairce no ar a comloḡ, íf ann do níat fén fín.

Fóbit fine fíachuíḡe, .i. fótaiḡ ná ro fíacúíḡeup im cinuio a fine, no ná ro moirde fíech ná fine in luét ro im cainḡin fíu [i. ar bit fóriu do bórat ocuf do bórat uib conac roicet].

No íf beir íf doerit b'péitemuin no fótaiḡ fíachuíḡe ná fine catathuir acru anolecur íat d'péchiunnuir, in tan nía fagbut f comaró ar loḡ no in airce, .i. nárbut fíachuíó hí cinuio fine. Íf airé ní ḡabíut atḡabail im a léra; no ata ar fine iní do rónut ceana; no dono dia toibḡet fine doib, noplí léet a cinuio, ar íf fíachué fine, ocuf ata a moó ina cainḡuib fén.

[N]í ba aurracht uchae munub fíatíuch cach aera.

.1. nochá nínnpuíḡí é a ḡabail a ae a ḡabail atḡabala im in ae imin cainḡin, muna roibe fíach íf deac aice in ḡach fófíí anta ocuf apuio, .i. ná ceitíre nanta ocuf ceitíre d'íemunna ocuf ná da napaó, .i. apuó noen loe fóí in tí da ná tech in ríot a heolur inncíob ná fíleo ocuf a leanmuin cu hórí c'íche, ocuf doírt ina b'rolluét in orí c'íche, muna tí urruíó fó lan, ocuf da tí, íf a íc doírtóe, .i. laih ina b'rollac, no fúíḡe accuo d'ianḡama cín apuó no cín anuó náile, ocuf ní fíl arḡaíre fíarced a fíatí fét do acé cío be fét.—8.Ḍ.

Ḍuine fín cur ná fuil tochur a c'íuch no a fécúir c'íuch. Ocuf dia mbe tochur aice a fécúir c'íuch, dia nairbernuio turbuíó, ríot fíerpa a turbuio a conuie e.

In fíatíuch ífíe d'legur apuó naen lae air, mara ḡraó fíne, ocuf a ḡabail ar a haítle; no apuó aen lae, mara ḡráó fíata; no c'íorcuó ar a haítle ocuf a ḡabail ar a haítle, acé muna

<sup>1</sup> For whether they sue or are sued, they shall not pay. The Irish for this is inserted from the margin.

<sup>2</sup> Advocate. f. only in the original, which, probably, should have been lengthened out into 'Fechium.'

That is, *when* one has not any other person to do it *for him*, or he does not find another person to advocate his cause gratis or for a fee, it is then he does it himself. DISTRESS.

On account of a tribe liability, i.e. because he is not held responsible for the liability of his tribe, or that the debts of the tribe are not the greater because of these people having contracted with them, for, whether they sue or are sued, they shall not pay.<sup>1</sup>

Or it is said that the Brehons admit persons to plead to prove the debts against the tribe who are sued in the case, when they cannot find an advocate<sup>2</sup> of equal dignity for a fee or gratis, i.e. that they may not be responsible for the liability of the tribe. It is for this reason they do not take distress in their behalf; or what they have already done is a *liability* upon the tribe; or, indeed, if the tribe distrain for them, they shall incur half the liability, for the tribe is liable, and their manner of *suing* is in their own counsels.

No person is qualified to plead a cause at the high court unless he is skilled<sup>3</sup> in every department of legal science.

That is, he is not qualified to manage the cause in taking distress for the cause or the covenant, unless he has good skill in knowledge<sup>4</sup> of every stay and notice, i.e. the four stays and the four delays in pound and the two notices, i.e. a notice of one day upon him whose house is the road, who, from what is known of the meaning of the *part of the law written by* the poets, is to be pursued to the border of the territory, and seized by the collar at the frontier of the territory, unless a native surety come to his relief, and if such come, he shall pay for him, i.e. he is seized by the breast, or he remains with them if he submit without any other notice or stay, and he has no privilege in restoring his concealed 'seds,' but restores every sort of 'sed' whatsoever.—S. D.

This is the case of a person who has no property in the territory or outside the territory. If he has property outside the territory, if he pleads his privilege, his privilege of way or passage shall free him.

A notice of one day should be served on the vagrant, if he be of the Feini grade, and he is arrested afterwards; or a notice of one day, if he be of the chieftain grade; or fasting afterwards and then arrest—

<sup>1</sup> *Skilled*. The three grades of advocates, or pleaders, and their qualifications are described in C. 812, 813, 814.

<sup>4</sup> *Knowledge*. That is, knowledge of the meaning of the poets and others in whose writings the laws are contained.

**Dathann.** Gabuioð urruioð íf in crích do laimh a farruio ann re re a toicheoð, ocur da ngabuo, ífed olesuui toicheoð aip fo aicniuo a gnaio; ocur ma ta a duí eir roime rin, íf a gabuio fo cetoip; ocur in crích i nderua a éin no a cunnuio íf inni taruip ainn rin é. Ocur damao a crích eile taruip a é, ocur ní hinnte a ta a foruip, ocur ní hinnti do ruíu cin no cunnuio, faeruio a thurbuio conuipre é, cu ruia in crích a ta a foruip, no in crích a nderua a chin no a cunnuio. Muna fuil foruip aice etip, noch a ruuile re do, aét apuo ruate aip; no dono cu roeruo a thurbuio cu roiré in crích i nderuiuo a chin no a chunnuio, ocur muigi ocur crích a do ruagui on inuio ap gabuio é cu foruip in fechiu-mun toicheoð, ocur inuifechium in tí ro gab do ruagui uime, ocur anuo ocur oichim aip fo aicniuo na fet.

Caoe deóip etuipuo rin ocur ní tabuip eipor for conuip? Duine rin ocur in crích a nderuiuo a cin no a cunnuio íf inni ata a foruip, ocur noch an inni taruip é; ocur faeruio a thurbuio conuipre é cu ruia a foruip. Acht neach ag na bia aruip inuinn eiré ocur in ruatiuch. In bail ata in tí fo fic íf e tét tar crích, ruí. Cumuio in gatuioe rin, no eiré.

**Deachmuio ru ruuio, aenu doneoch neapum.**  
c. 2718. [Cetharua fezar.]

.1. ní ruí deóip feoiz aine, na treipe, na cuicé, na deachmuioe uime rin, .i. na ceitru neuium atpezar funn ap in fet aine, da neuium cu leé duib ac in biobuio, ocur neuium cu leé opeíuuiun toicheoð, neuium cinuio ocur neuium ruioipre ocur leé neuium comairuib ag in biobuio: neuium comairuib, .i. i naen muig, ocur neapum cinuio, .i. re híc a chinuio fein ocur ní

ing *should take place*, unless a native surety in the territory undertakes to keep him there during the period of the suit, and if he does, it is necessary to sue him according to the nature of his grade ; and if he is about to depart out of it (*the territory*) before then, he should be arrested at once; and it is in the territory in which he contracted his liability or made his covenant, that he is arrested on this occasion. Should he be arrested in a different territory, in which his residence is not situated, and in which he did not commit his crime or make his covenant, his privilege *in respect of his right of passage* shall save him, until he reaches the territory in which his residence is situated, or the territory in which he committed his default or made his covenant. If he has no residence at all, he has no time *allowed him*, but a vagrant's notice *is served* upon him ; or, indeed, *according to some*, his privilege *in respect of passage* will save him until he reaches the territory in which he committed his crime or made his contract, and places and territories shall regulate *the matter* from the place where he was arrested to the residence of the plaintiff, and the intention of the person who took him shall regulate it, and stay and delay in pound are upon him according to the nature of the 'seds.'

DISTRESS.

What is the difference between this case and the case in which it is said, "No prohibition is put upon the use of the road?" That is the case of a man who committed his crime or made his contract in the territory in which his residence is situated, but who was not arrested therein ; his privilege *in respect of right of passage* shall free him until he reaches his residence. But the person who has no residence is like the vagrant. Where the man who has committed a crime is, it is he who shall pass beyond the boundary, &c. This is the thief.

Ten days for a period of prescription, one day for every necessity. Four things are considered.

That is, there is no difference *in the case* of the 'sed' of one day's stay, or the 'sed' of three days' stay, or the 'sed' of five days' stay, or the 'sed' of ten days' stay, respecting this, i.e. the four necessities are considered here concerning the 'sed' of one day, two necessities and a half with the defendant, and one necessity and a half with the plaintiff, necessity of liability and necessity of property and half necessity of residence with the defendant ; necessity of residence, i.e. at one place, and necessity of liability, i.e. for paying his own





liability and not the liability of his kinsman-surety, and necessity of property, i.e. without asking it of any other; necessity of life and half necessity of residence with the plaintiff. DISTRESS.

All 'seds' whatsoever which are necessities by their own nature, or though they be not necessities, if he had them for immediate use, or if they are being given on account of necessity, have a stay of one day upon them and a delay in pound of three days.

### Or proof of non-liability.

That is, half the proof of witness or half security, or it is the proof of the 'samhaise'-heifer or of the incalf cow, that is in eight days, i.e. its stay of three days and its delay in pound of five days, which make eight days; and the milch cow in four days, i.e. its stay of one day, and its delay in pound of three days; whether they be due in contract or covenant, or for 'eric'-fines of trespass, it makes no difference in these terms. The time which is its natural stay is the time *allowed* for proving it.

### Let no man be forced *whilst* in a state of inability.

That is, no one shall be forced respecting a thing which would throw him into difficulty, without allowing him the time necessary to seek each of these things, i.e. an oath of *expurgation* should be asked from him in his proper time. The time or the stay which belongs to the 'seds' is the same which is *required* for the proof by *expurgation*; and as places and territories extend the time of the 'seds,' so they likewise extend the time of the proof; or *according to others*, places do not extend the time for the proof by *expurgation*.

### Proof of debts, or of a party to a suit whose property is out of possession during a period of prescription, &c.

That is, these are 'seds' belonging to a person which are out of possession during the period of prescription, and even though they were 'seds' of one day's stay they shall have a stay of ten days, and a delay in pound of one day.

What is the reason that distress is taken for it when one has it out of the possession of the owner during the period of prescription? The reason is, that it is a prescription on account of ignorance or of violation; or that it is the impression of the person who is suing that he is entitled to it; and it is safe for him to take distress respecting it though it has been out of his possession from him during the period of prescription.

DISTRESS.

Ácht athuis forrétá bícír rri cirta o ríguib.

.1. ácht na haúis rí bícír ac na ríguib dá forrétin rí íc a cirtuó, forr a tóibgeó eac in ríola cirtuó no in ríola ríac ríodolepta do na rígaib, .i. maóir no ríéctuiríe in rí íat ríde, uairí adetge lair in uóurí atgabail do gabail do na ríguib ocuf do na herpocuib buóein, cío ríorcuó do legóir imá ríachuib cuir ocuf cunnurpétá, ocuf in cirta cuirí ocuf laimíe. Ír amluib no bíoir na ríga ocuf na erpuic í nallut, do ríer na narpantá, ocuf átuig forrétá acuó dá ríne buóein, no doerí cele ag in rí, no doerí manuc ag in erpuic, ocuf cumat amluib rín do betír na ríraí ríetá, ocuf na ríraí ecalra uile. Ocuf do daerí ceilíb ríata no dá ngelríne an átuig forrétá, ocuf do doerímanucuib eaculra, no dá ngelríne na haúis forrétá. No bícír ac tóbuc doib ríac neó olígoir ocuf a gabail atgabala uime, dá rírídaí aler; ocuf ríac cín no acuríat arí na ríguib cumat oibírim no ríabta atgabail uime. Dá lécoir na ríga ríorcuó ocuf dá ngabta atgabail do na rígaib tarí ríir in átuig forrétá, ír ríac inolígíó athgabala ann, ocuf a dá rírian don cinn ocuf áen rírian don athuc ríurpétá; no cumat don athuc forrétá no betír in dá rírian; ocuf ríac inolígíó atgabala do ríenturí rírín átué, ír ríach inolígíó athgabala do inn, ocuf a dá rírian áice buóen ocuf á áen rírian don rí; no donno cumat a bíteí do áenurí a nínbuíó ír de ríabturí in atgabail; ocuf in inbuíó ír don ríga no ríebta í cumá ríach inolígíó atgabala do bíteí do áenurí. Ocuf ríac inolígíó do dena in tathac forrétá ríen um in atgabail ír a íc do áenurí; ocuf dá tecmat inolígíó atgabala do denum don cinn, cumat é in tathuc forrétá no ícúto; ocuf áitgín in ríac neó ríacurí a íopuó, ocuf í corppíac dáatgabail in athuis forrétá díc on cinn; no cuna íca etír iní na ríachuíó a íobíat díc.

Cir lír gealla athcomairíe?

.1. o fechemuin ata na gealla ro, acé dá geall o cirtac nama.

<sup>1</sup> *Them.* In O'D. 908, it is stated that the plaintiff served the king and bishops with notice, and then took distress from their steward-bailiffs.

Except steward-bailiffs which kings had to be <sup>DISTRESS.</sup>  
accountable for their liabilities.

That is, except the stewards whom kings used to have to relieve them in paying for their liabilities, and whom all sued for the liabilities of crime or liabilities of contract due from the kings, i.e. these were the stewards or agents of the king, for the author of *this law* was loath to take distress from the kings or bishops themselves, though *the persons suing them* fasted on them<sup>1</sup> for their liabilities of bargain and contract, and their crimes of foot and hand. The kings and the bishops in ancient times, according to the ancients, had stewards of their own tribe, or the king had a 'daer'-stock tenant, or the bishop a 'daer'-stock tenant of ecclesiastical lands, and all the septenary grades and all the ecclesiastical grades were similarly *provided*. Their (*the kings*) steward-bailiffs were of the 'daer'-stock tenants of the chieftain or of the 'Geilfine'-tribe, and their (*the bishops*) steward-bailiffs were of the 'daer'-stock tenants of ecclesiastical lands or of the 'Geilfine'-tribe with which the *bishop's* church was connected. They used to levy for them every thing that was due to them and take distress for it, if necessary; and for every liability for which the kings were sued, it was from these that distress was taken. If the kings had permitted fasting *to be performed* and if distress were taken from the kings without the knowledge of the steward-bailiff, there is fine of illegal distress imposed for it, of which two thirds are due to the head *kings*, and one third to the steward-bailiff; or *according to others* the two thirds were due to the steward-bailiff; and for every illegality of distress committed against the steward he shall be paid fine for it (*the illegal distress*), of which he himself shall possess two thirds and the king one third; or else he shall obtain all when it is from him the distress is taken; and when it is taken from the king, he alone shall get the fine for illegal distress. And as regards every illegality which the steward-bailiff shall commit respecting the distress, he alone shall pay for it; and should it happen that the head (*king or bishop*) committed illegality of distress, the steward-bailiff shall pay for it, and make restitution for every thing that has gone into forfeiture, and the original debts of the steward-bailiff shall be paid by the head; or *according to others* the part of it which has become forfeited shall not be paid for at all.

How many are the pledges of right of appeal?

That is, these pledges are from the plaintiff, except only two which are obtained from the debtor.

**DISTRESS.** "Da geall rirana o birobuió, no da gne for geall. Dech ngill rirana o pechemuin toicheoda, no de ngne for geall. Ambet rin po mias, rmaact gill pectmuid, no geall upruigill.

Cio an conuiri cio as forruir in pechemuin toicheoda tairgus in birobuió a dec ngealla deé ngne do gabail, ocur ní tucad do, ir plan don atgabail do ruatac, acé munub e rreacra in pechemuin toicheoda: tabuir-rí damra, ar ré, mo da geall, no mo da gne, ocur dorber-ra duit-rí do dech ngille; ocur mar e, ir epié uá po aicnuó na n-inuó ar ar ruataigeó í.

Uíre a hanta irpe a huíre geallta, 7rl.

Dech ngill runn ne dech ngneib, no dech ngnee po aen geall o pechemuin toicheoda do birobuió; da geall ne da gne, no da gne po aen gne o birobuió opechemuin toicheoda; ocur nochá narluigunn oligeó for in birobuió a da geall do tobuir co tarpa pechium toicheoda a dech ngill.

Ma targuir in pechium toicheoda a dech ngill ocur po airberctnuig geall do cuinge for birobuió, ocur ní tarpa in birobuió, ocur po ruataiguitur a athgabail ler, ir riach inoiligio athgabala on birobuió.

Muna targuir in pechium toicheoda geall ann rin, ocur ní taro in birobuió, ocur po ruatair in birobuió in athgabail, a da ninoligeó aduig in aduig.

Ma targuir dono in birobuió geall, ocur po airberctnuig geall do cuinge for pechemuin toicheoda, ocur ní taro do, ocur ní po ruatair a athgabail, ir riach ninoligio don birobuió.

Ir iat na deé ngealla a veir runn o pechemuin toicheoda do

<sup>1</sup> *The period of its stay.* A short gloss on this is found on a slip of parchment inserted between cols. 454-456, which runs as follows:—

Uíre anta íre huíre gellta; uíre géallta íre uíre ice riach. Uíre anta íre gellta, .i. in ré iarí a mbíó rí for anad a laim aintaig, íre rin ré ar na díre gellta do tabairt amach; ocur ír lor tairnngine ar na gellta iur in ré rin ocur gell i forba in tairnngine. Uíre wíthma íre uíre ice riach, .i. in ré iarí a wíthmann rí in foseilt ocur in bleit do uil ina cenn, íre rin ré ar na díre reich amach tar cenn in gill rin; oir gell i forba anta, reich i forba wíthma; ocur tincirín oligio rin.

The period of the stay is the period of pledges; the period of pledges is

Two pledges *are set* down here from the defendant, or two causes *of suing* for a pledge. Ten pledges *are set* down here from the plaintiff, or ten causes *of suing* for a pledge. They shall be according to dignity, a 'smacht'-fine of a pledge of a seventh, or of a pledge of judgment. DISTRESS.

Whether it is on the road or at the residence of the plaintiff the defendant offers to accept of ten pledges, *i.e.* ten causes *of suing*, and they were not given to him, it is safe for him to carry off the distress, unless the answer of the plaintiff be, "Give thou to me," says he, "my two pledges or my two causes *of suing*, and I shall give unto thee thy ten pledges;" and if it be *the case*, he shall pay 'eric'-fine according to the nature of the places from which it was carried off.

The period of its stay<sup>1</sup> is the period of its pledges.

Ten pledges here for ten causes *of suing*, or ten causes *of suing* for one pledge from the plaintiff to the defendant; two pledges for two causes *of suing*, or two causes *of suing* for one cause of suing from the defendant to the plaintiff; and the law does not require of the defendant to give his two pledges until the plaintiff shall have given his ten pledges to him.

If the plaintiff has offered his ten pledges, and he proclaimed that he would ask a pledge of the defendant, and the defendant did not give it, and he carried off his distress with him, a fine for unlawful distress shall be paid by the defendant.

If the plaintiff has not then offered a pledge, and the defendant has not given any, and the defendant carried off the distress, there are two illegalities face to face.

But if the defendant offered a pledge, and he proclaimed that he would ask a pledge of the plaintiff, but it was not given to him, and he did not carry off the distress, there is a fine for illegality due to the defendant.

The ten pledges here mentioned *as given* by the plaintiff to the

the period of payment. The period of the stay is *the period* of pledges, *i.e.* the period during which it is delayed in the hands of the debtor, is the same as that in which it is right to give out pledges; and it is enough to promise the pledges during this time and a pledge at the end of the *time* of the promise. The period of delay in pound is the period of the payment of debts, *i.e.* the period in which it, the distress, diminishes by *expense* of feeding and tending being subtracted from it, is the same as that in which it is right to pay out the debt for the releasing of the pledge: for a pledge must be given at the end of the stay, and the debts at the end of the delay in pound; this is the *proper* 'offer' of law.

**DISTRESS.** bíobuird ná gealla ná betir do rṡur tpoirce po aicned neptum  
no neamneapum. Ir iat da geall aṡer funn o bíobuird do  
pechemuin toicheṡa, lan gille no let gille, .i. lan gille nept  
neapum, no letgille nept nemneptum.

Caitiat pṡithpola oirí a pṡnnaidm? eacur colla  
fiach aṡgairtur dicolla athgabail, beina a eptc.

Caitiat pṡithpola .i. cait iat na pṡ pola pṡntatpa uaitp ap  
in pechumuin toicheṡa, ap oiríu athgabala uaitp pṡ naidm naṡcainp.  
Eacur colla fiach .i. ecur colla na athgabala a colaid na fiach  
acurptur aṡo .i. annpṡ po pṡecup bíobuird .i. don pecheam apur .i. ap pṡ  
aigne bíobuird. In pechem toicheṡa: cin pṡgail cen blet tam. Athga-  
bail, beina .i. beinach pṡn ap aigne. A eptc .i. a pṡ ic uaimp ap  
in bíobuird, in pṡgail acup in blet acup in lobuird; uaitp ip beina, .i. ap  
in pechum nṡp gail, uaitp do pṡcup ní oi.

Diabluo fiac neṡ aṡpille ann piam pua tobuṡ ip  
ṡe iar nelo. Iṡeṡ do tobuṡ do athgabail pṡ chinad,  
acht nṡp inbleoguin.

Diabluo fiac .i. diabluṡ na fiac po aṡpṡllnichup ann piam pua  
tpṡccuṡ, iṡeṡ uil ann iar lecuṡ eluṡṡe apuṡ acup tpoirce, acup gabup  
in diabluṡ pṡn inbleoguin ce eluṡ cin co heluṡ. Acht nṡp inbleo-  
guin .i. aṡá aṡt ann lium noch a n inbleoguin e, uaitp aṡuṡ ip diabluṡ  
o chintuch ip aṡṡin (no athgabail) oc inbleoguin; no nṡ gailuṡ diabluṡ  
ṡe pṡ cin a tpuṡ uime, gabup imupṡo do cinuṡ; no nṡ gabup diabluṡ  
do inbleoguin in aen athgabail acup aṡṡin.

Cach nṡ po uṡmup don athgabail ip coluinn fiach tṡt, acup  
athgabail eile ima pṡgelta acup ima blet.

Cach nṡ na po uṡmupṡur cuníc in cintuch cin a tabuṡp  
a bṡaṡuṡ, maṡail do, aṡt apailṡa donṡ. Nṡ cumuṡṡ imupṡo  
inu uṡmup.

Aṡi ima tpoirceann neach a diabluṡ uatpa cup uṡ cṡpṡma  
pṡ cuníc pṡoit a nṡlṡup o pṡn amach. Cuníc pṡoit i nṡnṡlṡeṡ

defendant are the pledges which would be *required* to stop fast- **DISTRESS.**  
 ing according to the nature of necessity or non-necessity. The  
 two pledges here mentioned *as given* by the defendant to the plain-  
 tiff are full-pledge and half-pledge, i.e. full-pledge for the necessity,  
 or half-pledge for the non-necessity.

What are the lawful returns in a bargain *of set off*?  
 Let the original debts claimed be balanced against  
 the original distress, the difference to be paid for.

What are the returns ('frith-fola'), i.e. what are the true goods ('fir-fola')  
 which I shall obtain from thee, said the plaintiff, for returning thee thy distress  
 for the bargain of *set off made by* the contract-binder? Let the original  
 debts be balanced, i.e. let the original of the distress be put against the  
 original debts in this case, i.e. this is what the defendant said, i.e. to the plaintiff  
 again, i.e. the pleader of the defendant said (*or made answer*). The plaintiff  
 replied: without allowing me trespass or *expense of tending*? The distress,  
 the difference, i.e. *The distress* is defective said the pleader *of the plaintiff*.  
 To be paid for, i.e. they shall be truly paid for by me, i.e. *I will pay* for the  
 trespass, the tending, and the forfeiture; "for it is defective," i.e. said the  
 plaintiff who took it (*the distress*), for a part of it has been lost.

Double the debts which were due before distrain-  
 ing is due after absconding. This is what is forfeited  
 of the distress of the debtor, but not of the kinsman-  
 surety.

Double the debts, i.e. double the debts which are due in the case before  
 fasting is what is due in the case after evading *both* notice and fasting, and this  
 double is obtained from the kinsman-surety whether he eludes or does not elude.  
 But not of the kinsman-surety, i.e. I make an exception that he is not to  
 be a kinsman-surety, for as it is double *the debts* from the debtor, it is restitution  
 or distress from the kinsman-surety; or double *the debts* cannot be obtained from  
 him without serving him with notice again, but it can be obtained from the debtor;  
 or double cannot be obtained from the kinsman-surety in any distress along with  
 restitution.

Every part of the distress that is injured shall go for the original  
 debts, and another distress shall be taken for the *expense of feeding*  
 and for *the expense of tending*.

Every part of the distress that is not injured the debtor may  
 prevent from going for the original debts, if he likes, but so as  
 he pays otherwise. He cannot, however, save the part that is  
 injured.

The double *of the debt* for which one fasts is due from him (*the*  
*person who absconds*), and what he owes from that out is equal to

**DISTRESS.** *gacha* tpoirce ón fíu amuis iníon, a cuthuma donno on fíu tall; no donno ír amuil cach naéabail éana .i. lēt cacha aēgabala ma hínoligeo co cumuil o fín co fēet cumuluib; it ceitíu ba o fín amach; cuic ba inoipio in gac inóligeo aēgabala do gner.

Ní do ruirmeaó fopir in tñiēt no cintoa fíu do fín cun aēgabail; ní daím enecunn anaó ma fíu cintoa caih faóepin gabur aēgabail.

Ní do ruirmeaó .i. ní nechtaró ma cinteó. Ipeaó inpeaētnaigeó a ruiríu na haēgabala. Ír ber runn ar a nanaó do gner do cintuch ípeaó ír oitím do inbleosuin, ocur ar maite ne hínbleosuin do níuip fín. Fotaíge muiē ocur epucha anaó ocur oitím do cinteó, ocur ní potaíge aēt anuó oē inbleosuin. Ceitíne feoit cintuig aipneētur oiaig i noiaig: feoit aine ocur tpeirē ocur cuicē ocur dechmuirde in cintuig ríraia ima cinteó feim cín cumfíuoa muiē na epiche, ocur do gac inbleosuin dona tpi inbleosnaib gabur in aēgabail ann .i. ma don caē ír cintaē gabur aēgabail ima cinuó buóein.

Ír aen a anaó no turbuirde no faer.

Ír aen a anaó .i. ír anaó naine uirpe .i. cia fíuaitíó ann do chintach ocur do inbleosuin fíu iménuēa muiē ocur epiche, ní fíuaitēar in oitím naicinta do neētar .i. ír ó antuib ainmníēer aēgabail gac cintuig, ír a

<sup>1</sup> *Delay in pound, 'Dithim.'* C. 2722 gives the following commentary, which is somewhat different:—

Édon. Ír o antuib imoipio ainmníēer aēgabail cach cintuig, ír ó oitmannuib imoipio ainmníēer gac aēgabail ó ruiríu anunn. Anur anaóh do gner do cintach ípēó ír oitím oinbleosain, ocur anur oitím do cintach ípēó ír anaóh oinbleosain. Ocur ar maie fíu hínbleosain do gnoetep fín, ocur fotaíge muiē ocur epucha anaó ocur oitím do cintach, ocur ní fotaígeat aēt anaó nama oinbleosain. Ocur céet fcuirí anaó do cintaē ocur do inbleosain fíu himcianuig muiē ocur epiche, ní fcuirí a noitím aicinta do neachtan de.

That is, it is from stays the distress of each debtor is named, it is from delays every other distress from that out is named. That which is stay to the debtor is always delay in pound to the kinsman-surety, and that which is delay in pound to the debtor is stay to the kinsman-surety. And it is for the good of the kinsman-surety this is done, and places and territories extend the stay and delay in pound for the debtor, but they extend only the stay for the kinsman-surety. And though the distance of place and territory changes the stay for the debtor and the kinsman-surety, it does not change the natural delay in pound of either.

In C. 686 there are nearly the same words, and the following is added:—

Cach bail a nabram anaó fíu, ír do cintach atá, ocur caē baile i



five 'seds.' Five 'seds' for every unlawful fasting are due of the plaintiff, and their equivalent from the defendant; or, indeed, it is like every other distress, i.e. the half of every distress *is the fine* for taking it unlawfully, as far as one 'Cumhal,' from that to seven 'Cumhals;' there are four cows from that out; five cows, however, is always *the fine* for illegal distress.

DISTRESS.

Not reckoned under this head is the debtor in the distress; honor-price does not give stay if the distress has been taken for the liability of the person himself.

Not reckoned, i.e. the debtor is not included in it. The regulation of the prescription of the distress is mentioned here. That which is stay to the debtor is always delay in pound to the kinsman-surety, and it is for the good of the kinsman-surety that this is done. Places and territories extend the stay and the delay in pound for the debtor, but they only extend the stay for the kinsman-surety. Four 'seds' of the debtor are reckoned in succession: i.e. 'seds' of one day, and of three days, and of five days, and of ten days, for his own liabilities without change of place or territory, and the distress is taken in this instance from each of the three kinsman-sureties, i.e. if the distress has been taken from a person who is the debtor for his own liability.

The stay is one day except where exemptions or exertions *extend it*.

The stay is one day, i.e. there is a stay of one day upon it (*the distress*), i.e. although the stay changes for the debtor and the kinsman-surety according to the distance of place and territory, their natural delay in pound is not changed for either, i.e. it is by stays the distress of the debtor is named, and by delay in pound every

nabair tithim ir tindleogam. Ocur faeram tainic i forba anta runo, ocur faeram aile i forba in faeram rin, ocur faeram aile ma forba-raroe, ocur faeram aile ma forbarange. Ocur da ma tain aen bail no thirao in faeram ocur in tanao no ba compeimniugao in tanao ocur in faeram, ocur cio ba tob ba ria cora beo rin bur anao, ocur cio moir so faermaiob tirat ann begaro anbegeo forcuichrit anao ocur tithim i con chintach, ocur forcuichrit imorpo anao tindleogam ocur ni forcuichenno tithim.

Wherever we say 'stay' here it refers to the debtor, and wherever delay in pound is mentioned it refers to the kinsman-surety. And it was a *period of protection* that occurred at the expiration of the stay here, and another *period of protection* at the end of that, and another *period of protection* after that, and another *period of protection* at the end of that again. And if the *period of protection* and the stay came together they shall run together, and whichever of them is longer shall be the stay; and whatever number of *periods of protection* shall come in succession, they shall change the stay and the delay in pound for the debtor, and they shall change the stay of the kinsman-surety, but not the delay in pound.



other distress from that out. Or exemptions, i.e. diseases, i.e. the exemptions of the distress are *the case of a host being outside which wounds and burns; also the case of the death of a man of the family, or of making the grave of the chief, or of making the treaty of a territory, &c.* Or exertions, i.e. work, i.e. to be assisting hostage-sureties by redeeming them from the hands of another person; these, i.e. each and every one of them, shall lengthen the stay and the delay in pound for the debtor, and the stay for the kinsman-surety, but they do not lengthen the delay in pound for the kinsman-surety. DISTRESS.

There is a distress of one day, which is delayed for two days.

That is, the 'sed' of one day of the debtor and the 'sed' of one day of the nearest kinsman-surety are regulated here, i.e. the stay of a debtor with 'saire'-privilege is here referred to, and the delay in pound of a kinsman-surety, i.e. there is a distress upon which there is a stay of one day in right of stay with the debtor, which is delayed for two days, i.e. this in right of stay and 'saire'-privilege with the debtor, i.e. the natural one day of the 'sed' and the one day of the defendant. The following is the natural stay of the debtor with 'saire'-privilege or without 'saire'-privilege, and the delay in pound of the kinsman-surety. Wherever there are two *periods* of protection or three, it was in succession the *periods* of protection occurred in this case, and should they occur at the same time, only the longest *period* of protection will be allowed. It was at the expiration of the stay that the *period* of protection occurred, and if it was during the stay, the stay then will be extended throughout the whole length of the *period* of protection. That which is the stay of the debtor is always the delay in pound of the kinsman-surety, and that which is delay in pound to the debtor is stay to the kinsman-surety, and it is for the good of the kinsman-surety that this is done. Wherever we mention stay it is to the debtor it refers, and wherever we mention delay in pound it is to the kinsman-surety.

The 'sed' of one day of the debtor in his own possession\* in one place has a stay of one day and a delay in pound of three days. The three kinsmen-sureties have *respectively* stay of three days and five days and ten days, and they all have a delay in pound of one day. Ir. Hand.

The 'sed' of three days of the debtor in his own possession\* in one place has a stay of three days and a delay in pound of five days, and the three kinsmen-sureties have *respectively* a stay of five days and ten days and eleven days, and they all have delay in pound of three days.

The 'sed' of five days of the debtor in his own possession\* in one place has a stay of five days and a delay in pound of ten days. And the

**DISTRESS.** **—** Déc ocuf tpeiré déc as na tpi hinbleoḡnuib, ocuf diḡim cuicṡe acuo uile. Séṡ dechmuiré in chinṡuiḡ ina laim buṡéim in aen muirḡ anuo dechmuiré aip ocuf diḡim naíne déc; anuo naime déc, ocuf ceiré déc, ocuf cuicṡe déc as na tpi hinbleoḡnuib, ocuf diḡim deḡmuiré acuo uile.

### Ocuf cpiḡh.

.1. cio be réṡ uile ḡabur tap cpiḡh in tpiḡaṡmaṡ céṡ in aṡḡabail do chinṡuch, ip anao dechmuiré aip, ocuf naíne déc: anuo imuirpo naíne déc ocuf tpeiri déc ocuf cuicṡe déc forpu cur na tpi hinbleoḡnuib, ocuf diḡim naíne uatha ocuf tpeiri uatha ocuf cuicṡe uatha ocuf dechmuiré uatha forpo uile.

Már tap da cpiḡh tpiḡuit céṡ ḡabur é, ip anuo pichṡe fair ocuf diḡim naíne pichṡe.

Már cpiḡh tpi tpiḡuit céṡ ḡabur é ip anuo tpiḡuit arṡe fair, ocuf diḡim naime déc ap píṡe, ocuf noch a píṡ deḡbir píṡ anta na diḡma do deoiriṡ, aṡ amuil atá do upriṡ ocuf atá do deor po aicneṡ neirum no neinneirum, no luí no clethe, ocuf ní píṡ for do murṡorṡa.

### For fairuit anta ocuf diḡmunh.

.1. foruit muirḡ ocuf cpiḡa anuo ocuf diḡim cinṡuiḡ, ocuf anuo inbleoḡim ocuf ní foruit diḡim. Céṡ anuo cinṡuiḡ diḡim inbleoḡim ocuf diḡim cinṡuiḡ anao inbleoḡim, ocuf ip ap maiche píṡ in inbleoḡim do níṡur pin.

Már a naen cpiḡh atá in pchim toicheṡa ocuf in biṡbuirṡ, muirḡ do píḡuail ó forur in biṡbuirṡ co forur in pchuman toicheṡa. Ocuf muna beṡ ipir, muirḡ do píḡuail o forur in biṡbuirṡ co hor na cpiḡe, ocuf for coimlín do muirḡ beap eṡurruṡ paitiḡeṡ ḡaṡ maṡ oib imia buil ip inunn ip neapṡ, ocuf dechmuiré torpmuirḡeṡ in cpiḡh ip neapṡ, ocuf cach cpiḡh co píḡ in míṡ pṡaṡnóin ḡrupo.

<sup>1</sup> 'Magh'-spaces, literally *plains*, i.e. spaces at the end of which were stations at which the cattle had to stop to be fed. A 'magh'-space is defined in page 109 *infra* to be that extent of ground over which the sound of a bell or crow of a cock could be heard.

<sup>2</sup> *Five days.* The time to be added for every territory is not stated, but as ten days is the time for two territories, it is conjectured that the time for each territory is five days, save in excepted cases.

three kinsmen-sureties have *respectively* a stay of ten days and eleven days and thirteen days, and they all have a delay in pound of five days. The 'sed' of ten days of the debtor in his own possession\* in one place has a stay of ten days and a delay in pound of eleven days; and the three kinsmen-sureties have *each* a stay of eleven days, and fourteen days, and fifteen days, and they all have a delay in pound of ten days. DISTRESS. —  
Ir. Hand.

### And territory.

That is, whatever 'sed' is carried beyond a territory of the extent of a 'trichuit cet' in distress from a debtor, there is a stay of ten days upon it, and a *delay in pound* of eleven days; but the three kinsmen-sureties have *respectively* stay of eleven days and thirteen days and fifteen days upon them, and a delay in pound of one day and three days and five days and ten days upon them all.

If it has been taken beyond two territories each of the extent of a 'trichuit cet', there is a stay of twenty days upon it and a delay in pound of twenty-one days.

If it has been carried *over* a territory of the extent of three 'trichuit cets', there is a stay of thirty nights upon it, and a delay in pound of thirty-one days, and there is no difference in the time of stay or delay in pound for a stranger, but *his case* is the same as that of the native of the territory or the bondsman according to the nature of necessity or non-necessity, or of the lowest or highest person, neither is there in the case of a thing cast up by the sea.

### Territories extend stays and delays in pound.

That is, the *extent* of places and territories lengthen the stay and the delay in pound of a debtor, and the stay of the kinsman-surety but not his delay in pound. The stay of the debtor is the delay in pound of the kinsman-surety and the delay in pound of the debtor is the stay of the kinsman-surety, and it is for the good of the kinsman-surety this is done.

If the plaintiff and the defendant are in the same territory, the 'magh'-spaces from the residence of the defendant to the residence of the plaintiff shall regulate it (*the length of stay and delay in pound*). But if they are not *resident in the same territory*, the 'magh'-spaces from the residence of the defendant to the border of the territory shall regulate it (*the length*), and each of the 'magh'-spaces between them shall extend the time *five days* in going to the next territory, and the next territory to that shall increase it to ten days, and *five days* shall be added for every territory until it amounts to a month for all Erin.

**DISTRESS.** **c. 2723.** Uer aen inaen meathur [ir tperi 'in ala muigh, ir cuicthi i tper muigh, ir dechma a cethraime muigh, ir aone deḡ a cuiceth muigh, ir tperi deḡ a reireth muigh, ir cuicte deḡ a rechtmad muigh, cen motha reo aia mbiaoth anaoth naine irin aon magh uair].

.1. trí feoit ar a mbia anuó náine in aen muig uair. Reḡad feót muige do ceitri rétuib cintuig ann ro rír. Set áine cintuig iar tocaitium feót muige ir cuicte dóc a anuó ocur fíchige a dithim; no cumá tpeire ocur cuicte ocur deachmuíde ocur aine dóc anao cintuig do gúér.

Ir fichatmad anao feoit tpeiri, ocur ir aen fichut a dithim. Ir aen fichut anuó á feoit cúicte, ir tpeiri fichut a dithim. Ir tpeiri fichat anuó a feoit deachmuíde, ir cuicte fichut a dithim.

Set aine in cét inbleoḡuin .1. a mac ocur a ua, ir fichatmad a anuó iar tocaitium feót muige, ocur dithim naine.

Ir aen fichut anao feoit tpeiri, ocur ir tpeiri a dithim. Ir tpeire fichut anao feoit cuicte, ocur ir cuicte a dithim.

Ir cuicte fichut anao feoit deachmuíde, ocur ir deachmuíde a dithim.

Set aine ninbleoḡuin meadonuiḡ, .1. a innua ocur a iarnuua, ir aen fichatmad a feótmad a ana, ocur ir aen a dithim.

Ir tpeire fícutmad anao feoit tpeire, ocur ir tpeire a dithim.

Ir cuic fichut anao feoit cuicte ocur ir cuicte a dithim.

Ir fichatmad anao feoit cuicte dechmuíde, ocur ir dechmuíde a dithim.

Set aine ninbleoḡuin ó a feót dóc amach ocur ir tpeire fichut a anao a feótmad maighe, ocur ir aen a dithim.

There is one day for one 'meathus'-space, three days <sup>DISTRESS.</sup> for the second 'magh'-space, five days for the third 'magh'-space, ten days for the fourth 'magh'-space, eleven days for the fifth 'magh'-space, thirteen days for the sixth 'magh'-space, fifteen days for the seventh 'magh'-space, except *in the case of* the 'sed' upon which there is a stay of one day in one 'uais-magh'-space.

That is, there are three 'seds' upon which there is a stay of one day in one 'uais-magh'-space. The seven 'magh'-spaces of the four *kinds of* the 'seds' of the debtor are considered down here. The 'sed' of one day of the debtor after passing seven 'magh'-spaces has a stay of fifteen days and a delay in pound of twenty days; or the stay of the debtor is three days and five days and ten days and eleven days at all times.

The stay of the 'sed' of three days is twenty days, and its delay in pound is twenty-one days. The stay of his 'sed' of five days is twenty-one days, and its delay in pound twenty-three days. The stay of his 'sed' of ten days is twenty-three days, and its delay in pound twenty-five days.

The 'sed' of one day of the first kinsman-surety, i.e. his son and his grandson, has a stay of twenty days after passing seven 'magh'-spaces, and a delay in pound of one day.

The stay of his 'sed' of three days is twenty days, and its delay in pound is three days. The stay of his 'sed' of five days is twenty-three days, and its delay in pound is five days.

The stay of his 'sed' of ten days is twenty-five days, and its delay in pound is ten days.

The 'sed' of one day of the middle kinsman-surety, i.e. the great grandson and the great great grandson, has a stay of twenty-one days in the seventh 'magh'-space, and a delay in pound of one day.

His 'sed' of three days has a stay of twenty-three days, and a delay in pound of three days.

The stay of his 'sed' of five days is twenty-five days, and its delay in pound is five days.

The stay of his 'sed' of fifteen days is thirty days, and its delay in pound is ten days.

The 'sed' of one day of a kinsman-surety from seventeen *persons* out has a stay of twenty-three days in the seventh 'magh'-space, and a delay in pound of one day.

**DISTRESS.** 1r cuicte fichut anao feoit tpeire, ocuf 1r tpeire a díchim.

1r tpeichatmað anao feoit cúicte, ocuf 1r cuicte a díchim.

1r aine déc ar fichat anao feoit deachmuire, ocuf 1r deachmuir a díchim.

Ocuf na beð feðað muige ó rin amach imoir mað anta; no donno toimuisit muige anta iar feét maige amuil toimuisit reampa; ocuf ní tiasuit muige i nairium ó teacuit cuchia, ocuf 1r deámuir im cuchia crobeð fét; no donno cumað la toeb anta aicinta in feoit no beð in deachmuir, ocuf deachmuir cachá cuchia croida imda.

Deaf anao naine inaen muig 1r cuicte déc anao feétmað muig. Deaf tpeire in aen muig 1r fiche anao feétmað mað. Deaf cuicte i nean mað 1r aine fichut i feétmað mað. Deaf deachmuir i naen mað 1r tpeire fichut i feétmað mað. Deaf aine déc in aen mað 1r cuicte fichut feétmað mað. Deaf tpeire déc in aen mað 1r tpeichatmað i feétmað mað.

Ocuf 1r é mað na haðgabala anho ariuut no cluinuip sué cluic, no gair in cailig ceapc, ocuf 1r cutpuma faiche na mbeaé peppin, ocuf faite in beapá aipnól, ocuf 1r iat rin tpe muige comapda in reanúra.

1r díchim tpeire do gúer do fét aine cinuig crobeð mað, ocuf 1r díchim cuicte dia fétuib tpeire, ocuf díchim deachmuire dia fétuib cuicte, ocuf díchim aine déc dia fétuib deachmuire.

1r díchim naine imupno do inbleoguin crobeð anuð bef do fair, ocuf díchim tpeire for fét tpeire do, díchim cuicte for fét cuicte, ocuf díchim deachmuire for fet deachmuire.

Deaf anuð náine do chinuuch bio tpeire do céo inbleoguin,



The stay of his 'sed' of three days is twenty-five days, and its <sup>Distress.</sup> delay in pound is three days.

The stay of his 'sed' of five days is thirty days, and its delay in pound is five days.

The stay of his 'sed' of ten days is thirty-one days, and its delay in pound is ten days.

And there is no consideration of 'magh'-space from that out to increase *the period of the stay*; or, *according to others*, 'magh'-spaces extend *the period of the stay* after the seven 'magh'-spaces as they extend it before them; and 'magh'-spaces do not come into reckoning after the territories have *come into reckoning*, and ten days *are allowed* for one territory whatever the 'sed' may be; or else the ten days shall be added to the natural stay of the 'sed,' and ten days *shall be allowed* for every territory, be there ever so many.

When there is a stay of one day for one 'magh'-space there shall be a stay of fifteen days for the seventh 'magh'-space. When there is a stay of three days for one 'magh'-space, there shall be twenty days for stay in the seventh 'magh'-space. When there is a stay of five days for one 'magh'-space there shall be twenty-one days in the seventh 'magh'-space. When it is ten days for one 'magh'-space it shall be twenty-three days in the seventh 'magh'-space. When it is eleven days for one 'magh'-space it is twenty-five days for the seventh 'magh'-space. When it is thirteen days for one 'magh'-space it shall be thirty days in the seventh 'magh'-space.

The 'magh'-space of the distress here means *a space extending as far as the sound of a bell, or the crow of a barn-door cock could be heard*, and the feeding-space of the bees is of the same extent, as also the feeding-space of the deer trap, and these are the three equal 'magh'-spaces of the *Senchus Mór*.

There is always a delay in pound of three days for the 'sed' of one day of the debtor in every 'magh'-space whatsoever, and a delay in pound of five days for his 'seds' of three days, and a delay in pound of ten days for his 'seds' of five days, and a delay in pound of eleven days for his 'seds' of ten days.

The kinsman-surety has a delay in pound of one day for his 'sed' of one day whatever stay he may have for it, and a delay in pound of three days for a 'sed' of three days, and a delay in pound of five days for a 'sed' of five days, and a delay in pound of ten days for his 'sed' of ten days.

Where there is a stay of one day for the debtor there shall be three days for the first kinsman-surety, and five days for the middle

**Distræse.** ocur bró cuice do inbleoḡuin meadóunch, ocur deachmuiré don tref inbleoḡuin, ocur íf na maigib cétna inhirin.

Cin tocharáium crúche inhiró; dia mbe tocáitium inuipho íf deachmuiré cacha crúche co crúch cuicrú; no íf aen deácmuiré rruu uile. Faitigir muige ocur crúcha anuo ocur dithim do cintruch, ocur anuo dínbleoḡuin, ocur nochá nrairigir dithim do inbleoḡuin, ocur cío móir do muigib ber íf na crúchuib, nochá nrairigir anuo tar na réit muigi cinnteac ar ecinnreach; no dono co ro faduibírf cío moir do muige no bet ann co hoir na crúche. Ocur in aen crúch atair anó rin in bionuiré ocur in fechium toicheoá; ocur mun buio, íf muige d'airéḡad ó foruir in bionuiré co hoir na crúche; ocur nochá nrairioir muige anuo tar in crúe, ocur tormuige dechmuiré co hoir in míf.

**C. 2726.** [Cenmotha airme ata mo ocur ata lia, achit cía-ringbat anta lia ruirriu crúch. Íf trefi a dithim iar necor; cenmotha reotu a tarpuachtuin.]

.1. amuil dor airtann tall for reotu a anta oc bionuiré do fáirne no turbuiré, .1. ceanmotha na reotu tarpuigir do breit for tulla a feanchur, uair nochá n fuil ne neacur doibíḡ in ne nanta, do bet oruiré acit iar neacur nama, .1. abreit amach [ro ceoir].

**C. 2726.**

Áirheḡur neacur ocur iarneacur ocur eacur dathgabail ar fut, ocur nochan fairéḡur acit eacur nama dathgabail tulla.

Cío íf penecur ocur íf iarneacur, ocur íf eacur ann? Íféd íf ruaneacur ann, an inbuir íf turca bez ro gabad in athgabail ina táinic in foerum, no in turbuiré ann. [Ocur íféd eacur, in tan íf a naonfecht ro gabad an athgabail ocur tainic in in faoram no in turbuiré]. Ocur íféd íf iar necur ann, in tan íf airce for ro gabad in athgabail, ocur ní nama on íf

**C. 2726.**

kinsman, and ten days for the third kinsman-surety, and these in *Distress*.  
the same 'magh'-spaces.

This is when a territorial boundary has not been passed over; but should there be such passing over ten days *are allowed* for every boundary until it *reaches* the boundary of a province; or there is only one *period* of ten days for them all. 'Magh'-spaces and territories extend the stay and the delay in pound for the debtor, and the stay for the kinsman-surety, but they do not extend the delay in pound for the kinsman-surety, and though there should be ever so many 'magh'-spaces in the territories, the stay shall not be extended beyond the *limit* of seven 'magh'-spaces for any unlimited *number of spaces*; or *according to others* it shall be extended, according to the number of 'magh'-spaces which it contains be it ever so great, as far as the margin of the territory. In this case the defendant and the plaintiff are *residing* in the same territory; and if this be not the case, the *number* of 'magh'-spaces shall be considered from the residence of the defendant to the border of the territory; and 'magh'-spaces shall not extend the stay outside the territory, but it (*the stay*) shall increase ten days *for each* until it amounts to a month.

Except cattle which *have passed over* more 'magh'-spaces and more territories, though they lessen the periods of stay by 'ruiriudhs' over boundaries. Their delay in pound is three days after *concurrent* driving out; except 'seds' for immediate seizure.

That is, as 'seds' are detained within in the hands of the defendant by 'saire'-privilege or exemption, i.e. except the 'seds' which are seized to be carried away suddenly according to the Sencus Mór, for they have no *privilege* before driving out with respect to stay, but they have a *privilege* after being driven out, i.e. after their being brought out by the *plaintiff* at once.

The *privilege* before driving out and after driving out and this *concurrent* driving out are taken into consideration with respect to distress with time, but *concurrent* driving out only is considered with respect to immediate distress.

What is the meaning of *privilege* before driving out and after driving out? 'Ria-necur'—the *privilege* before driving out—means when the distress had been taken a short time before the *period* of protection or exemption occurred. 'Ecur'—*concurrent* driving out—means when the distress was taken at the same time that the protection or the exemption occurred *for the defendant*.

**DISTRESS.** — *tairce naimic in athgabail co teach in pechemun toicheoda amach ina tainic in foerum, no in turbuir tall. Ocur tet in foerum a ceann na hatgabala ar fut; co nat fogeltao na bleit na lobao ina ceann peneacur, ocur anuair aecor uodein. Noch a ngebinn gneim in faerum iarneacur do grier; ocur noch a faerunn do fogelt ocur cin bleit ocur cin lobuo do dul ina ceann, ce ro dechfut in foerum iar neacur. Gebio gneim in turbuir ria neacur ocur iar neacur ocur muair eacur buoin, cuna tet fogelt ina bleit na lobuo i cenn na hathgabala ar fut ner in ne rin, ro aicneod anta. Ocur noch a nraitegaur peneacur ocur iarneacur oathgabail tulla aet ecur nama, uair noch a faerunn in foerum nach in turbuir peneacur ocur iarneacur cin fogelt ocur gin bleit ocur cin lobuo do dul ina ceann; aet faerunn inaimir ecur nama.*

**Sic.** *Inaithmuic in focuil ir peneacur, ocur ir iarneacur ocur ir eacur do athgabail: bo gabur peneacur; coir lem cin foguil ocur cin bleit ocur gin lobuo do dul ina ceann, uair ne na breit co hinuo urdaleta, ir ann tainic in faerum no in turbuir; muair ir eacur buoin muirio, coir lem beor cuna oireo fogelt na bleit na lobao ina ceann, uair ir in inuo urdaleta ro gabao in athgabail tainic in foerum no in turbuir.*

*Inuair ir iarneacur imoirio, .i. coir leam cuna oigreo fogelt ina bleit ina ceann, uair ir iar na breit cu ruice ineacur, .i. cu ruice in inuo urdaleta amach, cu ruice teach in pechemun toicheoda, tainic in foerum tall, uair noch a faerunn in foerum in athgabail iar neacur cin lobuo. No dono ir coir lium cuna tet fogelt na bleit na lobao ina ceann ce ro riact co teach in pechemun toicheoda, uair tainic in turbuir tall.*

‘Iar-necur’—*the privilege after driving out*—means when the distress had been not only taken before, but also had even arrived at the house of the plaintiff before the *period of protection or exemption* occurred. And the *period of protection* comes to the relief of the distress with time; so that neither *expense of feeding*, nor tending, nor forfeiture accumulates upon it before *concurrent driving out*, when there is *concurrent driving out*. The *period of protection* never takes effect after *concurrent driving out*; and though the *period of protection* may occur after *concurrent driving out*, it does not free it (*the distress*) from *expense of feeding*, or tending, or forfeiture accumulating upon it. The *period of exemption* takes effect before *concurrent driving out*, and after *concurrent driving out*, and at the time of *concurrent driving out* itself, so that neither *expense of feeding*, nor of tending, nor forfeiture accumulates upon the distress with time during its continuance according to the nature of the stay. *Privilege* before driving out and after driving out are not taken into consideration in immediate distress, *concurrent driving out* only being considered; for neither the *period of protection* nor the *period of exemption* frees it before *concurrent driving out* from *expense of feeding*, or tending, or forfeiture accumulating upon it; but they free it in the time of *concurrent driving out* only.

Explanation of the terms ‘re-necur,’ and ‘iar-necur,’ and ‘ecur’ in distress:—A cow was taken before *concurrent driving out* (‘re-necur’); I deem it right that neither *expense of feeding*, nor of tending, nor forfeiture should accumulate upon it, for before it was brought to the certain place the *period of protection or exemption* had occurred; but when there is only *concurrent driving out* (‘ecur’), I deem it right also that neither *expense of feeding*, nor of tending, nor forfeiture should accumulate upon it (*the distress*), for it was when the distress was taken at a certain place that the *period of protection or of exemption* occurred.

And when it is a case of *privilege after driving out* (‘iar-necur’), I deem it right that neither *expense of feeding* nor tending should accumulate upon it (*the distress*), for it was after bringing it as far as the place where the *privilege after driving out attaches*, i.e. as far as a certain place out, as far, *ex. gr.*, as the house of the plaintiff, that the *period of protection* came for the defendant, for the *period of protection* does not save the distress after driving out from forfeiture. Or else I deem it right that neither *expense of feeding*, nor of tending, nor forfeiture should accumulate upon it even though it had arrived at the house of the plaintiff, for the *period of exemption* occurred to the defendant.

**DISTRESS.** **—** Po aicneas na turbuir a rat no a gairne, ir fai biar a ne cin lobuó; in tan ir iar neacur rin; .i. in tan ir ne neacur inuipno táinic in rærum no in turbuir ir dechmuir a ré aindrin cin lobuó do dul ina ceann, uair tét in turbuir ina deasuir amach co na riauice cu tét lobuó ina ceann; ocur noch a tét in roerum ir in deasuir.

Nach athgabail raidiur firi anuó ar a cuirithur fairne, a anuó.

**Sic.—8. D.** .i. oc bithuó inrin dia ngairbér in athgabail. Ir oca biar a anuó, daig ir iar fut in athgabail, .i. raiuir in firi rin fairne po miad. Ní cumrthairthur anuó ina dithim iar rin, etir cirtach ocur inbleoim .i. la fer ar a ngairbér. Do beir in fairne atcur for anuó, ma dor necma di ne na hecar ar athgabail iar fut. Ní cumrthairthur a dithim in fairne iar neasur, etir cirtach ocur inbleoim.

Uí na ræth dithim for athgabail iar necur, ræthe fogla.

.i. ní fuil turbaóa firi fogla, .i. dia mbe deóbir i nam fogla ní bi fogla. Dia mbe deóbir a naimpír dithma ní

<sup>1</sup> *But the protection does not continue to apply to it after it is out.* Dr. O'Donovan observes that this paragraph has been entirely corrupted by the carelessness of transcribers. If restored according to his conjecture, the meaning of the passage would be as follows:—

But when it is after concurrent driving out the period of protection arrived, I deem it right that both expense of feeding and tending, and forfeiture should accumulate upon it; for when the period of protection arrived to the defendant, the distress had been driven out to a *certain* place, such, for example, as to the house of the plaintiff, for the period of protection has no effect upon it after it has arrived at its destination. But this is not the case when a period of exemption has occurred; I deem it then right and just that neither expense of feeding, nor tending, nor forfeiture should accumulate upon the distress, even though it had arrived at the house of the plaintiff before the period of exemption was announced at the house of the defendant. According to the length or shortness of the period of the

According to the nature of the *period of exemption*, as to DISTRESS.  
length or shortness, shall be the time of non-forfeiture; this is  
after *concurrent* driving out; but when it is before *concurrent*  
driving out that the *period of protection* or of exemption had  
arrived, then the time during which forfeiture cannot take place  
regarding it shall be ten days, for the *period of exemption* con-  
tinues to apply to it after it is out<sup>(a)</sup> and lengthens the time before <sup>aIr. Follows</sup>  
which forfeiture can take place; but the protection does not con- <sup>it out.</sup>  
tinue to apply to it after it is out<sup>(b)</sup><sup>1</sup>. <sup>bIr. Does not follow it out.</sup>

Every distress which has claim to a stay, upon which  
'saire'-privilege is put, its stay—

That<sup>a</sup> is, this *stay* is with the defendant from whom the distress is  
taken. The stay shall be with him, for the distress is with time,  
i.e. the 'saire'-privilege of this man *regulates the proceeding* upon  
it according to his dignity. Neither the stay nor the delay in  
pound is afterwards changed, whether with the debtor or kinsman-  
surety, i.e. with the man from whom it is taken. The 'saire'-  
privilege, if it should happen before the *concurrent* driving out,  
puts an end to the stay in distress with time. The 'saire'-privi-  
lege does not disturb the delay in pound after the driving out,  
whether for the defaulter or the kinsman-surety.

Where delay in pound runs upon the distress after  
*concurrent* driving out, the *penalty* for injury also  
accumulates.

That is, there is no exemption for the person who commits injury,  
i.e. if there is necessity at the time of feeding there shall be no *charge*  
*for feeding*. If there be necessity at the time of delay in pound there

exemption the distress shall remain free from forfeiture. When it is before the  
driving out of the distress the period of protection or of exemption occurred, a  
rule has been made that the distress shall then remain ten days without being  
affected by forfeiture, for the period of exemption follows the distress out and  
lengthens the time before which forfeiture can take place. The period of pro-  
tection, as already observed, does not follow it out at all, and has no effect on the  
period before which forfeiture can take place.

<sup>a</sup> That. S. D. is placed in the margin of the MS. here. These letters, frequently  
occurring in the commentary of this and the preceding volume, refer probably to a  
copy of the 'Senchus,' either the 'Dul Senchus,' i.e., the Senchus Book of  
O'Scoba, quoted in page 135, or possibly to a copy called 'Senchus Dubh,' or  
Black Senchus, by way of distinction from the Yellow Book referred to, page 133,  
from the Irish of which, 'Senchus Buidhe,' the reference S. B., elsewhere occurring  
may be derived.





shall be no delay in pound, *but* there shall be *expense of feeding*, DISTRESS.  
i.e. when, or where, or in the case in which forfeiture accumulates  
upon the distress after its being carried out by *concurrent* driving out,  
*expense of feeding* and tending shall accumulate upon it. *This was*  
*a case wherein a period of exemption* arrived at the time of  
forfeiture, and notice was given at once, it (*the distress*) is then  
free from forfeiture, but it is not freed from *expense of feeding*  
or tending, i.e. this is a case where it was the period of delay in pound  
itself, and not that of the exemption. In the case above-mentioned,  
in the distresses the necessities do not lessen *the expense of feeding*, i.e.  
this was a *period of exemption* which came at the time of the delay  
in pound, and notice was given of it at once, and it saves it (*the*  
*distress*) for that time, according to the nature of debtor or kinsman-  
surety, for it was at the particular time that the distress was taken  
that the protection or the exemption arrived. But when it (*the*  
*period of exemption*) is after driving out, I deem it right that neither  
*expense of feeding* nor tending should accumulate upon it (*the distress*)  
with the plaintiff. This is when the distress is upon stay.

He binds securities about a stay and a proper  
‘forus’-pound.

That is, he seeks security from the defendant, i.e. there is an  
‘inscui’-green in his territory if he is a kinsman-surety. This  
was *the case of a kinsman-surety* who came to submit to the law of  
stay to discover whether the distress had the proper stay, and it  
was not to ransom the distress he came, but he gave the notice for  
procedure, and if he should give the notice for taking distress,  
distress shall not be taken of him during that time, and he shall  
have his time of procedure complete, for it was after taking distress  
he gave the notice; what is necessary *to be done* is to strike a  
balance between what remains of the time of procedure<sup>1</sup> and the  
stay, and whichever of them is the longer shall be the stay for it.

This is *where* a hostage-surety was given for the observing of  
‘Urradhus’-Law, such as there is in ‘Cain’-Law for the keeping of  
‘Cain’-Law; or, *according to others*, there are no pledges in ‘Urradhus’-  
Law at all; *there is only equal acknowledgment* in ‘Urradhus’-Law.

What pledges are these? These are pledges *given* to the chief of  
‘daer’-stock, and this hostage-surety is for the observance of the law  
of tenancy. *As to* all pledges whatsoever from the pledges of the



'aire-tuisi'-chief upwards, it is at his own discretion whether distress is to be taken, or what is the right of the heir of the dead chief.<sup>Distress.</sup> *As to all pledges from the pledges of the 'aire-tuisi'-chief downwards, it is in the choice of the plaintiff whether he will take distress of them, or the right of the heir of the dead chief, &c.* <sup>Tr. Death seizure.</sup>

That is, concerning this description of seizure and the deeds by which the pledges are taken, the following law, or the following book treats.

Every beast that is in a man's possession may be legally distrained.

Pigs are shut up in a sty, sheep in a fold, for their own trespasses. 'Bac'-enclosures are to be used for horses, except foals, which are enclosed in a 'comann'-pound.

In the distraint of barren cattle that are not in a cowhouse, a stone is to be thrown over them thrice before witnesses, after which they are put into a 'comann'-pound for a day and a night.

In the distraint of hens, their 'aras' is taken up if in a house, or let a stick be put on their house, if in the top of a tree, a 'gad'-tye is to be put at its foot, and a shot to be thrown over them, and a prohibition of hedge-crime that they be not taken away, i.e. let their wings be clipped and a spancel be put upon them:

In the distraint of a chained dog, let a stick be placed across his dog-trough, and a prohibition made that he be not fed; if he is fed after this, there shall be a man trespass upon him. The same for a dog that herds the cows and for a dung-hill dog, a cat, a lap-dog, and a greyhound, if they be in a residence; if they be not, let the chain be taken up, and a prohibition given as to each of them.

What is the mode of distraining every kind of men of art?

Not difficult. As to the distraint of a smith in the first place, let a 'gad'-tye be put on the anvil and a prohibition issued that he do not work any material upon it until he cedes justice to thee in what thou suest him for. Let the same be done in the case of every one who has an anvil.

As to carpenters and shieldmakers and people of every class using adze and hatchet, let a 'gad'-tye be put upon their tools, and a prohibition be issued to them that they do not construct any piece of work with them until they do justice to thee. If they abscond, take their distress like that of every non-professional person.

As to the distraint of a physician: let his horsewhip or his probe be taken up. If he has not the proper number of such things, let a

**DISTRESS.** be lín coir, lair, rnaithi immón inéir ar nérain dón lúdam.  
 — Mani damá ír elud do; ocuṛ apud la caé nachgabail tob.

Áithgabail ecir; toṣṭar in nechlaire, ocuṛ apud ná nár naíob fíu ae co ndéirna ceir fíu.

*Sic.* Áithgabail aera ecolra; tṛoṛcat ocuṛ apud iarām nár nṣeba a paiter naé a cṛeṣo ocuṛ nár tet do racaṛraic ocuṛ do aubairt. Máo aer ṣṛaio no aer cṛeioṃe in tois a cluic no in éoir a altoire, ocuṛ apud ná no oiffrutheir fíuiri, ocuṛ nár mbentar clac do ṛaṛaib. ‘Do aṛchinnochaib ocuṛ aerṣṛaio inṛo. Má aṛloat ṣaibter a fercí no a mblicṭa, mana tṛncatár.

Áithgabail rú; tṛoṛcat iar nár nár éir. Iarao fṛo laoga mana be aithech fṛoṭa lair. Áitheé bunarṫ fṛon folaing cṛta rú do ṣṛer; oṛe ní connoirí a athgabail aṛrú. Mana be aiteé fṛoṭa lair, aitheé a fṛer fíne ina cṛaio, ocuṛ raiṣi fíne uilí lair; aṛlan aṛuṛ do coṛuṛ fíne, raiṣi do cach lair in naile.

Áithgabail dam in aṛmṛer eṛraíṣ, cumṛcuṣaṫ in amlaig fṛoṛaib, ocuṛ apud nár naíṭarṛ inoib; máo aṛrṫarṛ tairuṛ, ír uoime cín.

Áithgabail bech, iaraoṫ fṛoṛaib. Cṛo ar nṣaibter fṛo beṫaib. Áṛ cín a mbel. Áṛ aṫe .iii. a fṛoṫa aṫa annṛom fíleṫ do éir, oṛṣaín do beṫaib ocuṛ echaib ocuṛ mucaib.

Co fṛoṛconṣar fṛoṛ ná bechaib fṛoṫí ír annṛa athgabail neich tob fṛeich ino aile. Nín. ‘Do teir fṛer tṛu co fíadṛaib lair. Tídeál no baṛr blaiṫe lair fṛoṫí ina mbech; ocuṛ teir iarām do timṫirech in leṛtair, co fíadṛaib lair conṫaccaí coṛín comarṫu aṫṫoṫíṫe; ocuṛ iarām fṛoṫconṣar fṛoṫu rínn tairṣillne. ‘Do

<sup>1</sup> ‘*Gad’-tye*. This is inserted on conjecture.

<sup>2</sup> *Boundary pledge*. Tairṣillne would appear, from O’D. 1024, to be a sort of guarantee that the bees would not pass beyond the land which is nearest them on every side, whether much or little.

thread *be tied* about the finger next to his little finger. If he does not cede justice, it is *the same as* absconding on his part; and *let there be notice served* for every distress taken from them (*the physicians*). DISTRESS.  
—

*As to the distraint of a poet* : let his horsewhip be taken up, and a warning given that he is not to make use of it until he cede justice to thee.

*As to the distraint of ecclesiastics*: fasting *is to take place* and afterwards notice *is to be given* that they say not their Lord's Prayer nor their Creed, and that they go not to the sacrifice nor to the offering. If they be persons in orders or religious persons, *let a 'gad'-tye*<sup>1</sup> *be put* upon their bell-houses or at the foot of their altar, and a warning given that there shall be no offering made upon it, and that the bells for the hours shall not be rung. This refers to 'Airchinnechs' and persons in orders. If they abscond let their dry cows or their milch cows be seized, unless they tender justice.

*As to the distraint of a king* ; he is fasted on after proper notice. Let his calves be seized if he has not a steward-bailiff. This is an original steward who always sustains the liability of a king ; it is what saves him from being distrained as a chief. If he has not a steward-bailiff, his steward of the family *is responsible* for his liability, and the whole tribe is sued with him ; their face is safe from disgrace in the tribe law, when each of them is sued with the other.

*The mode of distraining oxen* in the spring time, is to move their harness upon them, and to give notice that ploughing shall not be done with them ; if they are used for ploughing, despite of this, it is a personal crime.

*The mode of distraining bees*, is to close upon them. What is it that bees are distrained for? For the crime of their mouths. For, the three most difficult *to be estimated* damages which appertain to land are—the damages of bees and horses and swine.

How are the bees made liable, since it is so difficult to seize upon any one of them beyond another? Answer. The man that owns the land goes with witnesses along with him. He takes a 'tideal,' or a flowery branch with him which has been eaten of by the bees ; and he goes then to the aperture of the hive, accompanied by witnesses until they have seen them and the mark which they make *on the flowers* ; and their violation of boundary pledge is<sup>2</sup> sworn upon them. This (*i.e. what follows*) is secured to him. He is paid in

**DISTRESS.** — **nairegelltar do.** 1<sup>o</sup> **fochraic do tóruib, no raite do do rí bech,**  
**co rabat beich lair feirrin.** Manata **per tuu do aircealltar**  
**do rin irre rmaét rí rruí, oíri neich aroirí oib inn a thír.**

**Taurbair aithgabala, .i. ríog hí maig loirceí ocuí gonaí ;**  
**ríog apec rir muimtir ;** **peratath pláta ;** **deilí conualai tuaithe**  
**nach do celair nacha.**

**Cach taurbair oirunn ír gona auruí rín ;** **ma gílu, fochantúo**  
**cona aithgenim íar taurbaithe ríerí bñetheman.**

**Nach aithgabail dān do neim, damu arut, nír dūmairiut**  
**aíteríac áct am ríu, ar ír forb pláit ríu do cach.**

**Al meth dān ocuí íreul. Meth dī mana tairí aitóe nólígter**  
**maní deiríu terbair. Seul ma deiríu no imoroin. Ní meth ní**  
**reul oíra lachí rō narar nancuma amlíth ;** **nacha dīthim per**  
**1 do beirí eríul co tóir co gell no mbíth co tarairíu fear beirí**  
**ai gell dī. Arber in per conai, ní gellíu dīa ac ríu inoiríu**  
**íruíu. Píomtarí maith eirí íaríu ríu ríolair in aithgabail,**  
**ocuí do bongatar in rmaéta.**

**Nac dūine dān íarí abí foríu ríu ní bī nemter ríuríu**  
**laí, ar ní olíg ríuríe.**

**In tan gairter aithgabail mana arta aígí cín ríurí rō**  
**cétoir, co ná narra dīa cuíte in tan dombíur 1 foríu, aocu-**  
**ríu cuíte inathíuríach íarí arta cínarí.**

**Dem aithgabail cuítehí do roburtar 1 ríerí, anath cuíte**  
**íarum.**

**Dem aithgabail ríerí do roburtar 1 cuíte aníu ríerí**  
**íarí arta cínarí, ír aírí narar íarum in aithgabail.**

**Ar ír iníuríu cāc nínbleogān ;** **foríu ríurí do**  
**céiríu ;** **nír nígāb nír ríuríu ;** **olomtar ríuríu ;**

<sup>1</sup> *Ignorance.* Not knowing the way to the place where it was to be delivered.

fruit, or in a swarm of young bees,\* so that he might have bees of <sup>DISTRESS.</sup> his own. If this (*the preceding compensation*) is not secured to <sup>a Ir. Bee-</sup> the owner of the land, the penalty of the case is, the lawful right <sup>seed.</sup> to such of them as he shall catch in his land.

Exemption of a distress, i.e. *when there is an army in the field which burns and kills; a retributive army upon his immediate family; the case of raising a tomb to his chief; of a plunderer which has entered the territory not for killing or wounding.*

Each exemption of these must take effect at his house; if he gives a pledge, he engages to restore it (*the distress*) after the exemption according to the judgment of a Brehon.

Every distress, therefore, *which is taken* from a distinguished person, if with time, cannot be distrained again, *within the stay*, but by a king, for he is a chief superior to all others.

*As to failure then and absconding with respect to it (the distress).* It is failure with respect to it if it does not come on the night in which it is due, unless there has been driving away *by another claimant.* It is absconding if it be a case of ignorance,<sup>1</sup> or driving over the boundary. It is not failure, it is not absconding when it is milk that is engaged in the case, should it be in milkless cows *payment is made*; nor does the man who carries it over the boundary *terminate* the delay in pound if he comes with a pledge or milk, until the man whose it is gives a pledge for it. The man who guards it says: "I shall not accept a pledge now except from a proper person." Let it be proved, then, that the *supposed* ignorance is an absconding as regards the distress, and the fine is recovered.

No person, now, who has not *power of* releasing, has privilege of binding, for he is not entitled to bind.

When a distress is taken, unless an advocate fastens a liability on it, and does so fasten it within five days when it (*the distress*) is brought to a 'forus'-pound, there are five days more of *stay* added after the liability is fastened.

If it were a distress of five days' *stay* that remains for three days, there is a stay of five days *upon it* afterwards.

If it were a distress of three days that remained for five days after the fastening of liability, it is for that *term* the distress is bound afterwards.

For every kinsman surety is worthy; three carry off to four; he does not seize, he does not carry off;

**DISTRESS.**     rlan cach dídú; daerí cáé dícéll; arí fen arí innó  
chun díthma; fíu fóruir; ná comdínadar cín fíu  
raiche.

Ar ír innraic cáé nínbleogan, .i. írr co ninnracur ír óenti  
dof. Fozla triar, .i. feichem ocur fear taircill ocur ríadnairí. Do  
cétrur, .i. brétem ocur óenairm ocur aitríe fechem ríuráice accra,  
.i. curap comgrao do fúioiu fear aógar. Níu nsaib níu fuaatnge,  
.i. arí tet fechem do asabail in fúirig, .i. la bíobao. Ólomtar  
ríadnairí, .i. aon ríadnairíoc an athgabail, ocur oca turbar. Slan  
cach dídú, .i. ciat be lat ír in lír. Daerí cáé dícéll, .i. ma no  
múgaróter amuis. Ír de ata, do boing accra eiric, .i. co tet in eiric.  
Aitríe fongill no ollam bíto íche beiríe bíth fúirí. Arí fen arí  
innó chunn díthma, .i. o do roétatar arí amboéa cora amail mbíto  
a huirí, .i. oen ocur eirí 7n. Fíu fóruir, .i. ríeíur, .i. ír aon do eirí  
ro óeíó. Ná comdínadar cín fíu raiche, .i. cíó mó in athgabail  
óóarí in cín.

Ferí óono díá nólígterí athgabail do tabairt í fóruir aitríe  
naircínne, co tairí fúine ngréine ní hacíao. Acé tairí tect  
hí lígí, no tí óono cíó ní maíóin arí amíao ólígterí. Feraíó  
boin mana tí aitríe luain. Maó co tech ínfó í mbet fúine,  
aríufuirígíeo a tíacéain inna athgabail inn aitríe fín. Maó  
co crícha, no co farí, ír ecen ríadnairí inóraic occo.

Athgabail óana íar ná aile, ce ní tairíe fúine ngréine, acé  
do aitríe ní aría cloatarí a éle fái nuao; ní nacíao. Ír de  
írrubíao; óenache ólomao ríaoa tarí cenó aláile. No acht tí  
óana maíóche ríao ríadnairí, ocur beiríar do aría bárach co a  
teé fadóirín.

Athgabail fóir níatar in ecnairíe nech no fuaatígar, innraic  
dí a farí co inóraicc.

Ma fuaóac nóímaíre no fíu aitríe írúng a farí, arí nab  
taíoe.

Athgabail tría tréirí ocur cíó aine; ní fúil fóíta fíua léra

<sup>1</sup> *Green.* This paragraph of text has been restored by conjecture from the gloss, which is without text in the MS.

<sup>2</sup> *But.* In the margin of MS. 'aireo,' 'it is,' is suggested for 'acc,' 'but.'



a witness is named ; every protected *thing* is safe ; every thing not sheltered is condemned ; they (*the 'seds,'*) are collected at the end of delay in pound ; at a 'forus'-pound ; the debt is not to be equalized to *the distress* in the green.<sup>1</sup>

For every kinsman-surety is worthy, i.e. it is by worthy persons shall be effected *the seizure* which is *carried off*. Three carry off, i.e. the plaintiff, and a pledge-man, and a witness. To four, i.e. a Brehon, and a binder, and a surety, and a plaintiff equal to the suit, i.e. that the man he sues is of equal grade with himself. He does not seize, he does not carry off, i.e. because the plaintiff goes to seize the feast, i.e. along with the defendant. A witness is named, i.e. one witness at the seizure of the distress, and at the exemption. Every protected *thing* is safe, i.e. though they be with you in the 'lis'-fort. Every thing not sheltered is condemned, i.e. if found in service outside. Hence comes the maxim, "demand recovers 'eric'-fine," i.e. how does the 'eric'-fine go? An 'Aire Forgill'-chief, or an 'ollamh'-poet it is that gives judgment upon it. They (*the 'seds,'*) are collected at the end of delay in pound, i.e. when they have come to a fair adjustment as to what the times may be, i.e. one day, and three days, &c. At a 'forus'-pound, i.e. of the king, i.e. it is there it (*the distress*) becomes forfeited at last. The debt is not to be equalized to *the distress* in the green, i.e. should the distress be greater than the debt.

As to a man, now, who is bound to bring a distress to a 'forus'-pound on an appointed night, if sunset has come, he is not sued *for fine*. But<sup>2</sup> he comes before going to bed, or he comes at any time before morning, and it is in such case it (*the liability*) is bound upon him. He pays a cow if he does not come upon a Monday night. If this be to a house in which there are people, they bear witness to the coming of the distress on that night. If it is to fields, or a waste, there must be proper witnesses with them.

As to a distress, now, which is due to another person, though it came not before sunset, yet it has come as far as that his comrade hears a shout from him *who brings it* ; he is not sued. Hence was said : "In the case of late persons, let witnesses speak for one another." Or, *he does not come then* but he comes even in the night before witnesses, and it (*the distress*) is conveyed to him on the morrow to his own house.

As to a distress that has been taken in a person's absence, a worthy person gives notice of it to a worthy person.

If it be a carrying off without asking consent, or by night, *the distrainer* himself is to give notice of it, since it is not a theft.

As to a distress of three days' stay, and even of one day : there are no clothes for his benefit but his own clothes, i.e. a man who is

**DISTRESS.** *ac̃t a folta fadearin, .i. fep olizef altrum folā ailturuma fpuir.*  
*— Inpuoracht folā inpuorēcta fpuir a tectai, fpu cāc nathgabail.*

*Ac̃thgabail cinaio, ocuf ac̃thgabail tobais, .i. fain cēctarhai;*  
*ni tiasat cēctarhai fpu apaille.*

*Ac̃thgabail gona duine, ni teit fpuir ac̃t guine.*

*Ac̃thgabail gairde, ni teit fpuir ac̃t gāt.*

**Sic.** *Ac̃thgabail aipir, ni teit fpuir ac̃t aipir cob ēri co bo tpi*  
*cāc nai, ac̃t aipir rīg; oliziorīde fecht cumala inna aipir.*

*Ac̃thgabail cinaio ni teit tpi fecht cumala; ap na para fecht*  
*cumala ni teit ac̃t aon ēin fpuir.*

*Nimtha ac̃thgabail tobais; do bonza oi cīo lōg fīchet cumal,*  
*cīo fēlba, cīo raṭa, cīona aill olchena.*

*Fep bīr fpu folta cinaio fīne i tuait, ni gairteir ac̃t teora*  
*ac̃thgabala aipe. Tpi cinaio fop cāc nai, con po nartar fopa*  
*cāc ceonai ni gairteir aipi; aipir nomor do imluat bep mar e in*  
*fep apnoīct ac̃thgabail a cinaio a cēile. Secht feota dec fpiir*  
*inn, no deic mbai dīctmai ocuf oi bai inna ac̃thgabail. No inoech*  
*ocuf oi bai inna muin, a dī no eē inoedē.*

*Omāil pon chara nech focāir a fmaṭta o po metha inn*  
*ac̃thgabail. Cīa apberat a laile ni tuīct a fmaṭta ai, ap .i.*  
*ember a rathe ata fon; ap .i. dīfīdīu apribat; ni tuīct*  
*fmaṭta ai; ni tuī colaino gēllai.*

*Mao lūlacai, .i. oia cuīctē; mao ba inoīlaoza, .i. oia*  
*decmāide.*

*Sīnāct oarta namma do na fpuirīteir cuīctē na decmāio;*  
*ac̃t .i. taitē gaimpīo, fobīth bep bīo gaimnāc a mathair fpiir;*  
*co noechard a oīrca ni hepinar.*

*Cīo gaimpīo oin napan berer bīc a faimpīo apretar a*  
*fmaṭt; no bīo a gāimpīo cīo a faimpīo napan.*

<sup>1</sup> *'Aīrer'—fine.* In C. 347 'aīrer' is thus explained:—"The seventh part of 'Eneclann' is the 'aīrer' of every grade up to the grade of seven; and a 'cumhal' is the 'aīrer' of every grade from that up to the king of a province, or of Ireland, and two 'cumhals' for him."

<sup>2</sup> *Restitution in kind.* 'Inoēc' means restitution in kind, i.e. a milch cow equally good for every milch cow; an in-calf cow for an in-calf cow, &c.

entitled to have fosterage performed shall have fostering clothes of his own. If clothes have gone into prescription, all things that appertain to them go into prescription also, as regards every distress.

The distress of a debtor himself, and the distress of his kinsman, differ each of them; they do not either of them agree with the other.

As to a distress for the wounding of a person, there goes upon it but the penalty for wounding.

As regards a distress for theft, there goes upon it but the penalty for theft.

In the case of a distress for 'airer'-fine,<sup>1</sup> there goes upon it but treble of the 'airer'-fine, except the 'airer'-fine of a king; he is entitled to seven 'cumbhals' for his 'airer'-fine.

The distress of a debtor *himself* does not go beyond seven 'cumbhals'; upon what does not exceed seven 'cumbhals' there goes but one debt.

Not so the distress of a kinsman; there is recovered from him even to the value of twenty cumbhals, whether lands, whether stock, whatever else besides.

As regards a man who is responsible for the misdeeds of a family in a territory, there are but three distresses to be made off him. There are three misdeeds upon each of these, and until any further misdeeds are fastened upon these in the same way, none is distrained for it; for, very great is the driving of cattle that shall be if it is upon the man a distress shall fall for the misdeed of a member of his family. There are seventeen 'seds' to be exacted from him for it, or ten cows for the failure, and two cows for the distraining of him. Or restitution in kind,<sup>2</sup> and two cows along with it, two cows or a horse after.

In the same way that restitution in kind fails (*i.e. that he is condemned in it*), his fines fail when the distress fails. Others say that his fines of suit ('ai'), do not fall, because it is in the cases of security that occurs; for it was of them was said: "The fines of suit, ('ai'), do not fall; the value\* of pledges does not fall."

\*Ir. Body.

If they are milch cows, it is after five days *they are paid*; if in-calf cows, it is after ten days.

It is in case of a fine of a 'dairt'-heifer alone that there are not fixed five days, or ten days; but this is in the beginning of the winter, because that its mother is a stripper in its place; until she runs dry it (*the fine*) is not paid out.

Though it be in the winter it (*the debt*) is fastened, still it is in the summer its fine is paid; or it is in the winter *it is paid*, though it be in the summer it is fastened.

**DISTRESS.** Imorur nathgabala tra. Athgabail eagar tar crié, aium in asar no in arata ar ann a forrulsu; arreo a forur. Zell si, co imocbail iarann co crich teéta.

Athgabail foéais a chumac.

Athgabail pláta aru éile im teéta pláta, ir tech inna pláta a forur.

Al cumac arao ar a manac; ocuf athair ara mac; ocuf ríth aru fclmac.

Athgabail gairber fer dāna fpu ler no diubarra, co teé o forur. Athgabail gairber aierom a cumac, acé biatairrom cach noccoi. Ceo biathao fo miao inn fpu. Curo etan a muinntir do iarmoéa rin.

Forur teéta tra do athgabail, forur ara ruaislithir si.

Ar atat foruir ar na ruaislithir si athgabail. Al bnet fo cleé; a bnet a nuaim; a bnet a noitrib; a bnet foi fto; a bnet a nooirche; ar ic foruir rāoat ocuf inoige. Co tuicter sin cach aithgabail i foirce ocuf ir pollur ni ruaislithir si.

Ala dono forur dila cinra si aithgabail, .i. a fuprech i noail imbi ru, no eprcop, no fui, no uaral nemro fchup é; a fuprech i faichi cainte, no fpu nao fuisngat ghuairi, ar ni daimfide oligiuth iur do dwine.

Fer do beir aithgabail i forur no be fiaonairé lair occo. Alaro iarfin into athgabail la fer do dobeir a forur co ngill, no sin, no dithim. Ma dithim si, do beir i faichi into atig, no mbachlais, no into aignot; ocuf do tuir dia deémarde mana ruaislithir si. Cia arberat alaile nan tuicet acé a éig aierac tuir, fobit fiaonairi innraice, ocuf na bas ecomine arail.

Ala dono, Zell tar benna, no Zell tar eochu, si athgabail iar noitrim. O no icarpon cin fpu gairber, con negar iarann

<sup>1</sup> *Residence.* The residence of a chief, or any other lawful place to which it should have been driven.

*As regards evasion of residence<sup>1</sup> of a distress, now. As to a distress* DISTRESS.  
which is driven over the boundary, the place to which it is sent is the place where it shall be released; it is its residence. There is a pledge given for it, and it is afterwards brought to a lawful place.

The distress of a 'fothach' is made in the same way.

*As to the distress of a chief upon his tenant for the dues of the chief, the house of the chief is its residence.*

It is the same with the distress of an abbot upon his tenant of ecclesiastical lands;\* and of a father upon his son; and of a tutor <sup>a</sup> Ir. Monk upon his pupil.

*As to the distress which a poet takes for a just claim or fraudulently, his house is its residence. A distress which is made upon him is the same, but he feeds the people himself. The first food is according to the dignity of the man who sues. He has the prescribed share of his people from that out.*

A lawful residence, now, for a distress, is the residence in which it is released.

For, there are residences in which a distress is not released. If carried into concealment; if carried into a cave; if carried into a wilderness; if carried into a wood; if carried into a dark place; for these are the residences of thieves and outlaws. Until every distress is brought into light and manifestation it is not released.

There is, however, a residence which washes out the liability of a distress, i.e. to seize in an assembly in which there is a king, or a bishop, or a professor, or a noble 'nemidh,' whoever he may be; to seize in the green of a satirist, or of a man who does not suffer 'gruaidhi,' for he vouchsafes no right whatever to a person.

A man who carries a distress to a residence shall have witnesses of the fact along with him. The distress remains after that with the man who has taken it to a residence, until it be released on pledge, or remission, or until the end of delay in pound. If there is delay in pound, he takes it to the green of a farmer, or of a shepherd, or of the advocate; and it falls to the plaintiff after ten days if not released. Though others say that it does not fall or become forfeited to the plaintiff but at the house of an 'Aire Tuise'-chief, in order that there should be worthy evidence, and that any other place should be deemed not sufficiently public.

There is, too, a pledge given for horned cattle, or a pledge for horses, if taken in distress, after delay in pound. When, then, the debt for which it is seized is paid, the distress is retained by him



afterwards, and he makes a demand upon it, or retaliation<sup>1</sup>; and he DISTRESS.  
*(the creditor)* does not retaliate, &c., unless it *(the debt)* has been fastened  
 by verbal engagements, in case of delay in pound. Should there  
 be verbal engagements, however, they fasten *two retaliations*; and  
 this is no wrong, because the *first* distraint does not answer, except  
 for the debt for which it was made. If it is for three retaliations,  
 unless they have been fastened they cannot be recovered off it.

If pledges are given for it *(the distress)* in the meantime, he *(the debtor)* is bound over to appear in court to *clear it off*; and the  
 distress is then detained for the other two debts; and he is bound  
 to answer the first debt.

Bind securities for the full debt of this distress for the adjudica-  
 tion of which the security is given. Bind securities too, that you  
 will pay from you to me this distress for the other two demands *(or debts)*  
 in all fulness; in every residence; in all usages; in all goings  
 forth; in all things determined *by the law*; in every determina-  
 tion; in all evidence such as appertained to it at first. Only three  
 days, or five days, are given when *the distress* is not lengthened out.  
 It is in this way the right method of returning a distress is observed.

Why is it not upon stays of law that the four modes of *distraint*  
 are based at this day?

Answer. *Because of* the ignorance of the advocates who seek to  
 solve the difficulties; and the incompetency of the judges who  
 cannot estimate the stays of law. For, if the law of one day or two  
 days be given, i.e. to *three days*, or of two days or three days to the  
 law of one day, sureties are sued and stripped *(made to pay)*. Let,  
*then*, a stay be re-issued; let justice be dispensed, unless it is  
 according to law every legitimate stay has issued; for, forcing the  
 stay of one day upon two days is not a truthful case. Unfairness  
 shall not be suffered. It *(the debt)* is not paid: there is no stripping  
 it, it is no wrong.

## INCIPIT DO GHUMUIB GIALL ANHSO.

HOSTAGE-  
SURETIES.

Ո՛ր ճումարն ճիւղ ճարեք.

Ին ճիւղ աշբեր թոյն ու ալթերոնն ետր թաճա օգա, աշտ ան  
լանն 1 միւտ, օգր օլթաճ ճիւղն ճաճ ուրօշի օ օնն թէտ  
նորօճի թիւտ րոն լանն մու Բիւր; օգր թանկն ճիւղն ճաճ  
նորօճի թոն Էրի հարձի թեմուշա, օնաճ Բ՛ Բիւ թիւտ րոն միւ.  
Օգր թա թրաճ Բիւրն թե թիւթ անո րոն, նա ճեթա օրտ աշտն  
աճ. Մար թիւթա մարթո լանն ճիւղ, Էտր թանկն օ օնոշ  
մար թիւթաճ ա լանն Էրի, օգր օրտ աշտն օճ նեիւ թոթաշտ  
մա լանն, ո՛ր թիւ ա թոթա թոն թոն մա թիւթաշտ, աշտ ան տան  
ր ալ թոն թեմում. Աշտ մա թեմ, օգր մա թիւթաշտ  
թո թիւթաշտ Էր թեմ օ օնոշ, թեթ նա օրտ օրտ  
Էր թոն թիւթաճ Բիւրն օգր թեմում թիւթա; օգր մա  
Էրտն թոն Բիւրն թե ճիւղ ան թեմում թիւթա, ր թե  
նարթ թիւ թիւթաշտ օգր ո ո թո ճիւղ, օգր ճո օնոշ, ո  
ն ճա ո Բիւ թանկն նա թիւ.

Ճոն մարթո աճ ա օնա.

Արթաճ Էրտա Բ՛ Բիւր. Ին Էրտա Բ՛ թիւ թոն ր թէտ  
մա թիւտ մոնաիւթա օգր Էր լուլա; օգր ա լեթ րոն ճալաճ 1  
նճիւղ ճաճ ուրօշ օ օնաճ ան Էրտա աշտ, օնոշ թանկն ա  
նեի ճալաճ րոն ր ան օնոշ րոն Էր 1 ո՛ր; օգր մա օրտ Էտր  
ան թիւ օ Էր թեմում թիւթա օգր Էր թիւ, ր թանկն  
թա Էրտա օ օրտն օ օ րոն, օգր օնոշն օգր թանկն ան  
թեի Էտր անա.

Ճե լեիթ ան Էրտն Բիւր օնոշ օ :

Ճե թիւթա թե ճալա ան ճիւղ ճաճ ուրօշ օնոշ օնոշ

<sup>1</sup> *He incurs an implied promise.* C. 687 says: "The hostage-surety incurs the liability of sixteen screpalls every night during the thirty nights."

<sup>2</sup> *Cows.* If we take eight 'screpalls' for the value of a 'colpach'-heifer, as given in C. 1266, and take for the value of a cow twelve 'screpalls,' which is given in the same place, as a value for a 'samhaic'-heifer, then twenty-seven 'colpach'-heifers = eighteen cows, and the addition of three cows gives twenty-one cows.



*The Law of SERVICES OF HOSTAGE-SURETIES BEGINS HERE.*

OF the services of hostage-sureties which are taken. HOSTAGE-SURETIES.

The hostage-sureties which it (*the law*) mentions here it does not mention between chieftains, but *the person* in whose hand they are, and he (*the hostage-surety*) incurs an *implied* promise<sup>1</sup> of a 'colpach'-heifer every night to the end of twenty-seven nights for the *person* in whose hand they are; and in like manner he incurs the implied promise of a *cow* every night of the three last nights, which amount to *the value* of twenty-one<sup>2</sup> cows in all. And should the defendant then come to submit to law, perfect restitution would be obtained from him. If, however, the hand of the hostage-surety was emptied, double shall be paid him of what was taken away from his hand, and perfect restitution of everything that was left in his hand, there is no choice to them here respecting taking it up, except when the plaintiff likes it. But if offer of *law* was not made, and if trespass has been committed after the absconding of the debtor, the four body-fines shall accumulate in consequence of the illegal *conduct* of the debtor and of the plaintiff; and if the hostage-surety of the plaintiff sues the defendant, he must allow him time of notice for trespass and what he *incurred on his implied* promise, and though he does not submit to *law*, he shall not the less be subject to seven '*cumhals*' and double the debts.

This is what is in 'Cain'-law.

For what is given amounts to thirty cows. The thirty cows which are here *mentioned* are twenty-seven in-calf cows and three milch cows; and the hostage-surety incurs the *implied* promise of half of this *nightly amount* every night to the expiration of the thirty nights, and the double of what he becomes liable for is to be *paid* by the five nearest tribes; and if it be he that pays this debt to the plaintiff and to the chief, he shall obtain double the two-thirds of his body-fine from the tribe, as well as honor-price and double the debt which he pays to the plaintiff.

This is the old reading of the same "Yellow Book"<sup>3</sup>:—

The hostage-surety incurs the liability of sixteen '*screpalls*'

<sup>3</sup> *Yellow Book*. This was probably a Yellow Senchus, "Senchus Buidhe," from which the reference S. B. may be derived.—*Vide* note, p. 115 *supra*.

**HOSTAGE-SURETIES.** — oirdce, ocuf re rgnruill ceactar de in da oirdce fuilte forrín trichuit oirdce, conno feét cumula doptom o ríne, ocuf ruinn canai forru.

Doil Senchur hí Scoba ro rí.

Colpach ceitru rgnruill gac noirdce co ceann ceitru noirdce fichet, ocuf trí ramuice gac noirdce do na teora oirdce degnacha, cona deé mba fichet ramluir. Cinuio fon aile beaf doib díur, .i. a cutruma eile lair in cinuio acartur for in gíall do ic, ocuf coirpóire in gell, ocuf einelunn dia tairctep dligé, ocuf muna tairctep ní fuil ní eir, uair ír shn ata eiric asna borblachuir in tan tarasó dligé.

Arpuio trichu mbuair berur.

.i. in trichu bo doptime runn teora luluca ocuf feét mba fichet inlaeiga, cunio bo ar fichit ramluir, do lulucú, cunute rín feét cumula upruoir. Oét rgnruill gealla gíall cac noirdce in upruoir, ocuf leé nuingí a cain, cuna diablu doptom donni gealla. No, ar da ba déc ferí doptime runn po cetóir, ocuf na da ba díghma in gell; ocuf in tricha bo doptime runn, .i. luluca, cuní da ba ar trichuit ramluir, conno feét—

*Sic.*

Ír muinn ruinn coluinn-epce gell í upruoir ocuf a cain, .i. trian do aipóir ocuf a trian do gíall, ocuf a trian do pechemuin toichea: lanepic in cinuio ina tuarúib in gíall, los einuic in gell, ocuf diablu do cac eiric, ocuf ní berí eirpílaic ní uair na timuipg a tuat.

In tricha bo acbeir runn ír feét mba fichet inlaeiga ocuf tri luluca, ocuf a leé ír geallur gíall gac noirdce don trichu oirdce; cuní diablu inech geallur íre icuit ríne fpuirum; ocuf

<sup>1</sup> *Cows.* Dr. O'Donovan observes that a 'samhaisc'-heifer is sometimes valued at sixteen 'screpalls'; so that nine 'samhaisc'-heifers = 144 screpalls, and twenty-four 'colpach'-heifers = ninety-six 'screpalls.' These added give 240 'screpalls,' or thirty cows worth eight 'screpalls' each.

<sup>2</sup> *Milch Cows.* If the in-calf cows are worth two-thirds of the milch cows, say

every night of the thirty nights, and six 'screpalls' for each of the two nights which are over and above the thirty nights, *the value of* <sup>HOSTAGE-SURETIES.</sup> which amounts to seven 'cumhals' for him from the tribe, and which are divided according to the 'Cain'-law.

That which follows down here is from the Senchus Book of O'Scoba.

A 'colpach'-heifer worth four 'screpalls' every night to the end of twenty-four nights, and three 'samhaisc'-heifers for every night of the three last nights, which thus amount to *the value of* thirty cows.<sup>1</sup> There is another liability also due to them, i.e. another proportion is to be paid equal to the liability which is demanded of the hostage-surety, and the body-fine of the hostage-surety, and honor-price, if law be offered, but if it be not offered there is nothing *to be paid*, for 'eric'-fine for unjust suing is *due* when law was offered.

For what is given amounts to thirty cows.

That is, the thirty cows which are reckoned here are three milch cows<sup>2</sup> and twenty-seven in-calf cows, which are thus *equivalent* to twenty-one cows, i.e. milch cows, until they are equal to seven 'cumhals' of 'Urradhus'-law. The hostage-surety incurs the *implied* promise of eight 'screpalls' every night in 'Urradhus'-law, and half an ounce in 'Cain'-law, and he receives double what he incurs the liability of. Or *the calculation is made thus*: twelve 'fesi'-cows first of all, and the hostage-surety's two cows for delay in pound; and the thirty cows reckoned here are milch cows, making thus thirty-two cows, so that seven \* \*\*

The distribution of the body 'eric'-fine of the hostage-surety is the same in 'Urradhus'-law as in 'Cain'-law, i.e. one-third *is given* to the chief king, one-third to the hostage-surety, and one-third to the plaintiff; full 'eric'-fine of the liability for which the hostage-surety was taken, the honor-price of the hostage-surety, and the double of every 'eric'-fine, and the intermediate chief obtains nothing because he did not distrain the land.

The thirty cows which it mentions here are twenty-seven in-calf cows and three milch cows, and the hostage-surety incurs the liability of the half of them every night of the thirty nights; and the double of what he incurs the liability of is what the tribe pay him; eight 'screpalls' each, and the milch cows twelve 'screpalls,' then the proportion here stated comes out.

<sup>1</sup> Seven. The text appears here defective.

**HOSTAGE-SURETIES.** — mar epium icur in fiach ro fpu pechemuin toicheoda, u' diablaó da trian a coirpóire do o fine, ocuf einioclunn ocuf diabluó meé icuf amach.

Arriuidi plan do giallaib gairbur.

.1. ipeo plan ngell, .i. ba fepi gell, tricha a lin, ocuf peét cumula a diéma, ocuf diabluó fiacé for bióbuio, .i. ipeo plan ngell ocuf einioclunn ocuf dubluó inech ícur amach.

Ar boin cach naíóce ailep.

.1. ba fepi gell, tricha a lin, ocuf peét cumula a diému, ocuf dublaó fiach for bióbuio. Samuirc gellur cirtac cáé naíóce co cenn tri naíóce, cona bo moí ar maíoin; ocuf colpaé triu gellur in giall cáé naíóce co cenn peét naíóce fichet, cona bo innlaog ar maíoin, cona peét mba fichit inlaog rin ar oct mbuaib dec trelaog, ocuf na tri ba peétir ar na tri haíóce deóinču riu rin, co na bo ar fichit peétir do giall amluio rin ar trichait laithe.

Deoíó leé lan ngell do tuir for cáé.

.1. do aigíthup coluinn epuic don giall a leé in ti do beip ailep cin tincipin .i. forpin pechemain gairbir in giall etechta; aileter for cáé aon do beip aplan, .i. atairgíthup lan an epce in gell do tuirim illeé in ti tucurup he pe pollugáó, no pe hic neice laín taru cenn, .i. plait acnug uio, ocuf tuat anao bir for in ngiall fpu tincipin co cenn trichait la.

Sic.

Ma tincíthup iuríou, ícait a fine a peét cumulu pannaítep itir plait ocuf an giall na, .i. da trian don plait, ocuf aon trian do giall; no íf raiinn i nde. Maine éince fine in giall in cinne in trichait la, ícait fom da trian na peét cumula a lan

and if it be he that pays this debt to the plaintiff, double the two-thirds of his body-fine *shall be paid* him by the tribe, as well as honor-price and double what he pays the plaintiff. HOSTAGE-SURETIES.

For the hostage-sureties which are taken are secure.

That is, the safety of the hostage-sureties, i.e. the 'fesi'-cows of the hostage sureties, thirty in number, and seven 'cumhals' are paid for the delay in pound, and double of the debt is required of the defendant, i.e. the indemnity of the hostage-surety is honor-price and double what he has to pay the plaintiff.

For he deserves a cow every night.

That is, the 'fesi'-cows of the hostage-sureties, thirty in number, and seven 'cumhals' are due for the delay in pound, and double of the debt is due of the defendant. The debtor incurs the liability of a 'samhaisc'-heifer every night till the expiration of three nights, so that it amounts to a large cow in the morning; and the hostage-surety incurs the liability of a 'colpach-trin'-heifer every night till the expiration of twenty-seven nights, so that it is an in-calf cow in the morning, so that it amounts to twenty-seven in-calf cows over and above eighteen cows after calving, and the three cows that increase with them for the three last nights, so that twenty-one cows thus accumulate for the hostage-surety in thirty days.

Half the full 'eric'-fine of the hostage-surety is to fall upon all.

That is, body 'eric'-fine is claimed for the hostage-surety from the person who neglects to respond, i.e. to the plaintiff who takes the hostage-surety unlawfully; it is otherwise from every one who gives his security, i.e. it is urged that the full 'eric'-fine of the hostage-surety falls upon the person who gave him for neglect, or for paying full 'eric'-fine for him, i.e. the chief gave him, and the territory to which the hostage-surety belongs is bound to respond each day to the end of thirty days.

If he then responds, his tribe shall pay the seven 'cumhals,' which shall be divided between the chief and the hostage-surety, i.e. two-thirds to the chief and one-third to the hostage-surety; or it is divided into two equal parts between them. If the tribe do not respond to the hostage-surety at the end of the thirty days, he (the hostage-surety) shall pay two-thirds of the seven 'cumhals,' or

**HOSTAGE-SURETIES.** — *leť ann rin fhuir in ruġ, ocuř icaite in cinne ima tuřgađtuř, ocuř icuřuř fhuirium dublađ dono do třenuiđ no don leť, ocuř dublađ dono do ic fhuir do chinuiđ no ic, ocuř loġ neneć do o řine.*

*Tet for da leth lan eřuic.*

.1. for řine řir nacru cin taiřcřin ciřt oia cine. Ma no řoġuřtuř biđbuiđ for ġiall in řechemun toicheđa na no ġabađ ġella na aiřge o ġiall in biđbuiđ, ocuř ni taiřġa ġiall in řechemun toicheđa ġella na aiřge uaiđ řen, coiřpřiře on biđbuiđ da ġiall řén, ocuř coiřpřiře on řechemuiř toicheđa do ġiall in biđbuiđ, ocuř coiřpřiřiř on řechemuiř da ġiall řén.

Ma taiřġa ġiall in řechemun toicheđa ġella ocuř aiřge uaiđ řén don biđbuiđ, ocuř niř ġabađ uaiđ aćt a toćbał taiřuř, coiřpřiře on řechemuiř toicheđa da ġiall řén, ocuř coiřpřiře uaiđ do ġiall in biđbuiđ. Coiřpřiře dono on biđbuiđ do ġiall in řechemun toicheđa ocuř coiřpřiře uaiđ da ġiall řén. Coniř e řin tćt for da leť lan eřuic. No dono, cumaiđ řlan co třian don biđbuiđ, ař ni ġaiđ in řechum toicheđa ġiall no aiřge o ġiall in biđbuiđ řaiřie. Ślan co třian don biđbuiđ i leť ře ġiall in řechemun toicheđa, ocuř iní iř eřbađach on ġġiall oic đn řechemuiř toicheđa ře ġiall řén.

*Fora řu ařaił.*

.1. uřřocřu řu ařaiłi ře ġiall in řechemun toicheđa na đaim cęřt. Cořuiřle tuc in tuġuř ann řin don biđbuiđ, mane

<sup>1</sup> *The author here.* This commentary is very obscure in consequence of the want of the full text, which it is intended to explain. The following passage, in C. 1187-1188, may throw some light upon it:—

C. 2185.

Dećbir ġġella ocuř inannuř řmaćta uil řiu no co řoiřet tćđ in břeteman, ocuř co ġġabat do łaim [taćařađ] for [conaiř řuiġill] aiřuće. Ocuř o no řoiřet tech in břeitheman ocuř o ġġabaiř do łaim taġna for conaiř řuiġill aiřuće, ař inannuř řmaćta ocuř ař inanuř ġġella. Aře in tinannuř řmaćta in do a neimachne na conaiře. Iře in tinannuř řġella in leiř ġill, ġřl.

Ciř iř nařġaiře ann. Iřře iř nařġaiře ann, .i. đuine tćt a nařġaiřeć, ocuř a řačhiġeř, ocuř a nićiřuř ećiř a řene buđein tałl ocuř đař a cęno amach.

the full half, to the king, and the tribe for whom he was accepted as a *hostage* shall pay the remainder, and there shall then be paid to him double the *two-thirds* or the *one-half*, and he shall also be paid double whatever fine be paid, and also honor-price by his tribe.

HOSTAGE-SURETIES.

Full 'eric'-fine goes on both sides.

That is, upon the tribe of the man who sues, his tribe not offering justice. If the defendant gave notice to the hostage-surety of the plaintiff that neither pledges nor sureties were accepted from the hostage-surety of the defendant, and the hostage-surety of the plaintiff did not offer to give pledges or sureties himself, body-fine *is due* from the defendant to his own hostage-surety, and body-fine *is due* from the plaintiff to the hostage-surety of the defendant, and body-fine *is due* from the plaintiff to his own hostage-surety.

If the hostage-surety of the plaintiff had offered to give pledges and sureties himself to the defendant, and that they were not received from him, but that it (*the distress*) was taken notwithstanding, body-fine *is due* from the plaintiff to his own hostage-surety, and body-fine *is due* from him also to the hostage-surety of the defendant. Body-fine *is likewise due* from the defendant to the hostage-surety of the plaintiff, and body-fine to his own hostage-surety. So that thus full 'eric'-fine is incurred on both sides. Or, indeed, according to others, the defendant is safe as far as one-third, because the plaintiff had not previously accepted of either pledge or security from the hostage-surety of the defendant. The defendant is secure as far as one-third with respect to the hostage-surety of the plaintiff, and what is deficient to the hostage-surety is to be paid to him (*the said hostage-surety*) by the plaintiff.

Notice by another.

That is, notice by another to the hostage-surety of the plaintiff that justice had not been ceded. The author here<sup>1</sup> advises the defendant, if pledges or securities have not been accepted from him

"They have a difference of pledge and an equality of 'smacht'-fine until they arrive at the house of the Brehon, and until they undertake to proceed according to a certain mode of judgment. When they have arrived at the house of the Brehon, and have undertaken to sue after a certain mode of judgment, they have equality of 'smacht'-fine and equality of pledge. The equality of 'smacht'-fine is a cow for non-observance of the mode of proceeding. The equality of pledge is the half-pledge, &c.

"What is a 'nasgaire'? 'Nasgaire' is the person who goes as a compact-maker, and as a security, and as a hostage between his own tribe within and for them out, &c."

HOSTAGE-  
SURETIES.

gabta gella na aipe uao tar cenn a gell buoén, gíall in fechemun toicheo do doebail no con damta oisgeó do; ocur a rláintí do co trian, amuil cáe foisil anaisiú foisilú; ocur do trian coirpoire uao i ngiall in fechemun toicheo, ocur coirpoire on fechemun toicheo i ngiall in bióbuió, ocur in trian coirpoiri i fbaóac o gíall buoén ois rí.

Column epwic ocur loz neneé ocur oisri in cinuiz acartar for fine in gell, no cutruma in pec acartar ann. Maine pe in cin ann, leé na column érice ocur trian inéic acartar ann do rí, ocur trian in pec don rí for a nazarúr, muna turgabúr gíall rúa ariale. Dia turgabúr inurro gíall rúa ariale, aóa inoilegeó aóar inasaró, cinmota in ríac acartar for in gíall. Turuic a raiunrioe a rí, .i. a trian don rí aóar aóa ocur trian do gíall, ocur trian do rí. Dia nelo fine ocur ní gab fechum toicheo gell in cinuio o gíall, áct a turgabail inoilegió, icuio céctur de a lan riach rí gíall.

**Oleagar doib riach fo ní do nimeó; maó inoilegeó do rí, pecht dian do ríeapra pecht foruir iudib in comallat gealluibh.**

Oleagar doib, .i. oleagar doib ríac fo ní aóarar air; ocur aóa bióbuió do ríeapra air ann ríe, .i. no ríeapra air ann do ríeapra ríeapra ió ann ata rí. Maó inoilegeó, .i. uair ió ann ata epic aóa bióbuió do neoch inoibuió ríeapra oisgeó, .i. maó inoilege inoilegear air do ríeapra ríeapra ió ann ata rí. Do ríeapra, .i. no ma ríeapra iac tar gelluib ocur tar aóib, ió ann ríeapra in coirpoire, .i. maóa ríeapra in gíall in fechum toicheo co comuileá gell do ríeapra ió na hió aóa rí ió ann ata rí, uair ió ann ata epic aóa bióbuió do neó i inoibuió ríeapra oisgeó, .i. dia ríeapra do ríeapra ríeapra in foruir in ríac acur, ocur a cutruma lair cin co oisgea do ríeapra.

In ci inurro aóar o bur do ríeapra ata ríac fon do nimeó air. Munub do ríeapra, áct do neoch eile nocha

<sup>1</sup> *Hostage-surety*. C. 826 has the following version:—*Suinroen bed nuas, .i. forr an fechemain gabar in gíall eteéta ocur do gni cimbib de.*



for his own pledge, to take the hostage-surety<sup>1</sup> of the plaintiff until what is lawful is given him; and he is secure as far as one-third, as in the case of every trespass against a trespasser; and two-thirds of body-fine *are due* from him for the hostage-surety of the plaintiff, and body-fine *is due* of the plaintiff for the hostage-surety of the defendant, and the third of body-fine which is deficient from his own hostage-surety is to be paid to him.

HOSTAGE-  
SURETIES.

Body-*'eric'*-fine and honor-price and forfeiture of the charge which is brought *are imposed* upon the tribe of the hostage-surety, or an equivalent of the debt which is sued. If the offence do not exist, half the body-*'eric'*-fine and one-third of what is sued is due to the king, and one-third of the debt to the man from whom it is sued, unless a hostage-surety is taken by the other. If, however, a hostage-surety is taken by the other, there are two illegalities face to face, besides the debt which is sued from the hostage-surety. It is to be divided in the first place, into three parts, i.e. one-third *to be given* to the man who sues, and one-third to the hostage-surety, and one-third to the king. If the tribe should abscond and the plaintiff has not accepted of the pledge for the debt from the hostage-surety, but took him illegally, both shall pay his full debt to the hostage-surety.

Debt is due to them according to the thing that is lost; if they are sued unjustly, severity of law shall respond to the law of the *'forus'*-pound when they keep pledges.

Is due to them, i.e. debt is due to them according to the thing which is sought of him (*the debtor*); and it is the inimical suing that was made on him in that case, i.e. this is the case in which it (*the distress*) was levied upon him according to just rule. If unjustly, i.e. for it is when law has been offered that one gives *'eric'*-fine for inimical suing, i.e. if he is unjustly sued according to the right rule. Shall respond, i.e. or if they are distrained notwithstanding the tender of pledges and sureties, then body-fine shall lie, i.e. this holds good if the hostage-surety has responded to the plaintiff and offered pledges in these cases, for *'eric'*-fine lies for inimical suing when he has offered *the plaintiff* law, i.e. if it be offered according to the right rule of the *'forus'*-pound to pay the debt which is demanded, and that he has the amount of it, although it is not due to the person.

When the person who sues sues for himself, a liability lies against him according to the injury he has done. If it be not for

<sup>1</sup> "Perfect malice is ascribed, i.e. to the creditor who accepted the illegal hostage-surety, and who makes a victim of him."

HOSTAGE-  
SURETIES.

նքսիլ քիաչ քոնի ծօ ումաժ աւր, օսըր աժաւժ ցուի քօւտ օսըր  
eneclann քան աշրս ԲօրԲլաչաւր, օսըր իք անն աժա քրիւ աշրս  
ԲիօԲուիօ ծօ ումԲուիօ Եարճուիճ ծլիճեօ. Մաք աշրս ԲիօԲուիօ ծօ  
ծօ քիճոն ին քեչիւմ տօւչեօժա ար ին մԲիօԲուիօ, իք քեօ իք աշրս  
ԲօրԲլաչաւր ծօ, սեժ աճ աշրս քիաչ աւր, օսըր ցոնտե աւճե նա  
ծլեժժ ու ծե, իք ցուի քօւտ սաօ օսըր eneclann օսըր քիաչ քոնի ծօ  
նիմեժ. Մա քօ Բի ա Եուրի ցըր ծլիճ, իք ցուի քօւտ սաօ օսըր քիաչ  
քոնի ծօ ումեժ, օսըր ուոչա ուիլ eneclann.

Մա քօ Բու ցոնտի լեւր քեժ ցօ ուլիճենն իննո քօ ցուի, իք ցուի  
քօւտ սաօ ի քրօքսօ Եար ծլիճեօ.

Մաք աքրս ԲօրԲլաչաւր ծօ քիճե ին քեչիւմ տօւչեօժա ար ին  
քրեԲուիւր, օսըր իքքեօ աքրս ԲօրԲլաչաւր ծօ աքրս ա քրեԲուիւրեժժա  
աւր օսըր ա ցոնտի աւճե նա ծեչաւիօ քե լաւն, իք ցուի քօւտ սաօ  
օսըր eneclann օսըր քիաչ քոնի ծօ ումեժ.

Մաժ քօ Բի ա Եուրի ցօ քօւԲի, իք ցուի քօւտ սաօ օսըր քիաչ քոն  
նի ծօ ումեժ, օսըր ու սիլ eneclann.

Մաժ քօ Բու ցոնտի լեւր ճօ քօւԲի, իք ցուի քօւտ սաօ ի քրօքսօ  
Եար ծլիճեօ.

Մաք աքրս ԲօրԲլաչաւր ծօ քիճե ին քրեԲուիւր ար ին  
մԲիօԲուիօ, օսըր իքքեօ իք աքրս ԲօրԲլաչաւր անն ԲօրԲլաչաւր  
աքրս քրեԲուիւրեժժա աւր օսըր ցոնտի աւճե նա ծեչաւիօ աւր, իք ցուի  
քօւտ սաօ, օսըր eneclann օսըր քիաչ քոնի ծօ ումեժ. Մա քօ Բի  
ա Եուրի ճըր ծլիճ, իք ցուի քօւտ սաօ, օսըր ու քիլ eneclann նա  
քիաչ քօ ու ծօ ումեժ. Մա քօ Բու ցոնտի լեւր ցօ քօւԲի աւր, իք  
ցուի քօւտ սաօ ի քրօքսօ Եար ծլիճեօ. Եարքս ծլիճեօ ծօ ին ցաչ  
ինաժ ծիժ քոն ; սաւր մսնա Եարճքեր, քօԲօ ա ծա ունօւլիճեօ աժուճ  
ին աժուճ.

Մաժ ճիալլ ու մսւրս, ճըլ., արամամ միքօսիլ ծօ  
միժիքեր միքօսիլ.

.1. իք մօամ մեւրքմուժքեր քրիւ իքոն միքօսիլօ օն Ե լաւր նա

<sup>1</sup> The *hostage-surety* or '*muiri*.' C. 826 has ; Ընաժ քոն ուիլ, .i. քիաչ քոն ու  
ԵոմԲօնճ տիժ ին ճիալլ, ու մսւրս լա ծիլման ծոնա աքրս ցոննաճար ցուի.

himself he sues, but for another, the liability does not lie against him according to the injury he has done, but he is fined five 'seds' and honor-price for unjust suing, and 'eric'-fine for inimical suing is *imposed* upon him when law has been offered. If the plaintiff has been guilty of inimical suing against the defendant, it is the same as unjust suing to him, *i.e.* to be suing him (*the defendant*) for debts, when he is certain that nothing is due of him, he (*the plaintiff*) shall pay five 'seds,' and honor-price, and compensation according to the injury done. If he understood that he was entitled to sue, he shall pay five 'seds' and compensation according to the injury done, but not honor-price.

HOSTAGE-  
SURETIES.

If he felt certain that he is entitled to that for which he sues, he shall be fined five 'seds' if he fasts, after the tender of what is lawful to him.

If the plaintiff has brought an unjust suit against the surety, and it is a suit of injustice in him to sue him for his suretyship when he is certain that he had not gone security, he (*the plaintiff*) shall be fined five 'seds,' and shall pay honor-price and compensation according to the injury done.

If he understood that he had *gone security*, he shall pay five 'seds' and compensation according to the injury done, but not honor-price.

If he was certain that he had *gone security*, he shall pay five 'seds' for fasting after the tender to him of what is lawful.

If it was an unjust suit that the surety brought against the defendant (unjust suit means to sue him for suretyship, he being certain that he had not gone security), he shall pay five 'seds' and honor-price and compensation according to the injury done. If he understood that it was due, he shall pay five 'seds,' but not honor-price or compensation according to the injury done. If he was certain that it was due of him (*the surety*), he shall pay five 'seds' for fasting after the tender of what is lawful to him. What was lawful was tendered in every instance of these; for, if it were not tendered, there would be two illegalities face to face.

If it be a hostage-surety or 'muiri'-chief,<sup>1</sup> &c. From his bad word is estimated his bad quality.

That is, 'eric'-fine is mostly regulated according to bad quality

<sup>1</sup> "Debt according to the desert, *i.e.* debt according to case, the hostage-surety recovers them; or from the chief, with liberation from the demands made upon him."

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SURETIES.

hugu toḡaró in ṽroch focuill; no in tí am ír moam ac a mefemnuithep col no claoine ír aiciríó ír mo mefemnuithep na ṽrochpolaró.

Ma ṽo chuaitt fechium toicheṽa ṽo acru biṽbuiró, ocup ro leic biṽbuiró eloṽ, cuic feoit ocup enecclunn ṽo o biṽbuiró ocup ṽiablaró riach. ṽo cuairṽ ṽinniríó ḡeill iarṽain, ocup ṽo riap re ninniríóṽe ṽo ḡiall, co nṽechuiró ḡiall ṽacra biṽbuiró, ḡup ro leic biṽbuiró eloṽ in ḡeill, cuic feoit ocup enecclunn ṽon ḡiall.

Ma táinice fechium toicheṽa ṽo acra ḡeill iar ṽin, coirṽoipe comloirṽe ṽo reṽ riup a comṽeoin. Cémaró áil ṽo fechemuin toicheṽa in toḡbuir comloirṽe, munup ail ṽo ḡiall, ní ṽingneṽtur; áṽ tocbaill marṽṽu. Cémaró ail ṽono ṽo ḡiall in tocbaill comloirṽe, munup ail ṽo fechemuin toicheṽa, ní ṽingneṽtur áṽ toḡbaill marṽṽu; cuniró a comṽeoin ṽin ṽo ḡnirṽur in toḡbaill comloirṽe, ocup ír amliuró reṽur in coirṽoipiu comloirṽe; colpuch oṽ ṽḡneapull ḡellur cach noirṽe cu ceann feṽ noirṽe riṽur, cuniró bó innlaeḡa ar marṽin, cunú feṽ mba riṽur innlaeḡa ṽin ar oṽ mbuairṽe ṽeṽ trealaeḡa.

Samuirḡ ḡeallur ḡac noirṽe ṽonu ṽri hoirṽeṽ ṽeḡinuchuirṽ, cunú ṽri ba moira iar marṽin, na ṽri ba reṽ na hoṽ mbuairṽe ṽeṽ, cuniró bo ar riṽur. Á leṽ ṽin ṽon ḡiall, ocup a leṽ ṽon fechemuin toicheṽa, ocup ṽrian o ceṽtur ṽe ṽirṽum. ṽo neoch ruc fechium toicheṽa o ḡiall a ṽiablaró ṽo ic o biṽbuiró ṽur; ṽo neoṽ imurṽo tapṽurṽur ina lanirṽ feir ocup ḡa ṽlaṽ, áṽ aṽḡin ṽic ṽur on biṽbuiró. In coirṽoipe comloirṽe ṽin. In coirṽoipe marṽṽa imurṽo, muna ṽharḡuiró in biṽbuiró ḡealla ocup aṽḡe tap ceann in ḡell, coirṽoipe ocup enecclunn uar ina ḡiall feir, ocup cach aen ṽo ḡeṽa coirṽoipiu ṽirinu ír na ḡialluirṽe feo biaró lan enecclunn re ṽaeṽ.

Ma tapḡuiró ḡiall in biṽbuiró ḡealla ocup aṽḡe uaró feir ṽo fechemuin toicheṽa, ocup níṽ ḡaṽ uar. coirṽoipe on biṽbuiró ṽa ḡiall feir, ocup coirṽoipe on fechemuin toicheṽa ṽo ḡiall in biṽbuiró.

<sup>1</sup> *After calving.* If the value of twelve 'screpalls' be put on the cows after calving, then eighteen of them=twenty-seven 'colpach'-heifers worth eight 'screpalls' each.

from the person who has chosen the bad word; or the person who is considered to have most vice or bias is considered to have the greatest amount of bad quality. HOSTAGE-SURETIES.

If the plaintiff went to sue a defendant, and that the defendant absconded, five 'seds' and honor-price and double compensation are due to him (*the plaintiff*) from the defendant. He afterwards went to sue the hostage-surety, and gave the hostage-surety time to seek *the defendant*, and the hostage-surety went to sue the defendant, and the defendant absconded from him, five 'seds' and honor-price are due to the hostage-surety.

If the plaintiff came after this to sue the hostage-surety, body-fine of equal forgiveness of debt shall take place by consent of both. If the plaintiff should like to accept the equal forgiveness of debt, and that the hostage-surety would not, it shall not be done; but death-seizure *shall take place*. If the hostage-surety should like to accept of equal forgiveness of debt, and that the plaintiff would not, it shall not be done, but death-seizure *shall take place*; so that the acceptance of equal forgiveness of debt is made by mutual consent, and the way the body-fine of equal forgiveness of debt accumulates is this: he (*the debtor*) becomes liable for a 'colpach'-heifer worth eight 'screpalls' every night to the end of twenty-seven nights, so that it is an in-calf cow in the morning, which makes twenty-seven in-calf cows with eighteen cows after calving.<sup>1</sup>

He becomes liable for a 'samhaisc'-heifer every night of the three last nights, so that they are three large cows in the morning, or three cows with the eighteen cows, making twenty-one cows. The half of these *are due* to the hostage-surety, and the half to the plaintiff, and a third from each of these. Of what the plaintiff took from the hostage-surety the double shall be paid by the defendant to him; but of what he retains in his own possession and with his chief, only restitution is made to him by the defendant. This is the body-fine of equal forgiveness of debts. But in the body-fine for death, unless the defendant has offered pledges and securities for the hostage-surety, body-fine and honor-price shall be due from him for his own hostage-surety, and every one who receives body-fine down here for these hostage-sureties shall have full honor-price besides.

If the hostage-surety of the defendant had offered pledges and securities from himself to the plaintiff, and he (*the plaintiff*) did not accept of them from him, body-fine is due from the defendant to his own hostage-surety, and body-fine *is due* from the plaintiff to the hostage-surety of the defendant.

Caín 1αρρα1τh.

## THE 'CAIN' LAW OF FOSTERAGE.

### THE 'Cain'-law of fosterage payment.<sup>1</sup>

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*Fosterage payment*, i.e. a payment which is given with him after his being taken away *to be fostered*, i.e. after-payment when the child is brought to be fostered ; or it is the payment which is given afterwards ; or it is the rule of the payment which is afterwards given for fosterage.

How many kinds of fosterage are there with the Feini ? Answer. Two, viz., fosterage for affection and for payment ; these are the two fosterages which are disputed about generally, and which are not annulled.

What are the clothes ? Answer. In worn clothes<sup>a</sup> and new ones <sup>a</sup> Ir. *Bare*. he is to have two coverlets, that his person may not be seen ; which should be washed every day successively : *one to be used while the other is being washed*. According to the rank of each man, from the humblest man to the king, is the clothing of his son. Blay-coloured, and yellow, and black, and white clothes are *to be worn* by the sons of inferior grades ; red, and green, and brown clothes by the sons of chieftains ; purple and blue clothes by the sons of kings.<sup>3</sup>

Another version.

No book mentions a difference of raiment, or that there should be any difference in their clothes at all. *But the custom now is as follows* :—Satin and scarlet are for the son of the king of Erin, and silver on his scabbards, and brass rings upon his hurling sticks, and tin upon the scabbards *of the sons of chieftains* of lower rank,<sup>b</sup> <sup>b</sup> Ir. *From that out*. and brass rings upon their hurling-sticks ; or there is equality in all these things for the son of every king, *of what degree soever*, for the price of fosterage<sup>3</sup> is equal according to law, which says, "The fosterage of every son is according to his price of fosterage." And they should have before them the things which the book mentions that they may be amused. And brooches of gold, having crystal inserted in them, with the sons of the king of Erin, and of the king of a province, and brooches of silver with the sons of

grade ; both threadbare and new for the sons of the 'oc-aire' chiefs, and new for the sons of 'bo-aire' chiefs.

<sup>a</sup> *Price of fosterage*. 'Iarrath' is explained by Duaid MacFirbis as luad oileamna, i.e. the price of fosterage.

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éuaite; no cominunt dealg do mac cach rí, ocuŕ meacor rín uile iŕin dealg rín.

Etuch dub ocuŕ roburde ocuŕ liaŕh ocuŕ laétnu do macuib na nŕiáŕŕ pene; ocuŕ a lom do macuib no nocuŕiuch, ocuŕ inua do macuib na mbouŕiuch. Mac in aŕiuch deŕa muŕpo, baŕh ŕo leŕ a éuuiŕ cach lae, .i. ŕoŕu bŕut no ŕoŕu muŕ, ocuŕ ba etuch baŕhu uime dia doínnuiŕ; ocuŕ itŕi a lom ocuŕ inua do.

Mac in uŕiuch tuŕ muŕpo, baŕh ŕoŕ éuuiŕe uile; ocuŕ ba étuŕ baŕhu uime cach lae, itŕi a lom ocuŕ a nua, ocuŕ ba éuuch baŕhu nuaiŕ uime dia doínnuiŕ. Éuuch baŕhu cach lae aice, éuuch doínnuiŕ ocuŕ etuch ŕollumuŕ, aŕt iŕ ŕeŕŕ cach étuch aŕaile oib.

Mac in uŕiuch aŕo muŕpo, ba etuch baŕa nua cach lae imeŕde, ocuŕ ba etuch baŕhu nuaiŕ dia doínnuiŕ ocuŕ i ŕollumuŕ, aŕt iŕ ŕeŕŕ cach etuch aŕaile.

Mac in ba aŕi ŕoŕŕill iŕ tairi ŕic.

Mac na nairiuch ŕoŕŕill iŕ ŕeŕŕ, ocuŕ mac na rí, etuch baŕhu nuaiŕ doibŕde in cach aŕiuch, aŕt iŕ ŕeŕŕ aŕaile oib, ocuŕ oŕ ocuŕ aŕŕeŕ ŕoŕuib uile.

Caitiaŕ a mbiaŕu? Uite doib uile; aŕt ní coŕmuŕ tunia ŕeŕ muŕe, .i. ŕŕuŕin do macuibh aŕiuch, in uŕ do macuib aŕiuch, muŕ do macuib rí. Inuŕ a mbiaŕhu uile co ceano mbiaŕhu no ŕŕi mbiaŕhu, .i. ŕŕuŕin, in nuaiŕ iŕŕuŕiu, .i. do macuib aŕiuch, muŕ do macuib rí. Uite blaŕŕe no uŕŕe do macuib

<sup>1</sup> *Ornamentation.* Dr. O'Donovan observes that this brooch was carved or ornamented according to the rank of each king, but the ornaments which distinguished these brooches from each other are now unknown. The brooch above referred to was not given as a toy to the child, but worn by the nurse that the babe might be amused by looking at it, and thus was he brought into early acquaintance with the badge of his father's rank and dignity. None of these brooches hitherto discovered seem to exhibit anything like armorial bearings or heraldic charges of any description. It is probable that the brooches of the different ranks were distinguished by the nature of the inlaying or the variety of the carving.

<sup>2</sup> *Better than the other.* Each exceeding the other in quality according to the order in which they have enumerated them.



the king of a territory, or a great territory ; or the son of each king is to have a similar brooch, *as to material* ; but that the ornamentation<sup>1</sup> of all these should appear in that brooch.

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Black, and yellowish, and gray, and blay clothes *are to be worn* by the sons of the Feini grades ; and old clothes by the sons of the 'ogaire' chiefs, and new by the sons of the 'bo-aire' chiefs. The son of the 'aire-desa' chief wears clothes of a different colour every day, i.e. his cloak or his tunic *is to be of a different colour every day*, and he is to wear clothes of two different colours on Sunday ; and he is to have both old clothes and new clothes.

The son of the 'aire-tuisi'-chief is to have all his clothes coloured ; and is to wear clothes of two colours every day, both old and new, and to wear new clothes of two colours every Sunday. He is to have coloured clothes every day—clothes for Sunday and clothes for the festival, but each of them better than the other.<sup>2</sup>

The son of the 'aire-árd'-chief is to wear new clothes of two colours every day, and new clothes of two colours on Sunday and the festival day, but each of these clothes better than the other.<sup>2</sup>

The sons of the two inferior 'aire-forgill'-chiefs, the same *as the last mentioned*.

The sons of the superior 'aire-forgill'-chiefs, and the sons of the kings, are to have new coloured clothes at all times, but exceeding each other in quality (*the Sunday clothes better than the weekday clothes, and those for the festival better than those for Sunday, as already specified*), and all embroidered<sup>a</sup> with gold and silver.

<sup>a</sup> Ir. *And gold and silver upon them all.*

What are their victuals? Stirabout<sup>3</sup> is given to them all ; but the flavouring<sup>b</sup> which goes into it is different, i.e. salt butter<sup>4</sup> for the sons of the inferior grades, fresh butter for the sons of chieftains, honey<sup>b</sup> for the sons of kings. The food of them all is alike, until the end of a year, or three years, viz., salt butter, and afterwards fresh butter, i.e. to the sons of chieftains, and honey to the sons of kings. Stirabout made of *oatmeal* on buttermilk or water *is given* to the

<sup>b</sup> Ir. *Dip.*

<sup>2</sup> *Stirabout*. 'Lite' or 'Leite' is still the word used to signify stirabout, which was the principal food of the Irish till the introduction of the potato, and, more recently, Indian meal.

<sup>4</sup> *Salt butter*. 'Gruitin' is also written *gruipen*. It is thus explained in C. 107, *gruipen*, .i. *goirtsen*, .i. *fean ocuf goirt hi*, i.e. 'Gruiden,' i.e. *goirtsen*, i.e. it is old and salt. It is also similarly explained in Cormac's Glossary, in which it is supposed to be derived from the Latin *grasso cibo*.

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na nḡraḡ feine, ocuf a feanḡ raṡ ḡoib ḡi, ocuf ḡruioin ḡia tumia. Ute leiinnuḡta ḡo macuib na nḡraḡ ḡlathia, ocuf im ur ḡia tumatḡ, ocuf a tennḡraṡ ḡóib ḡi; ocuf min eorpu ḡurpu. Ute leiinnaḡta ḡo macuib na ḡiḡ ocuf min cḡuistneḡta ḡurpu, ocuf mīl ḡia tumu.

Altḡum cen ainmī, ar ḡliḡeḡ cacha altḡum a ḡiaoinne, achṡ ainimṡuibḡ ḡia feaḡuib —

Altḡum, .i. ollṡoioḡu em. Nach ainm ḡurḡaibṡair ḡo altḡum ḡliḡ aice amuīl bi ḡo laim ḡo feaḡatḡ.

Sic.

Caitḡ iarrḡaṡ mic cáic ocuf a ingine? Tḡi ḡamuiḡce ḡo macuib na nocaiḡuuch a coitcine; ceitḡi ḡamuiḡce iarrḡuibḡ a ningine. Inuno o ṡa ḡer mīḡuibḡ cu ḡuḡe bo eḡe. Teoḡa ḡo na bo eḡuib a coitcine; ceitḡie bai ḡo eḡuuchuibḡ ḡeḡa; ḡé bai ḡo aḡuuchuib ; noī mbai ḡo aḡuuchuibḡ arḡa; ḡi bai ḡé ḡo aḡuuchuibḡ ḡoirḡill i coitcīnne; oḡt mbai ḡé ḡo ḡiḡuib i coitcīnne.

ḡéṡ ḡoirḡuibḡ iarrḡaṡ a ingine, ar it lia a taḡcuir oḡḡaṡ a ḡele.

Iarrḡuibḡ mic oḡaḡie tḡi ḡeoit; ceitḡi ḡeoit iarrḡuibḡ a ingine.

.1. ḡo ḡaḡ oḡaḡie mḡḡo ocuf ḡo ḡaḡ ḡuḡi mīḡuibḡ, ḡaḡ na ḡeḡnuṡ in talṡum ḡḡi nī ḡi luḡu, .i. mḡḡ feaḡi, .i. eimucḡunn

<sup>1</sup> *Flavouring.* Dr. O'Donovan observes that the preceding account of the food of the children is irregularly written, and even defective, and that it could be stated better as follows, without deviating from the intention of the original writer—

“What are their victuals? They are all fed on stirabout; but the materials of which it is made and the flavouring taken with it vary according to the rank of the parents of the children. The children of the inferior grades are fed to bare sufficiency on stirabout made of oatmeal on buttermilk or water, and it is taken with stale butter. The sons of the chieftain grades are fed to satiety on stirabout made of

sons of the Feini grades, and a bare sufficiency of it merely, and salt butter for flavouring. Stirabout made on new milk *is given to the sons of the chieftain grades, and fresh butter for flavouring, and a full sufficiency of it is given them; and barley meal upon it (i.e. is put on new milk to make it).* Stirabout made on new milk *is given to the sons of kings, and wheat meal upon it, and honey for flavouring.*<sup>1</sup>

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Fosterage *should be* without blemish, for every one is entitled to fosterage without blemish, except the blemish *which is inflicted by* —<sup>2</sup>

Fosterage<sup>3</sup> ('altrum'), i.e. great ('oll'), and nourishing ('torroigu'). Every blemish which is inflicted during fosterage is entitled to 'eric'-fine, as if it were inflicted by the hand.

What is the price of fosterage of the son and of the daughter of each person? Three 'samhaisc'-heifers, for the sons of the 'og-aire'-chiefs in general; four 'samhaisc'-heifers is the price of fosterage of their daughters. The fosterage price is equal for *all ranks*, from the humblest man to the 'bo-aire'-chief. Three cows are given by the 'bo-aire'-chiefs, in general; four cows by the 'aire-desa'-chiefs; six cows by the 'aire-echta'-chiefs; nine cows by the 'aire-ard'-chiefs; twelve cows by the 'aire-forgill'-chiefs in general; eighteen cows by kings in general.

A 'sed' in addition to these is the price of fosterage *paid by a father* for his daughter, because the household arrangements for her accommodation are more extensive than for the others (*the sons*).

The price of fosterage of the son of an 'Og-aire' chief is three 'seds'; four 'seds' is the price of fosterage of his daughter.

That is, this is *the rule* for every 'og-aire'-chief, and for every man of the humblest grades, in order that they may not perform the fosterage for less, i.e. or for more, i.e. the honor-price of the secondary

barley meal upon new milk, taken with fresh butter. The sons of kings are fed on stirabout made of wheat meal upon new milk, taken with honey.

"Some, however, assert that children of all ranks get the same kind of food till they reach the end of the first year, or of the third year, but the general custom is as we have written."

<sup>2</sup> By —. The text is defective here.

<sup>3</sup> Fosterage. In C. 82 it is derived from the Latin *alo*, to nourish. *altrum*, ab eo quod est *alo*, i.e., from the verb *alo*, I nourish.



grade is given with the son of the best grade, i.e. his honor-price, i.e. a 'dartaídh'-heifer, and a 'dairt'-heifer, and a 'colpach'-heifer, i.e. three 'samhaise'-heifers, are given by the three 'og-aire'-chiefs, and by the three lowest grades, and by the inferior 'aire-echta'-chiefs for fosterage done for them; or it is for this reason that the additional 'sed' is given for the fosterage of the daughter, because she is not able to protect or maintain her foster father afterwards, and it is more difficult to nurse her *than the boy*, on account of the arrangements for her accommodation; or her labour is of less value, and there is less profit to be derived from her services; or indeed it is less expected that she will be able to support her foster father after she has attained the age at which her fosterage is finished.<sup>1</sup>

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The herding of lambs and calves and kids and young pigs, and kiln-drying, and combing, and wood-cutting, are to be taught to them (*the boys*); the use of the quern, and the kneading trough, and the use of the sieve to their daughters.<sup>2</sup>

If these things be not taught them, there is a fine of two-thirds of the price of fosterage to be paid to the father, on account of the negligence of the foster father. Or even though these things be not taught them, there is no fine for it, for no particular teaching of them is prescribed by the law as compulsory.

The price of fosterage of the son of a 'bo-aire'-chief is five 'seds.'

That is, five 'seds' are given with the son of each 'bo-aire'-chief to them (*the foster fathers*), i.e. by each 'bo-aire'-chief; or else it is the honour-price due to the 'bo-aire'-chiefs for their chieftainship, and the honor-price of the lowest 'bo-aire'-chief is due as the price of fosterage for the middle 'bo-aire'-chiefs, and the honor-price of the best 'og-aire'-chief is due as the price of fosterage for the lowest 'bo-aire'-chief, i.e. five 'seds,' which amount to three cows, i.e. the 'bo-aire'-chieftains of the highest rank, and those of the lowest, and the 'aire-etir-da-aire'-chief, and the 'caithe-cricke'-chief, and the 'aire-echta'-chiefs of the highest rank, and the 'cano'-poet,

*some say that there is no 'eric'-fine whatever for not teaching them, or any of the inferior classes, these things.*" The case is otherwise respecting the upper classes, from the 'aire-dessa'-chief up to the king. *Vide p. 157 infra.*

**FOSTER-AGE.** — ocur canu, ocur dor o gíaduib fíleó, ír cutrumu i n-iaruiro fíu cept bo eiríx.

Íaruiro mic airuch, airuch tuire, 7íú. Incorc do ealathun ɣ [naɾaɾa].

Íaruiro mic airuch, .i. ɔa tɛcuɪt rʰé ba. Incorc, .i. incorcɪcɪuɪr do marcuígeét, ocur brannuígeét, ocur ɔuubrɪɣuó, ocur fíchílluchɪ, ocur ɾnaɾh. Uaim, ocur cumu, ocur ɔruinuchur, ɔa níngeanuib.

Ocur ɔa neaɾbut aɪre na ɣnima ɾo, ɕa fíú ɾoɾɪ in aɪte inn? In mear do ɔena comuɪɣtuch eturruó, no ɾeɪ ɔa muinntur ocur ɾear a comɣnaíó, íreó icur in ɕaɪte inn ɾur in ɔalɕa. No ɾnaɾh ocur marcuígeét ocur fíceallacɕ do munuó ɔo, ocur muna muinntur, a ɾocluit comuɪɣtuhíɣ eaɕurra, ocur mac ɔa muinntur on aɪte ɔon ɔalɕu.

Íaruiro mic ɾíɣ ɕruuchu ɾeɕ. Eachuíb i naímrɪr ímrime.

.1. ɪoɣ eníuó in ɣnaíro buɪr ɾuime íre íaruiro ɔo beɪur ɪa mac in ɣnaíro buɪr ína ɔíacɣ, o ɕa bo eɪre ɕu ɾíɣ.

Eachuíb i naímrɪr ímrime, .i. each ɾae i naímrɪr ímrime.

.1. each ɾuɪ ír in ɾe ɾuɕhuin a ɾuɕa a ɪeɾ eɪrɪm, .i. o aɪte o ɾeét mbɪaɕonuib amach, uair each on aɕhuɪr ɾae ɕu ceann ɾeét

<sup>1</sup> *Aire desa'-chief.* He was the first of the classes who had rank from his dignity (descent and pedigree). The "bo-aire"-chief was estimated according to cows and other property.

<sup>2</sup> *Price of fosterage;* that is, the price of honor of the higher grade was the price of fostering the son of the grade immediately below him in the scale of dignity. This was the case among the chiefs of noble grade only. Among the 'bo-aire'-chiefs, and others of inferior grade, it was reversed, that is to say, the price of honor of the inferior chief was the price of fosterage of the son of the higher grade. To make this intelligible, a few examples will here suffice. Seek the honor-price of a king, and it will be the price of fosterage for the son of the 'aire-forgill'-chief.

and the 'dos'-poet among the grades of the poets, all pay the same price of fosterage which is equal to the proper honor-price of the 'bo-aire' chief.

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The price of fosterage of the son of the 'aire-*desa*'-chief, *and* the 'aire-tuise'-chief, is ten 'seds.' Instruction in the usual sciences is given him.

The price of fosterage of the son of the 'aire-*desa*'-chief, i.e. ten 'seds,' i.e. which amount to six cows. Instruction, i.e. he (*the son*) is taught horsemanship, and 'brann'-playing, and shooting, and chess-playing, and swimming. Sewing, and cutting-out, and embroidering, *are taught* to their daughters.

And if these accomplishments are wanting, what *fine* is imposed upon the foster father for *his neglect*? The arbitration which an *impartial* neighbour, or a man of his people and a man of equal grade with him to *represent the other party* shall make between them, is what the foster father shall pay to the foster son. Or he (*the son*) is to be taught swimming horsemanship and chess-playing, and, if these are not taught, the award which the neighbours shall pronounce between them *shall be paid by the foster father*, and the foster father shall give a boy of his people to the foster son.

The price of fosterage of the son of a king is thirty 'seds.' *The foster sons shall have horses in time of races.*

That is, the honor-price of the grade *immediately* preceding is the price of fosterage<sup>2</sup> which is given with the son of each succeeding grade, from the 'bo-aire'-chief to the king.

Horses in time of races, i.e. that he (*the foster son*) is to have a horse at the time of races.<sup>3</sup>

That is, a horse to ride at the proper time at which he shall require to ride, i.e. *a horse is to be supplied* by the foster father after the child has attained the age of seven years, for a horse must be sup-

Find the honor-price of the 'aire-forgill'-chief, and it will be the price of fosterage of the son of the 'aire-tuise'-chief, and so on in the descending scale down to the 'aire-*desa*'-chief, the lowest of the noble grades. On the other hand, if you wish to find out the price of fosterage of the sons of the inferior ranks, you will have to begin below and move upwards in the scale of property. If you want to find the price of fosterage of the son of the man of the lowest grade, look for the honor-price of the next grade above him, and so proceed until you come to the 'bo-aire'-chief of the highest grade, where the inferior grades end.

<sup>2</sup> *Time of races.* In the MS. the words 'ṡṡ ba,' i.e. 'two cows,' are placed over the word 'αἰμῆρ,' 'time,' probably referring to the value of the horse to be supplied.

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մեծւածսն. Օսըր օ ծօ երա, իթօ յօլջսըր ծօն ալտէ ԻՆ յարհալց-  
սիտ ծօ մսնած ծօ, օսըր մսնա մւնտըր, ծօ ծըրսն յա հարհստա  
անօ ար ղմաիտ. Օսըր շիօ ճննի ծիծ յաիտ մսնտըր ծօիծ, աճա ծօ  
ծըրսն յա հարհստա ար ղմաիտ անօ ծօն աճաիւր; յօ Կսմա ծօ  
սօճօն ծօ ճէճ, սաիւր իր քրսր իր քօճալ; յօ Կսմած ճաիսըր ա  
քօալսըր ԿՆ ճէճիւր.

Օսըր մսնա լստիսըր ԻՆ լաիտ, յօի Կօ յոնօլիճիտ ծօն ալտէ ԿԻՆ  
Կս մսնի ԻՆ յարհալճիտ, .1. յի յօլջսըր շիտ ծօիծի մսնա  
լստիսըր շիտ լօ. Օսըր յի յօլիճիտ ղմանի ծօ յոննած ծօիծ մսնա  
քալիճ սիլճէ յոննամիտ ա Կօնքօիլսիճ ծօն յալիծ, յօ ծօն  
նալիծի.

Միտ յա ղիճ ծօն մսնալիտը իտ յօ ծօն Կալիտը, շիլսա ա  
մսնալիտ յօ ա Կալիտ ծիտ ղիս, օսըր Կսըրսմսըր շիլճէ ա մսնալիտ  
նօ ա Կալիտ ծօն իարհստ յօ Կօ ղիս ծօ ծըրսն յա հարհստա ծօ  
լմաճէ, օսըր օ ղիս յօիս լօիտ լալիւր. Աճիւր ԻՆ լօսըր շիլճ  
Կսրսծ յոնն միտ յա ղիճ, օսըր յա ղիճ, օսըր յա ղիճստ ղաիսըր,  
մա մսնալիտ օսըր մա Կալիտ.

Միտ յա ղիճստ ղիլս օսըր յա ղիճստ ղաիսըր, ղալս ա մսնալիտ  
օսըր ա Կալիտս աճ յարհս լսիս յալիտ յօ լօրսն, յօ Կս ղիս  
Կնօ ղօր Կօրք. Օսըր իթօ իր Կնօ ան օ ղիս ղիլսլիճ, յօ  
Կսմստ ճն լոննիլիստ, օսըր օ ղիս ղիս, իր շիլճ ա մսնալիտ ծիտ ղիս,  
օսըր Կսըրսմսըր շիլճէ ա մսնալիտ, յօ ԻՆ լսիս յալիտ, յօ ԻՆ  
լօրսնա ծօն իարհստ յօ Կս ղիս ծօ ծըրսն յա հարհստա ծօ  
լմաճէ, օսըր օ ղիս ղիս, յի լօիտ լալիւր. Մօ ԿԻՆ Կս ճէճ Կօմսըրիտ  
ան, իր Կսըրսմսըր շիլճէ Կօմսըրիտ ղիտ ծօն իարհստ ար ղմաճէ  
Կօ ղիս ծօ ծըրսն յա հարհստ.

**Ճնօ շիլճ.**

ղիլճալիտ, օսըր իրսնսնիլճէ, օսըր ղիլճալիտ օսըր ղիլճի,  
օսըր ղիլճստած ծօիծ; սալս, օսըր Կսմած, օսըր ղիլճիտ, ծօ  
նիլճալիտ.

Միտ ան ԻՆ ղիլճի ԻՆ լալս սիլճ ղիլճստած ա ղիլճսն ա  
աիսըր, յօ ա ղիլճսըր, յօ ալտէ. Օսըր մսնա ղիլճսըր ԻՆ



plied by his father to the end of seven years. And when he (*the father*) gives the horse, the foster father is bound to teach (*the boy*) horsemanship, and if not taught it, a 'smacht'-fine of two-thirds of the price of fosterage shall be imposed for the neglect. And if any item of these (*the accomplishments above mentioned*) is not taught to them (*the sons*) there is a 'smacht'-fine of two-thirds of the price of fosterage due to the father; or it is due to *the son* himself, for it is upon him the injury has been inflicted; or it is the same as sending him away from his good fosterage without necessity.

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And if the horse be not supplied by *the father*, it is not unlawful for the foster father not to teach horsemanship, i.e. it is not required of *the foster father* to give him\* a horse, unless a horse had been given with him by *the father*. And it is not required to teach him\* swimming unless there is water fit for swimming in the neighbourhood of the foster father, or of their fathers.

Ir. Them

If the sons of kings have been struck or libelled, they shall be paid 'eric'-fine for the striking or the libelling, and the amount of the 'eric'-fine or 'smacht'-fine for striking or libelling them shall be two-thirds of the price of fosterage, and when it has reached to this *sum* it does not go beyond it. The other book says that the sons of the kings, and the kings, and the chieftain grades are equal as regards the striking and libelling of them.

As to the sons of the Feini grades, and of the chieftain grades, it is safe to strike them and to libel them, but so as no blemish or nickname has been given, or a wound inflicted on the body. And a wound means *any incision* which causes bleeding, or it is a cut, and, when it comes to that, 'eric'-fine for striking shall be paid to them, and as much *more* as the 'eric'-fine for striking them, or for causing a blemish or giving a nickname, is to be deducted as 'smacht'-fine from the price of fosterage until it reaches two-thirds of it, and, when it reaches this *limit*, it does not go beyond it. Or though there should only be a mark left on the body, the amount of the 'eric'-fine for that mark is to be deducted as 'smacht'-fine from the fosterage-price until it amounts to two-thirds of the fosterage-price.

Another version.

Chess-playing, and 'brann'-playing, and riding, and swimming, and shooting, are to be taught to them (*the sons*); sewing, cutting-out, and embroidering to their daughters.

It is when there is water fit for swimming on the land of his father, or his grandfather, or his foster father, that the swimming

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munað uile, no cið en ní doib na muinter, da trian na hiarpruta ar fmacht ann don athair, no cumuð doib uodén do beð, uair ir riu ir foðail; no cumað athcur a foaltair cin deðbriur. Ocur munu fuil uirci mfnáia ir plan.

Ir ann ata (no dligéir)<sup>1</sup> in marcuigeét in tan atá ech on athair fuil co cenn peét nibliadun, ocur munu múinter, 7rl. Ocur munu tuctur in tech ir plan cin in marcuigeét; ocur munu fuil machuire a fearann a athar, ce beð a fearann a aise, ní dlezur a mhúad; ocur ma tá a fearunn a athar, ata da trian na hiarpruta do fmacht ann munu muinter.

Mic na ngrað féne; cið do gniether a mbualuðrde no a caineð ir plan, acé na roib comurda no na roib tubu nainni no leirinn; ocur mað eð on, ir coirpuipe na cnerde inn, no eric in leiranna ocur in tubu nainnie; ocur cuthumur na herca rin don iarpruð ar fmaét, co ró da trian na hiarpruta ar fmaét, ocur ní tét tarpuir.

Mo eric in cainte no in buailte ann rin inar da trian na hiarpruta, no ir cuthumu rir, ocur damað lúga inár, ní tét tar in buailte no in cainte.

Mic na ngrað flata imurro, cið beð caineð no bualuð do bercur forru, ata eric a cainti no a mbuailte doib, ocur cuthuma na herci don iarpruð ar fmaét, co ría da trian na iarpruta, ocur ní tet tairair.

Cumdach mic rí, loğ peét pet.

.1. do macuib na ngrað ata irliu bit imailli riu do beruit ar comaitéet, .i. cumtach a netaiğ annro in la tiasait ar iar noiaileir; no ire loğ a netaiğ i ro éuige, .i. no cumdach etuiğ rri aenach, no rri a nathchur iar noiaileir. Lech uinge no

<sup>1</sup> The words in parenthesis are written over the preceding words in MS.

*is to be taught.* And if all the instruction is not given, or if one item of the accomplishments be omitted, there shall be a fine of two-thirds of the fosterage-price due to the father as 'smacht'-fine, or due to themselves (*the foster sons*), for it is really upon them the injury is inflicted, or it is the same as if his good fosterage is returned without necessity. And if there be not water fit for swimming in, it is safe not to teach the swimming.

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The horsemanship is, or is obliged by law, to be taught, when a horse is supplied him by the father to the end of seven years, and if it be not taught, &c. And if the horse be not given by the father, it is safe not to teach the horsemanship; and unless there is a plain in the lands of the father, even though there should be one in the land of the foster father, it is not required to teach it; and if the plain be in the land of the father, two-thirds of the fosterage-price are due as 'smacht'-fine if it (*the horsemanship*) be not taught.

As to the sons of the Feini grades; though they should be struck or libelled it is safe, provided there be no mark or blemish inflicted or nickname given; and if there be, there is body fine for the wound, or 'eric'-fine for the nickname and for the infliction of the blemish; and the amount of this 'eric'-fine shall be deducted as 'smacht'-fine from the price of fosterage, until it reaches two-thirds of the price of fosterage for 'smacht'-fine, but it (*the 'smacht'-fine*) goes not beyond it.

The 'eric'-fine for the libelling or for the striking, is in this case greater than two-thirds of the price of fosterage, or it is equal to it, and if it be less than *the two-thirds*, it shall not exceed the usual 'eric'-fine for striking or libelling.

As to the sons of the chieftain grades, if injury be inflicted on them by libelling or beating, they have 'eric'-fine for libelling or striking them, the amount of the 'eric'-fine shall be deducted from the price of fosterage as 'smacht'-fine, until it reaches two-thirds of the price of fosterage, and it does not exceed this.

As to the decoration of the son of a king, worth seven 'seds.'

That is, they give it to the sons of the lower grades who are along with them for their society, i.e. this is the decoration of their dress the day on which they go away after their fostering is completed; or this is the price of their raiment, i.e. or the decoration of their dress for a fair, or for returning them after the fosterage has been completed. All these seven 'seds' are worth half an ounce or

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ramuirigi, na pet ro uile inbegruid o ta airi itir da aine, ocu cumad do mac ruz tuaithe, ocu moir tuaithe ro be' ina cumdach rin, ocu a da cutruma do mac ruz tuath, ocu do mac ruz cuiceb, ocu a tri cutruma do mac ruz epeno. A netuigi cumdaeta tall rin ac in aite. No cumad iat loizi na netuig do bepar leo amach iar nair diailtir, no na etuigi fein; no cumad iat a netuig turcomruic no polloman, no iar ndiailtir.

Gradu fileo poenan cumu coir cengait.

.1. ceimnigter iarnait o na graduib fileo ro cutruma rir na graduib ata comairu friu do ruir coir, .i. ir poenan inann lium ro cumu no ro cutrumuigi do ruir coir na etuigi rin do cheimnuig do macuib na ngradu fileo re a comgradu do graduib tuaiti.

Saluch uillat.

.1. in tetae do bepar im in galcar, .i. brat du' ocu inar du' do bepar don nuime in tan berir in mac for altram, in brat gin lomur, ocu in tinar cin tollur, cu' re mac ruz cu' re mac athaig.

Ocu ech imrime.

.1. in tech imrime ir re mac gradu platha do bepar, no re mac ruz. Ni tabair re macuib na ngradu feine, ar ni muirir imrim doibride.

Air io carut a ngenelaige.

.1. uair caranach leo na genelaig eilgither uaitib a clann, .i. i nglirine iar mbelaib, amuil ata athair ocu mac ocu uair ocu

half a 'samhaisc'-heifer from the 'aire-itir-da-aire'-chief, and it is for the son of a king of a territory, and of a great territory, that this decoration is, and twice as much for the son of the king of territories, and for the son of a king of a province, and three times as much for the son of the king of Erin. These are decorations of their clothes whilst under the care\* of the foster father. Or they are the prices of the clothes which they bring out with them after the age at which their fosterage is completed, or of the clothes themselves; or they are their clothes of the meeting or of the festival, or after their fosterage is completed.

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\*Ir. With-  
in.

The grades of the poets properly advance after a similar manner.

That is, the price of fosterage of the poet grades is graduated in the same proportion as the grades which are of the same rank with them according to justice, i.e. I deem it proper that these dresses should be by right proportionately graduated for the sons of the poet grades according to their ranks co-ordinately with the lay ranks.

The nursing clothes.

That is, the clothes that are given to keep them clean, i.e. a black coverlet and a black tunic, which are given to the nurse when the son is given to be fostered, i.e. the coverlet without being thread-bare, and the tunic without being broken, whether *these be given* with the son of a king, or with the son of a person of inferior rank.

And a riding horse.

That is, the riding horse is given with the son of *one of* the chieftain grade, or with the son of a king. It is not given with the sons of the Feini grades, for horsemanship is not taught to them.

For their tribe relations are friendly.

That is, for the tribe relations who receive their children from them are beloved by them, i.e. the 'Geilfine'-tribe relationship in the

**FOSTER.** արմս, օսր լոսս ԿՕ Կուքը; օսր չէլքոն ար Կւան. յ.  
**AGE.** Երաթար թաթար, օսր մաԿ ԿՕ Կուքը Եօր.

Sechma mapuro na peotu po iari naoir diaiitir, cia poroimileptur  
aor na poognum iat, ir a nairic amuil bete. Munu mapure itir ir  
aitgin amuil be inich tarl a neiri, no dona cia mapure cin cu  
mapure, aitgin inoic dic ann, ocup tairic na bo ocup in neich o peet  
mbliadnuib amaic, maod mapure.

**1** **ἰ**n bo tēpba cō nā tēpib, ocuṛ in tētāc īmṛumne, cīō ḡaluyr  
bunāō, cīō ḡaluyr cunōtabuyrtač, cīō tīpōicīōō tē tī ṛuyr ṛē ṛē  
n-īubāile, a naitēḡma beoṛ tayıṛ on ačhaiṛ don aīti ; ocuṛ maṛ  
tēṛ paṛl īmcomēēta in aīti tēchṛāō a mūdō, nī īcṛa in taitḡuyr  
īat, ocuṛ īcṛuytḡeṛ ṛuyr īayr nayı tōaitṛin ōn aīti.

Ու ամբար քիւ աւելցոյ, շիւ., ի. աւարտս շաք մեզ  
 ամսիւ ա հարաւսց.

1. ἰφ ἀνιυῖθ ἀμ ατα το πειρ διζιθ; ολλτοριυιθην το βιωθ οσυρ  
το έταθ πορ καθ μαρ ανιυιθ βερ μετ να ιαρρυιθ το βεριαρ λειρ.

Μαρά λυζα in ταλτραm τυκαθ φαρι na in ταλτραm βυθ conη  
αρ mac α αθαη, ιφ αιηυιλ ταιριε α ιουαλταιρ conη δεθβιρυρ no  
cηθ δεθβιρυρ. Μαρο mo in ταλτραm τυκαθ φαρι ιφ α οιλρ don  
mac αιηυιλ ιφ οιλρ γαχα conηλυζα βιρ ιτηρ in λαναμαιn, αρ ιφ  
in οετμαθ λαναμαιn α αιτε οκυρ α οαλτα.

Շո քօ Երթա զոհեալսն ու օղորդալսն, օգր յաճ օգր ու  
 արթորալսն արթալսն զառ զօր ու արթալսն? Ոչոն քիւ  
 զոհալսն արթալսն արթալսն ու արթալսն, արթալսն արթալսն  
 ու արթալսն ու արթալսն:

Առիշար ա մալտար զը յըտհարը.

<sup>1</sup> *Horse.* The reading here is probably corrupt. The Irish word in MS. 'εἰς' means clothes, but from the context it appears that the reading should be 'each,' a 'horse.'

direct line, such as the father, and the son, and the grandson, and the great grandson, and the great great grandson to the fifth generation; and the 'Geilfine'-tribe relationship in the reverse line, i.e. the brother of the father, and his son to the fifth generation.

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But if these 'seds' are living after the age when the fosterage is completed, if the attendants have used them, they are to be restored as they are. If they are not living at all, restitution shall be made as they were at the time of *the completion of the fosterage*, or indeed whether they are or are not living, restitution of them must be paid, and the cow and whatever animal was supplied by the father, from seven years out shall be restored, if they be living.

As to the milch cow with its churn, and the riding horse,<sup>1</sup> if they are carried off within the proper period of the fosterage either by original disease, or doubtful disease, or by the visitation of God, (*i.e. lightning*) restitution of them must be made by the father to the foster father; but if it was through the negligent keeping of the foster father that they were lost, the father shall not make them good, and they shall be made good to him by the foster father after the fosterage is completed.

There is a time when there is restitution, &c., i.e. the fosterage of each son is according to his price of fosterage.

That is, it is thus according to the law; the supply of food and raiment is given to each son according to the amount of the price of fosterage which is paid for him.

If the fosterage given him is less than that which should have been given to the son of *such a* father, he must pay for bad fosterage, whether given without cause or with cause. If the fosterage given him was greater than necessary, it is forfeited to the son like every claim of set off which is between married couples (*or persons socially connected*), for the connexion between the foster father and his foster son is the eighth of these connexions.

What is the reason that the over fosterage-price is paid, and that the excess of fosterage bestowed on the child is not paid for? There is no claim of set off of social connexion, between the foster father and the father, as there is between the foster father and his foster son.

Returning the child unfostered without necessity.

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3 (1) (2) (3) (4) (5) (6) (7) (8) (9) (10) (11) (12) (13) (14) (15) (16) (17) (18) (19) (20) (21) (22) (23) (24) (25) (26) (27) (28) (29) (30) (31) (32) (33) (34) (35) (36) (37) (38) (39) (40) (41) (42) (43) (44) (45) (46) (47) (48) (49) (50) (51) (52) (53) (54) (55) (56) (57) (58) (59) (60) (61) (62) (63) (64) (65) (66) (67) (68) (69) (70) (71) (72) (73) (74) (75) (76) (77) (78) (79) (80) (81) (82) (83) (84) (85) (86) (87) (88) (89) (90) (91) (92) (93) (94) (95) (96) (97) (98) (99) (100)

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.1. cen ɔerɔ, cen macrao ɔop in lenum, aét ɔaill ɔo ní cin  
biað cin étað ɔó.

Ceithri tathcoir ocur cethri timɔairi ɔo nímeɔum.

Tachcoir a mialtoir cin ɔeðbire in mialtair iɔ ɔilri mo  
iaɔruíð uile, iɔri ɔuilleð, ocur loɔ, ocur ɔeɔt.

Mað tathchur a ɔaɔaltɔum, conitica loɔ neich ɔo ɔaca-  
bair, ɔnɔ.

Mað timɔairi cen tathchur ɔin mialltair, ní ɔoglen ba ɔon  
iaɔruíð.

Mað timɔairi a ɔaɔaltair ɔo ɔeðbire in timɔairi, loɔ  
neich ɔo altair ɔnɔ.

Ma timɔairi a mialltair cin ɔeithbiri i mialltair, ní ɔacaið  
air maɔ timɔairi hi ɔuioiɔað.

Mað timɔairi a mialltur ɔo ɔeithbiri, ocur ɔo beir aite  
liach, ɔriam ɔo ɔaɔbaɔl ɔri timɔairi, ocur ɔriam in ɔá ɔriam  
eile iɔri ɔé ocur in biað.

### Tachur cen mialtur.

.1. tathchur a ɔaɔaltɔumu cen ɔeðbiri. Iɔ ɔairi aithɔina  
in iaɔruíð, tachur a ɔaɔaltɔumu ɔia mbi ɔeithbiriur; ocur  
timɔairi a ɔaɔaltɔuma, ɔia mbi ɔeithbiriur. Loɔ neich ɔoaltur  
ɔacabur ɔo ceðtair ɔe, .i. ɔia ɔecma ɔon aite ɔul ɔia éir, ɔo  
ɔia ɔecma ɔon aithir ɔul ar a ɔir, ocur iɔ omam ɔeir a mac  
ɔo ɔacbaɔl ɔia eir, conit ɔuim in ɔe, iɔri ɔe ocur éraethur.

Sic. Iɔe iɔ ɔeithbiriur ɔunn neðtair ɔe ɔib ac ɔul a éir, in ɔaite  
no in aithir. Iɔe iɔ ɔeithbiriur ɔomuino ɔé no macrað.

Tathchur a mialtɔum ar ɔiumur, ní ɔacabur nach ɔomuine ac  
in aite. Timɔairi ɔon athair ar ɔiumur, ɔio con ɔaɔaltɔum  
no ɔio a ɔrochalɔam, ní beir ní iɔri aét a mac.

<sup>1</sup> *Recallings.* The four recallings are set out in the paragraphs after the one  
following this.

<sup>2</sup> *Itch.* Itch, 'scrutach,' is probably the word for which the contraction ɔé in  
the text was intended.



That is, without redness, without disease upon the child, but he (*the foster father*) neglects to give him food and clothing. FOSTER-  
AGE.

Four returnings and four recallings<sup>1</sup> are reckoned.

The returning of the child unfostered without cause for the non-fosterage incurs forfeiture of all the price of fosterage, both addition, increase, and milk.

If there be a returning of a fosterable child, he (*the foster father*) must return the price of what he got with him, &c.

If he (*the father*) take away the child without his being returned and without bad fosterage, *on the part of the foster father*, he cannot recover aught of the price of fosterage.

If he take him away from his good-fosterage because it is necessary that he should take him away, *he shall pay* the price of the fosterage performed, &c.

If he takes him away from his bad fosterage without necessity arising from bad fosterage, he shall not then recover aught for his taking away.

If he takes him from his bad fosterage with necessity, and the foster father makes hard complaint, one-third of *fosterage-price* is recovered for the taking away, and the other two-thirds are divided between the *compensation for time lost*, and the food consumed.

### Returning without bad fosterage.

That is, to return a fosterable child without necessity. The returning of a fosterable child incurs restitution of the fosterage-fee, if there be necessity; and taking away a fosterable child, if there be necessity, *incurs restitution also*. The price of the fosterage performed is deducted in either case, i.e., should it happen that the foster father had to go from his territory, or should it happen to the father that he had to go out of his territory, and that he is afraid to leave his son behind him, *the price* is then divided in two parts, between time and labour.

Necessity here means either of them having to go out of his territory, the natural father or the foster father. The necessity mentioned above means *the child being affected with itch<sup>2</sup> or disease, and when the foster father did not choose to keep him under his care*.

When the child not fit for fosterage is returned through pride, none of the price of fosterage is left to the foster father. When the father takes away *his son* out of pride, whether the fosterage be good or bad, he recovers nothing at all but his son.

FOSTER-  
AGE.

Մաժ ցալս չոն քիւնամ լիջի, իր աւիշոն ցարս արիւնջ ծոն  
աւիար. Երօ աւիար շումցարե, քարսօ աւիշոն շէտնա. Դա  
քիւնցարեք լիջի, ինո՞ ինչ ու յօ արիւնջ քարս ծոն իարսօ քարսօ  
աւիար. Երօ աւիար շումարցիք, քարսօ աւիշոն շէտնա, օսք  
քարսօն քարս օր մեւ.

Շէփս շաւիար օսք շէփս շումցարե ծօ քիւն քիւն :  
աւիարս ա մաւարս օն ծէփս ին մաւարս, օսք շումցարե ա  
աւիարս օն ծէփս ; իր ծիւր ին իարսօն սիւ, ու ա արիւնջ սիւ  
ի շէտնա. Երօ աւիարս ա մաւարս օն ծէփս ին մաւարս,  
ու աւիարս ա աւիարս օն ծէփս, ու շումցարե ա մաւարս  
օն ծէփս ին շումցարս, օսք օն ծէփս ին աւիարս, իր  
արիւնջ աւիշոն ին իարսօն սիւ, ու ա քարսօն սիւ ին շաւի քիւն  
օն քիւն.

Մաժ աւիարս ա աւիարս օն ծէփս, ու աւիարս ա  
մաւարս օն ծէփս ին մաւարս, օսք ին աւիարս ու  
արիւնջ ա աւիարս օն ծէփս, լոջ քիւն ու աւարս  
քարսօն ծոն իարսօն ին շաւի քիւն օն քիւն.

Մաժ արիւնջս ինքնօն ա մաւարս օն ծէփս ին մաւարս,  
ու քարսօն ու արիւնջս ա քիւն.

Աւիարս ա քարսօն օն ծէփս, իր աւիշոն ին իարսօն ծոն  
աւիար. Երօ ծէփս, իր քիւն ինքն քիւն օսք քարսօն ; ու  
մաժ ինքն քիւն ծոն ին մաւարս օն ծէփս ին մաւարս,  
օսք օն ծէփս ին աւիարս, ու օն ինքն. Երօ ծէփս  
ին մաւարս, ու ին աւիարս, իր աւիշոն ին իարսօն ծոն  
աւիար. Երօ ան քիւն քարսօն ի ծէփս, իր սիւն ծոն  
աւիարս, ինքն քիւն օսք քարսօն օսք աւիշոն.

Շումցարե ա քարսօն օն ծէփս, ու քարսօն քիւն ու  
քիւն օն ա մաւարս օն ծէփս ին մաւարս ; օսք քարսօն քարսօն

If there be disease without medical attendance, there is restitution of his original fosterage-fee *to be made* to the father. Should the father take away the child, *in this case* he shall likewise get restitution. If medical attendance be supplied, the father shall obtain that part of the fosterage-fee which was not spent on it. If the father take him away, *in this case* he shall likewise get restitution, and he leaves one-third of the fosterage-fee for the performance of the implied contract.\*

FOSTER-  
AGE.  
—

\* Ir. Con-

Four returnings and four recallings are here reckoned ; returning *tract of*  
*a child* being not found fit for fosterage, without necessity for bad *mouth.*  
fosterage, and taking away of a fosterable child without necessity ; in either case all the fosterage-fee is forfeited, or to be restored. If the child not fit to be fostered be returned with necessity for the bad fosterage, or the fosterable child be returned without necessity, or the child not fit to be fostered be taken away without necessity for the taking away, and with necessity of the returning, in each of these cases restitution of all the fosterage-fee is to be made, or it is all to be left.

If there be a returning of a child fit to be fostered with necessity *for the returning of it*, or a returning of the child not fit to be fostered with necessity for the bad fosterage, and of the returning or taking away from good-fosterage with necessity, the price of the part of the fosterage performed is deducted from the fosterage-fee and left to the foster father in each of these cases.

But if there be a taking away of the child not fit to be fostered without necessity for bad fosterage, nothing is left to the father for taking away then.

When a fosterable child is returned without necessity, the fosterage-fee shall be restored to the father. If with necessity, the fosterage-fee is divided between time and labour ; or if indeed he (the foster father) should select to retain him in the case of bad fosterage with cause for bad fosterage, and with cause for returning, he shall not have the choice. If without necessity for bad fosterage, or for returning, there is restitution of the fosterage-fee *to be made* to the father. If there be both bad fosterage and cause for returning without necessity, the father shall have all, both addition and increase and milk and restitution.

In case of taking away a child from good-fosterage without necessity, the father shall not recover anything whatever. This is so also in the case of bad fosterage with necessity for bad foster-

**FOSTER-  
AGE.**

in Եւսմցայրս ան լին, Ի ըստ իւր ըս օսք Երօտիս; ո՞ր մա՞ծ  
յուտօ՞ճա լեօ անօր Եւ զօ՞ծ ծեւծիւր իւր. Մա՞ծ Եւ ծեւծիւր  
in մուլտիւր, Ի սիւժ ծօն Եւսիւր անորօժ, սաւր Ի ծեւծիւր in  
Եւսմցայրս.

Եօրօ Եւսիւրօ ծաւլիւ; Եւր, օսք անօճլոնօս, օսք  
տօճա.

.1. in Եւր, օսք in Եւճլոնս, օսք in տօճա .1. in Լինի ծառ, Ի  
Եւսմիւր իւր ըս օսք Երօտիս ծօն Եւրիւր; ո՞ր ծօն Ի Եւր  
նա՞մա Եւսիւր լին; օսք in Եւճլոնս, .1. Եւ Եւսմիւր. Մա  
Եւրցայ՞ in Եւր in Եւճիւր օսք in Եւրիւ, օսք ո՞ր Եւր on  
Եւսիւր Եւրիւ քօ նա Եւրիւ, Ի Եւսիւ Եւսմցայրս Եւ Եւրիւր Եւ  
Եւրիւրիւր ծօն Եւրիւ. Մա Եւրցայ՞ in Եւրիւր Եւրիւ քօ նա  
Եւրիւ, օսք ո՞ր Եւր on Եւր in Եւճիւր օսք Եւ Եւրիւ, Ի Եւսիւ  
Եւսիւր Եւ Եւրիւր Եւ Եւրիւրիւր.

In տօճա ծառ, մա՞ծ Եւրցայ՞ in Եւր in Եւճիւր օսք in Եւրիւ,  
օսք ո՞ր Եւր on Եւսիւր in Եւրիւ, Ի Եւսիւ Եւսմցայրս Եւ Եւրիւր  
Եւ Եւրիւրիւր.

Մա Եւրցայ՞ in Եւրիւր in Եւսմիւր, օսք ո՞ր Եւր on Եւր  
in Եւճիւր օսք Եւ Եւրիւ, Ի Եւսիւ Եւսիւր Եւ Եւրիւր Եւ Եւրիւ-  
րիւր.

Ո՞ր Եւսիւր Եւր in Եւսիւր Եւրիւ.

.1. Եւ Եւսիւր ո՞ր նա Եւրիւր Եւսիւր քօ Եւրիւր, .1. ո՞ր  
Եւրցայ՞ in Եւրիւր մա՞ծ Եւրիւր ո՞ր Եւ Եւսիւր. Ի Եւրցայ՞ Եւ  
Եւր Եւր Եւր Եւ Եւրիւ, մա՞ծ Եւրիւր քօ Եւր Եւ Եւսիւր Եւ  
Եւ, .1. Եւ Եւր Եւր ո՞ր in Եւրիւր ո՞ր Եւրիւր.

Եւսիւր Եւր Եւ Եւրիւ.

<sup>1</sup> *For his Crimes.*—In C. 688 a passage occurs in connexion with this subject,  
to the following effect: “The crime of a son while being fostered, on whom do  
his crimes fall? i.e. his first crime without intention, without neglect, and his  
crimes of neglect are all upon his foster father.

“If he gave notice of his criminality to his father, or if the father himself was

age ; and if he (*the father*) take away then, it (*the fosterage price*) is divided between time and labour ; or if both should choose it to be *as above*, without any necessity whatsoever, *the fosterage price shall be similarly divided*. If *the child is taken away from bad fosterage* without necessity for bad fosterage, all then shall be made good to the father, for the taking away is necessary.

FOSTER-  
AGE.

There are three periods at which fosterage ends : death, and crime, and selection.

That is, *in case of* death, and crime, and selection, i.e. *in case of the marriage* of the child, the fosterage-fee is equally divided between time and labour ; or it is so *in case of* death only ; and in crime, i.e. without intention. If the foster father offers the food and raiment, and he cannot induce the father to be responsible for his (*the son's*) crimes,<sup>1</sup> the case is similar to the father's taking him away from his good-fosterage without necessity. If the father offers to be responsible for the crimes, and he cannot *get* from the foster father the food and raiment, it is the same as returning from a good-fosterage without necessity.

*As to* the selection, if the foster-father offers the food and the raiment, and he could not *get* the *wedding-gift* from the father, it is the same as taking away from a good-fosterage without necessity.

If the father offers the overplus, and he could not *get* the food and raiment from the foster father, it is the same as returning from a good-fosterage without necessity.

Neither the foster father nor the foster mother are capable of returning *the child*.

That is, without one of the three conditions which we have mentioned, i.e. they shall not return him if it be better for them not to return him. There is *but* restitution without increase, milk or addition, if the compact is impugned by notice of one day, i.e. *in case* another person who is more entitled to the fosterage, impugns it (*the compact*).

Fosterage of affection without fosterage-fee.

aware of it, his father shall pay for his crimes, not of neglect, and his crimes of neglect shall be paid for by the foster father.

" Unless his criminality has been made known to the father, his crimes, not of neglect, shall be paid by the foster father."

FOSTER-  
AGE.

.1. ní dleáir rmaét ná coirpóire iníro, .i. in taltruma do ní nech ar fercuio léir can iarruio do tabairt lair. In taltrumu fírcí gín iarruio, caé roáil do genu fe amach fe nech eile, ocuṛ do gentuṛ ní amuich, ciamao aíl a nacraa for aite no for a buime, nochá dligéed, uair nach uirail do rígní oríro ocuṛ ná tucáo iarruio lair; no dono chena ír áctugáó ro áctairtuṛ in tan ro gabuṛtuṛ hé ná hícfairí a cinuio.

Ní fíl fíu híarraiṫh anechtuṛ do airíe cío iar nṫaílaiṛ.

.1. bá, ocuṛ anṫlonnuṛ, ocuṛ toá, .i. in trálach dílat, ocuṛ in bo dearbá, no ollíaríuio, ocuṛ ná neiche a dubrumaṛ romuinn tṛuair; no ní ro caíteó don iarruio.

Maṛa galuṛ bunuio cinṫí rucurtuṛ ná feoit fe fe n iubaile, feoit a comaicinta on aithíu don aite.

Maṛa galuṛ cunnatabairtach, ír a léé díe on athair don aite, ocuṛ a nairíe ro uile on aite don athair iar nair díailaiṛ. Cío be aígáig, gnaé no ingnaé, beirur íat iar fe niubailé, munu mairuṫ buṫein iar nair díailaiṛ, feoit a comaicinta on aite don athair; no dono co ná beé fe niubailí daitṫeáó ríu do gneṛ, áé aithgín díe don athair ann; uair maíro gaṫaó íatṫ ac in aite, ír a nṫíre díe ní in athair ann, ocuṛ enecṫunn díe fe ceétaiṛ de, .i. don aite ocuṛ don athair.

Ní mipech fep in iarraiṫh a ṫiumgaíre.

That is, there is no 'smacht'-fine or body-fine due in this *case*, i.e. *in the case of the fosterage which one performs out of affection for him (the child) without a fosterage-fee being given with him. In the case of fosterage of affection without fosterage-fee, every trespass which the child shall commit against another person, when not with his foster-parents,\* or which is committed against him when not with his foster-parents,\* though eric-fine for them may be demanded of his foster father or of his foster mother, the demand is unlawful, because they were not bound to pay it, and no fosterage-fee was given with him; or else indeed there was a stipulation made by them when they took him that they would not pay for his crimes.*

FOSTER-  
AGE.

\* Ir. Out-  
side.

Something in addition to the fosterage-fee is to be returned by either party after the fosterage is ended.

That is, *after the fosterage is ended by death, crime, or selection, i.e. the nursing-clothes, the milch cow, or the over-fosterage-fee, and the things which we have already mentioned above; or that part of the fosterage-fee which was not consumed.*

If it be an unquestionable original disease that carried off the 'seds' (i.e. *cattle given with the child in fosterage*) during the proper period of the fosterage, 'seds' of the same nature and value must be given by the father to the foster father.

If it be a doubtful disease *that has carried them off*, the half of their value is to be paid by the father to the foster father, but the full value of them is to be restored to the father after the fosterage is completed. Whatever death, usual or unusual, has carried them off after the proper period, unless they themselves are living after the age at which the fosterage is completed, 'seds' of the same nature and value shall be given by the foster father to the father; or else the proper period is never to be taken into consideration respecting them, but restitution is to be made to the father in the case; for if they have been stolen from the foster father, 'dire'-fine shall be paid for them to the father, and honor-price shall be paid to both, i.e. to the foster father and to the natural father.

The person who gave the fosterage-fee cannot take it back.

**FOSTER-  
AGE.**

.1. nochá cuimgech in fep innaigir in iarruib amad (.1. innaigir in iarruib inna) don aite, a cuimgeair amuich, ar ir ann ro on ir uile in iarruib uile don aite, cio marb in dalta re noiaitir, dia toirce altrum do denum co ro caithed i fil gin caithem don iarruib, .1. dia mbe altrum oca athair (.1. ric a ler altruma). Ocu munube, ir ruinn itir re ocu troothur. Ocu maó forogair in taite a bithbinde dia athair, ocu ni icann cinuib a mic, ir uile in iarruib uile don aite. No dia toirge a biathad ocu a eide oc denum dāna i nocu don aite, ocu ni gaib in dalta, ir uile in iarruib don aite. No cemaed buó aíl don aite, gabail in imporcuib na iarraata no co mbet ac in athair lenum ric a ler altrum, no co comuic rin imurcuib na iarraata dairic uad don athair.

Maó forae fepailir fep altrum mic in air araille.

.1. maó fur gabur in fep do ne in taltrum in iarruib re haltrum mic ir in air i roibe in mac ir marb anó, no ir in air nare in mic ir comaoir fep diambe oco, no cio rinuib do beuar, cio mó cuir an mic deidenuig, ir luza a daetain do buó ocu detach.

Ni mipech nech arad altrum for aite.

.1. nochá cuimgech nech a arad ar in aite, on meit ir

<sup>1</sup> *Defendant.* This parenthesis is interlined in the MS. here.

<sup>2</sup> *Fostered.* This parenthesis is also interlined in the MS. here.

<sup>3</sup> *Profession.* Denam a dāna means learning a trade, art, or science; oc denam a leiginn means studying.

<sup>4</sup> *Of the same age.* This case assumes first, that the first boy was dead for some time, and secondly, either that the father had twin children born to him, or that



That is, the person who sues for the fosterage-fee as plaintiff<sup>a</sup> (i.e. who sues for the fosterage-fee from the defendant<sup>b</sup>) from the foster father, cannot seize it as plaintiff,<sup>a</sup> (i.e. from the foster father), for in this case all the fosterage-fee is really forfeited to the foster father, even though the foster child died before the expiration of the period of the fosterage, if he offers to perform fosterage (i.e. to foster another child) until what remains unspent of the fosterage-fee is spent, i.e. if the father has fosterage, i.e. another child (which requires to be fostered.<sup>2</sup>) But if he has not, it (the remnant of the fosterage-price) is to be divided between time and labour. And if the foster father warned the father of his child's criminality, and that he does not pay for his son's crime, all the fosterage-fee is forfeited to the foster father. Or if he had offered to feed and clothe him (the son) while acquiring a profession<sup>3</sup> near the residence of the foster father, and the foster son did not accept of it (this offer), the fosterage-fee is forfeited to the foster father. Or the foster father may, if he likes, retain the excess of the fosterage-fee until the father shall have a child requiring to be fostered, or until he is able to restore the excess of the fosterage to the father.

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<sup>a</sup> Ir. With-  
out.  
<sup>b</sup> Ir. With-  
in.

If he retains it for fostering a son of the same age with the other.

That is, if the person who performs the fosterage retains the fosterage-fee for the purpose of fostering a son of the age of the son who died, or a son of the same age<sup>4</sup> with him, should he (the father) have such, or if an older son<sup>5</sup> be given him, though the last son has a larger portion, he requires less food and clothing than the other.

No person can force the foster father to take into fosterage a son beyond the age.

That is, no person is able to compel the foster father to do so,

he had two sons of the same age by different women. The elder son referred to might be a brother of the dead child taken for some reason from his first foster father and transferred to the present person.

<sup>5</sup> Older son. As the term of the fosterage ended at the age of seventeen years, the older the transferred boy was the less was the price of finishing his fosterage, for though he required more food and larger clothes his time was shorter.

**FOSTER-AGE.** **ΔΙΑΙΤΗΡΙΑ** **IN** **ΔΑΛΤΑ** **ΠΟ** **ΡΟΙΡΤΗΝΙΞΕΙΤΥΡ** **ΕΙΝΕ** **ΡΑΘΕΟΙΘ**, **ΙΑΡ** **ΤΟΧΑΙ-**  
**THEM** **ΝΑ** **ΡΕΙ** **ΝΑΡ** **CAITH** **IN** **CÉT** **ΔΑΛΤΑ.**

17 **ΑΕ** **ΤΟΞΑ.**

17 **ΛΕΙΡ** **Α** **ΡΟΞΑ** **ΤΟ** **ΡΕΙΡ** **ΑΕΙ** **ΙΜΙΝ** **CÉT** **ΑΛΤΡΥΜΝ**, .1. **ΜΑΘΙΑ**  
**ΝΥΡΟCΡΑ** **ΤΟΝ** **ΑΙΤΕ** **Α** **ΒΙΘΒΙΝCΕ** **ΤΟΝ** **ΑΘΗΑΙΡ**, **ΟCΥΡ** **ΝΙ** **ΡΕΤΥΡ** **ΟΝ**  
**ΑΘΗΑΙΡ** **ΒΙΘ** **ΡΑΙ**, **ΙΡ** **ΑΜΥΙΛ** **ΤΙΜΙΩΓΑΙΡΕ** **ΤΟΝ** **ΑΘΗΑΙΡ**. **ΜΑΘ** **ΑΙΡΑΤΙΥ**  
**ΙΜΥΡΥΟ** **ΛΑΙΡ** **ΙΝ** **ΑΙΘΙΡ** **ΒΕΘ** **ΡΟ** **CΙΝΑΙΘ**, **ΟCΥΡ** **ΝΙ** **ΛΕΙC** **ΙΝ** **ΤΑΙΤΕ** **ΟCΟ**, **ΙΡ**  
**ΑΜΥΙΛ** **ΑΘΗCΥΡ** **ΤΟΝ** **ΑΙΤΕ** **ΡΥΝ**, **ΟCΥΡ** **ΤΟ** **ΤΑΙΡΙC**, .1. **ΤΟΝ** **ΑΘΗΑΙΡ** **ΟΝ**  
**ΑΙΤΕ** **ΙΜΝΙ** **ΝΑ** **ΡΟ** **ΤΟΧΑΙΤΗ** **ΙΝ** **ΛΕΝΥΜ** **ΤΟΝ** **ΙΑΡΥΑΙΘ**; **ΟCΥΡ** **ΝΙ** **ΡΥΛ**  
**ΛΕΝΒ** **Ι** **ΝΑΙΡ** **ΑΡΑΙΛΕ** **CΟΝ** **ΑΘΗΑΙΡ** **ΑΠΝ**, **ΝΟ** **CΙΑ** **ΒΕΘ**, **ΙΡΕ** **ΡΟΞΑ** **ΙΝ** **ΑΘΗΑΙΡ**  
**ΙΝ** **ΙΜΡΟΡΕΡΑΙΘ** **ΔΑΙΡΙC** **ΥΑΘ**.

**ΜΑΡΑ** **ΜΑΡΒ** **ΙΝ** **ΛΕΝΒ** **ΡΕ** **ΝΑΙΡ** **ΔΙΑΙΤΡΥ**, **ΜΑΤΑ** **ΑC** **ΙΝ** **ΑΘΗΑΙΡ**  
**ΙΜΥΙCΗ** **ΛΕΝΒ** **ΡΥC** **ΑΛΕΡ** **ΑΛΤΡΥΜΝΥ** **ΡΟ** **CΕΤΟΙΡ**, **Ι** **ΡΟΞΑ** **ΙΝ** **ΑΙΤΕ** **ΙΝ**  
**ΑΛΤΡΥΜΝΥ** **ΤΟ** **ΤΕΝΥΜ** **ΙΡ** **ΙΝ** **ΝΙ** **ΝΑ** **ΡΟ** **CAITH** **ΤΟΝ** **ΙΑΡΥΑΙΘ**, **ΝΟ** **ΙΜΕ** **ΙΝ**  
**ΙΜΥΡΕΡΑΙΘ** **ΝΑ** **ΗΑΡΡΑΤΑ** **CΥΙΡΕΡ** **ΥΑΘ**.

**ΜΥΝΥ** **ΡΥΙΛ** **ΑC** **ΙΝ** **ΑΘΗΑΙΡ** **ΛΕΝΒ** **ΡΥC** **ΑΛΕΡ** **ΡΟ** **CΕΤΟΙΡ**, **CΥΜΕΘ** **ΒΥΘ**  
**ΑΙΛ** **ΤΟΝ** **ΑΙΤΕ** **ΞΑΒΑΙΛ** **ΙΜΥΡΕΡΑΙΘ** **ΝΑ** **ΙΑΡΥΑΤΑ**, **ΖΥΛ**, **ΙΡ** **ΩΙΛΕΡ** **ΙΝ**  
**ΙΑΡΥΑΙΘ** **ΥΙΛΕ** **ΤΟΝ** **ΑΙΤΕ**.

**ΟΞ** **ΙΑΡΡΑΙΘ** **CΟ** **ΝΑΙΡΜΙΤΗΡ** **ΡΥΙ** **ΡΕ**.

**Sic.**

.1. **ΙΝ** **ΝΞΙΝΑΡΡΑΤΗ**; **ΙΡ** **Α** **ΡΟΞΑ** **ΙΝ** **ΑΘΗΑΙΡ** **ΑΤΑ** **ΙΝ** **ΕΙΝΕΙ** **ΒΕΙΡΥΡ** **ΑΝ**  
**ΛΕΝΥΜ** **ΝΟ** **ΙΝ** **ΤΥΙΛΛΕΘ** **ΙΑΡΡΑΤΑ** **ΤΟ** **ΒΕΡΑ** **ΛΕΙΡ**; **ΟCΥΡ** **ΝΙ** **ΑΕ** **ΡΟΞΑ** **ΙΝ**  
**ΑΘΗΑΙΡ** **ΑΙΡΙC** **ΙΝ** **ΛΥΙΘ** **CΙΝ** **CΟΒ** **ΑΙΛ** **ΤΟΝ** **ΑΙΤΕ** **Α** **ΑΙΡΙC**; **ΙΝ** **ΡΥΙΛ** **ΤΥΙΛΛΕΘ**  
**ΝΑΡΡΑΤΑ** **ΤΟ**.

<sup>1</sup> *Had not spent.* The text is here defective, and the commentator has barely preserved the custom in words sufficiently clear, though brief and abrupt. The custom was this:—"If the first son sent to be fostered happened to die before the expiration of seventeen years, it was optional with the father to send him a son of the same age as the son who died, if he had such, or an older son under the age of seventeen, but he could not compel the foster father to take a son above the age of seventeen to put in the time." The reason of this exception is obvious enough; but it is not easy to conceive why the father should wish to send a son already fostered in the place of the son who died, unless, indeed, such son were an idiot, or one incapable of doing anything for himself.

when the foster son sent him last is beyond the age of fosterage, to put in the time which the first foster son had not spent.<sup>1</sup>

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There is a choice<sup>2</sup> *allowed* by law.

That is, it is his to choose according to law respecting the first fosterage, i.e. if *the child's* criminality is made known to the father by the foster father, and the father cannot *be got* to be responsible for it, it is like taking away the child by the father. But if the father consents to be responsible for his crimes, and the foster father did not permit him *to be so*, it is like returning the child by the foster father, and repayment is to be made, i.e. the part of the fosterage-fee which the child had not spent *shall be returned* by the foster father to the *natural* father; and *if* the father has not a child of the same age with the other in this case, or *if* he has, the father can choose whether the excess be returned by him (*the foster father*).

If the child dies before the age when the fosterage is completed, if the father has a child not in fosterage<sup>3</sup> which requires to be fostered immediately, it is left to the choice of the foster father whether he shall perform fosterage for that part of the fosterage-fee left unconsumed, or return the excess of the fosterage-fee.

<sup>1</sup>Ir. *Outside.*

If the father has not a child which requires *to be fostered* immediately, and that the foster father should like to retain the overplus of the fosterage-fee, &c., the fosterage-fee is then forfeited to the foster father.

Full price of fosterage is reckoned by the time.

That is, the under-fosterage<sup>3</sup>-fee; it is *left* to the choice of the father whether he shall take the child *home* or give additional fosterage-fee with him; but it is not in the choice of the father to take back the child if the foster father does not like to return him; *he* shall not receive any additional fosterage-fee.

<sup>2</sup> *Choice.* This means the mutual consent of the parties; or where one party is given his choice by the other.

<sup>3</sup> *Under-fosterage.* In O'D., 1450, the definitions of this and other terms are given, to the following effect:—"If the fosterage which he received be the fosterage due to him it is called 'cert-iarrath,' just fosterage-fee; if it be greater it is called 'oll-iarrath,' over-fosterage-fee; if it be less it is called 'ing-iarrath,' under-fosterage-fee."

The word 'ing' signifies scarce or scant in this compound; 'cert' means right or just; 'oll,' complete or perfect; and 'oll,' great or excessive.

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Ολλιαρριανό α' δερνζαρι αλτρυμ δαρνερε αραιλε.

.1. in iumurecraio iarrata, aigicthyr in taltrumu daryer a ceile uire iyeic. Ocuir in tanyir tuc in tathuir hi; ocuір dаmаd а rir, no ba uider uad ainiuil cae noiuбайrе pеrа. In olliarriano iumurio, .1. in iumurecraio iarrata ата тuсаd лейr dаrуic don athair, munub comroga leo maraen, in таite ocuір athair, алтrуm pоn iumfоrеcraio iarrata do denun, uair nochа nruil comlozuo iair in аite ocuір in tathair uim in iarruio, cia beo iair in аite ocuір in dalta im in iumurecraio bio ocuір etais no caithirctur in таite rуr in dalta; no dono ma ta ac an athair lenun ruc a ler алтrуmu, irа pоga don аite ina log don алтrуmu no i nairic na hiumurecraio on аite.

Оgиarriao tpa; da ba dec ocuір pеct pcrpuill dec ocuір capull pоgnuma. Ir de ата in iarriao ar ba nath pоrуr in аite ag in таrуna maд elaidе lair; ar ir fоrеcraio pоrуr in iarrum (no pоr nаtиarriao) in tech rin. Oillat cleib do, ocuір aigen, ocuір bo bainne do mite a bleogan a neryar do a oilaс dec, ba lan de in teryar rin. Oo miter damna terya mbairgen peryune, no a re do banfune, irre do tet di lan. Ocuір a cpoad po tpi pоr tpi litiu do i cen ir mac aigin e, ecnem cem ir mac boma nua, ar lair do do gner, in im do i noomnaigeb.

Nac mox do fоrmaig leire naltрumu do fоrmaig co brianne ocuір роchruide don аite.

A cin pоr аite co air таилтu, .1. a pect dec, ar ir di podel in taltrumu; na tинтаba cin na coonach no a catach oрr in amach pоr аite.

Oi boegal naltрumu annro: a athcor ne na re pоr a muntir, ar a mberтар co na iarriao uad uile inge bo bainne, cen ni do rua inge aon bliaden. Boegal eile тumгаire rua na re o na

<sup>1</sup> A second fosterage-fee. This parenthesis is placed in the MS. under the two preceding words, as if it was an *aliter* reading.

Over-fosterage-fee requires one fosterage after another. FOSTER-  
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*In the case of over-fosterage-fee, one fosterage is required to be performed after another. And it was in ignorance the father had given it; but if he had given it knowingly, it will be forfeited by him, like every default with knowledge. But the over-fosterage-fee, i.e. the excessive fosterage-fee which was given with the son, shall be restored to the father, unless both of them, the foster father and the father, agree to have fosterage performed for the overplus of the fosterage-fee, for there is no set off of debts between the foster father and the father respecting the fosterage-fee as there is between the foster father and the foster son respecting the overplus of food and clothing which the foster father expended on the foster son; or, indeed, if the father has a child which requires fosterage, it is in the choice of the foster father whether he allows the value in fosterage or returns the overplus.*

Full-fosterage-fee now; twelve cows and seventeen 'screpalls' and a working horse. It is called fosterage-fee because the chief has it as a fee upon the foster father if he abscond with it; for that horse is afterwards an overplus upon him, or a second fosterage-fee.<sup>1</sup> A cradle coverlet is given to him, and a skillet, and a milch cow, which, being milked into a vessel of twelve inches in diameter, fills that vessel. It takes the materials of three cakes of man-baking, or six of woman-baking, to fill it. This is to be made into three messes of stirabout for him while he is spoon-fed,<sup>a</sup> and into as many <sup>a Ir. A skil-</sup> meals of bread while he is a fresh-diet-boy, and he is to have milk <sup>let-boy.</sup> with it always on week days, and butter on Sundays.

In whatever way the completeness is increased in the fosterage it increases participation and the emolument of the foster father.

*The responsibility of the foster child's crime is upon the foster father till the age at which the fosterage determines, i.e. seventeen; for the responsibility and the fosterage are inseparable: the faults of the sensible adults or their dignity will not affect the foster father from that out.*

These are the two dangers to fosterage: the first, to return the child before the time to his people, for which all the fosterage-fee is taken away except the milch cow, which is retained, even though it (the fosterage) lasted only one year. The other danger is, that

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muinntir beinnit, ocuf facbuir in iarraid uile la nech no do aile, ar ir dligtheb ceétair nae tob dia faille.

Cinuir mic naltummu, cia forra tiasat?

.1. a cet cin comruir for aite inech i roic ann; epic cuna denuum tri faille, ocuf a citta faille uili for aite, cib ria nupocra cib iar nupocra a cet cin comruir cin faille, ocuf a citta faille uili for aite.

Mað ro nupocair a bithbince don athair, no ma ro ritir fein, a citta bithbince cin faille do ic don athair; ocuf a citta bithbince co faille tic don aite.

Ireð ir citta faille ann a denuu a fionnuir gin fuaitre, no i nairir. Ireð ir citta bithbince gin faille ann, a denuum tar faruðad i fionnuir.

Muna ro nupocair a bithbince itir don athair, ir citta bithbince co faille ocuf gin faille tic don aiti.

Or iar fionnuir mað ro fionnuir, o leartia no arta.

.1. mað iar na pocra don aite a bithbince don athair, ocuf ni etur on athair fuir, ir amuil tiunizaire, .i. foaltair cin detbir, uili oð nairata don athair. Mað airtie imurro lair in athair bet fuir (no ro) cinuir, ocuf ni lecent a aite oca, ir amuil athchor don aite rin, .i. a foaltur gin detbirur, ocuf cet aithgin dairic ann.

Cret ir lepuir ar leit, no ir arta ar trian do na deoruib

<sup>1</sup> *Be found.* The text is here defective.

<sup>2</sup> '*Lepuidh*'-sheltering, &c.—*Vide C. 2548, et seq.*

the child may be taken away by his people, in which case they leave all the fosterage-fee to the person who fosters, for both are bound to cede these conditions to each other.

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—

The crimes of the foster son, on whom do they fall ?

That is, the foster father is responsible for the first crime of intention as far as it extends ; 'eric'-fine is *to be paid* for the committing of it through neglect, and his crimes of neglect are all upon the foster father, whether before warning or after warning *the father* of his first crime of intention without neglect, and all his crimes of neglect are upon the foster father.

If the father was warned of his (*the child's*) criminality, or if he himself knew of it, his crimes of delinquency without neglect shall be paid for by the father ; and his crimes of delinquency with neglect are to be paid for by the foster father.

Crimes of neglect are those which are committed in the presence of *the foster father* without being prohibited, or without his knowledge. Crimes of delinquency without neglect are those which are committed in violation of, (*i.e. against the will of the foster father,*) in his (*the foster father's*) presence.

If he (*the foster father*) did not warn the father of his criminality at all, the foster father shall pay for his crimes of delinquency with neglect and without neglect.

And after this if it be found from 'leaptha'-sheltering of a criminal, or 'apadh'-sheltering of a criminal.

That is, if, after the foster father had warned the father of his son's misconduct, he cannot get the father to be responsible for it it is the same as taking back, *i.e. a fosterable child without necessity*, the entire fosterage-fee is forfeited by the father. But if the father agrees to be responsible for his son's crimes, and that the foster father does not permit him *to be so*, it is like sending back the child by the foster father, *i.e. returning a fosterable child without necessity*, and he shall make a just restitution of *the fosterage-fee* in the case.

What is "lepuidh'-sheltering<sup>3</sup> is estimated at a half," or "aptha'-sheltering at a third," to the strangers and the persons from beyond sea, since they have no tribe themselves ? "Aptha'-sheltering

**FOSTER-AGE.** — օսար ծօ յա մարխարէի, սար ուոհա դրսւ բնե աւա ԲՈՒԵԻՆ. 1րօծ  
ամ 1ր արէա ար տրսան ծօրն բնե 1 սարքարծ ար ա տալտ ճրսւն.  
1րօծ 1ր լըթա ար լըթ 1մարքօ ԿԱՇ ԲՆԵ Օ ԷՆ ԲԻՆ ԱՄԱՇ.

1Նժօլըր ԿԱՇ 1արքարծ տար անմե 1նժեւիւրե.

*Sic.*

.1. ու ծնցիօ քըր անըր ու ծարքարծ մաօ անմեւ, ա՛ւտ տրսան,  
.1. 1ր մաօ ժե՛ւիրս 1ն անոմ, .1. ԲԻՅ 1ար ԲԻՐ, .1. մսւնք օ ծա, .1. 1ր  
1նժօլըր 1ն 1արքարծ ծօն ալտ օ քըրքարտիւր անմ-ԿՆԵՐԺԵ ար 1ն  
ծալտա տրե 1նժե՛ւիրս, .1. ճրս ա Կօմեւ ծօն ալտ ար ըսքս օսար  
ժօրսւծն. Մաօ ըսք քեւի ԵԻԵ 1մարքօ, 1ր քլան քաշ ա ըօքս  
քա մԵՒԻՇԻՆԷ՛Շ ՕՆ Է՛Ի 1ր ա ԿԵ, օսար ծա տրսան 1ն 1արքա՛տա, ու  
ԵԵՐԷ ԼՅճ յա հանմե օ ալտ; ա ԵՐՈՎԱՐԵ.

Մաօ ԵՐՈՎԱՐԵ 1մարքօ, 1ր տալլեօ ծօն 1արքարծ քս Է՛ՆԿԱ 1ն  
ըսք ԿՕ ըօրԵ ԼՅճ յա հանմե ան, մաօ լսճա ԿՈ 1ն ըսք 1նօ մա  
անմե.

Մաօ ԿՕՆԱՇ 1մարքօ քաշանալքըր քս, ԿՐ ժօրսւծ ԿՐ  
սրքարծ, ծա տարքարտըր քս, ու ԿԱՆԾ 1ն տալտ ու քս 1ն  
աշար. Օսար ԿՐ ըսք ծօնօ, 1նժե՛ւիրս ծօն ալտ ԿՈ ա 1մԿօմեւ;  
օսար Կ ԵԵՐԷ քսքսւմ, ծա տրսան ճա՛ւ Կնսւծ ծօ ճրտիւր քս  
ԵԵՆ ԵԵՐ ԱՎ; օսար տրսան 1ն ԿԱՇ Կնսւծ ծօ ճրտիւր քս 1ար  
նժսւ սա՛ծ.

<sup>1</sup> *Wicked beasts.* Bulls, rams, dogs, &c.

<sup>2</sup> *Less than the blemish.* This shows that the injury inflicted by the 'Rop,' or wicked beast, was calculated according to the nature of his attack, and that the foster father was fined according to the injury resulting from that attack. Thus (to suppose a case), if a bull gore a boy, the bull (or rather his owner) shall be fined for *goring*; but if he destroys the boy's teeth, or puts out his eye, the foster father shall be fined, not relatively to the crime of the bull, but to the injury sustained by the boy. If the fine for *goring* be equal to the fine for the injury inflicted on the foster child, then the foster father is free, except as to the levying of the fine, because the owner of the bull is bound to pay for the injury; but if the injury inflicted be more than the fine for *goring*, then the difference shall be deducted from the fosterage-fee which is in the foster father's hands until it amount to two-thirds thereof, but shall not exceed it.



at a third" to them applies to the tribe of the native on whose land they are. But "'leptha'-sheltering at a half" applies to every tribe from that out.

FOSTER-  
AGE.  
—

Unlawful is every fosterage-fee beyond the avoid-  
able blemish.

That is, the fosterer is not entitled to any part of the fosterage-fee if he (*the foster son*) be blemished, except one-third, i.e. if the blemish could have been avoided, i.e. it is after knowledge, i.e. unless it be from God, i.e. the fosterage-fee is not lawfully due to the foster father when a wound-blemish has been inflicted upon the foster son when it might have been prevented, i.e. when he (*the child*) has not been guarded by the foster father against wicked beasts<sup>1</sup> and strangers. If the wicked beasts belong to another person, full fine for the injury is to be paid by the person whose property they are, and two-thirds of the fosterage-fee, or the full fine, for the blemish by the foster father; this is the severity of the case.

If it be the leniency, some more of the fosterage-fee is to be added to the 'eric'-fine for the crime of the beast until it reaches the value of (*i.e. the fine for*) the blemish, provided that the crime of the beast be less than the blemish.<sup>2</sup>

If it be a sensible adult that has attacked him (*the child*), whether a stranger or a native, if they have inflicted a blemish on him, the foster father shall pay nothing to the father. But if it be wicked beasts, it is unlawful in the foster father not to guard him *against them*; and if justice be rendered *the son*, he shall be paid two-thirds of *the fine for* every crime committed against him, *i.e.* while he is with him (*the foster father*); and the third of *the fine* for each crime committed against him after leaving him.<sup>3</sup>

<sup>3</sup> *After leaving him.* When the foster son left the house of his foster father he was then under the care of his own father, and, therefore, the foster father could not be sued for his crimes; but the foster father had still two claims upon him, namely, he was entitled to one-third of all the fines, the first fine obtained for the first injury done him, and he had a claim to be supported by him in his old age, should he lose his own children. His own eldest son, legitimately begotten on the body of his first wife, was the first who was obliged to maintain him; next, after him (in case of death or other accidents), his other legitimate sons, according to their respective ages; and next his foster children, according to the order in which he fostered them, and the rank and affluence of each. But these particulars are not specified.

**FOSTER-  
AGE.** — Inóleap cach iarraidh cíod mo donno in ainim facadubur  
co trian.

.1. coirpóire anois rann o aiti, ocus curruma ina coirpóire  
comruiti, do rmaét; no da trian in iarraidh ma luza ina coirp-  
óiri comruiti.

*Sic.*

Mao cetra .c. cirtach neich eile ruachnaígeir ruir in mac ir  
ruilleó uatrum, gurup coirpóiri anois. Mao leé oire no  
lan oire, ir tobach nama ólezur don aiti, ocus in rmaét uas  
beor, ut diximus, .i. ma ro aill no oireim, no loch porceir,  
ocus muigaiáste, ir leé coirpóiri innti, ocus in iarraidh uile.  
Munup atmuigaiáste, ir leé coirpóiri inntiu, recipeó coirpóiri,  
ocus bec don iarraidh mao bec in rmaétu. Cíod mo ino rmaétu  
ina da trian, ni tét tar da trian iarriata, uair ir ainm, ocus  
trian don aiti

Leé riach foru aiti ocus foru muime cachá cneó ferfuit  
bera ocus rleaza for in dalta, ocus oireimennab ruir ocus  
aor bodbunuir, co rir a bodbunuir; ocus currumur coirpóiri na  
cneóde comruiti don iarraidh oiazbail, co ró da trian na  
iarriata ar rmaét, ocus o ro ría nochá teit taruir.

Lan riach for in duine comaithech taro herba a éoimet re  
re naenuire, ocus ir rir ro foglaó anoirin, ocus damad e ro  
fogluí amach, ci duine comaithech zabur do laim beé ro  
cirtaib, co rir a bídince, no cíod aiti no muime, ir tuideét doib  
ro lan in eccosnuig.

Cach cneó doib rin ferfuithen air tria faill umcoimeta in  
aiti, leé riach anó for aiti, ocus currumur coirpóiri na cneóde  
comad e don iarraidh oiazbail, co ro da trian na iarriata, air  
rmaét, ocus oio ría nóó tét taruir; ocus ge no taruirta lan

<sup>1</sup> — Text defective here.

<sup>2</sup> *Full fine.* In the margin of the MS. the words 'trep dul' third book, occur  
here.

<sup>3</sup> *Outside*, i.e. hurt any body outside the land belonging to him who had him in  
charge.

Unlawful is every fosterage-fee, if the blemish left be greater —<sup>1</sup> to a third. FOSTER-  
AGE.  
—

That is, body-fine for inadvertency is here *paid* by the foster father, and as much more for 'smacht'-fine, if it be body-fine for the crime of intention ; or two-thirds of the fosterage-fee if it be less than body-fine for intention.

If it be the wicked cattle of another person that attack the son, he (*i.e. the foster father*) shall pay additional, until it amounts to body-fine for inadvertence. If it be half 'dire'-fine, or full 'dire'-fine, the foster father is bound only to collect it, but he must pay the 'smacht'-fine also, as we have said, *i.e.* if the son went to climb a precipice, or swim in a lake, and that he was lost, (*i.e. killed*), it is half body-fine that shall be *paid* for it, and all the fosterage-fee. If he has not been lost, there is half body-fine to be paid for it, whatever that body-fine may be, and a small portion of the fosterage-fee if the attack was slight. If the 'eric'-fine for the attack is more than two-thirds of the fosterage-fee, it shall not exceed two-thirds of the fosterage-fee, for it is a blemish, and one-third is for the foster father.

Half fine is imposed upon his foster father and foster mother for every wound which spikes and spears shall inflict upon the foster child, or for the attacks of wicked beasts or enemies, if their enmity be known ; and as much more of the fosterage fee as the body-fine for the intentional wound, shall be got for 'smacht'-fine until it amounts to two-thirds of the fosterage fee, but when it reaches this it shall not go beyond it.

Full fine<sup>2</sup> is imposed upon the neighbouring man who was told to mind him (*the child*), for one hour, if injury was inflicted on him during that time, and if he (*the foster child*), committed any injury outside,<sup>3</sup> whether it be a neighbouring person who has undertaken to be responsible for his crimes, with knowledge of his delinquency, or his foster father or his foster mother, such person shall become subject to the full fine incurred by the child.

For every wound of those already referred to, which shall be inflicted through the negligent keeping of the foster father, half-fine shall be paid by the foster father, and as much more as the body-fine for the wound, shall be obtained as 'smacht'-fine out of the fosterage-fee, until it amount to two-thirds of the fosterage-fee, but when it has come up to this amount it does not go beyond it ; and

FOSTER-  
AGE.

բիւսի ամառի ծո ըօրսիւ, օսւր ծօր ծօրսնսւր, ուոհսն քիւն  
սիւծուսր ծօրիքցս շարսն օսւր աւի օսւր մսմե, սար շսն  
ծաւ 1 մծիս նեչ սար լսնսնսնսն սս ծսնսն քօշլս ըս նեչ, օսւր  
սսմե սսն սս լսնսնսնսն, ու քիւն սիւսր ծօրիքցս շարսն.

Օսւր իր քիւն սլքսնսն տրսն ծոնսն քիսիւն քօ.

.1. տրսն օսրքօրսն սս շտ շնիւծ քիւքսիւտիւր սր. Մսն քօ  
իւ սսն ս շոն քիսն ուսիւտիւր, օսւր քսստնսւշտիւր քիւք իմսւշ իսր  
քիւն, տրսն սս քիսիւ քիւն ծոն սսն.

Մս օս սսն քսստնսւշտիւր քիւք, տրսն սս քիսիւ քիւն ծոն սսն,  
սն սս իսն սնսնսն, .1. շտ սն, շոն իսն ս շտ սնսնսն, մսն օսսն ծօր  
իւ տսն քսստնսւշտիւր քիւք. Մսն իսր ուսիւտիւր իմսրքօ քսստ-  
նսւշտիւր քիւք, ու ծօրսն սսն ու սսն օսրքօրսն, ստ մսն քօ իւ ս  
սնսնսն քսն տտ սսն.

Օսւր իր սն սրսն ոքսնսն տրսն քիւն սլքսնսն, .1.  
քիւն սլք.

.1. տրսն սս շտ շնիւծ շոքսնսն սն քիւն քիւքսիւտիւր քօր  
իւ սսնսն սս քիւքն սսն; օսւր իր սնսն իստիւր քիւն քիւք իւ տսն քօ  
նսլքսնսն շտ սօր սիսնսնսն, օսւր իր սսն քօ քիւքսն շնսն քիւք, շտ  
քօ իւ սն շոքսն սնսնսն. Մս մսն քօ սն շտ սօր սիսնսնսն, օսւր  
իւ իսր ուսն սսն քօ քիւքսն շնսն քիւք, օսւր քօ իւ սնսնսն, ծօրսն  
իւ տրսն.

Մսր իսր ուսն սսն քօ քիւքսն շնսն, սիսնսն շտ սօր  
սիսնսն, մսնսն քօ իւ սնսնսն ուոհսն ծօրսն ու.

<sup>1</sup> *Closely connected*, i.e. connected by marriage, by fosterage, or any of the other social connexions.

though full fine be recovered from *the owners* of wicked beasts, and from enemies, no comparison of equality is to be instituted between him (*the neighbour*) and the foster father and foster mother, for wherever there is one who is more closely connected,<sup>1</sup> who is committing trespass against any *foster child*, and one who is not so connected, there is no comparison of equality to be instituted between them.

FOSTER-  
AGE.  
—

And the third of these fines is *due* to the fosterer.

That is, the third of the body-fine for the first wound which shall be inflicted upon him *is due to his foster father*. If the foster father had paid for his crime before the completion of the fosterage, and that he is attacked afterwards when not under the care of the foster father,\* the third of the fines *payable on the occasion is due* <sup>\*Ir. outside.</sup> to the foster father.

If he were attacked while *living* with the foster father, the one-third of the fines is due to the foster father, even though he has not paid for his crime, i.e. his first crime, so as he has paid for his first crime, if he is with him when he is assaulted. If he has been assaulted after his fosterage has ended, his foster father shall not obtain any part of his body-fine, unless he had paid for his crime before he left him.

And it is the only case in which it is called the fosterer's third, i.e. *the third of the man who fosters*.

That is, the third of *the fine for* the first wound of intention without neglect which shall be inflicted on the foster child shall be paid to the foster father; and this is paid to him when he has performed the fosterage to its completion, and it is with him (*while the child was under his care*), the wound was inflicted on him, whether he has or has not paid for his crime. Or if he has fostered to the age of the completion of the fosterage, and it was after leaving him the wound was inflicted on him (*the child*), and he had paid for his crime, he shall obtain the one-third.

If the wound was inflicted upon him (*the child*), after leaving him (*the foster father*), even though he has completed the fosterage, if he had not paid for his crime he shall not obtain anything.

**FOSTER-  
AGE.**

Մաժ րօնաւ Եօ Եօր Եօաւերն, օԵր իր Եօ րօ րօնաժ Ենեժ  
րօրն, Ե րօ ի Ե Են Եօ րօն Ե Ենաժ; յօ յօ րօ ի Ե Ենաժ, իր իօր  
րօն յօն րօ րօնաւ յօր, օԵր յօ րօնաւ Եօ Եօր Եօաւերն, յօ  
Եօնն րօնն Եօն րօ րօնաւերԵր յօրն Ե յօ Եօնն րօնն Եօն  
Երնն Եօրն յօ Եօն.

### Եօ Եօրն Եօր յօնաւ րօն րօնաւ յօնաւ ?

.1. Եօ րօն Եօր Եօն Եօնաւաժ Եօրն րօն րօնաւ Եօ յօնաւ  
Եօրն ? Արն Եօնաւաժ Եօնն յօն Եօն Եօն Եօնաւ, յօ Եօ  
Ենաժ. Ա Եօնաժ իր յօ Եօն Եօր, օԵր Ե Եօն Եօն, ի Եօնաժ, իր  
Եօն Եօնաւաւ; օԵր Եօնաւ իր յօ Եօն Եօնաւաւ, օ Եօն Եօնաւ  
Եօն Եօնաւ. ՕԵր յօ Եօն Եօնաւ իրն Ե րօնաժ օԵր Ե Եօնաւ  
Եօն Եօն Եօնաւ Եօն. Իր յօ Եօնաժ Եօն րօ րօն ի Եօն Եօն  
Եօն յօն Եօն Եօնաւ, օԵր իր յօ Եօնաւաժ Եօն իր յօ Եօն  
Եօնաւաւ, օԵր իր յօ Եօն Եօն Եօն իր յօ Եօն Եօնաւաւ, յօ  
րօնաժ յօ Եօն իր յօնաւ Եօն.

*Sic.*

Ին Եօն Եօն յօն Եօն յօն Եօն իր յօ Եօն Եօնաւ, Եօնաւ  
Եօն յօն Եօնաւաւ; Եօն Եօն Եօն իր յօն, Եօն իր յօ Եօն  
Եօնաւաւ, յօ րօնաժ.

Իր ի Եօն Եօն Եօն յօնաւ յօ Եօն իր յօ Եօնաւաւ, իօ  
Եօն Եօնաւաւ Եօն Եօն Եօնաւ. Ին Եօն յօն Եօն իրն Եօն  
Եօն իրն Եօն Եօնաւաւ, Եօնաւ Եօն յօն Եօնաւ, օԵր իր Եօն  
Եօն Եօն յօն Եօն; յօ իր Եօնաւ յօն Եօն, Եօն յօ Եօն  
օԵր իր Եօնաւաւ Եօն Եօնաւ Եօն.

### Արն օ րօնաւ Եօն Եօն Եօն Եօնաւ յօն.

.1. Եօն Եօն յօն իրն Եօն իրն. Եօնաւ Եօն Եօն, իր Եօն  
Եօն Եօնաւ իր յօն իրն. Մաժ իօն Եօն Եօնաւաւ Եօն, իր ի

<sup>1</sup> *First age.* One to seven years, first age; seven to twelve years, middle age; twelve to seventeen years, last age.

If he has fostered till the age when the fosterage determines, FOSTER-  
AGE. and the foster son was with him when the wound was inflicted upon him, whether he had or had not paid for his crime; or if he (*the foster father*) had paid for his crime, and it was after leaving him the injury was done to *the child*, and he had not fostered till the age when the fosterage determines, the foster father shall obtain such a proportion of the third of the fine as the time during which he has fostered bears to the whole term of the fosterage.

How long is there power over foster sons?

That is, how long is the power of castigation allowed over the sons who are being fostered? Three threatenings of the son for his crime, without putting them into execution, for his first crime. He is to be castigated in the first age;<sup>1</sup> and he shall be without food, with castigation, in the second age; and restitution *shall be made* during the last age, from twelve years out. And no difference is observed between their assault and their larceny until they reach twelve years. For the fifth crime full 'dire'-fine shall be inflicted on him in the first age, and for the fourth crime in the middle age, and for the third crime in the last age, and for the second crime if it be assault or larceny.

When he has committed one crime or two crimes in the first age, he shall make restitution in the middle age; half 'dire'-fine shall afterwards lie against him, whether committed in the middle age or in the last age, if he has committed assault.

It is full 'dire'-fine, however, that shall lie against him if he has committed theft in the last age, after having first made restitution for assault. When he has committed no crime at all until he does so in the last age (*i.e. twelve to seventeen*), he shall be liable to restitution for assault and to half 'dire'-fine for theft; or to restitution for his theft, for 'dire'-fine does not reach him, and he makes restitution sooner.

Restitution from that time to the end of seventeen years.<sup>2</sup>

That is, this is the penalty in the case of the first crime in that age. If it be not the first crime, half 'dire'-fine with restitution shall be

<sup>1</sup> Years. In margin here *cuparō*, chastisement, is glossed *τροφεαὶ*, fasting.





against him in that age. If above the age of seventeen years, full fine shall be imposed upon him, whether it be the first crime or not, i.e. the second crime after seven years is equal to the third crime before seven years.—S.D. That is, it is the time, (*i.e. seventeen years*), during which the son is an infant, and it is the limit of the foster-age, and, consequently, the last age of the fosterage extends to it. And in passing through the three ages which we have mentioned the little boys were threatened for their first crime in each age, without putting the threats into execution; and from this it is evident that as soon as little boys pay restitution, or when their age of paying restitution has arrived, age is not taken into consideration at all with respect to crimes.

FOSTER-  
AGE.

If he (*the foster-son*) pay restitution after the third crime, he is liable to half 'dire'-fine to the end of seventeen years.

That is, if he happen to commit crime in the middle age, after the crime of the first age, there is restitution due from him, if restitution be due from him for the third crime<sup>1</sup> which he commits, or for the crime which he commits in the last age, for it is the third crime to him, and in this case he had committed one crime in each of these three ages, and the first age was liable to castigation, for the rule that, "in passing through their age they are threatened for first crime in each age without executing the threats," holds good here; and it was assault he committed in the last age in this case; for if it was theft, there would be full fine incurred, i.e. this was the first crime in that age; for if it be not the first crime, half 'dire'-fine is payable with restitution in the same age.

If it be after seventeen years he commits crime, he is liable to full fine, even though it be his first crime; restitution after twelve years is due for his first crime, whatever crime it may be, if it be his first. If it be his second crime there is half fine incurred for wounding; full fine in this case; restitution from that case out, from twelve years for the first crime until seventeen years, for it is the last age; and in the passing through their age there is threatening of punishment, &c., for the crime in every age without putting it all into execution in the three ages which we have mentioned, upon the little boys; and from this it is evident that after the little boys pay restitution, or after they come to the age of paying restitution, age does not ever affect their crimes.

FOSTER-  
AGE.

Mlad la uirrad nupchonn ro rich.

Sic.

.1. ma dia focarctur a bithbinde do ire icur a éinuid uilí, itir  
 tuir ocu arithgin. Munu focarctur, ir aithgin nama tuitir no  
 icur; ocu lan riach for in tuine comaitheé dar herbad a  
 comet re re naonuairé, 7rl., .1. in tan teit in mac la uirrad  
 ire icur a cirta, diambé fonairdm, ocu ní bithbinach. Munu  
 be fonairdm ir leé icur. Diambé fonairdm, ocu ir bithbinac,  
 ocu focarctur a bithbinde, ir íc a éinuid uilí dír luir teit.  
 Munu focarctur, ocu bíó fonairdm, ir ruinn in éinuid eturru.  
 Munu focarctur, ocu ní bí fonairdm, ir a cin tall uilí; no  
 dono ir a éin for rir luir teit muinn oléna. Dia focarctur,  
 ocu ní bí fonairdm, ir ruinn in éinuid i né eturru beor.

## [8] Et gerat cach meic, 7rl.

.1. los anech (no los a nenech) oc a cairbenaó dia muinotir  
 iar noiaitir, ocu ló a nettig, ril tuar. In cutruma do  
 retuib do bepari on aiti don mac ruinn ar a gairi do denun ac  
 teé uad. Seoit gairiteéta ro do bepari do na macaib iar naoir  
 diaitir, ar in ngairi do denun, ocu ló na gairi re taob rin;  
 ocu ir aniluid olegur dib a denun amuil do nitir gairi a mathar  
 no a mathar; ocu munu deirnat, ata rinaé nennennun na  
 gairi uad. Ocu ma eirbadach ní don iairuid, in tannun  
 rannne ir eirbadac di gurube in tannun rannne rin buir  
 eirbadach do na retuib gairiteéta. Ocu munu tuar reoit  
 gairiteéta doib, nocho nindigéé doibruin gin gu nneirnat in  
 gairi no co tuatar doib iat. Ocu ir ann ata na reoit

<sup>1</sup> Or their honor-price. The Irish for this occurs as an interlined gloss in the MS.

If it be with (*i.e. in the care of*) a distinguished native he has done injury. FOSTER-  
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That is, if his delinquency has been made known to him it is he (*the native*) shall pay for all his crimes, both 'dire'-fine and restitution. If it has not been made known, he shall pay restitution only; and the neighbouring man who was ordered to mind *the child* for one hour is subject to full fine, &c., *i.e.* when a son goes with a native it is he (*the native*) who shall pay for his crimes, if there be an agreement to that effect, and he (*the child*) is not ill-conducted. If there be no agreement he shall pay one-half. If there be agreement, and the boy is ill-conducted, and his misconduct has been proclaimed, all his crimes shall be paid for by the man with whom he goes. If it be not proclaimed, and there was agreement, the *payment for the crime* shall be divided between them. If it be not proclaimed, and there is no agreement, all the *payment for his crimes* shall be upon the foster father;\* or else his *Ir. within.* crime shall be upon the man with whom he went, similarly in general. If it be proclaimed, and there is no agreement, *the fine for the crime* he commits is also to be divided in two between them.

The *foster father's* parting gift of every son, &c.

That is, the honor-price, (or their honor-price,<sup>1</sup>) in the showing of them to their people after the completion of the fosterage, and the price of their raiment, is above referred to. The '*séd gertha*' is the quantity of '*séds*' which is given by the foster father to the son on his leaving him, with a view to his (*the foster father's*) future maintenance. These are '*séds*' of lawful maintenance which are given to the sons at the age when the fosterage determines, as earnest of the claim for future maintenance by the foster father, and the price of the maintenance is given besides; and the manner in which they (*the foster sons*) are bound to do it is in the same manner as they would maintain their own fathers or their mothers; and if they do not, they shall pay '*smacht*'-fine for non-performance of the maintenance. And if any part of the fosterage-fee was defective, the proportion of it which is defective is the proportion of the '*séds*' of lawful maintenance which shall be wanting. And if the '*séds*' of lawful maintenance be not given to them (*the foster sons*), it is not unlawful for them not to perform the maintenance until they are given to them. And the '*séds*' of lawful maintenance are complete when the foster father has fostered

**FOSTER-AGE.** **—** Ζαιριτεέτα co comlan in tan ro ailiur in taiti co aif diailetri, ocur tuc iarriuid do neir dligid ann. Mar erbadach ní don iarriuid, in tainm ruinne buf erbadach de gurube in tainm ruinne rin buf erbadach do na petaid zaiuriteéta; ocur ní lúgaiti dliger in zairi do denuid, nochu nindligdech doibruin zin su deiruid in zairi no co tucari doib iat.

**Sic.** Κατιά ρεοίτ ζαιριτεέτα na mac ro? **Nin.** 'Da rcpupall dec ρεοίτ ζαιριτεέτα mic boairech; inann ota per mioduid co ruici boairi. Uinzi airgit rét ζαιριτεέτα (no zairta), caé mic ota aipe iur da airi co ruici aipi forzill, inand ota airi forzill co ruici mac ruz. Tri leé nuinzi airgit ρεοίτ zearia mic ruz. Inunn imbi mac ra ingin.

Κατιά αιμπίρα έόζα? **Nin.** Α cinn a ceirpe mbliadan dec do ingin, a cinn peé mbliadan dec do mac. Cenmotha αιμπίρ διαίτρι, atait da αιμπίρ διαίτρι cenu, αιμπίρ eca, ocur αιμπίρ ber fogla cetamur, ocur αιμπίρ a cet cin, ocur tathcor. Cía dliurum lan iarriuid, moaitheir a folaid rriur. Cía hindliurum lan, muna ragbaitheir a folaid, tathcor athcor altramia. Munu tathcorchur iarriuid if ann raizit combio raé. Mara lúga in taltruma tucad air, 7rl.

### Inóler cach niairuid, 7rl.

.1. leé riach gaáa cnerde rerpuit bepa ocur rleaga, cip ocur clocha, ocur doera ocur aer biódbunnuir ar in dalta, díc da aite, ocur eutrumur coirpoidi na cnerde co na rparéain tre compuiti ro rparad ar in dalta, don iarriuid, no co ro da trian ar rmaét, ocur o ro ria noáa tét tairiur. Ocur cía éarriuid in lan rin auuiz do ropuib ocur do aer biódbunnuir, noóo nruil atpexad cuibura eturru ocur aiti ocur muime, 7rl.

<sup>1</sup> If the fosterage-fee was defective, the 'seds' of lawful maintenance shall be defective in the same proportion.

<sup>2</sup> An ounce. Sic. in original.

<sup>3</sup> Foster-mother, *fc.* Vide p. 183, *supra*, where this passage is given more fully.

to the age at which the fosterage determines, and had received fosterage-fee<sup>1</sup> for it according to law. If any part of the fosterage-fee was defective, the proportion in which it was defective is the proportion in which the 'seds' of lawful maintenance shall be defective; and they (*the foster-sons*) are not the less bound to perform the maintenance *in consequence of this proportionate deficiency in the 'seds' of lawful maintenance*, and it is not unlawful for them not to perform the maintenance until they are given to them.

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What are these 'seds' of lawful maintenance of the sons? Answer. Twelve 'screpalls' are *the value* of the 'seds' of lawful maintenance of the son of a 'bo-aire'-chief; they are the same from the humblest man to the 'bo-aire'-chief. An ounce<sup>2</sup> of silver is *the value* of the 'seds' of lawful maintenance of every son, from the 'aire-itir-da-aire'-chief up to the 'airi-forgill'-chief, and the same from the 'airi-forgill'-chief up to the son of a king. Three half-ounces of silver are the 'seds' of lawful maintenance of the son of a king. It is the same for the son as for the daughter.

What are the periods of selection? Answer. At the end of fourteen years for the daughter, *and* at the end of seventeen years for the son. Besides the *usual* periods at which the fosterage determines, there are two other periods at which it determines also, *namely*, the time of death and time of trespass at first, and the time of the first crime and the returning. Though he (*the foster father*) forfeits the full fosterage-fee, his property is not decreased by it. Though the full *fosterage-fee* is not forfeited, unless his property can be found he must return the foster child *to his father*. If he does not return the fosterage-fee he is then sued for payment. If the fosterage he has performed is less, &c.

Every fosterage-fee is unlawful, &c.

That is, half the fine for every wound inflicted by spikes and spears, by sticks and stones, by bondmen and enemies, upon the foster child, is to be paid by his foster father, and as much more of the fosterage-fee as *the amount* of the body-fine for the wound which was inflicted with intention upon the foster child, until it amounts to two-thirds, shall be paid as 'smacht'-fine, and when it comes up to this it shall not go beyond it. And though this full *amount* be recovered in the case of wicked beasts and enemies, no comparison of equality can be instituted between them and the foster father and the foster mother,<sup>3</sup> &c.

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O

**‘SAER’-  
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TENURE.** Cain traopparth c’o ara neipenar? Cia mearom  
do cain traopparth? Manchuine ocur upeirze.

1. րաջաւ ին թաժա քար Ի Եւ առ արբեր քրտաւ, .1. զոն չըւոճ, աճ քրտաւոճ քառա. Ըիժ արա յերթար, .1. զիժ արա յաճօտըր ու արա յարբերօտըր ին թաժ քառ. Ըիա մեարօմ, .1. զաւոյ ինն Ի քր մերա ծոն շեւե ծա տալիւն ին թաժ քառ? Տառաթաժ ծոնթեժ, տօրա ծա, օքր տօրա ծա յօսուիւ, յ շոտ քր մեւաճան, օքր ծա նը իմքս սիւ, ի ծա ծա ծեւ արա նըւօ, օքր քր ծա ծեւ օքր ծեժ քրքրաւ օքր ծա քոցոն, Եւ ա լաճա զոնա քր լիւսիւ, յ շոտ տօրա մեւաճան արա նըւօ. 11 առ շուիւ, .1. քր զաճա քոսուիւ, ծո ծոսուի ա ծուիւ. ու ա մեւիւ, .1. առ ծոն, ու արաւաջօ լար, օքր ու քէշքր քրքր տըրւոն ին մառնուիւ. օքր քրքրքր, .1. քր զաճա քոսուիւ զաժ քրքր ծիւճաճան ու զքրքր ծոն քաւ, .1. օքրքրքր ծո ծոսուի իմ շոտ ծեւ ա քրտաւ, .1. ա քրա ա ծոն Եւ արա ծոն, օքր շոտ ծո ծոնաքրքր ու ծա լիւ աճ տաւաճ օքրքր, օքր ծա մառ աւ լար.

Caite romuine cach peoit o bic co mori irraopprathuib?  
 A trian cach poit irri a romuini co cenn mbliadna.

Կայծ րօմսւն, յ. կայծ ւն րօմսւն ծառ օսր մանսւն ծխէր  
 Լա ԿԷ րԷ օ ԷԷ ւն րաժ Կօ մօր ւն րաժ ւր նա րԷժ րօրս. 1րրօր-  
 րաժսւծ, յ. ուոհւն ար րաւր նա հիԷժ (նօ ուոհւն արԷ, յ. տօմաժսւծ  
 Էր, յ. յ. յ. յ. Լ Լնօ օսր յ. միւծ), Կաժա ծիւծնա, ԿԷ Կօ րօսր ԿւԷ ԿԷժ  
 ծիւծնա, րր տԷմսւր ւմրԷսր, յ. նօ յ. րաճիւ րր տԷմսւր ւն Էսր-  
 րԷրԷժ օսր ւարսւր ԿօնԷժ Կմիւծ, յ. Էսրսւր յ. Էրւն ԿԷժ ծիւծնա  
 ւր յ. րօմսւն, յ. րր րրԷրԷր ւմրԷսր, նօ Էսրսւր Էրւն ւն րաժա ԿԷժ  
 րօրԷժ նա ԷԷ ծիւծնա, հի Լնօ օսր յ. միւծ, մար Կնօ Կօ րաժ ւմրԷսր.

Ան տօրա մեծիւծոնա յօրն յետ ա մուն արաւե.

THE 'CAIN'-LAW OF 'SAER'-STOCK TENURE BEGINS DOWN  
HERE.

'CAIN'-LAW of 'saer'-stock tenure—why so called? What is the worst of the law of 'saer'-stock tenure? Manual labour and full homage.

*The 'Cain'-law of 'saer'-stock tenure, i.e. the rule of the 'saer'-stock tenure is that of which we treat down here, i.e. without any pledge, but acknowledgment only. Why so called? i.e. why is it called or denominated the 'saer'-stock tenure? What is the worst? i.e. what is the worst thing for the tenant to whom the 'saer'-stock tenure is granted? The 'saer'-stock of the 'bo-aire'-chief, i.e. three cows, and three cows are the return at the end of three years, and should he (the tenant) abscond with them all, there shall be twelve cows paid after absconding, and sixteen cows and ten 'screpalls' and ten 'pinginns,' the price of their milk, with its addition, at the end of three years after absconding. Manual labour, i.e. a man must go to the chief as part of every return at the time of the erection of his 'dun'-fort, or of the reaping of his harvest, i.e. he must help to build the 'dun'-fort, or he must go on a military expedition with him, and he (the chief) does not contemplate any return in manual labour. And full homage, i.e. a man is always given to the chief with every return that is paid every third year, i.e. to do homage while he is sitting, i.e. to make three homages to him on every day, and if these be not made there is only double homage due, if he pleases.*

What are the returns of each 'sed' from small to great in 'saer'-stock tenure? The third of every 'sed' is the return at the end of a year.

What are the returns? i.e. what are the returns of food and work due for every 'sed' from the small to the large stock in the free 'seds?' In 'saer'-stock tenure, i.e. there is no choice with the tenant as to the payment (or it is not so called because he (the chief) forgives it, i.e. the ale and the food), every year, but it is the rule that some should be obtained every year, with the alternative of separation, i.e. in consequence of the rule for the alternative of their separation and because it is so paid, i.e. as much as one-third every year is the return, if there be an expectation of separation, or a proportion equal to one-third of the stock is to be paid by him (the tenant) at the end of the first year, in ale and food, if they then happen to separate.

In three years he (the chief) is entitled to a 'sed' in addition to that already given.

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—

.1. ar teora bliadna tuilleter no ariullnithen ret a cutruma  
fen lair a muin araile ar in uile etaid, .i. diabluð aithgina a  
reoir muna fpuérognaithen co rin anall, .i. cutruma a racha  
do dia tri bliadna; ocur ni cumuings biad do cumngio reimeð,  
aét muna cumngio a rath, .i. cutrumur trin in rathia, i lino  
ocur a nibuð ir in tner bliadan, ir é in ret atbeir punn.

Ar ocur lor ocur gearr iarpuioiu co cenð teora  
mbliadan, iarmoda recht mbliadna, muine aibiatar  
cuice in tuilleð, acht aithgin cu diabul; ar ni in duth  
neð dia raile iarmodh recht mbliadna, ar ir iubaile  
aititen fairi in rain. Oilrigthun romain a ret, acht  
aithgin.

Sic

Ar ocur lor, .i. in forbairt no lor, .i. na laoz, .i. na colna, .i. in  
tuar, .i. munur umal in ceile ir ann tét fairpium on, .i. lairin lezabul  
diabalta, ocur a bunad for fuilleð in bið, mar mó lair ina diabluð fo  
ceoir. Eloð elaitheir plaiti punn i mbiad co cenn tri mbliadan, ocur ni  
elaitheir in aithgin in bið. In biad iarum for fuilleð, ocur lor ocur  
gearr co cenn tri mbliadan, lairinnu ina elaitheir. Iarpuioiu co  
cenð teora mbliadan, .i. iarpa ni aóiriu, .i. in tan bir for eloð fo,  
.i. ar na tri bliadna deoinacha, .i. fuilleð cona fuillium aoir  
iar tri bliadna .i. mun éruit .iii. Ite recht mbliadna ramliuð cum piumio  
annoð, .i. mun éruit co recht mbliadna, .i. irin rechtiað bliadain.  
mbliadna .i. muna deirnar in tuaral biathað conuici. .i. mað ann  
acarar, beirð biad na tri cet mbliadan ocur biad na bliadna i nacair;  
no dono ir biad na recht mbliadan beirur ocur biad na bliadna a nacair  
beor, .i. in bunad ocur a coibeir lair, fpuénam na tri mbliadan cairrech fo  
leic a faill, ocur plaiti polluigtheir ir uirad, ocur fpuénam na bliadna  
a cumngie, no in rechtiað bliadain, .i. diablað aithgina, no ir aithgin  
ocur diablað olezur ann; fpuénam do lor, ocur orar, ocur do gearr, ocur  
aithgin in raða ocur cuir na bliadna ina cumngier, .i. biad  
na bliadna i neaurcarair, mar olezur e ina. Ar ni in duth neð  
dia raile, .i. ar noðo tabuir neð in lor da ceili iarum a hachle  
na recht mbliadan, no co bi nech ir ceile romun eliter eloð ar in



That is, in three years is deserved or merited by him a 'sed' of its own value in addition to the other for the entirety, i.e. double the restitution of his 'sed,' unless any return has been made up to that time, i.e. a quantity equal to his stock *originally given* is to be returned to him (*the chief*) after three years; and he (*the chief*) cannot demand food previously, unless he demands his stock, i.e. a proportion equal *in value* to one-third of the stock, in ale and food in the third year, is the 'sed' here mentioned.

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The growth and increase and milk afterwards to the end of three years, and until the end of seven years, unless the addition be paid to him, except restitution with double; for no one pays increase to another after seven years, for that is the period of *the obligation* arising from the receipt of 'saer-stock.' The return of his 'sed' is forfeited, except the restitution.

The growth and increase, i.e. the addition or the increase, i.e. the calves, i.e. the bodies, i.e. the manure, i.e. unless the tenant is obedient this will come upon him, i.e. with the double half-seizure, and the original *stock* with the addition of the food, if it be greater to him than the double at once. The chief may be evaded here as to the food *due* to the end of the three years, but he may not be evaded as to the restitution of the food. The food shall afterwards *in case of evasion* be at interest, and increase and milk, to the end of three years, *shall be added* to the thing respecting which the evasion was made. Afterwards to the end of three years, i.e. after that time, i.e. this is when he (*the tenant*) has absconded, i.e. during the last three years, i.e. interest with the interest of both during the *other* three years, i.e. unless they pay three years. These are seven years including the first year, i.e. unless they pay for seven years, i.e. in the seventh year. Years, i.e. unless the noble food has been rendered until then, i.e. if it be in this *year* it is demanded, he (*the chief*) shall obtain the food of the three first years and the food of the year in which it is demanded; or else he obtains the food of the seven years and the food of the year in which he demands it besides, i.e. the original *stock* and as much more in addition, and the services of the three first years which were neglected *are to be rendered*, the chief who was neglected being a native, together with the service of the year in which *payment* is demanded, or the seventh year, i.e. double restitution, or restitution and double, are then due; and *the tenant* is to answer for the increase, the growth, and the milk, and for restitution of the stock and double, together with the portion *due* for the year in which they are demanded, i.e. the food of the year in which they separate, if it be due. For no one pays increase to another, i.e. for no one gives the increase to the other after the term of seven years, until the tenant who is sued for the absconding is

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mbliathas, cona diablaó uad aét aithgin. Secht mbliathas, .i. ar  
if ae ro aib, .i. iubaile traoiríada inn ro. Aititenn fairsi, .i. ar if  
diomuine ta paor ann rin cuilleó aititinn doorum, conoilrígann  
romuine a pet. Ceht aithgin, .i. aithgin in neich ro peúrtur  
coruici rin; ocur damad apad ocur troírad do gúeter, do beirtir cuic  
reoir, ocur enecunn, ocur diablaó riach do, ar afe ro n-iubaili;  
ar in fuaer in ceili dia roille in aiten cin acra, muna leictur a elod,  
mao iugnepet imreairu neime rin.

Cach ní díb rin ro peúrtur ría napaó ocur ría troírad, if  
a diablaó do peú ann iar napaó ocur iar troírad. Caé ní díb  
rin ro peúrtur iar napaó ocur troírad if ceit aithgin sic  
ann.

Ireó if aithgin ann aréur, in riad fein ocur in cet biaó  
ro peú riur. Trian loz emech ar airtin in traoiríada, ocur  
lan loz emech in riach, ocur ifreó deásur cutruinnur a trian  
leir caéa bliathas do biaó. ne ffeirinn imreairu, con a cinn tri  
mbliathan ro riach a cutruinnu leir; ocur cin co tuéur ní ann  
itir cu cenó tri mbliathan, aét co toru ní ann rin a cutruinnu,  
nochon fuil ní ann munu leicther elod ime, ocur da leicther,  
if diablaó cach neic uma leicther elod. Munu toru ní ann  
itir i cinn tri mbliathan, fuilleó beo díli do riach riur in riach o  
rin amach, uair if ar fuirinnu beo díli arur o fein.

Da fuilleó riur in cet fuilleó, ocur fuilleó riur in tanuiri ocur  
in trier fuilleó, can ní, ocur fuilleó fuilluinn in fuilleó; da  
fuilleó riur in cet fuilleó in fuilleó reithur ar in cet bliathan.  
Fuilleó do peú leiríde ar in mbliathan meónuis, ocur fuilleó  
ar in mbliathan noerónuis. Fuilleó riur in tanuiri in fuilleó  
peú ar in mbliathan tanuiri; fuilleó do peú leiríde ar in  
mbliathan noerónuis, ocur in trier fuilleó gan ní fuilleó na  
bliathas noerónuis. Fuilleó fuilleó in fuilleó in fuilleó  
peú riur in mbliathan ar in cet bleuinn. Fuilleó do reith ne  
fuilleó ríde ar in mbliathan meónuis, ocur fuilleó do reith  
ne fuilleó ríde ar in mbliathan noerónuis.

Cf., ocur lor, ocur gair do peú ne coluinn in riach ne ne na

<sup>1</sup> *Growth*, 'as,' i.e. of flesh, &c.; increase, 'los,' the multiplication of the young.

amenable for the entirety, he renders not double but restitution. Seven years, i.e. this is the legal period of the 'saer'-stock tenure. *Obligation* arising from the receipt of 'saer'-stock, i.e. for this is free forgiveness for additional receipt of stock from him (*the chief*), so that he forfeits the return of his 'seds.' Except the restitution, i.e. restitution of what has accumulated up to that time; and if notice had been served and fasting performed, there would be five 'seds,' and honor-price, and double the debt *due* to him, for it is within the legal period; for the tenant is free if there had been acknowledgment without demanding, unless he (*the tenant*) had absconded, if they had separated previously.

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*As regards* every thing of these which became due before notice and fasting, its double shall be due after notice and fasting. For every thing of these which was due after notice and fasting legal restitution is to be paid.

Restitution means, first, the stock itself and the first food that became due with it. One-third honor-price on receiving the 'saer'-stock, and full honor-price is the stock, and it is lawful to add to it as much as one-third of the value of it in food every year, in the expectation of separation, until at the end of three years it amounts to the full; and although nothing at all may have been given *in return* for it till the end of three years, provided it be then given in full, there is no fine for it (*the delay of payment*) unless *payment* had been evaded, and if it had, the double of every thing evaded shall be *paid*. If nothing at all has been given in return at the end of three years, an interest of live cattle shall accumulate upon the stock from that out, for it is in consequence of *the stock* being live cattle that it grows *in value* from that out.

Two additions to the first addition, and one addition to the second and third additions, without any thing *being paid*, and addition to the additional addition; two additions to the first addition is the interest which accumulates in the first year. Addition shall accumulate with this in the middle year, and addition in the last year. Addition to the second is the addition which accumulates in the second year; addition shall accumulate with this in the last year, and the third addition without any thing *being paid* is the addition of the last year. Addition upon the additional addition is the addition which shall accumulate with the food in the first year. Addition shall accumulate with that addition in the middle year, and addition shall accumulate with that addition in the last year.

Growth, and increase, and milk, accumulate with the original of the stock during the term of the same three years; the growth<sup>1</sup>

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էր մեծամ զետնա; ար նա զոլլա, օսը լօր նա լաօջ, օսը չքը մ  
տար.

Տըքըսը ար մարլաչ խնայ օսը ծանի քաճա զօ շոն  
մեծամ; էր շէքաննա քըքըսը ար մարլաչ Բօ մօլաօջ  
օսը ծանի անքաճա; Լէ՛ քըքըսը ար մարլաչ շաչա Բօ (նօ  
շաչա մի) ար էրն տար օ քն ամաչ; օսը ու քն ու ար մօ նա  
քն մնա լէւտըրն շո՛ սոքի քն, օսը ծա լէւտըր, ար ծաւա՛ծ  
շաչ նեւի մա լէւտըրն մ շո՛.

Աճա շօժօսը քօր քաչ, օսը քօր քաճն, .1. քաչի  
նա ծնայ աչտ մ օսը քն օսը Բօ շէքքաչ.

Sic.

Աճա շօժօսը, .1. աճա շօժօսը ար նա քաճն ծօ Բօքա՛ն նա քաճ,  
ար ար քաճն շաչ շաճ, .1. ծօքա՛ն շաճ. քաչի նա  
ծնայ աչտ մ, .1. մ Բօ ար մօժոնաչ ղօ շաւքաչ քաչ մ Բօ ար  
ար քօրն մն քօ, .1. էրն Բա շէքքա՛ն քըքըսը քաչն, ար շէքքա՛ն  
քաչն քաչա շոն շաւքա՛ն, օսը շէքքա՛ն քըքըսը քաչն շաճ ար  
մարքա՛ն; օսը շէքքա՛ն քըքըսը քաչն շաճ շաճ ղօ քն, ծէ՛ քըքըսը ծէ  
ծն ար. շ մաւն Բօքա, օսը էրն քըքըսը ար էրն մաւն շաւքա՛ն,  
օսը էրն քըքըսը ար մ; շաւքա՛ն ղօ շօքա մն մն մն քօ քն 1 շոն շօքա  
մեծամ; օսը ղօ քն քա՛ շօ շաւքա՛ն, մնա քն քն ղօ շօքա՛ն  
աճ ար շա.

Քաչի աչա՛ն նա Բօ քաչի ա աչա.

.1. մ քաչի աչա՛ն շօքա՛ն քն, .1. ու քաչի ա աչա՛ն նա  
ա քնաչա՛ն քօր մ շոն քն, .1. արն շա՛ն Բօ արն. Շէ՛  
քաւքա՛ն շա՛ն արքա՛ն քա՛ն ծօ քնա՛ն Բօ ծօ քա՛ն  
ա քաչ; շոն արն շա՛ն ղօ ա շօքա Բօ 1 շոն շօքա մեծամ,  
.1. շօքա Բա շա՛ն, օսը շէքքա՛ն մեւ քաչն ծօ քն քաչ, ղօ  
Բօ շաւքա՛ն, օսը քն մաւն Բօքա, օսը մ էրն քըքըսը, շօ  
քօքա մաւն շոն շաւքա՛ն քն էրն, ղօ Բօ շա՛ն, շոն է  
ղօ շօքա մն մն մն մն 1 շոն շօքա մեծամ; էրն մեւ  
ծօ քն օսը ա էրն ծօ քա՛ն շաւքա՛ն.

1 մ քաչի մօժոնաչ մաւքա, էրն Բօ շօքա՛ն օսը ղօ մա  
շօ քա՛ն, ա շէքքա՛ն շոն քօքա՛ն էրն, օսը շէքքա՛ն մեւ քաչն ծօ

<sup>1</sup> Four. In C. 688 the reading is ‘ս’ six live pigs.

of the bodies, and the increase of the calves, and the milk of the 'tuar'-fold.

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A 'screpall' is to be paid for the dung of a milch cow and of a ploughing ox to the end of a year; three-quarters of a 'screpall' for the dung of an in-calf cow and a non-ploughing ox; half a 'screpall' for the dung of every cow (or of every animal) whose manure is valuable from that out; and there shall be no more than this unless absconding has taken place respecting them, and if it has it (*the payment*) shall be double of every thing respecting which the absconding took place.

There is a distinction of stock, and of chiefs, i.e. a chief who is entitled only to butter and seed and live cattle.

There is a distinction, i.e. there is a distinction of the chiefs who give the stock, for the honor-price of each grade is different, i.e. there is a difference between them. A chief who is entitled only to butter, i.e. the middle 'bo-aire'-chief who received stock from the highest 'bo-aire'-chief is here referred to, i.e. three cows, of twenty-four 'screpalls' value, are given for twenty-four sacks of undried malt, and twenty-four other 'screpalls' for three beeves; after which twenty-four other 'screpalls' remain to them, of which eighteen 'screpalls' are for four live pigs, and three 'screpalls' for three sacks of wheat, and three 'screpalls' for butter; all which amount to the price of three cows at the end of three years; and he shall have fine to the amount of one-third, unless he had seven 'daer'-stock tenants first.

An inferior chief whose father was not a chief.

That is, the inferior chief is here mentioned, i.e. neither his father nor his grandfather was a chief of that race, i.e. the 'aire-iter-da-aire'-chief. He should have seven 'daer'-stock tenants before he could give three cows to the 'bo-aire'-chief as stock; wherefore he is entitled to the price of his three cows at the end of three years, i.e. three fat cows, and twenty-four sacks of grain malt, the price of a cow after calving, and six live pigs, and butter to the value of three 'screpalls,' three pigs of which are worth three salted pigs, the price of another cow, all which amount to the price of three perfect cows at the end of three years; three sacks of seed and three of *kiln*-dried wheat.

But the middle chief gets three slaughtered cows and seven pigs with salt, of which four are worth three salted pigs, and twenty-four sacks of dried malt, and three of wheat; and though it is the

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bríath cnuasó, ocur a tpi cnuithneéta; ocur cto moarte don  
flaith athuiz romuinn, na mairet bi do tabairt do ocur a  
reichta aumpu, ir ar mholigeó do bepar do iat anuirlaith, co  
na ngaru ocur co na ninnslan, uar noé roibe flaith da rme  
aít re a aonur.

Sic.

Ólzigthi in flaith reo muirio a aithair do beith ina  
flaith, ocur ailliu lair in ugar a biaó do can inglan ina  
lenmain iré uirlaith, cema cemaó luza he ina tabairt iré inglan  
anuirlaith, amair do bepar don flaith aithais romuinn, ce ro  
beirit a reichíó aumpu do maireparó do.

Flaith coruna ocur rallcapuna bhuithé.

Sic.

.1. cenel flatha olzigth eirín do reir.

Cto ro depa cona mo don flaith ann na do flaith cnuil  
teéta, oir mo leir na reichíó do breit do muirparó? Ir e in  
faé ro depa, mo donoir leiriu in cutrumu rin do biuó uirlaith  
don flaith cnuil teéta na cutruma a flatha do biuó anuirlaith  
do tabairt don flaith aithais, ce no beirtha na reichíó do  
duirparó.

Flaith deircapuna ocur rail cenn trailliuó.

.1. in brait ocur na mairet on muó cetna; na ceithri  
reirpail fichet filit ann, reirpail ar fichet oib ar reit  
mucuib maire cen trailliuó, ocur tpi reirpail ar tpi muachuib  
cnuithneéta, ar ni uil in don tpi rin.

Flaith cnuil coir athur ocur penaíur eiríde  
oliger muara la upteéta olcenu. Hi olig flaith  
raeruaith, na cutruiz, coir ecor pelba.

Flaith cnuil coir, .1. i mbreit beirthur a muar oia tiz, .1. in  
a oame. La upteéta, .1. la uaral oligeó uile cema; i mbreit a

<sup>1</sup> According to —. Text defective here.

<sup>2</sup> To the chief. The words 'to the chief' are an aliter reading by another hand, inserted over the original words 'don pait,' 'to the prophet,' which was most probably a mistake of the scribe for the words 'don flaith,' 'to the chief.'

more profitable for the inferior chief whom we have mentioned before, to give him the live beeves, in consequence of having their hides, it is illegal to give them to him unprepared, with their filth and ordure, for there had been no chief of his family except himself alone.

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A chief is thought more highly of by the law if his father has been a chief *before him*, and the author of the law thought it more becoming to give him his food prepared, without the stercorations impurities being attached to it, though it is less in value than when given uncleaned and unprepared, as it is given to the inferior chieftain before mentioned, though their hides are over and above given to him.

A chief is *entitled* to ale and boiled salt meat.

That is, he is a kind of lawful chief according to —<sup>1</sup>

What is the reason that there is more *given* to the inferior chief than to the chief of legitimate family, for he obtains the hides as excess? The reason of this is, he (*the author of the law*) deems it more honourable to *give* this quantity of food prepared to the chief of legitimate family than to give the amount of his stock in unprepared food to the inferior chief, though the hides are given him as excess.

A chief is *entitled* to red meat and fat without being salted.

That is, the malt and the beeves in the same manner *as before*; of the twenty-four 'screpalls' which are there *mentioned*, twenty-one are for seven slaughtered pigs without being salted, and three 'screpalls' for three sacks of wheat, for no butter is due to this man.

The chief of true family by father and grandfather is entitled to returns with all noble rights in general. Neither the chief who has given 'sær'-stock, nor *the chief* who has taken third security, is entitled to a return of cattle.

The chief of true family, i.e. his due is to be brought to his house, i.e. according to the number of his party. With all noble rights, i.e. with all other noble dues in like manner; his food is to be brought to him to his house, or

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biṛo to to a ciṣ, no iṛ to a caithem tieraṛ, .i. na thoṛuṛō iuaṛa, no na  
liaṛa iuaṛa, ocuṛ fṛecṛa to thoṛuṛaṛ. Ni toṛiṣ fṛaiṛi fṛaṛuṛaiṛi,  
.i. in fṛaiṛi caṛuṛiṣ ciṛ caoṛi, ciṛ lēṛ colṛach taṛuṛaṣṣeṛ a fṛoiṛ iṛ a  
taṛuṛeṛ fṛoiṛ to; ocuṛ muṛa taṛuṛeṛaṛ noṛhan fṛuṛ naṛ ni to.

[illegible][illegible]

Acht aiper enech ruice de faderin.

1. cumal enech ɣɪɪɪ no enec ɲuɪɪ nana, ɪ. aɲ ɲeɕtmað eneɕlaimne do ɪ ɲoɕaɪ laɪn do denɪɪɪ ɲe ɲaɔɲ ceɪle, ocuɲ a ɲeɕtmað ɲɔðe ɪna mac, ɔɪa nombe ɪɪ ɪɪɪɪ; ocuɲ nocho ɔɪɪɕɛɲ.

<sup>1</sup> *Work*. L. in the MS. has been lengthened on conjecture to 'lubra' work.

<sup>1</sup> *Colpach* = *heifer*. The Irish for this in MS. is 'craoch,' 'blind,' which would appear from the context to be a clerical error for 'colpach,' a heifer. Dr. O'Donovan translated as if the latter were the true reading.

3. *Sede* Text defective here.

4 'Airen' <sup>ly</sup> <sub>fin</sub> a <sub>me</sub>. Vide note, p. 126, *supra*.



he will come to consume it *at the tenant's house*, i.e. these are the stranger rents, or the work<sup>1</sup> rents, and it corresponds with 'daer'-stock tenure. Neither the chief who gave 'saer'-stock *nor the chief who has taken third security*, i.e. if the chief who has taken third security seizes his 'sed,' whether it be a 'colpach'-heifer,<sup>2</sup> or half 'colpach'-heifer, he must have the very 'sed' itself; but if he does not seize it, there is nothing for him.

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But the chief who gave 'saer'-stock, whether he seizes or does not seize his 'sed,' shall have restitution paid to him accordingly as he gave the stock. But, however, if it be living it shall be given as it is, be it ever so despicable. If it be not living, restitution shall be made *in cattle in the same condition* as he gave the stock, i.e. the account that is between them is, whatever portion of food the chief had consumed—it is his right—and the tenant shall have the increase the growth and the milk as a balance against this; and the restitution of his stock is to be made to the chief who gave 'saer'-stock.

*As to the chief who took third security*; whatever portion of food he has consumed it shall be considered as his right, and the tenant is entitled to the increase the growth and the milk, and to whatever was consumed of the original stock itself, as a counter-balance to this; but the part of the stock that is living shall be returned. It was not the tenant himself that had consumed the stock here, for if it were he himself that had consumed it, the stock would not be returned by him. Or the reckoning which is between the chief who gave 'saer'-stock and his tenant is, if the stock is living, it is to be restored as it lives, be it ever so ill-conditioned; if it be not living, restitution must be made as it was given as stock. But the chief who has taken third security, if his cattle be living, shall be repaid; if no part of them be living, nothing shall be paid to him; for it (*the law*) says—"If he has found no part of his 'seds'——"<sup>3</sup>

Except the 'airer'-fine<sup>4</sup> of 'enechruice' from himself.

That is, the 'cumbal' of blush-fine or 'enechruice' only, i.e. because he has the seventh of honor-price for committing full trespass (*injury*) against his 'saer'-stock tenant, and the seventh for *injuring* his son, if there be anything; and nothing else is due for injuring him, i.e. or the seventh of honor-price for the killing of his

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ni eile i foḡail do denúin rir, .i. no fechtmað enecclannu i marbad a raorcheile, no na cniolig-bair, no a mac a daorcheili, ocuf noch a dligteir ni i foḡail aili do denúin, .i. aiper rion do marbad a ceile, ar if enech ruice do mað enecclann dliget ino (no, ní enecclann dliget ino).

Ní dlig meith la diað, na daftað ceilrine for ceile; mað reith lair, ocuf if meirech athcui cith cum no caia.

Ní dlig meith, .i. noch a dligteir fe rmacht meata do i maile re biað, .i. cumal, aet diablað. Na daftað ceilrine, .i. uair if cuimsech in ceili athchui in uair if ail leir, ocuf noch a nruil ni uat aet cuimma a rion gáa bliadna no co deiruut umreair. Mað reith lair, .i. ma reitac e oc in rognam, .i. mað rium lair no ma olcc. If meirech athcui, .i. if cuimsech e a athcui cip cum ber no carpanach leir.

Dia toirge in ceili daorparath do aiputin on flaiti raorparath, ocuf ni etur on flaiti fuilleð rir in raorparath, racaib in flaiti rian ar cuimseair in tan rion. Muna toirce in ceili inuipio, if diler don flaiti roḡa lāe dia reitac.

Conic duine imreair re gnað flata irraorparathuib co nathcui rairi co retu no gan retu, ocuf in daorparac re re rui, rianu do na reit imbeo rcaritac; noðo cumuig oðe re rui amach, aet munub imreair a cubra rairi, no munub anroltac flata.

Conic duine imreair re ru neétrianu do gner i raorparac co n athchui rairi co reotu no gan reotu; no dono, conic imreair re ru neétrianu re re rui i raorparathuib, ocuf tuac tiasairuig o rion amach; ocuf i ndaorparac re re rui, rianu do na reit imbeorcaritac, ocuf noch a cumuig oðe re rui amach, aet amuil do denaig re ru udein.

<sup>1</sup> *Permanent injury*, i.e. a death maim, a maim which does not cause death, but which remains until death.

<sup>2</sup> *Height of chieftainship*, i.e. where the external chief becomes a man's natural chief by length of time, after the reign of three successive chiefs. If the vassal remained

'saer'-stock tenant, or for inflicting upon him a permanent injury,<sup>1</sup> or for killing the son of his 'daer'-stock tenant, and nothing is due for inflicting any other injury, i.e. he has insult-fine here for the killing of his tenant, for he shall have 'enechruice' if he is entitled to honor-price for it, or he is not entitled to honor-price for it.

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He (*the chief*) is not entitled to fine and food, nor to refasten the tenancy upon the tenant; if he be weary of it, he (*the tenant*) can return *the stock* when he pleases.

He is not entitled to fine, i.e. he is not entitled to fine for failure along with the food, i.e. a 'cumhal,' but *he is to pay* double. Nor to refasten the tenancy, i.e. because the tenant can return *the stock* whenever he likes, and there is nothing due of him except the proportion of his third every year until they separate. If he be weary of it, i.e. if he be weary of the service, i.e. if he deem it oppressive or bad. He can return, i.e. he is able to return *the stock* whenever it is pleasing to him.

If the tenant offers to take 'daer'-stock tenancy from the chief *who gave* 'saer'-stock, and that addition to the 'saer'-stock cannot be got from the chief, the chief then leaves one-third for recalling. If, however, the tenant has not offered *to do so*, the chief may lawfully have his choice of the 'seds.'

A man can separate from one of the chieftain grade in 'saer'-stock tenure by returning the 'saer'-stock with or without 'seds,' and in 'daer'-stock tenure during the lives of three persons, being the third of the seven life separations; *but* he cannot after the expiration of the life of three persons, unless it be separation *resulting* from desire of *changing* to 'saer'-stock tenure, or when the chief is indigent.

A man can separate from an external king at all times in 'saer'-stock tenure by returning the 'saer'-stock with 'seds' or without 'seds;' or, indeed, he can separate from an external king during the life of three persons (*kings*) in 'saer'-stock tenure, and it is height of chieftainship<sup>2</sup> from that out; and in 'daer'-stock tenure *he can separate* within the life of three persons, being the third of the three life separations, but he cannot after the death of three persons, except as he could from his own king.

in the external territory by consent of his own natural chief during the reigns of three chiefs of the external territory, be that long or short, he shall be ever after considered as the tenant of the chiefs of the external territory. *Vide* C. 1006.

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ní eile í foḡail do denuin riur, .i. no fechtmað enecclannu í marbath a raorcheile, no na crioilg-bair, no a mac a daoireili, ocuḡ noch a dligceir ní í foḡail aili do denuin, .i. aipeḡ ron do marbath a ceile, ar ír enech riuce do mað enecclannu dligceir mo (no, ní enecclann dligceir mo).

Ní dlig meith lá biað, na daḡtað ceilḡine poḡ ceile; mað feith laur, ocuḡ ír meircech athcuḡ ciðḡ cum po caḡa.

Ní dlig meith, .i. noch a dligceir fe riachte maḡa do í maillḡe pe biað, .i. cumal, aḡt diablað. Na daḡtað ceilḡine, .i. uair ír cuimgech in ceili athcuḡ in uair ír aili leir, ocuḡ noch a riuil ní uat aḡt eutḡma a tḡin ḡaḡa bliadḡa no co deḡniat uircear. Mað feith laur, .i. ma feithḡe o oc in foḡnam, .i. mað tḡum laur no ma olac. Ír meircech athcuḡ, .i. ír cuimgech o a athcuḡ cip cum beḡ no carḡanach leir.

Dia toirḡe in ceili daoḡriath do aipeḡin on flath riaoḡriath, ocuḡ ní etuḡ on flath riuilleð riur in riaoḡriath, raḡaib in flath tḡian ar tiumḡaiḡ in tan riḡ. Muna toirce in ceili imuḡio, ír uiler don flath riḡa láe dia feithḡ.

Conic duine imḡar pe ḡiað flath irriaoḡriathuib co naḡcuḡ riari co feḡ no ḡan feḡ, ocuḡ in daoḡriat pe pe tḡur, tḡiani do na feḡt mbeo riariḡaib; noḡo cumuḡiḡ oḡa pe tḡur amach, aḡt munub imḡar a coḡra riari, no munub aḡfoḡaḡ flath.

Conic duine imḡar pe ri neḡtḡian do ḡneḡ í riaoḡriat co n athcuḡ riari co feḡtu no ḡan feḡtu; no dono, conic imḡar pe riḡneḡtḡian pe pe tḡur í riaoḡriathuib, ocuḡ tuḡaḡ tḡiaḡariuḡ o riḡ amach; ocuḡ í riaoḡriat pe pe tḡur, tḡiani do na feḡt mbeo riariḡa, ocuḡ noch a cumuḡiḡ oḡa pe tḡur amach, aḡt amuil do deḡaḡ pe riḡ uoem.

<sup>1</sup> *Permanent injury*, i.e. a death maim, a maim which does not cause death, but which remains until death.

<sup>2</sup> *Height of chieftainship*, i.e. where the external chief becomes a man's natural chief by length of time, after the reign of three successive chiefs. If the vassal remained

'saer'-stock tenant, or for inflicting upon him a permanent injury,<sup>1</sup> or for killing the son of his 'daer'-stock tenant, and nothing is due for inflicting any other injury, i.e. he has insult-fine here for the killing of his tenant, for he shall have 'enechruice' if he is entitled to honor-price for it, or he is not entitled to honor-price for it.

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He (*the chief*) is not entitled to fine and food, nor to refasten the tenancy upon the tenant; if he be weary of it, he (*the tenant*) can return *the stock* when he pleases.

He is not entitled to fine, i.e. he is not entitled to fine for failure along with the food, i.e. a 'cumhal,' but *he is to pay* double. Nor to refasten the tenancy, i.e. because the tenant can return *the stock* whenever he likes, and there is nothing due of him except the proportion of his third every year until they separate. If he be weary of it, i.e. if he be weary of the service, i.e. if he deem it oppressive or bad. He can return, i.e. he is able to return *the stock* whenever it is pleasing to him.

If the tenant offers to take 'daer'-stock tenancy from the chief *who gave* 'saer'-stock, and that addition to the 'saer'-stock cannot be got from the chief, the chief then leaves one-third for recalling. If, however, the tenant has not offered *to do so*, the chief may lawfully have his choice of the 'seds.'

A man can separate from one of the chieftain grade in 'saer'-stock tenure by returning the 'saer'-stock with or without 'seds,' and in 'daer'-stock tenure during the lives of three persons, being the third of the seven life separations; *but* he cannot after the expiration of the life of three persons, unless it be separation *resulting* from desire of *changing* to 'saer'-stock tenure, or when the chief is indigent.

A man can separate from an external king at all times in 'saer'-stock tenure by returning the 'saer'-stock with 'seds' or without 'seds;' or, indeed, he can separate from an external king during the life of three persons (*kings*) in 'saer'-stock tenure, and it is height of chieftainship<sup>2</sup> from that out; and in 'daer'-stock tenure *he can separate* within the life of three persons, being the third of the three life separations, but he cannot after the death of three persons, except as he could from his own king.

in the external territory by consent of his own natural chief during the reigns of three chiefs of the external territory, be that long or short, he shall be ever after considered as the tenant of the chiefs of the external territory. *Vide* C. 1006.

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Nocha cumuings duini imrcar ne nuḡ budein do zner ir faoiriath, .i. a zraðuib flatha fein amuil a nuḡ fein; ocur nocha cumuings cró i nfaoiriath aét munub imrcar a cobru fairi, no munub anfoltach flatha. Ocur ir cet for sunn co mbeé umrcar do duini ne nuḡ neétrann do zner irfaoiriathuib.

Conic duini cin faoiriath do gabail o duini do zner aét munub ail do budein; ocur connic cró in faoiriath do gabail aét o nuḡ budein; ocur nocha cumuings ce faoiriath do gabail o ní faeim. Connic in flath umrcar i faoiriath do zner, cró ne deithbriuur cró ne inndeithbriuur; ocur connic in ceile on muó cetna co nathchur faoiri co feotu no zin feotu. Ocur ir ann ir athchur fairi co feotu no zin feotu, in tan ir e in zraó flatha ir nera do rat in rat da ceile, athchurirdeic co feotu, ocur athchurirde comarba for comarba zin feotu; no ir ann ata in athchur fairi co feotu, in tan ata in flath ocur in ceile i mbeúir, no ata in aruoc ocur ir marbaó aruile. Ir ann ata in athchur fairi zin feotu, in tan ir marb an oir, ocur ir on flath ir nera no gaburur rat.

Mará flath dár aile no gaburur rat nocha biaó athchur fairi zin feotu ann, co no athchur comarba for comarba.

Mar on flath ir nera do ríde no zab. ir ua for ua, no inuaa for inuaa, no iarimo for iarimo, ocur in lin zraó bir iur in tí do beir in rath ocur in tí dia tabuir, ocur ir e in lin coibdeiaé acerur in rath zin feotu faoiriath rin; no conach caomnairtea in tfaire dathchur; ocur nocon i athchurtheir aét in daire cróir rin.

### ḡne eile.

Ir nu ata in cam tfaoirioth feo ne nuḡ neétrann, ne zraó flatha neétrannur, ocur ne zraó flatha fein; no dono, ir ne zraó flata neétrann nama, ocur a zraó flatha fein amuil a nuḡ fein. Conic imrcar ne ní neétrann, ocur ne zraó flatha neétrann, ocur ne zraó flatha fein do zner i faoiriath, con athchur fairi co feotu no zin feotu; no dono, connic imrcar

<sup>1</sup> Another version. The words *ḡne eile*, 'another version,' are inserted from the margin of the MS.

A man can never separate from his own king in 'saer'-stock tenure, i.e. *he cannot separate from his own chiefs except as he could from his own king*; and he cannot separate even in 'daer'-stock tenure unless he separates from a desire of *changing to 'saer'-stock' tenure*, or unless the chief is indigent. And here the opinion of *lawyers* is, that a man can at all times separate from an external king in 'saer'-stock tenure.

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A man need never accept of 'daer'-stock tenure from any other unless he likes it himself; and he need not accept even of 'saer'-stock tenure *from any but his own king*; and he cannot refuse taking 'saer'-stock tenure from his own king. The chief can always take away his 'saer'-stock whether with or without necessity; and the tenant can, in like manner, return the 'saer'-stock with 'seds' or without 'seds.' Returning of the 'saer'-stock with 'seds' or without 'seds,' means when it is a *chief of the nearest chieftain grade* that had given the stock to the tenant, who returned it with 'seds,' but the one heir transmitted it to the other without 'seds'; or the returning of the 'saer'-stock without 'seds,' is when the chief and the tenant are *both living*, or one of them is *living* and the other dead. The returning of the 'saer'-stock without 'seds,' is when both are dead, and the stock had been received from the next chief.

\*Ir. separate in.

If one chief has received stock from another there shall be no returning of the 'saer'-stock without 'seds' in that case, until one heir transmits to another.

If it is from the chief next to him *again* he has taken it, it is grandson upon grandson, or great-grandson upon great-grandson, or the son of a great-grandson upon the son of a great-grandson, and the number of degrees which are between the person who gave the stock and the person to whom it is given, is the number of relatives who shall claim the stock without 'seds' of 'saer'-stock; *or the cattle given in 'saer'-stock cannot be returned*; and it is not it that is returned here, but *the cattle given in 'daer'-stock* are what are here mentioned.

Another version.<sup>1</sup>

This rule of 'saer'-stock tenure is *applied to an external king, or an external chief, or one's own chief*; or, *according to some*, to an external chieftain only, for his (*the tenant's*) own chief is as his own king. He can always separate from an external king, and an external chieftain, and from his own chieftain, in 'saer'-stock tenure, by returning *the cattle given in 'saer'-stock* with 'seds' or without

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ne ní neétranann ne ne tñur i rraorriath; ocur tulaé ciaígeannair o rin amach ne ní neétranannur ne ne tñur. 1 nraorriath, tñeni do na reéct mbeorcartha, ocur ne gnaó pláta neétranann ne ne tñur i nraorriath, tñeni do na reéct mbeorcartha. Mocho cuimígech imrcaraó ne ní uóein do gñer, i rraorriath nach a nraorriath, aét munip anpóltach in plait, no munip rcararó ar acobair rraoiri. Anó airi a gnaó pláta fein amuil a ní fen.

Cuin ata in tathéur rraoiri co reotuib no gñ reotu? 1r anó ata gñ reotu in mbuio 1r comarba for comarba. 1r anó ata co reotuib in mbuio 1r neime rin.

Cia ní ata in cain éraerriath de ríde? Re gnaó plátha neétranann.

Saor don plait, cip cun no cara, rogaó laime dia reuib; 1r mipech maine artaichur fñi rommuine naircendcha.

Saor don plait, .i. irar don plait cñob cuin buf carpanech leir. 1r mipech, .i. 1r cuimígech in plait bñeith a ratha cuice, aét munub ní artar in ceile e ne rommuine in raorriath co fñi chinnai; no 1r cuimígech plait rraorriath a rath do tabuirt cuici in can buf aíl leir, aét munub e fñeicra in ceile tuilleó diairuaró ní in rraorriath gñrub raorriath anó do, ocur mape, 1rreó olegñur tuilleó do ní co roibe raorriat anó, ocur muna tuctur 1r uilur a rraorriath uat. Ocur plait eétranno rin, uair raiaó é a plait uóein noco uilur uatá rraorriath gñ co taca tuilleó ní do; no dono cona beé anóeébhñ cñobe plait.

Dia taréar reoit turcluire, 1r uilur ar recht mbiaóuib, maó in plait buf mairb; munu tuctur reoit turcluire, 1r uilur ar tñi biaóuib iar necuib na pláta, o comurba for comurba. 1 cñob tñi mbiaóan olegñur plait rraorriath cobeir a ratha do tairéct do i mbiaó, ocur munu tñi anpóirdeic, aq ocur lof ocur gñer do uil na cenó co ceann tñi mbiaóan eile, ocur 1r e in gñer hñrin, rñepall ar mairlach bo moirne no raia ríata, co cenó mbiaóana, gñl.

<sup>1</sup> *Successor.* That is, due by the successor of the tenant to the successor of the chief.



'seds'; or else he can separate from an external king during the life of three persons in 'saer'-stock tenure; but from that time forth the external king has height of chieftainship *over the tenant* during the life of three persons. *He can*, in 'daer'-stock tenure, the third of the seven life-separations, *separate*, during the life of three persons, from an external *landlord* of chieftain grade, it being the third of the seven life-separations. He cannot separate from his own king at any time, either *while he holds* by 'saer'-stock tenure or by 'daer'-stock tenure, unless the chief be indigent, or unless he separates from a desire of *changing to* 'saer'-stock tenure. His own landlord of chieftain grade is *in the same position as his own king*.

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When is the return of the 'saer'-stock with 'seds' or without 'seds'? *The return without 'seds'* is when it is *a case of successor* upon successor. *The return with 'seds'* is when it (*the return*) occurs before that time.

With whom, therefore, is the Cain-Law of 'saer'-stock tenure? With an external *man* of chieftain grade.

The chief is free, whenever he pleases, to take away his 'seds'; he can *do so*, unless they are detained in *consequence* of definite rent *in food having been paid*.

The chief is free, i.e. it is free to the chief whenever he pleases *to do so*. He can, i.e. the chief is competent to take back to himself his stock, unless the tenant detains it definitely by the returns *due* in the 'daer'-stock tenure; or the chief of 'saer'-stock tenure is competent to take back to himself his stock whenever he likes, unless the answer of the tenant to him be, to ask an addition to the 'saer'-stock that it may become 'daer'-stock to him, and if it be so, he is entitled to this addition until it amounts to 'daer'-stock, and unless it is given he must return the 'saer'-stock. And this is *in the case of* an external chief, for if it were his own chief it would not be lawful to take his 'saer'-stock from him unless the addition be given to him; or, *according to others*, it matters not who the chief may be.

If the returnable 'seds' are given, they are forfeited for seven refections, if the chief be dead; if the returnable 'seds' are not given, they are forfeited for three refections after the death of the chief, from successor to successor. At the end of three years the chief who has given 'saer'-stock is entitled to receive the value of his stock in food, and unless this has been supplied, the growth increase and milk to the end of three other years, shall be added to it, and this milk, &c., is *valued at a screpall* for the dung of a large cow or of a ploughing ox, to the end of a year, &c.

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Ḫaoep don flaitġ cip cuin po capu.

.1. mata in flaitġ a chuimġochi a raorriath, connic a bġeith, aċt munub e ġpecra in ċeile, tabuir tuilleġ ġuġin raorriath co ġoibe raorriath aino; ocuġ iġġeġ oleġuġ don flait a tuilleġ; uair iġ ġochuġ do, ocuġ munu tucacġ, in ġath do beith oc an ċeile, no tuilleġ uacurum. Ocuġ ġuġ ecġrann ġin, no a ġracġ flath a ġen, no ġracġ flath a ecġran. Ocuġ ra macġ e a ġuġ ġein, noch a cumuġiġ a raorriath nach a raorriath do bġeith do ġneġ, aċt munub anġolacġ in ċeile; ocuġ noch an ġuilec beoġcapġa iġin in ċeile ocuġ a ġi oucġaiġ ġein, aċt munub innoġiġecġ neċcain do, no munub cuinnġi raorriacġ a raorriacġ. Oġiġ a ġath a don flaitġ in tan buġ ail do inġcap, aċt munub raorriath a cuinnġiġ raorriacġ; ocuġ macġ eġ on, ni ouleġ, ocuġ oia ġuca in flaitġ a ġath anġeic, iġ amuġ cuġiġaiġe ap oumann. Macġ do beġan raorriacġ do, iġ tuilleġ ġuġ in ġrian loġ enech aino, ocuġ tuilleġ ġuġ an ġath co ġoibe ġath amuġ po loġ an; no do no cumacġ umġcap do ġeġ na mbeoġcapġa ouib ap ċeanu.

Ḫaor do comuġbuib na flath a ġiaġ; uair ni meġech in flaitġ donuġra a ġeġiġe.

Ḫaor do comuġbuib, .i. na comuġbaġa do ġuġeic an, &D. .i. a teġra dona ġeċt mbiacġna do ic; iġ an nach oubaire ouib umġcapacġ; no do na ġeċt mbiacġuib, acġeġ lebuġ ġe eile, .i. ap ai na tabaġra do ġac. Uair ni meġech in flaitġ, .i. ap noch a cuġiġeġ in flaitġ oubuġuġ na ġuġaiġuġ ni iġ ġaiġoi na ap ġeġc mbiacġuib, no cum a cuġiġeġ in flaitġ conuġuġra ġe a ġuġaiġuġ inno na po caicġeġuġ in ġath dona ġeċt mbiacġuib; no in ni do po caicġeġuġ biacġ don ġath. Ċiacġ ail ġuġ ġin an flaitġ a maicġam don ċeile ġe bar, noch a cuġiġeġ he.

Oġiġ, acġe ouablaġ co na ġrian .ġ.

.1. ap in uġiacġaiġ uġi, .i. aċt aicġiġ con a ouablaġ, co cuġuġma ġuġ in ġac a ġi linn ocuġ ġi mbiacġ, .i. biacġ na ġeċt mbiacġan iġin ġeċtmacġ bbiacġan, aċt ouablaġ naicġiġna, ocuġ ġpecra do loġ, ocuġ oar, ocuġ do ġeġe, .i. iġ ouġuġ in raorriacġ a

<sup>1</sup> *A benefit to him.* That is, when the chief gives such an addition as converts the 'saer'-tenancy to 'daer'-tenancy, his returns (rents and services) are increased considerably, and the law assumes that he ought not to refuse this when the tenant is willing and formally requests to be made a 'daer'-tenant, paying rack-rent.

The chief is free whenever he pleases.

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That is, if the chief is seeking to *get back* his 'saer'-stock, he can get it, unless the answer of the tenant is, "Give an addition to the 'saer'-stock that it may become 'daer'-stock;" and then the chief is bound to give the addition; for it is a benefit to him,<sup>1</sup> and if he does not, the stock remains with the tenant, or he (*the chief*) gives the addition. And this is *in the case of* an extern king, or his own landlord of chieftain grade, or an extern landlord of chieftain grade. And if he be his own king, he can never take away either his 'saer'-stock or 'daer'-stock, unless the tenant is indigent; and there are no life-separations between the tenant and his own hereditary king, unless either of them act illegally,<sup>2</sup> or unless it be sought to *convert* 'saer'-stock tenure into 'daer'-stock tenure. His pay-<sup>Ir. Beun-  
lawful.</sup>ments are due to the chief if he wishes to separate, unless where 'saer'-stock tenure is sought to be converted into 'daer'-stock tenure; but if it be so, payment is not due to the chief, and if the chief take away his stock in this case, it is like taking away with contempt. If 'daer'-stock be given him (*the tenant*), addition must be made to the amount of the third of the honor-price for it, and addition shall be made to the stock until it is complete; or they may separate after the manner of life-separations in general.

It is free to the successors of the chief; for the chief is not competent to forgive the payment of what supplies his house.

It is free to successors, i.e. the successors who come after here, S. D., i.e. to pay the dues for what is wanting of the seven years—it is then not wrong to separate; or, as another book states, "*what is wanting of the seven payments of food*," i.e. on account of the stock which the chief gave. For the chief is not competent, i.e. for the chief has not the power to forgive the remnant for less than the seven foods, or the chief has the power to forgive the remnant which the stock had not consumed of the seven foods; or the part of the stock for which the food had not compensated. Even if the chief should wish to forgive it to the tenant before his death, he is not competent to do so.

Is forfeited, but double with a third.<sup>3</sup>

That is, for the whole altogether, i.e. except the restitution with its double, with the amount of the third of the stock in ale and in food, i.e. the food of the seven years is to be paid in the seventh year, except double restitution, and the tenant is to be answerable for

<sup>3</sup> A third. Text defective here.

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haithl<sup>1</sup> na reét mbliadán; no bialó na t<sup>1</sup>ri cét bliadán, ocu<sup>1</sup> aithgín in ra<sup>1</sup>ta, .i. cu<sup>1</sup>triumu<sup>1</sup> a t<sup>1</sup>ri<sup>1</sup>u le<sup>1</sup> cach<sup>1</sup> bliadóna i netu<sup>1</sup>irca<sup>1</sup>ru<sup>1</sup>it, .i. bialó na bliadóna a n<sup>1</sup>de<sup>1</sup>nuit um<sup>1</sup>ra<sup>1</sup>u<sup>1</sup> i<sup>1</sup> e dia<sup>1</sup>bla<sup>1</sup>o at<sup>1</sup>be<sup>1</sup>ir<sup>1</sup> r<sup>1</sup>u<sup>1</sup>o. I<sup>1</sup>re<sup>1</sup>o i<sup>1</sup> aithgín ann in ra<sup>1</sup>th ocu<sup>1</sup> in bialó ro reithu<sup>1</sup>irca<sup>1</sup>ru<sup>1</sup> a ro<sup>1</sup>irba<sup>1</sup>o na t<sup>1</sup>ri mbliadán; ocu<sup>1</sup> i<sup>1</sup>re<sup>1</sup>o i<sup>1</sup> dia<sup>1</sup>bla<sup>1</sup>o ann na reét fuille<sup>1</sup>o<sup>1</sup>; i<sup>1</sup>re<sup>1</sup>o i<sup>1</sup> t<sup>1</sup>ri<sup>1</sup>u<sup>1</sup> ann in bialó na bliadóna in<sup>1</sup>de<sup>1</sup>nait in t<sup>1</sup>riu<sup>1</sup>irca<sup>1</sup>ru<sup>1</sup>.

Ia<sup>1</sup>u<sup>1</sup> re<sup>1</sup>cht mbliadóna ma<sup>1</sup> beith cen t. cen c.

.1. ia<sup>1</sup>u<sup>1</sup>u<sup>1</sup> i<sup>1</sup>ri<sup>1</sup>u<sup>1</sup> re<sup>1</sup>chtma<sup>1</sup>o bliadán i<sup>1</sup> ann i<sup>1</sup> u<sup>1</sup>il<sup>1</sup>ir he munu ac<sup>1</sup>ar co ro<sup>1</sup>irba<sup>1</sup>o na reét mbliadán, .i. ia<sup>1</sup>u<sup>1</sup>u<sup>1</sup>u<sup>1</sup> i<sup>1</sup>ri<sup>1</sup>u<sup>1</sup> re<sup>1</sup>chtma<sup>1</sup>o bliadán a<sup>1</sup>ta bialó na bliadóna a netu<sup>1</sup>irca<sup>1</sup>ru<sup>1</sup>it, no i<sup>1</sup> ann o<sup>1</sup> ro<sup>1</sup>irca<sup>1</sup>ru<sup>1</sup>it, no a<sup>1</sup>o<sup>1</sup> re<sup>1</sup>me, munu<sup>1</sup>u<sup>1</sup> i<sup>1</sup>c é conu<sup>1</sup>irca<sup>1</sup>ru<sup>1</sup>u<sup>1</sup>.

U<sup>1</sup>il<sup>1</sup>ir a<sup>1</sup>cht cu<sup>1</sup> mu<sup>1</sup>ine co<sup>1</sup>ir<sup>1</sup>e, ra<sup>1</sup>th na<sup>1</sup>thi<sup>1</sup>g do<sup>1</sup> r<sup>1</sup>laith.

.1. aithgín no dono i<sup>1</sup> cu<sup>1</sup>triumu<sup>1</sup> a ra<sup>1</sup>ta do<sup>1</sup> dia<sup>1</sup> teo<sup>1</sup>ra bliadóna, .i. i<sup>1</sup> u<sup>1</sup>il<sup>1</sup>ir in ra<sup>1</sup>th do<sup>1</sup> be<sup>1</sup>ir in ra<sup>1</sup>th<sup>1</sup>ech don r<sup>1</sup>laith a<sup>1</sup>it co<sup>1</sup> cu<sup>1</sup>triumu<sup>1</sup>ite<sup>1</sup>ir cu<sup>1</sup>triumu<sup>1</sup> na ma<sup>1</sup>ine do<sup>1</sup> ia<sup>1</sup>u<sup>1</sup> cae co<sup>1</sup>ir, .i. o do<sup>1</sup> be<sup>1</sup>ir lo<sup>1</sup>g a ra<sup>1</sup>th<sup>1</sup> do<sup>1</sup> bu<sup>1</sup>o a<sup>1</sup>on<sup>1</sup>re<sup>1</sup>et, no o do<sup>1</sup> ge<sup>1</sup>nu a cu<sup>1</sup>triumu<sup>1</sup> do<sup>1</sup> le<sup>1</sup>ir o<sup>1</sup>ala no a<sup>1</sup>re<sup>1</sup>et<sup>1</sup>a, a u<sup>1</sup>il<sup>1</sup>ir u<sup>1</sup>a<sup>1</sup>o o<sup>1</sup>ait<sup>1</sup> in<sup>1</sup>o<sup>1</sup>li<sup>1</sup>g<sup>1</sup>o<sup>1</sup> a<sup>1</sup>ir ra<sup>1</sup>th do<sup>1</sup> ta<sup>1</sup>bu<sup>1</sup>irca<sup>1</sup>ru<sup>1</sup> do<sup>1</sup> ge<sup>1</sup>na<sup>1</sup>o r<sup>1</sup>laithu.

R<sup>1</sup>ia<sup>1</sup>ch cu<sup>1</sup>triumu<sup>1</sup> ra<sup>1</sup>th aith<sup>1</sup>u<sup>1</sup>ig dia<sup>1</sup> la<sup>1</sup>ile.

.1. in ra<sup>1</sup>th do<sup>1</sup> be<sup>1</sup>ir in ra<sup>1</sup>th<sup>1</sup>ech ge<sup>1</sup>na<sup>1</sup>o re<sup>1</sup>me o<sup>1</sup>a ceile; ocu<sup>1</sup> ra<sup>1</sup>o<sup>1</sup>irca<sup>1</sup>ru<sup>1</sup> a<sup>1</sup>ir a<sup>1</sup>ig<sup>1</sup>o bu<sup>1</sup>o<sup>1</sup>in ro, cu<sup>1</sup> ra<sup>1</sup>o<sup>1</sup>irca<sup>1</sup>ru<sup>1</sup> do<sup>1</sup> ta<sup>1</sup>bu<sup>1</sup>irca<sup>1</sup>ru<sup>1</sup> re<sup>1</sup>me, .i. i<sup>1</sup> e r<sup>1</sup>ia<sup>1</sup>ch a<sup>1</sup>ta on aith<sup>1</sup>ech o<sup>1</sup>a ceile, .i. cu<sup>1</sup>triumu<sup>1</sup> a t<sup>1</sup>ri<sup>1</sup>u le<sup>1</sup>ir cach t<sup>1</sup>re<sup>1</sup>ir bliadán in bu<sup>1</sup>o ocu<sup>1</sup> in li<sup>1</sup>no, .i. do<sup>1</sup> be<sup>1</sup>ir in ge<sup>1</sup>na<sup>1</sup>o re<sup>1</sup>me o<sup>1</sup>a ceile, .i. aithgín, ocu<sup>1</sup> cu<sup>1</sup>it na bliadóna i na<sup>1</sup>car, ocu<sup>1</sup>

<sup>1</sup> Without T , without C . Text defective here.

the increase, the growth, and the milk, i.e. the 'saer'-stock is forfeited after the expiration of seven years ; or the food of the three first years and the restitution of the stock, i.e. a quantity equal to one-third is *to be added* to it every year in which they separate, i.e. the food of the year in which they separate is the double which is here mentioned. "Restitution" means the stock and the food which had accumulated at the end of the three years ; and "double" means the seven "additions ;" and "the third" means the food of the year in which the separation is made.

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After seven years if they be without T , without  
C .<sup>1</sup>

That is, afterwards in the seventh year it (*the return*) is forfeited unless it be claimed to the end of the seven years, i.e. afterwards in the seventh year the food of the year in which they separate *is to be paid*, or it is in it they separated, or even before it, if it had not been paid up to that time.

The stock of an inferior *given* to a chief is forfeited, so as just returns are made.

That is, restitution or else the equivalent of his stock is given him in three years, i.e. the stock which the inferior gives the chief is forfeited so as the return is proportioned after a proper manner, i.e. when once he (*the tenant*) has given him the value of his stock in food, or when he has performed its equivalent in service at the meeting or the court, it is forfeited by him (*the inferior*) to punish his illegality upon him for having given stock to *one of* the chieftain grade.

The stock *given* by one man of inferior rank to another *produces* proportionate debts.

That is, the stock which the man of inferior rank of the Feini grade gives to another ; and this is 'saer'-stock on his own account, not having given 'daer'-stock previously, i.e. it is a debt which is due from one man of inferior rank to another, i.e. the equivalent of one-third of the stock is *to be added to the original stock* every third year in food and ale, i.e. *when one of* the Feini grade gives stock to another, i.e. restitution, and the portion *due* for the year in which it is claimed,

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TENURE. bo la teopa ba dia teopa bliadóna, uair ní tairé daerriat ríia  
raorriath ríinn, ocuf do rat tuar. Ír airi ata lan biathu do.

*Sic.* Cíó fo deira rat conat íx. mbliadóna ro foich cutrumuf a  
rathu don flaiti athuiz feo, ocuf surub ar tri bliadóna  
cutrumuf a rathu don flaiti athuiz tuar? Ír e in rat fo  
deira, daorriath ríia raorriath ro gabad on flait atáiz tuar,  
ocuf olizid he, ocuf coir cia maó gairí in ne arí foiréó  
cutrumuf a ratá do, no don flait athuiz fo, uair nochar  
gabad daerriat ríia raorriath uadā reic, ocuf inolizid he ;  
ocuf coir ciamaó ríaiti in ne arí foirí cutrumuf a ratá do,  
.1. na naoi mbliadóna, uair ní fil atē tri bliadóna romuino.

Óne eile. Caroe deitbir eturru rín ocuf in flait eile tuar  
gach bliadóna, co fuil cutrumuf triin a ratá do biuó don flait  
athuiz tuar gacha bliadóna, ocuf cona fuil don flaiti athuiz  
fo atē cutrumuf a triin cacha trier bliadóna, .1. bo la tri bu,  
conat ar naoi mbliadóna ro foich cutrumuf a ratá do? Ír e  
in rat fo deira, daerriath ríia raerriath tuc an duine tuar, ocuf  
olizí he ; ocuf raorriat ar aghad udein tuc in duine feo.

Fuiriciu cach rath iar rí.

.1. ír fo ír maith fairitnigthein cáé rath iar na rí fo  
cétoir, .1. in rat do beir do micoraé; fíreoraó do daorriath  
do beir rínn, in tan atbeir a arat in ratá o beite ina aitin,  
uair ní aratthein in raorriat cin athchur.

Daerriath cach tothlu rech ríne.

.1. daorriat in cach do beir a rath i toetlód rech ríne can a  
forcongraó doib fo cetóir; ocuf gan bet i naiten iaratam, atē  
a fuaitreó buo coir doib, iar mbet ríra aice.

Cuir na raoriceile ocuf na nraoriceile, ocuf na raermanach,

<sup>1</sup> *Another version.* The Irish for these words is inserted from the margin of the MS.

and a cow *as payment* for three cows *payable* in three years, for he does not give 'daer'-stock before 'saer'-stock here, but he did above (*in the case above referred to*). It is for this reason he has full food.

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What is the reason that it is nine years it takes to give this inferior chief *here referred to* an equivalent for his stock, and only three years to give the inferior chief *above mentioned*, the equivalent of his stock? The reason is, that 'daer'-stock had been received before 'saer'-stock from the inferior chief *above mentioned*, and it was lawful, and it is just that the time should be shorter in which the equivalent of his stock should come to him, or to this inferior chief, for 'daer'-stock had not been received before 'saer'-stock from him, and it is not legal; and it is just that the time should be longer in which the equivalent of his stock should come to him, i.e. the nine years, for only three years are *allowed in the case* before mentioned.

Another version.<sup>1</sup> What is the difference between him and the other chief *above mentioned* as to every year, where the proportion of one-third of his stock is due in food to the inferior chief *above mentioned* every year, and that this inferior chief has but a proportion equivalent to one-third every third year, i.e. a cow *as payment* for three cows, so that it is in nine years the equivalent of his stock reaches him? The reason is, the man *above* had given 'daer'-stock before 'saer'-stock, and it was lawful; but this man gave 'saer'-stock on his own account.

Every *gift of* stock is to be acknowledged when known.

That is, rightly is every *gift of* stock acknowledged immediately after being known, i.e. the stock which one gives to an improper person; what he gives here corresponds with 'daer'-stock, when he gives what binds the stock after its being acknowledged, for the 'saer'-stock tenure is not rendered binding without payment.

Every evasion of the tribe *is punished in* 'daer'-stock tenure.

That is, every one is condemned who gives his stock in *secret* evasion of the tribe without giving them notice at once; and it would be right for them, after having received intelligence of it, not to remain in acquiescence of it afterwards, but to impugn it.

The contracts of the 'saer'-stock tenants, and of the 'daer'-stock tenants, and of the 'saer'-stock tenants of ecclesiastical lands, and of

'SAER'-STOCK-TENURE. — ocur na mic raorleicte do parṭaḍ uilí, sin cinḍiu do tēct fuithib, aēt ḡiallḡa ocur mainē; no nī ír len ríne, ocur an tuibairt uile, ocur in nī reccait a leaḡ a cinḡ do rēic riu raḍein.

Ḡach cori tob taitḡmicheḡ uile, ír ar ain, no tḡeife, no cethruimṭe taitḡmicheḡ. Aon riu taitḡmeḍ cori na ceile iar rir; ocur tḡeife riu taitḡmech cori na mac raorleicte iar rir; ocur cuicṭe riu taitḡmeḍ cori na raorḡanaḍ iar rir. Ma taitḡmeḍ muirio a nḡuibairṭa nama, ír inano ocur in re riu taitḡmenn in cenn a nḡuibairṭa raḍein, .i. co cethḡe uairḡe ficht, ocur co dechmarḍ.

Cuir muirio na nḡuḡocraḍ ocur na mboṭ, itir rochur ocur dochur do taitḡmech uile riu re mur iar rir; aēt roḍur in mic ḡuir, ocur na heircḡarṭaḍe, cori riliur, cur, ḡil.

### Ar nī hinḍuḍ nech dia raile iarḡoṭha.

.1. uair nochḡa denunn nech inuḍ no inar ḍa ceile tar in nī aḡurumur rḡuminn iarum a haithlī na rēct mbliḍan.

Ír ainlurḍ ro riasailṭer in raṭ arḡamainḍ, .i. teoḡa ba tucta don boairḡ ina raṭ; co nḡilḡenn teoḡa ba bḡḍ leo dia teoḡa mbliḍan cen eloḍ impu. Co nḡilḡenn ḍa ba dec ann iar neloḍ.

Se rḡurpuill ír riu in laēt ann, ocur ḍa rḡurpall ír riu in laoḡ. conaḍ ceitḡu ba ar in laēt in cet bliḍuin, ocur ceitḡu ba íḡuḡ mbliḍuin tanuife. Do ocur colpaḍ oēt rḡurpuill, na ceitḡu mbo na cet bliḍona, conḍat naoi mba famlaḍ ocur colpaḍ oēt rḡurpuill. Teoḡa ba ocur ḍa rḡurpuill ocur ḍi rinḡainn a fuilleḍ na naoi mbo ocur na colpaḡe íḡuḡ bliḍain deḍenarḍ. Cetheoḡa ba na bliḍona rin leo, conḍat re ba dec ocur deḍ rḡurpuill ocur ḍi rinḡinn ar in laēt conat fuilleḍ. Seḡurpuill ar

<sup>1</sup> Dishonesty; i.e. cheating or over-reaching.

<sup>2</sup> Sold to themselves. The inhabitants of the territory of Corca Luighe could not sell any commodities without first offering them to the chief (O'Driscoll), who, if



the emancipated sons, are all confirmed, the tribe not being able to impugn them, except as regards the return in service or manual labour; or that which belongs to the tribe *by innate right*, and as regards every dishonesty,<sup>1</sup> and whatever the chiefs require to be sold to themselves.<sup>2</sup>

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*As to every contract of all these which is dissolved, it is in one day, or three days, or four days they are dissolved. One day for dissolving the contracts of the tenants after knowledge of them; and three days for dissolving the contracts of the emancipated sons after knowledge of them; and five days for dissolving the contracts of the 'saer'-stock tenants of ecclesiastical lands after knowledge of them. If their dishonest contracts only are dissolved, the time is the same as that in which the chief dissolves their own dishonest contracts, i.e. in twenty-four hours, and in ten days.*

Also all the contracts of proclaimed persons and of cottiers, both good and bad contracts are all dissolved within the term of one month after knowledge *thereof*, except the good contracts of the 'mac-gor,' and the *other* exceptions, 'cor'-filius, 'cor,' &c.

For no one gives increase to another afterwards.

That is, for no one renders increase or growth to another beyond the thing which we have said before after the seven years.

This is the manner in which the stock account is regulated, three cows are given by the 'boaire'-chief as stock; after three years he is entitled to three cows in addition to them, if no absconding has taken place regarding them. After absconding, however, he is entitled to twelve cows.

The milk is worth six 'screpalls,' and the calf is worth two 'screpalls,' so that the milk of the first year is worth four cows, and that of the second year four cows. A cow and a 'colpach'-heifer worth eight 'screpalls,' the four cows of the first year, *and the four cows of the second year*, amount to nine cows and a 'colpach'-heifer of the value of eight screpalls. Three cows and two 'screpalls,' and two 'pinginns' are the addition of the nine cows and of the 'colpach'-heifer in the last year. *Add* the four cows of that year to them, and the sum will be sixteen cows and ten 'screpalls' and two 'pinginns' for the milk with its addition. A 'screpall' is allowed for

he wanted them, might purchase them at a cheaper rate than any one else.—*Vide Miscellany of the Celtic Society*, p. 104.

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cach miarlach bo moiri, ocur letrcpupall ar na hí ata luza; da rcpupull dec ar in gert irin cet bliaduin, ocur da rcpupull dec air irin bliaduin tanuir, ocur ceitru rcpupull fuilleo na da rcpupull dec na cet bliadua, conit bo ocur ceitru rcpupull are a fuilleo irin mbliaduin deoenuis. Colpaé tium bo, ocur ceitru pinginne, tabair na ceitru pinginne fpuir in colpaiḡ conit ramuir; tabair da rcpupull dec na bliadua deidmairḡ fpuir ramuir, conit bo, conit ti ba ocur ceitru pinginne ar gert na mor innil.

*Sic.*

Ir re rcpupull ar gert inoar na cét bliadua, ocur da rcpupull dec ir in mbliaduin tanair ar na daoine, conat deé rcpupull. Ir e a fuilleo ir in mbliaduin deidmairḡ rcpupull ocur da pinginn, conat bo ocur da rcpupull ocur ti pinginn ocur oét rcpupull dec ir in mbliaduin deoenairḡ, conat fiche rcpupull ocur ti pinginn ocur bo. Tabuir ceitru pinginne gerta na mor innille fpuir na ti pinginne, con da rcpupull; tabuir da rcpupull do ramuirce in innat cucat, conat ceitru ba in gerta, acé na da rcpupull ro. Tabuir na ceitru ba ro fpuir na re bu dec in lachta, conat fiche bo. Tri rcpupull ir fpu caé dairt, ocur re rcpupull ir fpu cach colpach, conat fiche bo ocur ramuirce do taet do inough. Tabuir na deith mba ro fpuir na ti ba deḡ na collat, co na ti ba fichit. Tabuir gur in fichit remut. Tabuir deé rcpupull na ramuirce co fichit rcpupull, ocur co ti pinginn in innut, con ti ba ocur da fichit, ocur fiche rcpupull, ocur ti pinginn, ir i meit na haragamaint ro uile.

<sup>1</sup> *Eighteen.* The Irish has ten 'screpalls' here, but the sense evidently requires that it should be eighteen.

<sup>2</sup> *Account.* Dr. O'Donovan observes—The word 'aragamant,' translated account, is not to be found in any Irish dictionary, nor has the word turned up any where else, except in C. 162, and O'D. 1990. It apparently signifies a full account or calculation of running debts. Is it the same as the Latin argumentum?

the dung of every large cow, and a half a 'screpall' for that of every smaller one; twelve 'screpalls' for the milk in the first year, and twelve 'screpalls' for it in the second year, and four 'screpalls' the addition of the twelve 'screpalls' of the first year, so that the addition in the last year amounts to a cow and four 'screpalls.' A 'colpach'-heifer *of the value* of one-third of a cow and four 'pinginns' are, when put together, equal to a 'samhaisc'-heifer; add the twelve 'screpalls' of the last year to the 'samhaisc'-heifer, and they amount to a cow, so that there are two cows and four 'pinginns' for the milk of the great cattle.

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Six 'screpalls' *are allowed* for the increased milk of the first year, and twelve 'screpalls' in the second year for the people, making eighteen 'screpalls.' The addition in the last year is a 'screpall' and two 'pinginns,' making a cow and two 'screpalls' and two 'pinginns' and eighteen 'screpalls' in the last year, making twenty 'screpalls' and two 'pinginns' and a cow. Add four 'pinginns' for the milk of the large cattle to the two 'pinginns,' and they make two 'screpalls;' add the two 'screpalls' to the 'samhaisc'-heifer *given as* the increase to them, and they make four cows for the milk, excepting these two 'screpalls.' Add these four cows to the sixteen cows for the milk, and they make twenty cows. Three 'screpalls' is the value of every 'dairt'-heifer, and six 'screpalls' is the value of every 'colpach'-heifer, so that it is twenty cows and a 'samhaisc'-heifer that go for the increase. Add these ten cows to the twelve cows for the carcass, and they make twenty-two cows. Add these to the twenty before mentioned. Add the ten 'screpalls' for the 'samhaisc'-heifer to the twenty 'screpalls,' and two 'pinginns' for the increase, and they make forty-two cows, and twenty 'screpalls,' and two 'pinginns,' which is the amount of all this account.<sup>2</sup>

## INCIPIT CAIN AIGILLNE.

CAIN  
AIGILLNE  
OR LAW OF  
'DAER'-  
STOCK  
TENURE.

Cain aigillne ocur giallnu.

*Sic.*

.1. doerrath, .1. rath ocur feoit turluioe, .1. in biao no na feoit turluioe, no na namunnu ocur na ratha, .1. riasail do berur don ti ferin uga thozaioe in giallna ocur gialla, .1. in celrine fein, .1. biathuð ocur cometeet on ðeli; no cain, .1. riasail, .1. can uga giallna ocur gialla, .1. o po gab in fer feoit turluioe o alaile.

Cio doflí? Nín. Seoit turluioe, ocur tuirceac bepa airceanna.

Cio doflí, .1. cio tuillíð no airillnigiuur iur don celo do ní in celrine? Seoit turluioe, .1. ipeð tuillíð in aigillne, .1. feoit do berur a cloatar in daerrath, iur rin in aigillne. Tuirceac, .1. in cneac toirute-nuch do berur ar in mbiað uair daerrath, co rin cinnti. In rath fein iur rin in giallna (.1. ipe tuilliuur in giallna).

Ina fir no i nainfir fine ata in rath fo do gabail don ðeli, uair damað i nainfir doib no ticruioir fo na chopuib; ocur dama a fir dono, ciamia moir in rath ir artuige forruo.

Ir a fir a met ocur ipe fo fil uil ann, .1. po fetutu rath do gabail, ocur ni fetutu cia met in ratha po gabad ann, cu fuilit aq tuall tiaetana fui co na eð fartur in aituio forruo in rath fo innuioir liubuir; ocur in fognum fo tar a ceann o na ðelið.

Hocha nparluigiunn ðligeð ar ðuine daerrath do gabail o plaithe fein, na o plaithe ectrunn, na o ru fen, na o ru ectrunn,

<sup>1</sup> *Returnable 'seds.'* That is, cattle to be returned by the tenant when his term expires.

'CAIN AIGILLNE' BEGINS.

'CAIN AIGILLNE' or Law of 'Daer'-stock tenure,  
and of tenure by 'giallna'-security.

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OR LAW OF  
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—

*Cain Aigillne*, i.e. 'daer'-stock tenure, i.e. stock and returnable 'seds,' i.e. the food or the returnable 'seds,' or the liens and the stock, i.e. a rule which is laid down for the person who has chosen the tenure by security and the securities, i.e. the tenancy itself, i.e. the food and the accompaniment *to be rendered* by the tenant. Or 'cain,' i.e. a rule, i.e. the rule of options in tenure by giallna-security ('uga giallna'), and of 'securities' ('gialla'), i.e. when one man has taken returnable 'seds' from another.

To what does *the stock* entitle a man? Answer—  
Returnable 'seds' and the proportionate stock of food-rents in general.

To what does *the stock* entitle a man, i.e. what does it claim or gain for the tenant who performs tenant service? Returnable 'seds,' i.e. these are what the 'aigillne'-tenure claims, i.e. 'seds' which are given in 'daer'-stock tenure, to be returned, this is the 'aigillne'-tenure. Proportionate stock, i.e. the relieving-fee which is given for the noble food *due* in 'daer'-stock tenure, with perfect exactness. The stock itself is the 'giallna'-security (i.e. it is what the 'giallna'-security claims).

This stock is received by the tenant either with the knowledge or without the knowledge of the tribe, for if it was unknown to them *that he did so* they could impugn his contracts; but if it was with their knowledge, though the stock be ever so great it is fastened upon them.

When its amount is known this is the case, *i.e. it is fastened upon the tribe*, i.e. they know that *the stock* was received, and do not know the amount of the stock that was received, and they are going to oppose it to the extent of their acknowledgment, *in this case* there is fastened upon them that stock which the books mention; but service shall be rendered for it by the tenants.

The law does not require of a man to accept of 'daer'-stock tenure from his own chief, or from an extern chief, or from his own king, or from an external king; but the law requires of him to

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ocur arluige dliged fain faerriath do gabail ó ní féin. Ocur noch n parluigiunn fain faerriath do gabail o flait féin ina o flait eétrunn iná o ní eétrunn. Ocur da ngabair d faerriath curub o ní féin gabur. Lan loḡ einiuch ro rí ar airtin in dfaerriatha. Cio beg, cio mor in dfaerriath, ir eḡin loḡ einiuch ar airtin.

Caithat feoit turchluide caich ro mias? Nin-Tri feoit da oḡairiḡ, tri fecht cumula do ruiriḡ, cethri fecht cumula do ní ruiriuch.

Do ruiriḡ, .i. do ruḡ eḡunn co fnearabha rí, .i. ní lete eḡunn; no irin a rath ar dfaerriath o ní eḡunn, in tan bit gell eḡunn ina thig; no dono ir ina fectuib turchluide. Cethri fecht cumula, .i. do ruḡ eḡunn ein fnearabha, ocur tairir do gab ríoe rath o ní romain; no cumuó o comurba paoruis do bertha rath do ní eḡunn, .i. in tan bit na hinbir rí, athclaiath ocur porclairge ocur luimniuch oléna, .i. ciat berer in ní ruiriuch rínn, ní do tairibir aigillne fain aét do reallat loḡ einiuch.

Caite turchrec cachá bea o beg co mor, cinmotha fecti turchluide?

Co mor, .i. biathat cetrur.

.i. caite in crec toirithniuch do berur ar in mbiaó uair (.i. in bo co na forair) o bec mbiaó co mor, no o bec in ratha co mor in ratha.

Cinmotha fecti turchluide, .i. cinmotha in fect do berur ar cloḡatar in lan loḡ einiuch, ar airtin in daer rait, uair mao eirde nochá neó rachur do ar airtin in faer rait, aét trian loḡ einiuch.

Priam mbiaó ro rí, ocur rmaét meata pḡim bíó inntu, .i. 1 meé cachá bíó tís, ocur atait na pobiaóa irin cam aigillne bíḡ.

<sup>1</sup> *His own king.* If he is ever forced to take 'daer'-stock against his will, it is from his own king. He may take 'saer'-stock or 'daer'-stock from any one, if he pleases himself, and can get the consent of his family.

<sup>2</sup> *With opposition.* "Cum renitentia," i.e. the King of Erin when opposed.

<sup>3</sup> *Principal king.* Dr. O'Donovan observes that this statement about the stock given to the king was a mere fiction of law.

take 'saer'-stock tenure from his own king. It does not require of him to take 'saer'-stock tenure from his own chief or from an extern chief, or from an external king. If he takes 'daer'-stock tenure it should be from his own king.<sup>1</sup> Full honor-price is *paid* down here on receipt of the 'daer'-stock. Whether the 'daer'-stock be small or large, honor-price should be *paid* on receipt of it.

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What are the returnable 'seds' of every one according to his dignity? Answer—Three 'seds' are given to the 'ogaire'-chief, thrice seven 'cumhals' to the king, four times seven 'cumhals' to the principal king.

To the king, i.e. to the king of Erinn, with opposition<sup>2</sup> to him, i.e. the king of half Erinn; or this is for the stock, as in 'daer'-stock tenure, from the king of Erinn, when the hostages of Erinn are at his house; or else they are the same as returnable 'seds.' Four times seven 'cumhals,' i.e. to the king of Erin without opposition, for which (*being without opposition*) he received stock from the king of the Romans; or it was by the successor of Patrick the stock is given to the king of Erinn, i.e. when the seaports of Dublin and Waterford and Limerick, and the seaports in general are subject to him, i.e. although he (*the King of the Romans, or the successor of Patrick*) is supposed to give the stock to the principal king,<sup>3</sup> it is not to impose tenancy upon him, but to show honor-price.<sup>4</sup>

What is the proportionate stock of each 'food'-rent from small to large, besides the returnable 'seds'?

To large, i.e. the feeding of four.

That is, what is the relieving-fee which is given *as proportionate stock* for the noble food (i.e. the cow with its accompaniment), from little food to much, or from the small stock to the large stock.

Besides the returnable 'seds,' i.e. besides the 'seds' which are given to be returned as the full honor-price,<sup>5</sup> on receiving the stock in 'daer'-stock tenure, for if it be so this is not what will go to him on receiving the stock in 'saer'-stock tenure, but the third of honor-price.

The following are the chief foods, and the 'smacht'-fine for failing to render chief food *in each case of* them, i.e. for the failure of each food of them, and the inferior victuals are *set down* in the 'Cain

<sup>4</sup> *Honor-price.* In the margin here are the words 'lepuir Aedhagan,' (the Book of Aedhagan,) indicating, no doubt, that this commentary was taken from that book.

<sup>5</sup> *Honor-price.* The 'seds' returnable were always equal to the honor-price of the person to whom they were given.

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Ocur gac bíad d'ib ro adair do tabuir a rannuad ír a tabuir  
ann; ocur gac bíad d'ibh adair an genire do ír a tabuir ann;  
ocur gac bíad na hinniurinn do tabuir i nectur de dairthe ír  
a tabuir ír ngeniur; ocur dermbirect ro ar na rathuib  
olegur do na graiduib ro ír do gabail; ocur ma do gabat  
imurchuio ratha dar inni inniur leabur, conneacur tiachtuin  
ro coruib ime amuil gac ndochur; no dono ciamaó é in graid ír  
íre no gabat in rath ír mo, noch a nindigtuó do ma cunic a im  
fulung, ocur noch a tecur ro coruib ime.

### Teora ba ar molt cona forair.

.1. rerpull a riu, .1. oét ratha ro, ocur cach ní buir ebradach  
don biud do berair on ceile, curub rechtmaó b'ó.

### Loḡ enech cach ain íreó a reota turcluide.

.1. lan loḡ enech o flait cetgiallana, ocur trian loḡ enech o  
flait forgiallana, ocur nomad loḡ enech o flait cuirud ar  
airtin ratha. Lan rath o flait cetgiallana, ocur da trian  
rata o flait forgiallana, ocur leat rat o flait cuirud. Lan  
biathad, ocur da trian mbiathad, ocur leith biathad doib. Lan  
rmacht ocur let rmacht ocur ceathrainie rmachta doib i meá  
a mb'ó. Lan enecclann ocur let enecclunn ocur cetruime  
enecclunne doib i meath a mb'ó. Lan enecclun doib  
let enecclann ocur trian nemecclunne doib a roduil laim re  
ceile; ocur noch a rfuil cuirud na forgiallana a raorpathaib.

<sup>1</sup> 'Cain Aigillne Beg.' The Little Cain Aigillne.

<sup>2</sup> *Tenant.* In the margin of the MS., col. 200. .1. ní fuil raerpath do  
gabail do neoch dia raib flait d'ib ro ar. "No one who has any of these  
chiefs over him is to take 'saer'-stock."



Agillne Beg.' And every food of these which is mentioned as given in the summer must be given then (*i.e. in that season*); and every food of them which is mentioned *to be given* in the winter is to be given then; and every food which is not mentioned to be given in either of them (*the seasons*) in particular is to be given in the winter; and this is an illustration of the fact as regards the stocks which are due to the inferior grades down here; and if they (*the inferior grades*) have received excessive stock over and above what the book mentions, it (*the contract*) can be impugned like every other bad contract; or indeed if it be a man of the lower grade that received the greater stock, it is not unlawful for him to do so if he is able to bear it, and his contract respecting it is not impugned.

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Three cows for a wether, with its accompaniment.

That is, a 'screpall' is its value, *i.e.* this is eight stocks, and if any part is defective of the food which is rendered by the tenant, let one-seventh of the food be *the fine*.

The honor-price of every one is *equal to* his returnable 'seds.'

That is, *stock equal to full honor-price is given by the chief who had taken the first 'giallna'-securities, one-third of honor-price by the chief who had taken the second 'giallna'-securities, and one-ninth of honor-price by the chief who had taken the third 'giallna'-securities on the acknowledgment of stock by the tenant.*<sup>2</sup> Full stock is given by the chief who has taken the first 'giallna'-securities, two-thirds of stock by the chief who has taken the second 'giallna'-securities, and half stock from the chief who has taken the third 'giallna'-securities. Full food, two-thirds of food, and half food is given to them in return. Full 'smacht'-fine, and half 'smacht'-fine, and one-fourth 'smacht'-fine are paid to them in case of failure in payment of their food. Full honor-price, and half honor-price, and one-fourth honor-price are paid to them for failure of their food. Full honor-price, and half honor-price, and one-third honor-price are due to them respectively for full injury done to their tenant; and there is no chief who has taken third 'giallna'-securities, or chief who has taken second 'giallna'-securities in 'saer'-stock tenures.

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‘Daithe inlizió ar in ceile forgiallna ocuf cuiriré do gabail  
a fairne, no laigóigeó a reoit turluioe.

Turcneic ar bef bef coir amuil bef a toéacht, ocuf a  
gnat, ocuf a miaó, ar trian a duinn ocuf a meirce.

Turcneic, .i. in cneic toirnénech ír coir ar in mbiaó uair ír coir do  
toimpeala. Amuil bef a toéacht, .i. tise ocuf mile, .i. atreabá. A  
gnat, .i. do na réet ngnaoió, .i. in no uirnercur a fine, 8. D. Ar  
trian a duinn, .i. no trian na heica ata i ngait ar, no a cneó no a  
frithe. A meirce, .i. a meirce occa, 8. D. .i. trian inech tuilluif a  
flaitemnuif do ma tait celíde aise, .i. trian coirpoirne na cneíde fer-  
ruíctur air ar meirce; no trian a éorua.

A biathat do met a raic o raericeile ocuf o doericeile, ocuf  
rmaet a chana, ocuf rmaet a rluagúige, ocuf biathat cunghala,  
ocuf fuillea a gill, ocuf frithe a roit ocuf a fairge, írreó  
olizió o tuaithe oílchena.

Ar leth fpu beo eluó.

.i. fíreó rucurcur raith ar arcur, ocuf no fuarluis in  
flaith eiríde; in fíreó fuilluif in trian curub leth, .i. leth  
cotuch fine fuil a laim na treabuirne ann, ocuf flaith no  
fuarluis he.

Deo eloí do fine in ceile inro, ocuf icuó in treabuirne in cet  
biaó, ocuf beuir in tpe fpu bpuine in bíó tanuirne; ocuf  
comroinnit in tpe ar rin, a trian do flaith, ocuf a trian do  
eclur, ocuf a trian dfine; ocuf in trian no ríat dfine ann,  
a let do treabuirne co no icthar ríu aitéin in bíó co lof ocuf ar  
ocuf inrobuir ocuf lan eneclann. Ocuf no fuarluis flaith  
he. Tabuir in fíreó ríuin tpe curub let.

<sup>1</sup> *Things found.* ‘Frithe.’ Things found on his land which belong to him by  
right, such as waifs, strays, treasure-trove; and at sea, flotsam, ligan, &c.

It is to punish the tenant for his illegality in having 'taken' second and third 'giallna'-securities, whilst he had the 'saire'-privileges (i.e. while holding by 'saer'-stock tenure) that his returnable 'seds' are lessened.

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Proportionate stock is given for rent, which is regulated according to his (*the tenant's*) property, and his grade, and his dignity, for the third of his 'eric'-fine due for stealing and for drunkenness.

Proportionate stock, i.e. the relieving fee, which is proportionate with the noble food about to be supplied. According to his property, i.e. in land, and cattle, i.e. houses. His grade, i.e. one of the seven grades, i.e. what his tribe conferred.—*S.D.* For the third of his 'eric'-fine due for stealing, i.e. or the third of the 'eric'-fine which is due for stealing from him, or plundering him, or taking his things found.<sup>1</sup> Drunkenness, i.e. for his being drunk with them, *S.D.* i.e. the third of what his chieftainship entitles him to if he has tenants, i.e. the third of the body-fine for the wound which shall be inflicted on him in his drunkenness; or the third of his ale.

His (*the chief's*) food shall be supplied by the 'saer'-stock tenant and by the 'daer'-stock tenant according to the amount of his stock, and 'smacht'-fine for his tribute and his hosting, the food for his residence, and the interests of his pledge, the waifs of his road and of his sea :—these he is entitled to from the country in general.

For one-half for life absconding.

That is, the sixth of the stock he carried off first, and the chief redeemed this; the sixth added to one-third makes one-half, i.e. half the share of the tribe is in the hands of the surety in this case, and the chief redeemed it.

In this case the tenant absconded in the lifetime of the chief,\* and the surety pays the first return of food, and he gives the land for the furnishing of the second return of food; whereupon they divide the land, one-third is given to the chief, one-third to the Church, and one-third of it to the tribe; and of the third of it which comes to the tribe, one-half shall be given to the surety until he is paid restitution of the food, with the increase, growth, and addition, and full honor-price. And the chief redeemed it. Add the one-sixth to the one-third and they make one-half.

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Μαθα αιτιτιν fine, ocuf cet giallna gabur forziallna, ocuf  
if beo éloḡ, if tpuan beipuf cetziallna, ocuf let tpuan fine,  
ocuf tpuan in lete fin uaða vi forziallna, ocuf tpuan in lete  
eile o fine, conro tpuan tpuain fine vi forziallna, ocuf if e .ix.  
in opba uile, conro va tpuan tpuin fine beipuf flaiti.

Μαθα αιτιτιν fine aonup, ocuf if beo éloḡ vo beipuf for na  
flaitiib, if tpuan vo cétziallna, ocuf let tpuin fine, ocuf va  
tpuan leti tpuain fine vo forziallna; cunro feipuf in tpuin  
beipuf fine .i. in toétmað pann dec in opba uili.

Μα αιτιτιν πλατα α haonup gabur forziallna, ocuf if beo  
eló, if let dóib anduf, .i. tpuan ocuf tpuan leti in tpuain fin  
vo cetziallnu, ocuf dá tpuan leti tpuain va forziallna, .i.  
nomuð in opbu uili; no dono if let á éotu ma maipb eló.  
Torpuuiz vo forziallna a beo eluð vo gup.

Μα haiitiν fine aenup no α πλατα α haenup gaburo for-  
ziallna, ocuf if maipbeluð, if tpuan éota in tí deatnann vi  
forziallna .i. nomuð in opbu uile.

Μα in αιτιτιν inuif gabur forziallna, ocuf if maipbeluð,  
if feipuf chocti cechtup de vo forziallna .i. tpuan tpuain, no  
nomuð in opbu uili, ocuf if tpuan áct feipuf tpuain, in oétmuð  
dec in opbu uile, cuf chectup de fum. If let ḡac cotu no raiḡ  
fine in ḡac gne við fo uili vo puaiçhne poḡlu.

<sup>1</sup> *One half is given to both, i.e. is divided between both, half the land of the fugitive tenant is given to the two chiefs, but not in equal proportions; for the chief who took first 'giallna'-securities gets  $\frac{1}{3}$ , and the chief who took the second*

If it be with the cognizance of the tribe, and the chief who has taken the first 'giallna'-securities has taken the second 'giallna'-securities, and life-absconding has taken place, then the chief who took the first 'giallna'-securities shall obtain one-third, the tribe half one-third, and one-third of this half *shall be given* by them to the chief who took the second 'giallna'-securities, and one-third of the other half *shall be given* by the tribe to the chief who took the first 'giallna'-securities, so that the chief who took the second 'giallna'-securities gets the third of the tribe's one-third, which is the one-ninth of all the land, and the chiefs obtain two-thirds of the third of the share of the tribe.

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If the tribe only is cognizant of it, and that life-absconding has taken place from the chiefs, then the chief who has taken the first 'giallna'-securities gets one-third, the tribe half one-third, and two-thirds of the tribe's half-third goes to the chief who took the second 'giallna'-securities; so that the part which the tribe shall obtain is one-sixth of one-third, i.e. one-eighteenth of all the land.

If the chief alone is cognizant that second 'giallna'-securities have been accepted, and life-absconding has taken place, one-half is *given* to both of them,<sup>1</sup> i.e. one-third and one-third of one-half of that one-third to the chief who took the first 'giallna'-securities, and two-thirds of half one-third to the chief who took the second 'giallna'-securities, i.e. the one-ninth of the whole land; or else it is half his (*the fugitive's*) share if death-absconding has taken place. Addition is *given* to the chief who took the second 'giallna'-securities in cases of life-absconding at all times.

If the tribe only or the chief only is cognizant that second 'giallna'-securities have been accepted, and that death-absconding has taken place, one-third of the share of the person who has absconded is *given* to the chief who has taken second 'giallna'-securities, i.e. one-ninth of the whole land.

If with the cognizance of both *tribe and chief* second 'giallna'-securities have been accepted, and death-absconding has taken place, the sixth part of the share of both is *given* to the chief who took the second 'giallna'-securities, i.e. the third of the third, or one-ninth of the whole land, and one-third minus one-sixth of one-third—the one-eighteenth of the whole land—is the share of each of them. It is half the share that comes to the tribe in each of all these cases for trespass-damage.

'giallna'-securities  $\frac{1}{3}$ , both added together =  $\frac{1}{2}$  of the whole land. The remaining half of the fugitive's land belonged to his tribe.

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Ólrigid cach ber o biuc co mor.

.1. ma damu fuil ag in flaithe, ir ann ir coir i noul do caitium in bio celgine in tan ir cutruma in biað celgine ocuf biathuð na daime. Marí luða in daim, a dam do bpeit do ler, ocuf beð doib irið cu tair doib in biað do caitium. Ocuf dia rucauð imurcauð daime ler in flait, no ba gleit tar innaic do flaithe an imurcauð daime berur co tiz in éile, ocuf irerh ir oir inrtaur friu tpa anbratib flatha.

Ocuf mór do doirium.

.1. far loim, .1. don cer tona; arur eirde olrigur cenn in baib ona erecruib bici inon clochroicrit ruirigur o duirn, .1. amuil in mór ata on aircinruach don cairleoir, .1. mór ler don in olrigur inri choiriuur in cloch o duirn. Fir in baib olrigur airil loim cach mairt mairritur irin mbaili, ocuf mór do cer loim a leéit do tabuirt ler in mbiað ar mer anro, ocuf mór derer doirum, ocuf nocha nruil cinnuð meoigaéta fairirde.

Ar a choirur fri tuaithe.

.1. do ruba ocuf do ruba, ocuf geall tar a ceann amuiz, .1. curub é do rata geall tar a ceann cío fri tuait cío fri heglur.

Lutu laime fir do domoigtur dia tizut.

.1. oroluc lutun on fir do ní in tomur o laim ina tizut mbairgion, .1. lefrat buna in litanain, no in talc medonach irin mer ele.

O'D. 1074. [Cach biað cona dílrí, cona romillrí, cona flaine do' bhu. Cað necubur cona díre, ocuf a fuilliuð, ocuf a rmaétaib. Cach naninruic nanroic cona diablað aith-

He (*the chief*) is entitled to every 'food'-rent from small to great.

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That is, if the chief has parties of *visitors*, it is right for him to go with them to consume the food of tenancy when the food of tenancy *due to him* is equal to the food which the party requires. If it be less, he is to bring his company with him, and they are to remain at the house until they finish the food *due*. And if the chief should bring too large a company with him, it would be 'feeding beyond honesty' on the part of the chief to bring excess of company to the house of the tenant, and it is right for *the latter* to separate from him in consequence of the indigence of the chief.

And a piece of *fleshmeat* to handwork.

That is, the rump steak, i.e. of the 'ces' of the hind part ; for this is what the head of the village is entitled to from the cabins around the stone bridge which he erected with his *own* hand ; such as the bit that is due from the 'herenach' to the stone-mason, i.e. the thigh steak, which is due to the person who dresses the stone with his hand. The head man of the village is entitled to the thigh or hip steak of every head of cattle that shall be killed in the townland, and a similar piece of the 'ces' of the rump shall be given along with the food upon a dish here, and a piece of that shall be given to him, but its size is not defined.

For his law towards the territory.

That is, for service of attack and defence, and a pledge for him outside, i.e. it is he that shall give a pledge for him, whether to the laity or the Church.

A man's little finger measures it in thickness.

That is, the breadth of the little finger of the man who measures it with his hand is the thickness of the cake, i.e. the breadth of the little finger at its root, or of the middle joint of the other (*next*) finger.

Every food *to be conveyed* to the house in its integrity, in its sweetness, in its soundness. Every dishonesty *shall be visited* with 'dire'-fine, and addition, and 'smacht'-fines. Every impropriety of

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'gená, mana pollaigter tpe eirle. · Ipe ber aen cinuṡa in ro foloinṡ, ar a miaṡ.

Cach biaṡ, .i. oib ro uile. Cona oileṡ, .i. naṡub ṡat. Cona romiṡleṡ, .i. naṡub ṡeapb. Cona ṡlaine, .i. naṡub ṡeataṡ. Cach necubur, .i. caṡ ni ṡe ber ṡat. Cona oipe, .i. in eneciano. Fuilliuṡ, .i. in aithṡm. A ṡmaṡṡaib, .i. in cumal. Cach naninṡaie, .i. caṡ eirṡnacur ṡo ni nech tpe anṡateṡur, .i. aiṡe ṡo tuir ṡon eapair itir ṡa teṡ, ṡiablaṡ inn. Cona ṡiablaṡ, .i. cun ṡiablaṡ uat cuna ṡoranṡṡain aṡ maicim. Mana pollaigter, .i. man pollaigter tpe oimur, no tpe aileṡo leapa. Tpe eirleṡ, .i. tpe fuill ṡṡuṡnaṡa. Ipe ber, .i. ip e biaṡ uap ṡligṡec imṡuileṡer in taen bir ṡon éneo ṡon aṡliaṡaṡ, in biaṡ ro a ṡerum in aṡ noṡaṡṡ.]

### Cach mbiaṡ cuna oileṡ.

.i. naṡub ṡat, .i. ma tucaṡ in biaṡ ṡaite ṡon ṡlaṡ, muna ṡitir neṡtur ṡe, muna ro caṡ, aiṡuc a bir uatṡ ṡṡin bunuṡo, ocup biaṡ on cele ṡon ṡlaṡ aṡ ceṡri la.

Ma ro caṡ, ṡebṡ ṡṡeim aṡṡina ṡo, ocup ip lan ṡon ceile a ṡionucul, aṡ ni ṡitir aṡma ṡat.

Ma ro ṡitir in ceile cunṡ ṡat, ocup ni ṡitir in ṡlaṡ, muna ro caṡ, aṡṡin biṡ inṡuice cona ṡublaṡ oic ṡeṡ, cumul ocup einuclunṡ; ocup ma é roṡa na ṡlaṡa inṡṡar, ip inṡṡar ṡṡi hanṡolta aṡṡille, ocup cuna bu luṡa laip ina tachup aṡ oimunṡ.

Maṡ caṡ, ṡebṡ ṡṡeim aṡṡina ṡo, ocup letṡabail ṡubulaṡ ocup einuclunṡ oic ṡeṡ.

Ma ro ṡitir in ṡlaṡ cumṡ biaṡ ṡaite, cia ro ṡitir cin co ṡitir in cele, nocha ṡṡuil ni on cele ṡon ṡlaṡ

### Cona romiṡleṡ.

.i. maṡ tucaṡ in biaṡ ṡeapb no ṡeathaṡ ṡon ṡlaṡ, muna ṡitir in ceile, ocup ni ṡitir in ṡlaṡ, ip ṡlan ṡon ceile, aṡ biaṡ uatṡ aṡ uie ice éoir, aṡ ceṡne laithe.



(*arising from*) inadvertence *shall be visited* with double restitution, unless it has been caused by neglect. This is the food-rent by which one of the tribe is sustained, according to his dignity.

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Every food, i.e. of all these. In its integrity, i.e. that it be not stolen. In its sweetness, i.e. that it be not bitter. In its soundness, i.e. that it be not mawkish. Every dishonesty, i.e. every part of it which is stolen. With 'dire'-fine, i.e. with honor-price. Addition, i.e. restitution. 'Smacht'-fines, i.e. the 'cumhal.' Every impropriety, i.e. every impropriety which one commits through inadvertence, i.e. a joint which fell off the litter between the two houses, there is double for it. With its double, i.e. with its double from him, if it should not arrive in the morning. Unless it (*the impropriety*) has been caused by neglect, i.e. unless it has been neglected through pride, or through neglect of duty. By neglect, i.e. through neglect of service. This is the food-rent, i.e. this food which we shall mention hereafter is the noble lawful food which sustains the one who is of the tribe, according to his dignity.

### Every food in its integrity.

That is, that it be not stolen *food*, i.e. if stolen food has been given to the chief, if neither of them knew of it, unless it has been consumed, he (*the chief*) shall return the food to the original owner, and the tenant shall render the food to the chief in four days.

If he has consumed it, it creates a claim of restitution from him, and the tenant is free for having given it, for he did not know that it had been stolen.

If the tenant had known that it was *got by* theft, and the chief had not, if he (*the chief*) has not consumed it, he (*the tenant*) shall pay restitution in honest food, with its double, a 'cumhal' and honor-price; and if it be the choice of the chief to separate, he may separate from a disqualified 'daer'-stock tenant, and he does not deem it a less offence than returning *his stock* out of contempt.

If he (*the chief*) has consumed it, this founds a claim of restitution from him, but double half-seizure and honor-price shall be paid to him.

If the chief had known that it was stolen, whether the tenant knew it or not, there is nothing due from the tenant to the chief.

### In its sweetness.

That is, if bitter or mawkish food was given to the chief, if the tenant did not know of it, and the chief did not know of it, the tenant is free, but so as he gives other food in proper course of payment, i.e. in four days.

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Μαθ πο ριτιρ ιν celi, ocuf ni ριτιρ ιν ρλαιθ, muna πο χαιθ, αιθγιν βιρ ολιγιθ co na διαβλαθ οic ριρ, cumal ocuf einoclunn. Μα πο caiθ ιν ρλαιθ ιν βιαθ, γειβιρ ζρειμ αιθγινα οο ιν βιαθ πο caiθ, ocuf λετγαβαιλ διαβυλτα βιρ ολιγιθ οic ριρ, cumal ocuf einoclunn.

1n ιμβυιρ tuc ιν celi λιnn πο βιαθ ρεapb πο ρceθach οον ρλαιθ, ιρεθ ιρ ειcιn α ριρ ινα τρεβυιβ ολιγτεcha πο ινολιγτεcha, co ρρομαθ πο cιn ρρομαθ οο ριγνεθ hε. Μαρ α τρεβυιβ ολιγτεcha, cu ρρομαθ, ιρλαν acθ αιθγιn ιμβιρ ιnnpυic ap ιrθε ice cοιp.

Μαρ α τρεβυιβ ολιγτεcha, can ρρομαθ, πο τρεβιαιβ ινολιγτεcha ζο ρρομαθ, ιρ cumal ocuf διαβλαθ. Μαρ α τρεβιαιβ ινολιγτεcha cen ρρομαθ, ιρ cumal ocuf διαβλαθ ocuf enioclunn, ocuf α ροζα οο ιν βιαθ ρachup οο ap ceθpe λαιτε, ocuf λιnn ap cuic λαιτε dec; πο μα λεγαθ co tuctup bbιαθ ocuf λιnn οο ιν acθpeθ ap cuic λαιτε dec. 1lo dono cepe ιναθ 1 ποερναθ, μα τερνα, ιρλαν, cepe ιναθ 1 ποερναθ, maine τερνα co ριρ α ινολιγιρ ρe na εθαιpε οον ρλαιθ, ιρ cumal ocuf διαβλαθ ocuf einoclunn.

### Cach naninnpυicc nanpoyt.

.1. cumath ni tuiteth de itip da tech mpo, .1. cach eininnpυcup οο ni nech tpe anpaitcep, .1. aige οο tuit οον epaip itip da tech, διαβλαθ ocuf einoclunn ιnn.

1n ταιγι ιτιρ οα tech, acθ μα οο ροεθ aige α comait tpaθ ρειpι, ιρ αιθγιn ann co na διαβλαθ. Muna thopaθt aige α comait tpaθ ρειpι, ocuf ni tpe epipip πο πολλαγεθ, ιρ αιθγιn ocuf διαβλαθ ocuf cumal. Mάο tpe epipip πο πολλαγεθ, ιρ αιθγιn ocuf διαβλαθ ocuf cumul ocuf einoclunn. 1lo dono, cιn co topaθt aige α comait tpaθ ρειpι, acθ μα οο ροεθ ρια μαιτιn, ιρλαν. Munu topaθt ρια μαιτιn, ocuf ni tpe epipip πο πολλαγεθ, ιρ cumal ocuf διαβλαθ. Mάο tpe epipip πο πολλαγεθ, ιρ cumal ocuf διαβλαθ ocuf einoclunn.

<sup>1</sup> Food. The word for food, 'bιaθ,' is spelled generally with one b; but in the MS. there is one b at the end of one line, and the full word 'bιaθ' at the beginning of the next line.

<sup>2</sup> Safe, i.e. the tenant is quit, or free from fine or penalty.

If the tenant knew of it, and the chief did not, unless he had consumed it, restitution in lawful food, with its double, shall be paid to him, also a 'cumhal' and honor-price. If the chief has consumed the food, the food which he has consumed founds a claim of restitution from him to the *rightful owner*, and double half-seizure of lawful food, a 'cumhal' and honor-price shall be paid to him *by the tenant*.

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When the tenant has given bitter or mawkish ale or food to the chief, it must be ascertained whether it has been manufactured in the lawful or unlawful houses, with proof or without proof. If it was in the lawful houses, with proof, he is free, but he shall give restitution in proper food in proper course of payment.

If it was in lawful houses, without proof, or in the unlawful house, with proof, *the penalty* shall be a 'cumhal' and double. If in the unlawful houses, without proof, it (*the penalty*) is a 'cumhal' and double and honor-price, and he (*the chief*) has his choice whether it is food that shall be sent to him in four days, and ale in fifteen days; or food<sup>1</sup> and drink together in fifteen days. Or, indeed, *according to others* wherever made, if sound, *the tenant* is safe, or wherever made, if not sound, with knowledge of illegality before giving to the chief, it (*the penalty*) is a 'cumhal' and double and honor-price.

### Every impropriety of inadvertence.

This is when a part of it falls between two houses, i.e. every impropriety which one commits through inadvertence, i.e. for a joint which fell off the litter between the two houses, there is double and honor-price *to be paid* for it.

*As regards* the joint *which fell* between the two houses, provided that a joint of equal goodness with it has arrived at the time of the feast, there shall be *due* restitution for it with double. If a joint of equal goodness has not arrived at the time of the feast, and if it was not through contempt it was neglected, it (*the penalty*) shall be restitution and double and a 'cumhal.' If it was through contempt it was neglected, it (*the penalty*) shall be restitution and double and a 'cumhal' and honor-price. Or, indeed, if a joint of equal goodness has not arrived at the time of the feast, provided it arrives before morning, he (*the tenant*) is safe.<sup>2</sup> If it has not arrived before morning, but it was not through contempt it was neglected, *the penalty* shall be a 'cumhal' and double. If it was through contempt it was neglected, it (*the penalty*) shall be a 'cumhal' and double and honor-price.

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In tairge itir da tech, aét ma do ruacét aige a comaté don  
flaít cu triath feiri írlan. Maine toracét annfein, ocur do  
ruacét mar aon re fuigell ar marcin, ír diablao ocur noóo nfuil  
ní ír mo ina rin ann, no coró fuirgíthur tre faill fpuichnuma;  
ocur o fuirrechtur, ír cumal ann ocur diablao ocur einoclunn.  
No dono éna, ír diablao ann ma do ruacét triath feiri, ocur muna  
toracét ann fein ír cumal ocur diablao; do ruacét mar aon re  
fuigell ar marcin, ocur maine éoraét, ír triath faille fpuichnuma  
ann o rin amach, cumal ocur diablao ocur einoclunn.

O'D. 1075. [Aḡ loige meich, oét nḡuirn a timcomac, rlan o cull,  
la blíchtu í feoir, do emeat a da lon a dia arainn, acht  
moð fortaillainn tri meir, nacha triaetha teiróm fíth-  
nairi na galair, acht airdíu rruir í nalair; ocur tairr  
loigi meich lair, naoi nḡuirn a for, airtem a leithet  
acruí iar nairthur, doirn leithet acraí a nairthur, tri  
uirn a leithet ar a meðon, tri meir a tiget a meðon;  
ocur triath bracha, do brach eorua a arḡtreichem;  
talman do minḡire tri mecon, cona tur, techta arḡairi  
in tri laithe a mí marpa.

Aḡ loige meich, .i. aḡ dano loḡ triath cruíneacéta, rreapall  
a loḡ, ocur tri ramarí a rath. A timcomac, .i. a timceall in aige.  
O cull, .i. o buain ar. La blíchtu, .i. cōmumaro do rir na buaib  
bleacéta ac fíeít in feoir. Do emeat, .i. do emeat no tuisit a da  
lon a da arainn. Fortaillainn tri meir, .i. meir no, nard, .i. inar  
cinn tri meir írreð no dīeninn a bíe do cad arainn dib, .i. tie með ar  
a arainn leithet tri meir. Nach triaetha teiróm, .i. nocu mīlenn hi  
teiróm, .i. bpuirí na galair nairu bí uirru. Acht airdíu, .i. acht  
mairdeð rruirí hāleð he; in tuað da marbað. Tairr loigi meich,

As to the joint *which fell* between the two houses, provided that a joint of equal goodness was brought to the chief at the time of the feast, he (*the tenant*) is safe. If it had not arrived then, but arrived along with the remnant in the morning *the penalty* shall be double, and there shall be no more than that *imposed* for it until a delay of payment has occurred through neglect of service; but when it is so neglected, there shall be a *penalty* of a 'cumhal' for it, and double and honor-price. Or, indeed, there shall be double if it arrived at the time of the feast, and if it did not arrive then, it (*the fine*) shall be a 'cumhal' and double; if it arrived along with the remnant in the morning, and if it did not arrive, there shall be fine for neglect of service from that out, i.e. a 'cumhal' and double and honor-price.

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A calf of the value of a sack, eight hands in girth, sound, after being made a bullock, which grazes along with the milch cows, whose two haunches reach his two kidneys, except the breadth of three fingers, not killed by fairy-plague or *other* disease, but slaughtered by the person by whom it was reared; and a *pig's* belly worth a sack, nine fists in length, a fist with the thumb extended being the breadth of its fork in front, a fist being the breadth of its fork behind, three fists being its breadth in the middle, three fingers its thickness in the middle; and a sack of malt, of barley which grew in rich land; and a sack of meal of the level land of three roots, with its manure, which was lawfully ploughed three days in the month of March.

A calf of the value of a sack, i.e. a calf whose value is a sack of wheat worth a 'screpall,' and the stock for which it was given as rent was three 'samhaisc' heifers. In girth, i.e. the round of the calf. After being made a bullock, i.e. after being cut. With the milch cows, i.e. he is equal with the milch cows in feeding on the grass. Reach, i.e. his two haunches reach or extend to his two kidneys. The breadth of three fingers, i.e. the breadth or the space, i.e. the breadth of three fingers at their points is what is wanting of their reaching each kidney of them, i.e. fat has grown on the kidneys to the breadth of three fingers. Not killed by fairy disease, i.e. plague has not destroyed it, i.e. it had not a broken kidney, or disease of the kidney. But slaughtered, i.e. but it was killed by the person by whom it was fed; the hatchet has killed it. A belly

'CAIN' .i. dānād loḡ mīad bēf riu lētrēpall. Airtēm, .i. airtiu de inbēm a  
 AIGILLNE, enī rair, in ordu ar a ēinn ruar anairde. Crui, .i. in baill ar  
 OR LAW OF coruiseo tearcāo in tarra iar nairtēr itir dā ēoir cinn na muice.  
 'DAER' STOCK Dorn, .i. mael-dorn. Aerai a nīartuīr, .i. itir a dā cōir tona.  
 TENURE. Arōttrēichēm, .i. ar na trēndēimniugāo ar in talmain airt cūmāo  
 fēartrōe aī. Cona tuīr, .i. cona tuar dligtēd air a roḡmūr.]

.i. cūo fō dēra co nā rui lāt aon rēuiball ar in aḡ fō, ocuf  
 co rui lāt dā rēuiball ar in laoz in lā bērap he, cūo rēuinn, cūo  
 bōmōnn he? Ir ē rāt fōdēra, nē marbāo atā in tās rēuinn ann  
 fō, ocuf ipe mēf a loigē nē marbāo in rēuiball. Re lēcāo ar  
 imūro atā in laoz, ocuf ir ē mēf dligtēd aile dēc a mathuīr ar  
 in lā bēruīr he .i. cētrūime trūn in lācā, dā rērepuīl eirēic  
 mārā bō cēitirī rērepuīl fīchet; ocuf in dā rērepuīl cēna air  
 o bērtēr ē cuf in rāmūn ir nērā; ocuf iar cētrūit cēmāo bō  
 fīcht rēuiball hī, co mbeoir rāin ar in laoz in lā nō bērtā ē;  
 nō dōno, cona bē lāt aile dēc a mātar fēin, .i. rērepuīl ocuf  
 dā trūan rērepuīl.

O'D. 1076-77. [Draich trī coictigēf: lā co nairdī i fōlc, ocuf trī lā  
 fōr dīdūirīn, ocuf nomāo a comlūgāo fō cōtūigē,  
 ocuf trī lā ocuf tēora aīdchī bēf dērechta co tuar-  
 ḡabār ina fōcāib, ocuf cuictigēf a fōcāib cēn cīrāo,  
 ocuf ina imūraib iar nā cīrāo co tīrtār.

Draich trī coictigēf, .i. trī cuictī a hair, .i. trī cuictī aicēta .i.  
 ar trī cuictī inōraigēf a dēnam co dligtēch. Lā co nairdī, .i.  
 lāitē aicēta dī a nūirī. Trī lā, .i. lāitē co lēit aicēta ac rōiḡī  
 a hūirī dī. Nomāo, .i. nomāo fāerōa rāin, fēcht lāitē aicēta uile  
 rāin. Trī lā, .i. aicēta. Tēora aīdchī, .i. iar nōirḡail a tūigēo  
 dī, iar mbuain in nēich bīr uīrī, cūo tūigē cūo arbur. Co tuarḡabār,  
 .i. rēru tocbaīr hī ina fōcāib; dēid lāitē aicēta anuār uile cōicē fēin.  
 Cuictigēf, .i. cuictī aicēta. Ina imūraib, .i. iar nōdēnam imāirēo dī.

<sup>1</sup> *The fist with the thumb extended.* Estimated as six inches.

<sup>2</sup> *Flat fist*, i.e. the fist being clenched, not like the 'airdem,' which has the thumb extended. The 'maeldorn' is four inches, the 'airdem' six inches.

worth a sack, i.e. worth a sack of the value of half a 'screpall.' A fist with the thumb extended,<sup>1</sup> i.e. it is the higher by having its handle out of it, i.e. the thumb extended over it. Of its fork, i.e. of the place where the belly was cut in front between the two fore feet of the pig. A fist, i.e. the flat fist.<sup>2</sup> Its fork behind, i.e. between the two hind legs.<sup>3</sup> Which grew in rich land i.e. which came out of high rich land, that its strength might be the better. With its manure, i.e. with its lawful manure upon it in the harvest time.

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What is the reason that there is but one 'screpall' for this calf, and that there are two 'screpalls' for a calf on the day on which it is calved, whether it is male or female? The reason of it is, because this bull calf is to be slaughtered in this case, and a 'screpall,' is the estimation of its value for being killed. But the heifer calf is to be spared, and the lawful estimation of its value is the one-twelfth of the value of its dam on the day on which it is calved, i.e. the fourth of the third of the milk, which is two 'screpalls' if the cow be of the value of twenty-four 'screpalls;' and it is of the same value of two 'screpalls' from its birth till the next November ensuing; and it is the opinion of lawyers that if the cow should be worth only twenty 'screpalls,' that the calf would be estimated at the said value of two 'screpalls' on the day on which it was calved; or, according to others, it would be estimated as of the twelfth of the value of its own mother only, i.e. a 'screpall' and two-thirds of a 'screpall'.

Malt of three fortnights: a day and a night steeping, and three days dripping, and nine days lying under its covering, and three days and three nights it shall lie exposed until it is raised in sods, and it should be a fortnight in sods without being raked, and in ridges after being raked until it is dried.

Malt of three fortnights, i.e. thrice five days its age, i.e. thrice five natural days, i.e. in thrice five natural days it is undertaken to make it lawfully. A day and a night steeping, i.e. a natural day in water. Three days, i.e. a natural day and a half in dripping its water off. Nine days, i.e. nine artificial days, these make in all seven artificial days. Three days, i.e. natural days. Three nights, i.e. after stripping its covering off it, after taking what was over it off it, whether straw or corn. Until it is raised, i.e. before it is taken up in sods; all the foregoing amount to ten natural days. A fortnight, i.e. thrice five natural days. In ridges, i.e. after making ridges of it.

\* Hind legs, literally bottom legs. The fore legs are called by the Irish 'copp cinn,' i.e. head legs.

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Co tiriatar, .i. cu cruatadaster hi cuicéi aicinta rann, ocuf laithe aicinta dib rin di ina focaib iar na toebail riaru cirtair hi, ocuf tri laithe aicinta di ina imairib iar na cirta riaru cruatadaster hi; ocuf a cirta na nimairib rann each laie, ocuf laith aicinta re cruatadaster, ocuf na cuic laith aicinta ro rin na toebail laithib aicinta atriabrumair. romairinn, conno cuic laithi dec aicinta rann uile re lepuato na briaa o do beratar uirce uirne, no co tair a cruatadaster; ocuf no con niniur re aithi re huplumar o rann amairch, aet in re ar a tair a denu amail ber ail don ci do dena.

Tri focail for braithe; focail fair iar na tiriatar cen bleith; focail fair iar na bleith do gniether tairtinn de, co rinntar a blar ocuf a rlane; focail for braithe lir riaru do cae for dercu. Mana airidaster fair ir in trierde reo, niriu meth forrin ceili de, na claid airid; dilir nachair beina aithgin riu eiric on ceili cia do ruidha airid.

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Iar na tiriatar, .i. iar na cruatadaster gniatho di ro iacail tair in bi maith a boloth, .i. tair i mbi maith a rlad. Cen bleith, .i. reriu meitair hi. C blar, .i. narab rairb. C rlane, .i. narab rcaithach. Braithe lir, .i. for nne cetna. Niriu meth forrin ceili de, .i. rmaith, .i. in cumal. Ma claid, .i. na claid in ceili cia tairbann don lino, no ni tabar aoe forrin in rlaith cen a hic maot airberu ni dia bu. Dilir, .i. ir dilir don ceili co na tabar aclairao rlaith air, in hic eirce rin in rlaith, se ruidha in airid rriubrumair romairinn, conno airberu in aithgin dilir in rlaith in mbar ir a trierab ruidha co rriomao do rinnoo hi.]

### Tri focail for braithe.

.i. na ir na trierab ruidha ocuf rriomtar a airid, ocuf ni rairidaster fair, ir rlan don ceili, aet co tair lino ar cuic la dec ocuf biao on triath co rair. Muna tair, ir cumal. Muna hairidaster forria hairid, dilir cumal don rlaith, ocuf biao ocuf lino ar in cetna.



Until it is dried, i.e. until it is kiln-dried for five natural days, and it is one day of these in sods after its being taken up before it is raked, and it is three natural days in ridges after being raked before it is dried; and it is raked in ridges every day, and a natural day is required to dry it, and these five natural days being added to the ten natural days which we said before, make fifteen natural days for improving the malt after the water is put on it, until its drying is finished; and no particular time is mentioned for preparing it from that out, but the time in which the finishing takes place depends upon the person who makes it.

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Three tests concerning malt; one test for it after being dried without being ground; another test for it after being ground *before* it is made into a cake, that its taste and soundness may be known; and a test for the mash before it is put to ferment. If no *unsoundness* is perceived upon it in these three tests, no *fine* for failure shall lie against the tenant for it, if he sues for test; but even though the test be applied, it is right that the restitution with 'eric'-fine shall nevertheless be paid by the tenant.

After being dried, i.e. after being hardened (*kiln-dried*) a grain of it is *put* under the tooth to know if its smell is good, i.e. to know if its substance is good. Without being ground, i.e. before it is ground. Its taste, i.e. that it may not be bitter. Its soundness, i.e. that it may not be mawkish. The mash, i.e. in the same way. No *fine* for failure shall lie against the tenant, i.e. 'smacht'-fine, i.e. the 'cumhal'. If he (*the chief*) sues, i.e. if he sues the *tenant* for what is wanting of the ale, or if any part of the *supply* of food be defective, he (*the tenant*) cannot avoid paying it to the chief. It is right, i.e. it is right towards the tenant that he be not sued for debt, *but he is* to pay 'eric'-fine to the chief, though the tests which we have mentioned be wanting, but there shall be no deficiency in the restitution to which the chief is entitled, when it (*the malt*) was made in the lawful houses with proof.

### Three tests for malt.

That is, if it was in the lawful houses *it was made*, and the tests were applied, and nothing *wrong* was perceived, the tenant is safe, but so as he supplies ale in fifteen days and food from day to day. If he does not, it (*the fine*) is a 'cumhal.' If the tests have not been applied to them, a 'cumhal' is due to the chief, and food and ale in the same manner.

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—

Muna ffroméar a hairigíte ir vilir mbió, ocur biao maith do tairiuc, ocur cumul.

Μαὸ ἀ τρεαβυῖς ἰνολίγτuchuῖς, ocur ffromethur a hairigíti, ocur ní hairigétur olc forruib, ir vilur in biad rín, ocur biao maith do tairiuc, ocur cumul, ocur muna tairi, doṛl cumul eile. Dia hairigétur, beirig in cele a biad, ocur do ren leṛriach, .i. leṛlog einuich ocur cumul, ocur biad do tairéctain don flait; ocur muna tairne doṛl cumal.

Muna ffromethar in airithe, doṛl log nenech ocur cumal, ocur biad maith do tairiuc, ocur ir vilur in mioduirm do zner.

Τρι focuil for braithe.

.i. tri ffromaio, .i. dia ffrométur ir na tpebaib e irlan, ció ulc iarṛain. Muna ffrométar, ir viler cia no caiti. La mioduirm do biad, ocur cumal. Sic dono ir na tpebuib ἰνολίγτεῶα co ffrometur; muna ffrométur ἰνντίβριδε, ir cumul ocur einelunn ocur vilir cia no chaithe. La mioduirm do biad.

Μαῖνι αἰριγθεῖν φαῖρ ἰν tpeṛṛero, .i. i tpebuib ὀλίγτεῶα ατα fo. Dia ffrométur, irlan, ció olc iarṛain. Μαῖνε ffrometur, ir viler cia no caithur; la mioduirm do biad 7rl. Cach ní erbaḏach don biad runn do berthur amuil ir beir in forair tir, ocur cach baail<sup>1</sup> ατα ἰν ἰμυρρυῖḃ runn, ní don forair erbur, ar ur cath; ocur ἰν rann ḡabat na biata irin mboin cona forair, ir i rano do rath bair orra.

O'D. 1077-78.

[Ag loige da miach, rlan o cull, comgleith do fru blichtu o tofach rampaio co tairṛenad do flaithe; deich nḏuirm a timcomac; do emeat a da lon a dia arainn

<sup>1</sup> baail. The first a is at the end of a line in the MS. and the second a begins the next line. The word is usually baíl.

<sup>2</sup> Proved, i.e. by the evidence of proper witnesses.

<sup>3</sup> Described, i.e. in treating of the calf worth one sack.

If the *undergoing of the tests* has not been proved, the food is forfeited, and good food shall be supplied, and a 'cumhal' paid as a penalty.

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If the malt was made in unlawful houses, and the *undergoing of the tests* has been proved, and no unsoundness was perceived, that food is forfeited, and he (*the tenant*) must supply good food, and pay a 'cumhal' as fine, and if he does not, he incurs a fine of another 'cumhal.' If *unsoundness* has been perceived, the tenant shall obtain his food, but he pays half fine, i.e. half honor-price and a 'cumhal,' and food is to be supplied by him to the chief; and if he does not, he incurs a fine of a 'cumhal.'

If the *undergoing of the tests* be not proved, he incurs honor-price and a fine of a 'cumhal,' and he shall supply good food, and the bad ale is always forfeited.

### Three tests for malt.

That is, three proofs, i.e. if it be proved in the *lawful* houses he is safe, though it *turn out* bad afterwards. If it be not proved in the *houses*, it is forfeited, though it was consumed. *This applies* to the food as well as the bad ale, and a 'cumhal' fine must be paid. Thus also in the unlawful houses until it is proved; if it be not proved in them, there are due a 'cumhal,' and honor-price, and forfeiture, though the things are consumed. *This applies* to the food as well as the bad ale.

If nothing *wrong* has been perceived upon it in these three tests, i.e. this applies to the *lawful* houses. If it is proved, he (*the tenant*) is safe, though it *turn out* bad afterwards. If it be not proved, it is forfeited, though it has been consumed; *this applies* to the food as well as the bad ale, &c. Whatever is deficient of the food in this case shall be supplied as is said of the accompaniment below, and wherever there is excess here of *this*, a part of the accompaniment shall be wanting, for it came short; and the proportion which the foods bear to the cow with its accompaniment, is the proportion of stock which shall be due of them.

A calf of the value of two sacks, sound after castration, which grazes with milch cows from the beginning of summer until it is exhibited to the chief; ten fists are its girth; its two haunches cover its two kidneys in the same way as before described<sup>3</sup>, sound, of

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fon coir cetna, rlan, focurp, subaid, sogelta, cona  
tairbenað; ocur da miach bracha lair do brach  
inraic; ocur tinne da meir do miter itir a tiug ocur  
a tana, da doir itir ocur a tiug, a do itir ocur a tana,  
da meir itir ocur eipe a thoma, oét nduirn a fot, ocur  
ceitir duirn a leithic o deilng co treichium; ocur tri  
meich tarrai; ocur inglaice do cainnib, ocht nduirn  
a fot do toimrib laime techta ril rru meru ocur  
toimriu.

Ag loige da miach, .i. ag dāna lōg da rēpall, .i. comgrat in  
tas ro ocur in mōlt, .i. tri ba a rath in aise ro, ocur naoi ramairce  
a huprec, ocur don aen cūno do beir hī. O cūll, .i. o buain ar.  
Co tairbenað, .i. don rlan i naimir gēimrō. Deich nduirn,  
.i. ina timcell im a bōilgēn. Do emeat, .i. mairi rōubhumar  
romaino. Fon coir cetna, .i. mōg fori tallaino tri meir. Slan,  
.i. cen galair. Socurp, .i. mairh a corp, .i. meth. Subaid, .i. railrō,  
.i. rōdentair. Sogelta, .i. im dāgrec, .i. mairh gēler in per. Cona  
tairbenað, .i. don rlan. Da miach bracha, .i. do brach dliget.  
Tinne da meir, .i. dia tiget, .i. da rēpall ar riu. Do miter, .i.  
ir ann toimriget a tiget. Da doir itir, .i. itir i rail i tomairter  
hē. Eipe a thoma, .i. i rail a tērtar hē aca thūim. O deilng,  
.i. o mūic da hal, .i. da bliadain. Co treichium, .i. co tri hal, .i. tri  
mbliadain, .i. iri trer bliadain marbtar. Tri meich, .i. cruitnechta.  
Rru meru, .i. cia ba riu, .i. ril rru comur do rēir meru. Toimriu,  
.i. cia ba meit.]

### Ag loige da miach.

.i. aó dāna lōg da rēpall. Cētrūime rathā aipe ro, ocur  
cētrūime bliata uadā romi dōno, .i. tri ba a rat in aisi ro,  
ocur naoi ramairce a tūrēreic.

In tas loigi da miach, ni ragabur a tūrēreic i lēbriub, aēt in  
cētrūma ata ar in mōlt cona forair aipe, ocur imurcūirō do  
rōbiadāib fori aon riu in ag loigi da miach.

<sup>1</sup> *Salt pig.* 'Tinne.' Bacon or salt pork.

<sup>2</sup> *Hand.* The hand was a standard measure.

good body, well formed, well grazed, to be exhibited; and two sacks of malt with it of pure malt; and a salt pig<sup>1</sup> measuring between its thick and its thin two fists, between this and its thick two, and two between it and its thin, two fingers between it and the cut of the back, eight fists its length, and four fists its breadth, from a two year old pig to a three year old pig, and three sacks of wheat; and a handful of candles, eight fists in length of the measures of the legitimate hand<sup>2</sup> which is *used* for estimating and measuring.

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A calf of the value of two sacks, i.e. a calf the value of which is two 'screpalls,' i.e. this calf is of the same value as the wether, i.e. three cows is the stock, for this calf, and its proportionate stock is nine 'samhaise'-heifers, and it is given to the last surviving *of the tribe or family*. After castration, i.e. after being splayed. Until it is exhibited, i.e. to the chief in the winter time. Ten fists, i.e. in girth around his middle. They cover, i.e. as we have said before. In the same way, i.e. there is a space in which three fingers would fit. Sound, i.e. without disease. Of good body, i.e. its body is good, i.e. fat. Well made, i.e. pleasant, i.e. well formed. Well grazed, i.e. with good grass, i.e. he grazes the grass well. To be exhibited, i.e. to the chief. Two sacks of malt, i.e. of lawful malt. A salt pig *measuring* two fists, i.e. in thickness; i.e. two screpalls its value. *Measuring*, i.e. it is there its thickness is measured. Two fists between, i.e. between in the place where it is measured. The cut of the back, i.e. the place where it is cut at the back. From a two year old pig, i.e. a pig of two litters, i.e. of two years. To a three year old pig, i.e. of three litters, i.e. of three years, i.e. in the third year it is killed. Three sacks, i.e. of wheat. For estimating, i.e. what the value is, i.e. which is for measuring according to estimation. *Measuring*, i.e. what the size may be.

A calf of the value of two sacks.

That is, a calf the price of which is two 'screpalls.' The fourth part of the stock which he has *received* for this *return*, and one-fourth of food is given by him, i.e. three cows is the stock *which has been given* for this calf, and nine 'samhaise'-heifers its proportionate stock.

As to the calf of the value of two sacks, its proportionate stock is not found in books, but the proportion that is for the wether with its accompaniment, is *observed* with regard to it, and the excess is *made up* in minor foods *which are given* along with the calf worth two sacks.

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Ciò ro deira co na fuil aét da fcepaill ar in aš ro, ocuf co fuilit tpi fcepaill ar in molet tuar, ocuf cupub inann riat doib? Ipe in pat fodeira, inuicpuro do fomiatuib do beupr leir in naš fuinn don plait i naimrip gempuig; ocuf don cineo do beupr hé.

O'D. 1078-  
79.

[Aš loige tpi miach, do doirn dec a timcomac, plan dia comarua, comgleit do fpu bu blichtu o torach rampuad co tairbenad do plait i naimrip gempu, a tairbenad cach techta, co na mepaib ocuf a toimrip, co na poelaib techtaib; ocuf tinne tpi mep itip a tiug ocuf a tana, ocht nduirn a pot, ceithri duirn a leithit, o deling co tpechium, ocuf tpi meich bpaicha do bpaich techta; ocuf let meich tapraia; ocuf imglaiice do cainnlib ocht nduirn a pot.

Aš loige tpi miach, .i. fe ba a rath in aise feo, .i. fe ba a tupapec ocuf tpi fcepaill a fu, ar ip aer colpaio fe fcepaill he, uair nocon fuil raitine aice, ocuf do fpu mibair do beupr. Tpi miach, .i. cpuithnechta. Slan, .i. o buain ap. Comgleit, .i. aegleit in feoir. A tairbenad, .i. amail oleap. Cona mepaib, .i. tpi fcepaill. A toimrip, .i. na da doirn dec. Co na poelaib, .i. aét moš por tallainn tpi mep. Tinne, .i. ma éiget. Itip a tiug ocuf a tana, .i. ip ann toimepter he. Deling, .i. muc da bliadan. Tpechium, .i. muc tpi mbliadan. Ocht nduirn, .i. cacha camole.

Aš loige ceithri miach e, colpach fipenn, ceithri duirn dec a toimrip techtaib a timcomac, do epna plan ina daipada, do emet a da lon a dia apainn, comgleit do fpu bu blichtu cona tairbenad, cen ruba

<sup>1</sup> Above. The article referred to is wanting in both copies of Cain Aigillne, in H. 3, 17, and H. 2, 15. A fragment of the article is quoted from the back of p. 226 of H. 2, 15, but its accompaniment or *obsonium* alone is there described.

What is the reason that there are but two 'screpalls' for this calf, and that there are three 'screpalls' for the wether above referred to, and that the stock given for them is equal? The reason is, because the excess is made up in minor foods which are given along with the calf here to the chief in the winter time; and this is given to the family.

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A calf of the value of three sacks, twelve fists in girth, sound equally *after castration*, which grazed with milch cows from the beginning of summer until it is presented to the chief in the winter time, to be presented lawfully, with the estimations of the value and measurements, with its lawful tests; and a salted pig of three fingers between its thick and its thin, eight fists its length, four fists its breadth, from a two year old pig to a three year old pig; and three sacks of malt—of lawful malt; and half a sack of wheat; and a handful of candles eight fists in length.

A calf of the value of three sacks, i.e. six cows is the stock for which this calf was given, i.e. six cows its proportionate stock, and its value is three 'screpalls,' for it is of the age of a 'colpach'-heifer of six screpalls, for there is no expectation of young from it, and to a lowest man in the tribe it is given. Three sacks, i.e. of wheat. Sound, i.e. after being splayed. Which grazes, i.e. grazing the grass. Presented to the chief, i.e. as is lawful. With its estimations, i.e. three 'screpalls.' Measurements, i.e. the twelve fists. With its tests, i.e. the space which three fingers would measure. A salted pig, i.e. in thickness. Between its thick and its thin, i.e. it is there (in that point) it is measured. A two year old pig, i.e. a pig of two years. A three year old pig, i.e. a pig of three years. Eight fists, i.e. the length of each candle.

A calf of the value of four sacks, a male two years old, fourteen fists its lawful measurement in girth, which escaped safe *after castration* in its state of a 'dairt'-bullock, whose two haunches cover its two kidneys, which grazes along with the milch cows until it is presented, without any injury from disease;

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ngalair; tri meich b'pacha cen on cen ainim ar a cuilliu epic do flait, ocuf tinne tri meir a mbun laime, ar ir irin alt me'donach cach tomuf core anall, itir a tiug ocuf a tana, ocht n'duirn a fot, ocuf ceithri duirn a leithit; ocuf leth meich tarrair; ocuf da im-glairi do cainnlib co na toimrib techtaib.

Ag loige ceithri miach, .i. ceithri r'pauil ir riu, da ba dec a turcecc, .i. cupa riu let na bo ar aipe da noimachit runn, .i. da ba dec rat in aige reo, .i. aer ramaire, uair nocon fuil raitinice aice, ocuf doocairis do beirar. Colrach r'penn, .i. colp'as, i'p'penn, no rob r'penn he ina colp'as. Slan, .i. o buain ar. Cen r'ub, .i. can galair da r'oiuba. Cen on, .i. im t'p'rib. Cen ainim, .i. im r'ceat'as. Ara cuilliu, .i. ur'cuillter co na bia epic ann don flait o biar amlatu rin. Tinne tri meir, .i. ma t'iget. A mbun laime, .i. a mbun meir na laim; ir ann toimrter iad. Cach tomuf, .i. tomuf na fuille ocuf na tinne. Itir a tiug, .i. ir ann toimrter he. Leth meich, .i. cruithnecta. Do cainnlib, .i. amail a dubnamar r'omann.]

### Ag loige re miach.

.i. let rat aipe fo, tuilleo rir co roib let na bo ann, ocuf do biaduib in tuilleo.

G.D. 1079  
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[Do cona r'orair, r'iche doru a timcomac, annlancur r'adeiriu do triun aruin; ocuf tinne laime in alt a mbonnair meir do laim rir toimri techta, itir a tiug ocuf a tana, ocht n'duirn a fot, ocuf ceithri duirn a lethet; ocuf ocht meich b'pacha do b'pach inraic, cen on, cen ainim, ar a cuilliu epic do flait co na airgeib coirib; ocuf miach cruithnechta cruaid m'ib; ocuf tri imglairi do cainnlib cona toimrib techtaib, ocht n'duirn a fot cach itharua, ar a leth a bun caea



three sacks of malt without fault or blemish which would incur 'eric'-fine to the chief; and a salted pig of three fingers at the root of the hand, for this is the average of every measurement hitherto *mentioned*, between its thick and its thin, eight fists in length, and four fists in breadth; and half a sack of wheat; and two handfuls of candles with the lawful measurements.

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A calf of the value of four sacks, i.e. its value is four 'screpalls,' twelve cows are its proportionate stock, i.e. that it is worth half the cow is the reason that it (*the proportionate stock*) is increased here, i.e. twelve cows is the stock for which this calf *was given*, i.e. it is of the age of a 'samhaic'-heifer, for there is no expectation of young from it, and it is to an 'ogaire'-chief it is given. A male two years old, i.e. a young two-year old, it being a bull, or it was a bullock when a two-year old. Sound, i.e. after castration. Without injury, i.e. without having been emaciated by disease. Without fault, i.e. as to bitterness. Without blemish, i.e. without mawkishness. Which would incur, i.e. it is prohibited that the chief shall have 'eric'-fine for it when it is so. A salted pig of three fingers, i.e. in its *average* thickness. At the root of the hand, i.e. at the root of the fingers of the hand; it is there they are measured. Every measurement, i.e. the measurement of the bacon and the salted pig. Between its thick *and its thin*; it is there they are measured. Half a sack, i.e. of wheat. Of candles, i.e. as we said before.

### A calf of the value of six sacks.

That is, half stock is *given* for this, and addition is made to it until it amounts *in value* to half the cow, and the addition is in articles of food.

A cow, with its accompaniment, twenty fists in girth, whose fat is one-third of its weight; and a salted pig of the *thickness* of a hand at the roots of the fingers of the hand of a lawful measurer, *at an average* between its thick and its thin, eight fists its length, and four fists its breadth; and eight sacks of malt—of pure malt, without fault, without blemish, which would incur 'eric'-fine to the chief, with its proper tests; and a sack of good dried wheat; and three handfuls of candles of the lawful measurements, eight fists in the length of each rush-light, and the

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rimne iar na airdbe cutrúma ghraine fhuir toimrter  
orolach; tiumuð na cainnell a gair ocuf urcca in  
capna.

Do cona forair, .i. ceithir ba fichet a rath ro, ocuf ocht rcpurail  
ir fu hi, .i. aer bo mlaigi ro, ocuf do boaire do beirar. Cona  
forair, .i. cur inni forforuéníteir le do biadab aile. Al timcomac,  
.i. ana timcél. Do triun, .i. do triun ar meir uirru. Tinne  
laime, .i. bar a tiset a tinne. In al a mbonnaib meir, .i. ir ann  
toimrter hi fur in tinne. Do laim fur toimr terchta, .i. do laim  
in ti do ni in tomuf cu oliged. Iair a tiug ocuf a tana, .i. ir  
ano toimrter he. Do brait inraic, .i. oligéig. Cona ariugéib  
coirib, .i. ir corait hi a pomað in a harugéib, ut uiaimur.  
Miach cpuithechta, .i. ina gnan. Pot cach icharna, .i. pot  
cacha cainnli tob iar na poimn da oluigi do éur ita innri. Iar na  
airbde, .i. iar na tercar. Cutrúma ghraine, .i. compot in ghrainne  
eorna teit a tomuf in orolair i mbun cacha rinni. Tiumuð na  
cainnell, .i. ar na ragbaiter ac in éile, ocuf na ruca in plait leir.]

### Do cona foruir, fiche dorin a timcomuc.

.i. ceithir ba fichet, ocuf cach baile ir bec in feoil ir moir in  
forair, .i. aor bo innlaioige ro, ocuf do boaire do beirar. In  
baile i fuil in bo ocuf tricha cpob ina tacmair, bo blicht irée,  
ocuf bo geirte in bo rin moira, ocuf cinneð tomuir ata uirre; no  
wono, ir inann in fiche dorin ro ocuf in tricha bar tall i mbre-  
thuib nemie, .i. ceithre ba fichet i rath ro, ocuf oét rcpurail  
ir fu hi, .i. aor bo innlaigi ro, ocuf do boaire do beirar; ocuf  
cemað e in gnat ir irli do gebað in rath ro, cona tirta ro coruib  
ime, aét a artuð air, uair ir rath amuil follo, a deir oliged  
ann.

O'D. 1080. [Ais loige meich, for fulacht a rampað, ocuf as  
loige ceithir miach, mbraithe a rampuð, ocuf leirh

<sup>1</sup> Measured, i.e. it is at the roots of the fingers the breadth of the palm is taken  
for this measurement.

root of each rush after being cut being equal to the grain by which the inch is measured ; the candles to be dipped in tallow and the grease of the flesh meat.

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A cow with its accompaniment, i.e. twenty-four cows is the stock *given* for her, and she is worth eight 'screpalls,' i.e. she is of the age of an in-calf cow, and to a 'bo-aire'-chief she is given. With its accompaniment, i.e. with the thing which is given in addition along with her of other sorts of foods. In girth, i.e. in her round. One-third, i.e. one-third of fat upon her. A salted pig *of the thickness* of a hand, i.e. a palm is the thickness of the salted pig. At the roots of the fingers, i.e. it is there it is measured<sup>1</sup> with the salt pig. Of the hand of a lawful measurer, i.e. of the hand of the person who measures it lawfully. Between its thick and its thin, i.e. it is there it is measured. Of pure malt, i.e. lawful. With its proper tests. i.e. it is the more proper by having been proved by its tests, ut diximus. A sack of wheat, i.e. in grain. The length of each rush light, i.e. the length of each candle of them after being divided to be peeled for putting grease into it. After being cut, i.e. after being stripped. Equal to the grain, i.e. of the length of the grain of barley which is used in the measure of the inch in the root of each rush. The candles to be dipped, i.e. that they may not be left to the tenant, and that the chief may not take them away with him.

A cow twenty fists in girth, with its accompaniment.

That is, twenty-four cows *is the stock*, and wherever the flesh is small *in quantity* the accompaniment is great, i.e. this is *when the cow is of* the age of an in-calf cow, and to the 'bo-aire'-chief it is given. Where the cow is mentioned as thirty hands in her girth, she is a milch cow, and she is a grazing cow now, and a fixed measurement is upon her; or else, indeed, these twenty fists are equal to the twenty hands mentioned in the 'Bretha Neimhe,' i.e. the stock *given* for this cow is twenty-four cows, and her value is eight screpalls, i.e. she is of the age of an in-calf cow, and to the 'boaire'-chief she is given; and though it should be *one of* a lower grade that receives this stock, the contract cannot be impugned, but it is fastened upon him, for the law says in this case, "The stock is as the property."

A calf of the value of a sack, to be roasted in the summer, and a calf of the value of four sacks, to be boiled in the summer, and half a salt pig the accompaniments of a male 'colpach'-

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Sic.

cinne annlanḁur colpaige fírinne, ocur molt línar  
cach toll, ocur caine lulaice lan do lemnacht, do  
briuth do millren co nimim ro fera, ocur lan ueine  
tri nol do uachtar cair, cío a tri la ocur teorá  
nairdhi, cen fótana na ruba anḁ, acht la co nairdhi iar  
na toirciḁi fíria focul, co neferar ḁe na bi goirḁai  
inni olbui ane; ceitheorá bairgena fíchet do ban fúine,  
ocur im ḁa ḁorin a leithet, ocur ḁorin a tigeḁ; ocur  
ceithri imglaiḁi laime toimri techta, ocur a ḁo ḁo glar  
cainninḁ, ocur a ḁo ḁo boimilur ḁor a mber; muc nae  
nḁuirin a fót, ḁa meir ḁia ḁerḁ cum, ma i ngempirḁ;  
ocur aḁ ḁa miach for fúlucht.

As loige ceithri miach, .i. ír fíu tri peripuil, .i. aḁ ḁanar loḁ  
ceithri meich, ocur a tabairt fíe, iar na mbriuth, írin tḁamraḁ.  
Molt línar, .i. bír ina maḁar ḁa briuth. Caine lulaice, .i. ír fíu  
lulḁarḁ. Tri nol, .i. fíne. Fótana, .i. in meḁ. Fíria focul, .i.  
ḁon fíait. ḁa meir, .i. ḁa meir ina tigeḁ a fíail ina tḁrcar hi, ocur  
hi ḁerḁ.

O'D. 1081. Cairt tuircḁeic cach beḁa o bicc co mor, ar coir for  
caé nḁraḁ, ar ní toirḁaib nach ḁircor na mar? Míḁeḁ  
cach a coir ar a toirḁaḁa a maḁa.

Cairt tuircḁeic, .i. cairt in cḁeic toirḁtneé raḁa ḁo beḁar ḁo caé  
nḁraḁ iar fíu, ar caé mḁiaḁ uar ḁib ro. Tuircḁeic, .i. na raḁa ro  
fíu. O bicc, .i. in biatharḁ cḁḁrair. Co mor, .i. in bo co na forair.  
Ar coir, .i. ar coir ḁo tabairt ḁo caé nḁraḁ. Ar ní toirḁaib,  
.i. uar noco toirḁabann, nocon fíḁgabann in cḁ ar ḁaḁrcor, can toḁur,  
can inḁracur, naé mor ḁo gabail írin raḁ. Míḁeḁ, .i. meirḁmnaiseḁ  
caé a hinne inni ír coir ḁo gabail írin raḁh. Toirḁaḁa, .i. ar a  
toirḁaḁa in mougḁo, no in fíreim fíḁnuma ḁleḁar ḁe.

Sic.

Tuircḁeic aise loige meic cona forair, ocur  
fíuripirḁ tri i ramraḁ, ocur manḁuine .iii. e teorá

<sup>1</sup> Accompaniment, (*Fosair*), means everything necessary to be used along with  
the cow, such as bread, herbs, bacon, &c., &c.

heifer, and a wether which has filled every hollow, and a milch cow's cauldron full of new milk, to be boiled to cheese curds with butter, and the full of the pan of three drinks of fresh cream, *which was formed* in three days and three nights, without thinness or injury, but *delivered* a day and a night after its being tested by the proper test, which proves that it is not bitter; twenty-four cakes of woman-baking, being two fists in breadth, and a fist in thickness; and four handfuls of lawful measurement, and two handfuls of green garlick, and two of green leeks, with its fruit; a pig nine fists in length, two fingers in the lean of it, if in winter; and a calf *of the value* of two sacks for roasting.

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A calf of the value of four sacks, i.e. which is worth three screpalle, i.e. a calf whose value is four sacks, and this is to be rendered, after being boiled, in the summer. A wether which has filled, i.e. which is filled in its intestines, &c. A milch cow's cauldron, i.e. a cauldron which is worth a milch cow. A pan of three drinks, i.e. of the Feini. Thinness, i.e. the whey. By the proper test, i.e. for the chief. Two fingers, i.e. two fingers in its thickness, where it is cut, and it being lean.

What is the proportionate stock for each food-rent from small to large, which is proper *to be given* to each grade, for no pauper takes the large? Every one estimates his right according to the nature of the service he undertakes.

What is the proportionate stock, i.e. what is the relieving fee of stock, which is given to every grade according to truth, for every noble food of these. Proportionate stock, i.e. these stocks down here. From small, i.e. the food for four persons; To large, i.e. the cow with her accompaniment.<sup>1</sup> Which is proper, i.e. which is right to be given to each grade. For no pauper takes, i.e. the person who is low, without wealth, without honour, does not attempt or undertake to receive much as stock. Is estimated, i.e. everyone estimates from his wealth what it is right to receive as stock. He undertakes, i.e. for which he has taken up the engagement, or the claim of service which is due of him.

The proportionate stock of a calf of the value of a sack with its accompaniment, and refectons for three persons in the summer, and work for three days, is

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ramairci, no a log, cenmocha reotu tūpcluide catch  
po miao, ocur gairced ocur mancuine ipe ber poloinz  
perdomun inrin. Nī techta fair ni ber mo, acht  
manora a athair riam, ar ni ruca.

Turcheirc, .i. in cheic toirictneē do beire ar in aē dano loē miaē,  
cur inni porpoirtitēr leir do biataib aile. Fuiririuo trir .i.  
aen fear co cenn tri la, no triar i naen lo, .i. porpirtiusa biata triar i  
ramrao. Mancuine, .i. in fear caēa ramairce do beirar ip in raē do  
denam in dano no na meithli; a rmaēt ar cheire, .i. ip ar rin gabair co  
na fear caēa ramairce olegar ipin mancuine, uair tri ramairce a raē  
in aēe reo ina mancuine in uair ruera a leir, no arin ber riu a  
eneēsur do cach aen, no ina aenmao rann pichet dia enechlano.  
Cenmocha, .i. uair biad re ēaēb rin. Catch po miao, .i. caic po  
uairletarō, .i. ber riu leē nuinzi conao di ba for in aē po. Gairced, .i.  
ga ocur rciat leir, .i. no olegar in gairced po la taēb caēa turacheice do  
caē gnao. Mancuine, .i. ip e biad uair impuizger damna in rir, .i.  
gairz gilla no tamain rir .i. pleaircē bir ipin domun innirin .i. in  
teodnach. Perdomun, .i. damna rir, ocur comā da aair do gabao in  
raē, no comao in rallaē ril oc gabail imē aoberoar rir a gabail. Nī  
techta, .i. noco oizgēē do a gabail ar ni ip mo na rin. Acht  
manora, .i. aē muna hinhairgeō a aair da gabail ruime riam,  
uair maio gabairde he, buo eicen do ram in rognai do denum, no in raē  
airce uad. Ar ni ruca, .i. uair ni beireno a calao.

O'D. 1082. Turcheirc muilte cona forair .ii. ramairci, no a log  
cenmocha reotu turcluide, ip e ber poloinz aen cinnio  
inrein. Nī techta fair ni ber mo, ar ni ruca.

Cona forair, .i. leir do biataib aile. .ii. ramairci, .i. teora ba.  
Cenmocha reotu, .i. cenmuā na reoit do beirar ar cloāatar, uair  
biad re ēaēb rin. Ipe ber poloinz, .i. ip e biad uair impuizger in  
taen bir don cinnio in ni rin. Nī techta, .i. noco oizgēē do a gabail  
ar ni ip mo ina rin. Ar ni ruca, .i. noco beireno a calao.

<sup>1</sup> *Blush-fine*, is a fine imposed for injuring, or raising a blush on, the face.

three 'samhaisc'-heifers, or their value, besides the returnable 'seds' to each according to his dignity, and valour and attendance are the food-rent to which the minor submits. It is not lawful to impose on him a greater one, unless his father before him had incurred it, for he could not bear it.

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Proportionate stock, i.e. the relieving fee which is given for the calf which is worth a sack, with the quantity of other foods required along with it. Refections for three persons, i.e. for one man to the end of three days, or for three men for one day, i.e. what is sufficient to feed three persons in the summer. Work, i.e. the man for every 'samhaisc'-heifer which is given as stock is furnished in order to erect the 'dun'-fort or to work at the harvest; the fine for it is to be paid in three days; i.e. the reason that a man for every 'samhaisc'-heifer is due for the work, is because the stock for which this calf is due is three 'samhaisc'-heifers which are to be supplied for his work when he shall require them, or when they amount to each one's 'blush'-fine,<sup>1</sup> or the twenty-first part of his honor price. Besides, i.e. because they shall be along with these foregoing. Each according to his dignity, i.e. each according to his nobility, i.e. they are worth half an ounce, so that two cows are given as stock for this calf. Valour ('gaicedh'), i.e. he has a spear ('ga') and a shield ('sciath'), i.e. or the exercise of this valour is due along with every proportionate stock of each grade. Attendance, i.e. this is the noble food-rent which the minor<sup>a</sup> bears, i.e. the under-age youth or makings of a man, i.e. the youth who is in the land, i.e. the infant. Minor ('ferdomun'), i.e. the makings of a man, and it was by his father the stock was received, or it was the party who were suing him that told him to take it. It is not lawful, i.e. it is not lawful to lay a heavier imposition upon him. Unless the father had incurred it, i.e. but unless his father before him had applied for and obtained it, for if he had received it, he (the son) will be bound to perform the service, or return the stock. For he could not bear it, i.e. for he does not bear its severity.

\*Ir. Mak-  
ings of a  
man.

The proportionate stock of a wether with its accompaniment, six 'samhaisc'-heifers, or their value besides the returnable 'seds', is the food-rent which the sole survivor submits to. It is not lawful to impose on him a greater one, for he could not bear it.

With its accompaniment, i.e. along with it a supply of other foods. Six 'samhaisc'-heifers, i.e. three cows. Besides the returnable 'seds', i.e. besides the 'seds' which are given to be returned, for they shall go along with these. Is the food-rent which the sole survivor submits to, i.e. this is the noble food-rent, which the one remaining of the tribe sustains. It is not lawful, i.e. it is not lawful for him to take upon him more than this. For he could not bear it, i.e. he does not bear its severity.

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Cio fodepa conio mo rath in aen cinio runn ina raé in ecoo-  
nais romainn, ocuf conio mo in tothcuf romainn? 1r e raé  
fodepa, mo tic don aen cinio fognam do denum da cupp don  
flaé, cio uad dech a tothcuf, ina don ecoonach romainn.]

### Tuircpeic muilc.

*Sic.*

.1. tri rghuibill 1r riu é, ocuf tri ba a rath, no ceitpe rghu-  
buill 1r riu molt cana aigillne. On aen chineo ata in fognum ro,  
ocuf teopa ba do oghaie, ocuf nochu narluigunn dligeó for in  
aen chinio no 1r moa ina rin do gabail a rath; ocuf dia no  
gabao no 1r mo ina rin, tiucfuit a chinio fuí, no a coibdealuis  
fuí; ocuf nochu namuil tarba don flaé rath do tobairt do  
muna éair aitéin a ratha do, uair nochu nruil aice crioó, na  
inbleoguin ar a taruigthu.

O'D. 1082. [Tuircpeic darpaða cona forair, da ret dec. 1r e  
ber foloing fer miodao in rein. Ní techta fair in  
ber mo.

Darpaða, .i. aó tri miach. Cona forair, .i. cur in ní for-  
roirínigter le do biaobab aile. Da ret dec, .i. da rathairc dec  
da tecait re ba. Foloinig fer miodao, .i. cumao in fer miodao  
1r ferir no gabao cuice.

Cio fodepa conio mo raé in fir miodao 1r fair, ocuf conio  
ecoonac he, ina rath in aencinio romainn. 1r e raé fodepa,  
ata fine ac in fir miodao do gni fognum da riu alee, ocuf no  
con uil acon aen cinio.

<sup>1</sup> *Three cows.* In O'D. 261, the reading runs somewhat differently, as follows:  
—“.i. re ba a rath in aige reo ocuf tri rghuibill a riu, aruf aer  
colpuige re reoit he, uair nochu nruil rathinice aicte, ocuf don fir miod-  
buio do bepar,” i.e. six cows is the stock given for this calf, and its value is three



What is the reason that the stock of the sole survivor here is greater than the stock of the infant mentioned before, and that the property in the case before is greater? The reason is, the sole survivor has it more in his power to do service with his body for the chief, though his property has left him, than the infant before mentioned.

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### The proportionate stock of a wether.

That is, three 'screpalls' is the value of it, and three cows are the stock *given* for it, or the wether of the 'Cain Aigillne' is worth four 'screpalls.' This service is due of the last survivor, and three cows to the 'ogaire'-chief, and the law does not require of the last survivor to accept of more than this as stock; and if he should receive more than this, his tribe shall oppose him *in the matter*, or his relatives shall oppose him; and it is of no advantage to the chief to give him stock unless he (*the tenant*) gives him restitution of his stock, for he has neither property, nor kinsman-surety to draw upon.

The proportionate stock of a 'dartadh'-heifer with its accompaniment, is twelve 'seds.' It is the food-rent which the man of the lowest class in the tribe submits to. It is not lawful that more should be *imposed* upon him.

Of a 'dartadh'-heifer, i.e. a calf of *the value of* three sacks. With its accompaniment, i.e. with the complement of other foods given along with it. Twelve 'seds,' i.e. twelve 'samhaisc'-heifers which amount to six cows.<sup>1</sup> Which the man of the lowest class in the tribe submits to, i.e. it is what the best man of the lowest class in the tribe submits to.

What is the reason that the stock of the inferior man of the lowest class in the tribe is greater, he being an infant, than the stock of the sole survivor mentioned before? The reason is, that the man of the lowest class in the tribe has a tribe who would perform service *for him* if required, but the sole survivor has not.

'screpalls,' for it is of the age of the 'colpach'-heifer of *the value of* six 'seds,' for there is no expectation of *young* from it, and to the man of the lowest class in the tribe it is given."

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Τυρρετὶς colpaise pinnne .ui. feotu dec, no α λογ, cenmotha feotu tynclaipe. 1r e ber foloing ocairis in fein.

Colpaise pinnne, .i. ceitru peneall. .ii. feotu dec, .i. ocht mba ocyr ocht ramairce, da tecaic da ba dec.]

.i. curub fu let na bo, 1r aipe do normaic runn, .i. ceitru rgnpuill 1r fu, ocyr do ba dec rath in aige fo, .i. aer ramuirge, uair noch a nruil railtinde aice, ocyr don ogaire do berur.

o'D. 1083. [Τυρρετὶς bo cona timtach tyncha fet, cenmotha feotu tynclaipe. 1r e ber foloing boaire in fein.

Τyncha fet, .i. da tecaic ceitru ba richec, .i. oct mba dec ocyr da ramairce dec. 1r e ber, .i. 1r e biao uair foloing boaire in ni rin.

Ocyr da ngaba gnad oib rain imarcpard tar na neichib rin acrubrumur romuino, tecaic fo coraib ime amuil caia noochur. Ho dono ceana, cemaio he in gnad 1r 1rli oib conicpad in rath 1r mo do gabail, cona tyncha fo coruib ime, acit a artuu air, uair 1r rath amuil folo a oligeo ann.

Τυρρετὶς biata cethrair bo, cenmotha feotu tynclaipe caich fo miao; for cetgiallna.

For cetgiallna, .i. do plant cetgiallna.

Τυρρετὶς biata ochtair da ba, cenmotha feotu

The proportionate stock of a 'colpach'-bull is sixteen 'seds,' or their value, besides the returnable 'seds.' This is the food-rent which the 'ogaire'-chief submits to.

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Of a 'colpach'-bull, i.e. worth four 'screpalls.' Sixteen 'seds,' i.e. eight cows and eight 'samhaisc'-heifers, which come to twelve cows.

*The proportionate stock of a 'colpach'-bull, i.e. which is worth half the cow, and for this reason the increase is here, i.e. its value is four 'screpalls,' and the stock for which this calf is due is twelve cows, i.e. it is of the age of a 'samhaisc'-heifer, for it has no expectation of young, and to the 'ogaire'-chief it is given.*

The proportionate stock of a cow with its accompaniments is thirty 'seds,' besides the returnable 'seds.' This is the food-rent which the 'bo-aire'-chief submits to.

Thirty 'seds,' i.e. which amount to twenty-four cows, i.e. eighteen cows and twelve 'samhaisc'-heifers. It is the food-rent, i.e. this is the noble food-rent which the 'bo-aire' chief submits to.

And if any grade of these should receive excess above these things which we have mentioned before, their contracts shall be impugned like every wrong contract. Or, indeed, if the lowest grade of them shall be able to receive the larger stock, his contracts shall not be impugned, but they shall be rendered binding on him, for he is entitled to stock according to his property.

The proportionate stock of the food of four persons is a cow, besides the returnable 'seds' of all according to their dignity; *these are to be given to the chief who got the first security.*

*To the chief who got the first security, i.e. to the chief who got the first 'giallna'-security.*

The proportionate stock of the food of eight persons

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turcluide. Dúilr do ceilib ocur dia comorbuid reoit  
turcluide ocur rath tar airidig, acht fupprognat a  
plaithe, nacha rubat, nacha pompat, nacha torcpiaat,  
na deppnat acair a mbair.

Turcpneic biata ochtair, .i. ipi seo cpneic toirpneic do bepar ap  
biathad in ochtair. Rath tar airidig, .i. tar iarpaindig, in iarpaindig  
do bepar ap in rath ap in upaindig, ap moig upain. Acht fup-  
prognat, .i. aet cur rognat a plaiti cu oligteet imin nibiathad ocur  
imin manhuine teachta. Nacha rubat, .i. na deppnat guin na  
plata. Nacha pompat, .i. na deppnat a mbpat. Nacha torc-  
piaat, .i. na deppnat cpneic ip tar daerpat do gabail o plant eetrano.  
Na deppnat acair, .i. ap na deppnat cin cpneic a ningsin ep a plait  
do barusa, .i. dul co mnai plata eetrann.

Mani po epa plaithe peotu turcluide ip dúilr cpian  
na pet iap necaib na platha don ceili, mani po me-  
tha fair forp in cele. Cení po biatha eitir, ma po  
biatha pa en, ip dúilr a leth na pet; ma po biata  
pa di, ip dúilr a da cpian na pet; ma po biatha pa  
cpí, ip dúilr uili, mana po metha fair.

Mani po epa, .i. eluo elaiter in na petuib turcluide, co tecmaic eca  
na plata pai iap pain. Ip dúilr cpian na pet, .i. ip dúilr don ceile  
cpian in pata iap necaib na plata, a ualcpur einig na cpneuib, ocur  
nemtabuipit peoit turcluide. Mani po metha, .i. pe neloig in a  
petuib turcluide. Cení po biatha, .i. cen co deppnaiter in biathad,  
muna taingaimprip in pognuma. Mana po metha, .i. mana po metha  
air forp in ceile in pognum do deppnum, ip ano ata pain, .i. cia po metha.]

<sup>1</sup> *Two cows.* The commentator in O'D. 261, adds:—"The food for eight persons is not found *laid down* in books, but double the quantity of food which is for four persons is the complement for eight persons."

is two cows,<sup>1</sup> besides the returnable 'seds.' The returnable 'seds' and the overplus food stock are forfeited to the tenants and their heirs, so as they have served their chiefs, so as they have not wounded them, so as they have not betrayed them, so as they do not receive illegal subsidy, so as they have not committed a crime which causes their death.

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The proportionate stock of the food of eight persons, i.e. this is the relieving fee which is given for the feeding of the eight persons. Overplus food stock, i.e. overplus of food, the excess which is given as stock for the surplus food. So as they have served, i.e. but so as they have served their chiefs lawfully respecting the lawful food and work. Have not wounded, i.e. so as they have not wounded the chief. Have not betrayed them, i.e. that they have not committed a betrayal of them. Do not receive illegal subsidy,<sup>2</sup> i.e. that they have not dared to receive a fee above 'daer'-stock from an external chieftain. That they have not committed a crime, &c., i.e. that they have not committed a crime through which the chief may be put to death, i.e. to lie with the wife of an external chieftain.

Unless the chief has given the returnable 'seds' the third of the 'seds' is forfeited to the tenant after the death of the chief, unless the tenant has failed to supply *the food* to him. Though he has supplied the food, if he has supplied the food but once, half the 'seds' are forfeited; if he has supplied the food twice, two-thirds of the seds are forfeited; if he has supplied the food thrice, they are all forfeited; unless there has been a failure.

Unless he has given, i.e. evasion has been made with respect to the returnable 'seds' until the death of the chief *happening* afterwards annuls it. The third of the 'seds' is forfeited, i.e. the third of the stock is forfeited to the tenant after the death of the chief, in right of the honor of the surety, and to *compensate* for the chief's non-giving of the returnable 'seds.' Unless he has failed, i.e. before the evasion of the returnable 'seds.' Though he has supplied the food, i.e. although the food has not been supplied, unless the time of the service had arrived. Unless there has been a failure, i.e. unless there has been a failure on the part of the tenant to render the service, this is a different case, i.e. though he did fail.

<sup>2</sup> *Illegal subsidy.* In O'D. 261, 'Torchriat' is explained to be that they receive not a reward, which is contempt to him, from an external chief, either of 'saer'-stock or 'daer'-stock, i.e. a 'taircrec' to injure him.

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Muna no feara flaithe feotu turluioe.

.1. muna eirne in flaithe feotu ar cloitar. Elod elaithe ime co tectmaice éc na flata pai iar rin, .1. ma flaithe ber maith, .1. trian na ceitri mbo ficht don boairie ir ferri ina feotuib turluioi, cona diablaó.

Trebuire irin corur fine, ocuf elod runn, an oir oirgiz trian na turluioe don ceile iar necuib na flata. Muna no biathad iur ina beair, ir a roga in ceile oirgiz ad in a trian na turluioe chuipfer uad, no in ceitri biada. Con da trian in bi do beira do comorba na flatha, muna no biathad in flaithe iur in tan do beira feotu turluioe ocuf turluioe. Ocuf ir amluio dono o comorba in boairie do comorba in airie beira in a rath, muna no biathad flaithe iur, amuil no rairiumur, co tobuir ret turluioe.

Muna no eira flaithe, 7ul, don cele.

Og oir in ratha ar tri biaduib, gu ngabur trebuire, gu tabuir ret turluioe co tectmair ega na flatha; ocuf ir amluio no roit rith, a trian gan biad iur, ocuf .ui. ceitri de in da cet biad, cunio trian, ocuf trian ar in mbiad noeginuch a aenur. Og oir in ratha ar .uii. mbiaduib, co ngabur trebuire, co tabuir ret turluioe co tectmair ega na flata; a letoir ar .iii. biaduib co let mbió; a trian oir ar da mbiad co trian mbió.

Oir trian a ret iar necuib na flatha.

.1. a duair eir na trebuire, ocuf nemtabuir ret turluioe, .1. in boairie ir ferri eluigtur in retuib turluioe, cona diablaó iar neloó do, .1. .uii. mba; no ir trian in ratha, cio bec cio mor, in telo rin, .1. trian na turluioe, d'aitheó inoigiz forrin flaithe cin comull na ret turluioe no i ngeall,

<sup>1</sup> *Victuallings*. "Biatao" means 'eeding' victualling, 'supplying food.'

Unless the chief has given the returnable 'seds.'

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That is, unless the chief has given the 'seds' to be returned. Evasion had taken place respecting them until the death of the chief afterwards interfered with it, i.e. if the chief be substantial, i.e. the third of twenty-four cows *are given* to the best 'bo-aire'-chief for his returnable 'seds,' with the double of them.

The surety in the 'corus-fine,' and the evasion here, both render the third of the proportionate stock forfeited to the tenant after the death of the chief. If no food had been supplied at all during his lifetime, the tenant has his choice either to return two-thirds of the proportionate stock, or *make* four payments of food. It is the two-thirds of the food *due* that must be paid to the heir of the chief, if the chief has not been supplied with victuals at all after he had given the returnable 'seds' and the proportionate stock. And this is the case with respect to the payment made by the heir of the 'bo-aire'-chief to the heir of the 'aire-desa'-chief for his stock, unless the chief had not been victualled at all until the giving of the returnable 'seds,' as we have said before.

Unless the chief has given, &c., to the tenant.

The full forfeiture of the stock is incurred by three victuallings,<sup>1</sup> with taking of security, without giving the returnable 'seds' until the occurrence of the death of the chief; and the way it comes to this is, one-third without any food at all, and one-sixth for each of the two first foods, making one-third *more*, and one-third for the last food alone. The full forfeiture of the stock is caused by seven victuallings, with taking of security, and giving the returnable 'seds' before the occurrence of the death of the chief; half forfeiture for three victuallings and a half; one-third forfeiture for two victuallings and one-third.

One-third of the 'seds' is forfeited after the death of the chief.

That is, in right of the honor of the surety, and the non-giving of the returnable 'seds,' i.e. the best 'bo-aire'-chief is evaded with regard to the returnable 'seds,' so that double is due to him after the evasion, i.e. eight cows; or it is the one-third of the stock, be it large or small, that is *due* for this evasion, i.e. one-third of the proportionate stock, to revenge his illegality upon the chief for not keep-

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conno tñian in ðathā ar a r̄gath, iar tabuir̄t ða biad̄ do, ður in icat in ret turclur̄de; cunio reir̄iō in ðathā r̄agbur̄ r̄ri ceit̄ur ðe in ða biad̄. Do ðonuō et̄rocuir̄e r̄riur̄ in t̄r̄er̄ mbiaō, cunio tñian oc̄ur̄ reir̄iur̄ō in tñian ar in mbiaō r̄ech caō mbiaō, mēō a air̄ille in cele r̄riur̄ in flait̄h, oc̄ur̄ r̄ot na r̄ee r̄in ðo r̄ollur̄igurt̄ur̄ cen r̄eotu turclur̄iō ðo ic; no ðono, iŕ in a lōḡ nenech at̄r̄ulla in flait̄h cona tñian na ceith̄re mbo r̄icheō, ðiablu ein̄eclur̄ine r̄ar̄de, iar̄ nelōō. No iŕ aipe ðer̄u cu nairechur̄ eēt̄a bec oca, ðo ſab̄ ceith̄re ba r̄ichit̄, cona oēt̄ mba oc̄ur̄ ða r̄ichit̄ iar̄ nelōō; no iŕ ða ba ðec leth̄ ðath̄ boair̄e, oc̄ur̄ ceith̄re ba a tñian; no ðono ic̄ r̄e ba ðon ocaipe iŕ r̄er̄r̄, no t̄eorā ba ðon ocaipe iŕ t̄aipe i leth̄r̄ath̄, cona tñian na tur̄ceipe r̄in ðo cach̄ ae ina ein̄eclunn̄, ſin̄ elōō; no ðono iŕe a et̄rocair̄e in t̄r̄leēt̄a r̄o, cach̄ aen̄ ðianu mo a ein̄eclunn̄ iar̄ nelōō, no ein̄eclunn̄ cen̄ elōō, ina tñian a ðathā; a t̄roc̄ar̄ in̄t̄iōe iŕ l̄uſu.

Ma ðo biathā r̄a oen̄ r̄riur̄in, iŕ ðiler̄ leth̄ na r̄et̄. Maō ðo biathā r̄a ði, iŕ ðiler̄ a ða tñian. Maō ðo biathā r̄a t̄ri, iŕ ðiliur̄ uil̄i, maine ðo methā r̄air̄.

Ma ðo biathā r̄a oen̄, .i. reir̄iō in ða tñian ðo t̄uill̄iō t̄air̄ech̄, cona l̄et̄ r̄amlur̄o, .i. reir̄iō t̄or̄muis̄ur̄ in biad̄. Leth̄ na r̄et̄, .i. a leth̄ la mbiaō, oc̄ur̄ a l̄et̄ iubaile in t̄riur̄ r̄in, n̄q in t̄riur̄ r̄in. A ða tñian, .i. tñian la r̄uir̄iur̄ga aenur̄. Maine ðo methā, .i. maine ðo methā r̄or̄ in ceile in r̄oſnum̄ ðo ðenum̄, iŕ ann̄ at̄a r̄in.

T̄ri biad̄a iŕ r̄iu r̄echt̄ mbiaōa r̄o, oc̄ur̄ a com̄loſur̄ on ceile oc̄ur̄ on flait̄ a tabair̄t̄ i t̄ri r̄eēt̄ur̄aib̄. T̄ri biad̄a ðo r̄at̄ in ceile

<sup>1</sup> *The sixth of the two-thirds.* Some unaccountable confusion, according to Dr. O'Donovan, has here crept into this commentary. It should stand thus:—

If he has victualled once, i.e. if the tenant has supplied the due complement of food to his chief *once*, it forfeits to him one-half the returnable 'seds.' If he has victualled twice, i.e. this second instalment increases the forfeiture by one-sixth, i.e. one-sixth added to the one-half, which the first instalment merits,



ing his word about the returnable 'seds' which he had promised, so that one-third of the stock is *forfeited* on account of it, after two victuallings had been rendered, to see if he would pay the returnable 'seds;' so that he forfeits one-sixth of the stock by each of the two victuallings. Severity has been exercised with respect to the third victualling, for this food beyond every other food causes a forfeiture of one-third and one-sixth of a third, *on account of* the great desert of the tenant towards the chief, and the length of the time during which he (*the chief*) neglected to pay the returnable 'seds;' or, indeed, it is for his honor-price the chief escapes without *paying a heavier penalty than* one-third of the twenty-four cows, the double of his honor-price, after evading. Or it was the 'aire-desa'-chief with the dignity of the inferior 'aire-echta'-chief, who had received twenty-four cows, which are *increased to* forty-eight cows after evading; or twelve cows are half the stock of the 'bo-aire'-chief, of which four cows are the one-third; or six cows are *given to* the best 'og-aire'-chief, or three cows to the lowest 'og-aire'-chief, as half stock, and the third of that proportionate stock is *due to* each as his honor-price, without evasion; or else the severity of this kind of *law* is in the case of every man whose honor-price after evading, or without evading, is greater than the third of his stock; its leniency is when it is less.

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If he has victualled once, half the 'seds' are forfeited. If he has victualled twice, two-thirds are forfeited. If he has victualled thrice, it is all forfeited, unless any failure has been made by him.

If he has victualled once, i.e. the sixth of the two-thirds<sup>1</sup> which he deserved first, with one-half in like manner, i.e. the food (*i.e. the second instalment*), increases one-sixth. Half the 'seds,' i.e. their half by the food, and half the time of those three, or of that third. Two-thirds, i.e. a third is *forfeited by the third instalment* alone. Unless any failure has been made, i.e. unless there has been a failure by the tenant to perform the service, it is then these are (*i.e. these forfeitures take place*).

These are three victuallings which are worth seven victuallings, and their equivalent is to be given by the tenant and the chief at three different times. Three victuallings the tenant gave here is two-thirds. If he has victualled thrice, i.e. this instalment of food alone causes the forfeiture of one-third of the 'seds.' Unless any failure, i.e. all these forfeitures will hold good to the tenant, unless he has failed to perform the services due to his lord, as well as to render the proper supplies of food.

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runn don flait, ocu' re ina inoilegeó. Iarise na oileginn a comorba ní on ceili ar meit in lóigti do ruigne in ceili ruirín flait, uair ní oileg flait ní de ocu' re in a inoilegeó; no íf tri biaó íf ruí reót mbiada beca, do beirte do na comorbaid, íf reót do ruat runn don flait, uair cin co taro in flait reoit turcluid, dia maó for taruigair, no ollairgeó on ceili no beó, íf reót mbiada don comorba, no bit artaó don flait; no ce no elaidtea imin ret turcluide, dia nicaó in flait ruiríach a inoileg, no biaó bith artaó in ceili don flait, no reót mbiaduib dia comorba; tri biaó co ngabuir tnebuire.

'Oiliur cach turcneic iar fognum techta cen meth, cin pollugao, cen elguin, cin ecell, cen eirlir, co cenn reht mbiadan, maó flait ber marb. Nimita maó in ceili ber marb; oilegió in flait ceilrine dia comorbuid in ceili ar de mif ruí manchuine, ruí ruirine, ruí gell, ruí daíl, ruí oigail, ruí rubu, ruí ruba.

'Oiliur cach turcneic, .i. natha co reota turcluide on flait, .i. íf oiliur gaó cneó coiréniú do ruat iar noenum imu acht in fognumia U'D. 1081. on cele, .i. ar reót mbiada. [Iar fognam, .i. iar noenum in fognuma cu oileg don ceile imin mbiachad.] Cen meth, .i. imin mbiad anolepta in cumul de, .i. ailegin in bió. Cin pollugao, .i. imin mancuine. Cen elguin, .i. im guin, .i. na henecluide. Cin ecell, .i. im an mbrath. Cen eirlir, .i. cin ailreao lepa na flata. Co cenn reót mbiadan, .i. íf ann íf oiliur. Maó flait ber marb, .i. íf ann ata rin; loí einiú ar arutin in daerant, cio bec in ruat, ocu' bit partaó on cele, cio bec in ruat, o do beirín na reoit turcluide. Nimita maó in ceili ber marb, .i. ní hinunn lum, .i. nochá namliúó rin ta. Oilegió in flait ceilrine, .i. cairne mif on flait. Dia comorbuid, .i. co taru neótar de, .i. a innile no cele. Ruí manchuine, .i. comitecta. .i. ruí gaó ramuice i ruige. Ruí

<sup>1</sup> *A man for every 'samhaic'-heifer.*—The tenant was obliged to supply the chief with a man for every heifer which the chief had given him as stock, whenever he required men to reap the harvest, or go on a military expedition.

to the chief, while he was acting illegally. The reason that his heir is entitled to nothing from the tenant is because of the amount of payment which the tenant has made to the chief, for the chief is entitled to nothing from him while he (*the chief*) is acting illegally; or it is three victuallings which are worth seven small victuallings, which should be given to the heirs, which are given here to the chief, for although the chief has not given the returnable 'seds,' though they had been promised, or if neglect had been committed by the tenant, seven victuallings shall be *rendered* to the heir, or he shall be bound to the chief; or though he (*the chief*) should evade as to the returnable 'seds,' if the chief should pay to him (*the tenant*) the fine of his illegality, the tenant shall be held bound to the chief, or to *render* seven victuallings to his heir; three victuallings before his taking security.

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Every proportionate stock is forfeited after lawful service *rendered* without failure, without neglect, without malice, without treachery, without negligence, to the end of seven years, if it is the chief who has died. Not so if it is the tenant who has died; the chief is entitled to service from the heirs of the tenant in two months for attendance, for *supplying the viands* for the banquet, for *redeeming* pledges, for the meeting, for revenging, for service of attack, for service of defence.

Every proportionate stock is forfeited, i.e. the stock with the returnable 'seds,' is *forfeited* by the chief, i.e. every relieving fee given as stock is forfeited after the service has been performed by the tenant, i.e. in *supplying* the seven victuallings. After service, i.e. after the service is done lawfully by the vassal in respect of victualling. Without failure, i.e. as to food for which the 'cumhal' would be due of him, i.e. restitution of the food. Without neglect, i.e. as to the manual work. Without malice, i.e. wounding, i.e. of the honor-price. Without treachery, i.e. as to betraying. Without negligence, i.e. without neglect of the welfare of the chief. To the end of seven years, i.e. it is then it is forfeited. If it is the chief who has died, i.e. it is then it is so; honor-price is *due* on receipt of the 'daer'-stock, be the stock ever so small, and the tenant is bound, let the stock be ever so small, when the returnable 'seds' are given. Not so if it is the tenant who has died, i.e. I deem it not alike, i.e. the case is not similar. The chief is entitled to service, i.e. there is a respite of one month *given* by the chief. From the heirs of *the tenant*, i.e. until either is given, i.e. his cattle or *another* tenant. For attendance, i.e. for accompanying *him*, i.e. a man for every 'samhaisc'-heifer<sup>1</sup> on a hosting. For the banquet,

'CAIN' ʃuiriʃe, .i. ʃuiriʃeʃa bið ðo ðaihaið, .i. bið ðaiʃbiðe. ʃuiri  
 AIGILLNE, ʃell, .i. ðul laiʃ ðo ʃuapʃuʃað a ʃill, .i. tap a ʃeann. ʃuiri ðaið, .i.  
 OR LAW OF aenuiʃ, .i. ðul laiʃ ðo chum ðala. ʃuiri ðiʃaið, .i. ʃuiri cineoið.  
 'DAER'- ʃuiri ruʃu, .i. ʃuiri ʃuiri ʃuiri ocuʃ bealata ocuʃ cʃuiche. ʃuiri ruʃu,  
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ʃuiri in ʃaʃa ap ʃuiri biðuʃið, co ʃuiri biðuʃiðe, cin  
 tabuʃiʃe ʃeotu tuʃucluiðe co ʃeacmuʃiʃiʃi eca na ʃlaʃa .i. ʃuiri,  
 ʃuiri biðe eʃiʃ, ocuʃ ʃeʃeʃe cʃeʃuʃi ðe in ða cʃe biðe, ocuʃ ʃuiri  
 ap in ʃuiri mbiðe.

ʃuiri in ʃaʃa ap ʃeʃe mbiðuʃið, co ʃuiri biðuʃiðe, co  
 tabuʃiʃe ʃeotu tuʃucluiðe, co ʃeacmuʃiʃiʃi eca na ʃlaʃa; a  
 leʃuʃiʃi ap ʃuiri biðuʃið co leʃe mbiðe; a ʃuiri ʃuiri ap ða  
 biðuʃið co ʃuiri mbiðe.

Cið ʃo ðeʃa cu ʃuiri ʃuiri in ʃaʃa ʃuiri cin biðuʃiʃi,  
 ocuʃ ʃuiri a ða ʃuiri ap ða mbiðuʃið, ocuʃ co naʃuʃiʃi taʃl 1  
 ʃuiri ʃeʃeacmuʃiʃi "naʃe ʃuiri ʃuiri ʃuiri na ʃlaʃa" ʃuiri,  
 uʃiʃi cið ðo ʃaʃa in ða biðe taʃl, muna taʃuʃa in ʃuiri biðe, ni  
 ʃuiri ni ap a ʃuiri? Aʃa biðe ac in ʃeʃi taʃl, ocuʃ ni haʃi ðo a  
 tabuʃiʃe, ocuʃ iʃ aʃ le comuʃu na ʃlaʃa in biðe ðo tuʃuʃiʃe  
 uʃið.

ʃuiri inuʃuʃiʃi ni ʃuiri in biðe ac un ʃeʃe, no ce ta, iʃ comi-  
 ðeoin ðo ʃuiri eʃuʃuʃið; ocuʃ in ʃlaʃe iʃ maʃuʃ ann ʃuiri; ocuʃ ma  
 ʃe in ceʃe iʃ maʃuʃ ann, cið moʃu ðo biðe ðo ʃuiri ðon ʃlaʃe,  
 muna ʃuiri ʃuiri ʃuiri ʃuiri in ʃaʃa, ni ʃuiri in ʃuiri ðo na  
 comuʃuʃið, ocuʃ iʃeʃe ðeʃuʃi ceʃe ap miʃ, no comuʃuʃið uʃuʃið  
 ðon ʃlaʃe. Maʃe in ʃlaʃe iʃ maʃuʃ ann, ʃuiri.

O'D. 1085. [ʃuiri cach meach, cach ʃuiri, cach ʃuiri,  
 cach ʃuiri, ʃuiri ʃuiri ʃuiri ceʃi, mana ʃuiri-  
 ʃuiri ðo ʃuiri neʃuʃi, ap maʃuʃu cach maʃuʃ a cinʃa.  
 ðo ða a ʃuiri ʃlaʃa na bi cin ʃuiri comuʃuʃið  
 mana no ʃuiri ʃuiri ʃuiri ʃuiri neʃuʃi a naʃuʃi.

1 'Feineachus.' Something has been omitted here in the MS., and hence the passage is obscure.

i.e. for supplying food to banqueting parties, i.e. the defined food. For *redeeming* 'CAIN pledges, i.e. to go with him to redeem his pledge, i.e. for him. For the *meeting*, i.e. of a fair, i.e. to go with him to the meeting. For *revenging*, i.e. a family quarrel. For service of attack, i.e. *to go* before him in promon-  
tories, and passes, and marches. For service of defence, i.e. against pirates, robbers, and wolves.

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The stock is forfeited for three victuallings, with receiving of security, without giving the returnable 'seds' until the occurrence of the death of the chief, i.e. one-third, without any food *having been rendered*, and a sixth for each of the first two victuallings, and a third for the third victualling.

The stock is forfeited for seven victuallings, with receiving of security, with giving of the returnable 'seds,' till the occurrence of the death of the chief; the half of it is forfeited for three victuallings and a half; the third of it is forfeited for two victuallings and one-third.

What is the reason that the third of the stock is forfeited here without any food at all *being rendered*, and that the forfeiture of two-thirds is for two victuallings, and that it is said elsewhere in the 'Feineachus' "that a good stock is not forfeited by the chief, &c.," for although the two *payments of* food were rendered in the other case, unless the third *payment of* food was rendered, there is nothing in lieu of it? The tenant has food in the other case, but he does not like to give it, while the heirs of the chief desire the food to be given them.

In this case, however, the tenant has not got the food, or even though he has, a mutual agreement has been made between them; and it is the chief that is dead in this case; but if it is the tenant that is dead, though he may have rendered ever so much food to the chief, unless security has been taken for the forfeiture of the stock, the stock shall not be forfeited to the heirs, and what is right to be done is *to procure* a tenant in one month, or the chief divides the inheritance. If it is the chief that is dead, sic.

Every failure, every neglect, every addition, every interest, which are demanded of the tenant are forfeited, unless they are demanded of him before his death, for every dead man kills his liabilities. It results from the neglects of the chief that there is no liability upon the heirs of *his tenant* unless they themselves have committed default after the death of their father.

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Meath, .i. in cumal. Follugao, .i. in manúine, no in eneciano. Fuilluo, .i. in aithgin, .i. fuille, .i. in diabla, .i. uilur don ceili; a methar far a fallaib flatha ní tobong ar dia comarbaib iar na ead. Foruileth, .i. no foileatad for rin ceile, no ra himluaido. Man a forngartar, .i. muna timgartar ar he, .i. a raó, no muna acartar ar he'ne neaib, .i. a raó. Ar marbair, .i. uair eiblio a éinta mar aen rir in cad ir marb, can ní ir mo na aithgin o na comarbaib, in inbair no bar a fall ocuf a neirebuire impu, can a naera ar ne na ead. Do ba a fallaib, .i. uibdaier on flait rin tre na fall. Na bi cin, .i. noco bi ní ne taeb aithgena in ratha for na cometaigib orba, muna deirnat na comarba buóein fall iar néaib an atar.]

In comorbu na dearb no fertur ní fuille forru dail na doirche, na brechtaiaghe, na inderb, na ainrecht, na ainbechta; acht aithgin i cach i cumu cept, iar fallruagad, ar ní diuparaib dinach marb muin cin folluga, cin ealguin, cin egill, cin eflir.

Na dearb no fertur, .i. do fetaib flata leo, ar ní diuparaib in flait dia fetaib do beir dia ceile atbail. Ní fuille forru dail, .i. naé ní ir deimin leo do deirín uib, na bit a fall ime gan a ic, .i. in rmaet, .i. nochan foletann orru inu ir uirulur ar fein. Na doirche, .i. gan fiaonuib. Na brechtaiaghe, .i. gin feanchuioe, .i. olegar ar in dar per ní olegar on alail. Na inderb, .i. fortach ocuf uithu, .i. dearb inderb gan naomunna. Na ainrecht, .i. gan naepuine, gan ratha, no amruataighe, .i. ar eicin tucuo far. Na ainbechta, .i. a mbeoracta, .i. ní fargaib in beo rru huioet ar néla

<sup>1</sup> *Demanded.* The gloss in O'D., 266, runs somewhat differently, as follows:—Which are demanded of the tenant, i.e. which accumulated upon the tenant, i.e. *finés* for failure, i.e. failure of service which was due of the tenant here, and these are the 'eric'-finés of failure of service in 'daer'-stock tenure without evading suit; but in 'daer'-stock tenure addition runs for neglect of service, as thou hast said before in the text, i.e. a 'cumhal,' and double and honor-price. Unless demanded before death, i.e. unless they are demanded of him before his death, or unless it has been told him before his death, i.e. unless they are demanded of him in his lifetime, they are forfeited by the chief: for the tenant left it *as his declaration* when dying, that the chief was entitled to nothing from him, but that he had paid all: and if the chief

Failure, i.e. the 'cumhal' (*the fine for failure*). Neglect, i.e. of the manual work, or the honor-price. Addition, i.e. the restitution. Interest, i.e. the double, i.e. it is forfeited to the tenant: all that was withheld by him through the neglects of the chief shall not be demanded of his heirs after his death. Which are demanded, i.e. which accumulate upon the tenant, or which were incurred by him. Unless they are demanded, i.e. unless they are demanded of him, i.e. are declared or claimed of him before his death, i.e. the demand. For *every dead man* kills, i.e. for his debts die with every one that is dead, nothing more than restitution being due of the heirs, when there was neglect and non-security respecting them, and they were not demanded of him before his death. It results from the neglects, i.e. the chief is deprived of this on account of his neglect. There is no liability, i.e. there is nothing besides restitution of the stock upon the heirs to the land, unless the heirs themselves have committed neglect after the death of their father.

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The heirs are not protected in respect to what is certainly known, by darkness or obscurity, or want of written evidence, or want of proof, or illegality, or illegal bequest; but *they shall pay* restitution for everything after a proper manner, after *proper* showing, for he (*the chief*) shall not be defrauded of his death-benefits when he is not guilty of neglect, or malice, or treachery, or negligence.

What is certainly known, i.e. of the 'seds' of the chief with them *in their hands*, for the chief shall not be defrauded of his 'seds' which he had given to his tenant who had died. Are not protected by darkness, i.e. as to everything that they are sure is due of them, they should not neglect to pay it, i.e. the 'smacht'-fine, i.e. that which is obscure to himself is not a screen to them. Or obscurity, i.e. *being* without witnesses. Want of written evidence, i.e. without a historian, i.e. it is required of the one man, not of the other. Want of proof, i.e. assertion and denial, i.e. uncertain proof without guarantees. Or illegality, i.e. without a contract binder, without guarantee, or a forced law, i.e. by force it was imposed upon him. Or illegal bequest, i.e. their life bequests, i.e. what the living man has left by will after evading,

were present it would be his duty to prove against the tenant. As to whatever the tenant has failed in during his lifetime, unless it is obtained of him in his lifetime, there is no interest upon him after his death, nor upon his heirs. The neglect of the chief, i.e. the chief is deprived of this in consequence of his neglect. There is no liability on the heirs, i.e. neither the 'smacht'-fine nor the double, which was due of their fathers, although the father acknowledged such, for the chief has neglected to sue the tenant, and it was not necessity that compelled him, i.e. there is neither increase nor growth nor addition due of the heirs to the land, nothing more than restitution, unless they themselves have committed neglect after the death of their father.

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and though he has absconded, the chief is then entitled to nothing for it but restitution for what was neglected, i.e. the thing which the living man does not support by will, i.e. before a man of dignity by will, i.e. unless the living man has left it to a *sensible adult* by will at his death. Except restitution, i.e. restitution of the complement due of them in everything according to right after being properly explained by witnesses and historians that it is due, i.e. of the restitution when there is doubt upon it. For he (*the chief*) shall not be defrauded, i.e. for no one shall be defrauded, but such property as he is entitled to must be given him as restitution, or as entirety when there has been no neglect, and unless security has been given, i.e. unless he has been defrauded of his property by the dead man, i.e. should the chief commit illegality of killing against the tenant, the stock is forfeited to him (*the tenant*), and he (*the tenant*) shall separate from him on account of the disqualification of the chief.

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If it be another *kind* of illegality that the chief has committed against the tenant, it is right to separate from him in consequence of the disqualification of the chief, and the stock is not forfeited.

Whatever is due of the tenant, it is not right to regard as part of it what he had received as stock, and if it be distress that is taken from him, it is not lawful to take in it the 'seds' which he had received as stock, until the stock is compensated for in the manner which we have already mentioned.

Not guilty of neglect, i.e. respecting the work and the food, i.e. in his power, i.e. he has not committed complete neglect in demanding the debts of the heirs before his death. Not guilty of malice, i.e. as to wounding. Not guilty of treachery, i.e. as to betraying. Not guilty of negligence, i.e. not to neglect his welfare, i.e. the tenant not having been betrayed by the chief.

What has been neglected by the tenant in consequence of the neglect of the chief shall not be recovered from his heirs after his death.

That is, as to everything which the chief sues of the tenant, whether the 'cumbal'-fine, the double, honor-price, or restitution, the tenant is quit, if he had declared on his conscience before his death that the chief was not entitled to *any thing*, for there was no evidence, though it is said that there was, that he had not forgiven one *payment* of food or two *payments* of food to the tenant in his lifetime. But if the chief had not neglected, it was his duty to prove it against the tenant in his life-time; or, indeed though this failure had been *really* committed by the tenant, if the chief had neglected to *sue him* until the death of the tenant, he is entitled to nothing but restitution.

The proportionate stock of every food-rent from small to great, which we enumerated, is given by the

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earbhan a tnuan don tairceire; ma tper cuir, do  
erhun a leth, ar it luga a meatha ocur a riap ríde.

O.D. 1086. Tairceire, .i. eire coirpéne do beap ar gac mbíad uair o bec  
mbíó co moir mbíó. Do ruirmírium, .i. no rairmírium romunn.  
I r por cetgialla techta, .i. ip o plath cetgialla oligéig ata  
rin in lan rath. Ma a lu cuir, .i. let no da tnuan romúine do, .i.  
má e in tí cuir in daia cor celrine, plath porgialla, do earbunn a  
tuan don tairceec don rath, .i. romúine doib iur na tairceec, .i. ip  
inunn baithad doib a tnuar, co luga porgialla ocur cuir, co rucur  
i ri ocur cuir tpe dubhruithir. Ma tper cuir, .i. do erbunn let  
in rognúia a dubhruithir romunn, .i. let no tnuan romáin do uat, .i.  
ma é in tí cuir in tper cor celrine, do earbunn a leth don eirec  
coirpéne [a leth rognúia a dubhruithir romáin do uat, .i. ip ro  
in rat on. Ar it luga, .i. ar ip luga in ní ata doib a meat a mbíó.  
A meatha, .i. in an cumail. Ocur a riap, .i. a ríal do riap  
doib, .i. in an caecaro.]

Cumul ríchit reoit cu ndiablá naitgínu nech ro  
meatha meat mbíó platha cetgialla. Leth cumul  
dech reoit la diablú nech meatúr meat mbíó alu  
chuir. Cethruime cumúle cuic reoit la diablú  
naitgínu nech meatúr meath mbíó tpear cuir.

Cumul ríchit reoit, .i. da teagait deé mba, .i. let nungse, .i. deé  
nungsepe. .i. la aigín, cuna diablá meé ro meúr ann, .i. ip ann ata rin.  
Leth cumul, .i. let na cumúle romunn, deé reoit da teagait cuic bai, .i.  
cuic bai—; daite a mólíó por porgialla, ocur por cuirpúg rat do  
tabuirt do cele, ocur rat eile ríar, ip aipe ip bec a rímachit. Meaé

<sup>1</sup> Paid. The arrears of rent due for land must be paid before every other claim.

<sup>2</sup> Less, i.e. less than that due to the 'cetgialla'-chief, i.e. the chief who got first securities.

lawful chief who got the first securities ; if it be the second contract, the third of the proportionate stock is substracted ; if it be the third contract, the half of it is substracted, for their failures and their services are less.

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Proportionate stock, i.e. the relieving fee which is given for every noble food from small food to large food. Which we enumerated, i.e. which we have said before. By the lawful chief who has got the first securities, i.e. it is from the lawful chief who got the first securities this full stock is received. If it be the second contract, i.e. one-half or two-thirds of the profits are given to him, i.e. if it be the person who has imposed the second contract of tenancy, i.e. the chief who got the second securities, the third of the proportionate stock, or the subsidy is taken off, i.e. profits are given to them after receipt of their proportionate stock, i.e. the food rendered to the three chiefs is equal, though the chief who got the second securities, and the chief who got the third securities, are lower, until land is given by them, the part due for the land is fully paid.<sup>1</sup> If it be the third contract, i.e. half the service which we have said before, i.e. one-half or one-third of the profits is taken from him (the tenant), i.e. if it be the person who has imposed the third contract of tenancy, (i.e. the chief who got the third securities), one-half of the proportionate stock shall be taken away from the tenant, and half the service which we have mentioned before shall be withheld from him (the chief), i.e. this is the cause indeed. A re less, i.e. for what (the fine which) is due to them for failure of their food is less.<sup>2</sup> Their failures, i.e. as to the 'cumhal'. And their services, i.e. the number of services due to them, i.e. for the fifty.

A 'cumhal' of twenty 'seds' with double restitution for the thing failed in is the fine for the failure of the food of the chief who got the first securities. Half a 'cumhal' of ten 'seds' with double of the thing failed in is the fine for the failure of the food of the second contract. The fourth of the 'cumhal' of five 'seds' with double restitution for the thing failed in is the fine for the failure of the food of third contract.

A 'cumhal,' of twenty seds, i.e. which amount to ten cows, i.e. of half an ounce, i.e. ten true ounces, i.e. with restitution, so that it is the double of the thing in respect to which failure had occurred, i.e. it is for it this fine lies. Half a 'cumhal,' i.e. half the 'cumhal' aforesaid, i.e. ten 'seds' which come to five cows; i.e. five cows; the reason why the 'smacht'-fine is so small is to revenge his illegality upon the chief who got the second securities, and the chief who got the third securities for giving stock to the tenant, he having had another stock

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'CAIN- mbró álu chuip, .i. flaithe foirgiallna. Ceathruime cumuile, .i. AIGILLE, ceathruime na cumuile na nbeó mbo, da ba ocur ramuirc. Hach OR LAW OF meatur .i. no meatur ann. Meath mbró trear cuip, .i. in ti 'DAER' chuipuir in trear cor ceilpne for in cele, .i. flait cuipriú.  
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Cro bec tra in biaó meathur ann, ir cumul ino do cetgiallna, ocur let cumul do foirgiallna, ocur cethruime cumuile do cuipriú. Cro biathad cethruir metur ann, ireó ro diar ann, cumul fichit feoit, 7rl, .i. fiche ramuirc, deó mba do flaithe cetgiallna a met a mbró; cuic bai do flait foirgiallna; da bai ocur ramuirc do flait cuipriú a met a mbró.

Cro fo deira let cumul do beó don tí do beir da trian raá, ocur cethruime cumuile don tí do beir leórach. Ireó dono rodeira, ar ir inoigeó doib raá do tobuir do cele flatha eile, ocur ara laiguit in aipille do ratrat doib .i. trian loú einiúó ocur nomad loú einiúó. Ireó fo deira naé trian cumuile ocur nach nomad cumuile do beruit rium irin meth, ar ir luá coneasuirum rognum do tri flaitib ina coneasuit na flaithe raá do tobuir doib rim.

Inoich cach corp a meamra, ma rocorp, rognimuch, roberuch, plan, rofoltach, rocomair. Corp caih a fine ar ní di nach corp cen cenn. Cenn caih iar ntuinib i fine berio rruithe, berio nuairliu, berio trebair, berio necnuisui, berio roóruisui co fir, berio treiru rru himfoiche, ber foruirta rru hupnairde romuine ocur domaoine.

Inoich cach corp a meamra, .i. ir eim ditiur cad cenn a moam roirénuéu, .i. ruairiú cad corp ar, .i. corp ar ceano. Ma rocorp, .i. ma deaú ceano e cin su forsell, sin su fiaónuire. Sognimuch, .i. ma

before. The failure of the food of second contract, i.e. of the chief who got the second securities. The fourth of a 'cumhal,' i.e. the fourth of the 'cumhal' of the ten cows, i.e. two cows and a 'samhaisc'-heifer. Of the thing failed in, i.e. which was failed in. The failure of the food of third contract, i.e. of the person who imposed the third contract of tenancy upon the tenant, i.e. the chief who got the third securities.

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However small the food failed in may be, there is a 'cumhal' to be paid for it to the chief who got the first securities, and half a 'cumhal' to the chief who got the second securities, and one-fourth of a 'cumhal' to the chief who got the third securities. Though only the food of four persons has been failed in, this is the *fine* which shall lie for it, —a 'cumhal' of twenty 'seds,' &c., i.e. twenty 'samhaisc'-heifers—ten cows to the chief who got the first securities for the failure in supplying his food; five cows to the chief who got the second securities for the failure of his food; two cows and a 'samhaisc'-heifer to the chief who got the third securities for the failure of his food.

What is the reason that half a 'cumhal' is due to the person who gives two-thirds of stock, and one-fourth of a 'cumhal' to the person who gives half stock? The reason, indeed, is *plain*, because it is unlawful for them to give stock to the tenants of another chief, and on account of the smallness of the stock which they had given them, i.e. one-third of honor-price and one-ninth of honor-price. The reason why it is not the third of a 'cumhal' and the ninth of a 'cumhal' which they pay as *fine* for the failure, is because they (*the tenants*) can more easily do service to three chiefs than the chiefs can give them stock.

Every head defends its members, if it be a goodly head, of good deeds, of good morals, exempt, affluent, capable. The body of every head is his tribe, for there is no body without a head. The head of every tribe, according to the people, should be the man of the tribe who is the most experienced, the most noble, the most wealthy, the wisest, the most learned, the most truly popular, the most powerful to oppose, the most steadfast to sue for profits and *be sued* for losses.

Every head defends its members, i.e. it is actively every head maintains its relieving rule, i.e. every true chief opposes *in behalf of his tribe*, i.e. body is *here put for* head. If it be a goodly head, i.e. if it be a good head without false decision,

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coir ap cora, .i. im comingaire, .i. comgnim, .i. gin su ríadnair, .i. gin  
guin, gin porlórcad. Soberach, .i. gin gair, gin bhar. Slañ, .i. gin  
guin, gin gair, .i. gin cirta, .i. ní teilg neó oib cirta por ariail. Sofo-  
tach, .i. im oin, ocur im aithne, ocur im aiplegas, .i. gaeallad cad oib tar  
ceinn ariail. Socomair, .i. conic each alail im eochu ocur im rriana,  
ocur im connatóm ocur im comraic. Corp caich a fine, .i. iped ip  
corp don cad ip cenn a fine. Ar ní bí nach corp cenn cenn,  
.i. nochá mbi nach corp fine cinn ceann oib fein porro do fein airt.  
Cenn caich iar ntuinib, .i. cupub do daine ná fine iarum in  
cach ip ceann ríait ná gelfine; no cupub do fein daine ná fine in cach  
ip ceann, .i. ip e ceann in cach ip fine ríadnair, .i. in tí ip rriaithe, 7rl.  
Derio rriaithe, .i. i nairnu. Derio nuairliu, .i. in gair, .i. i  
feb. Derio trebair, .i. im ar ocur im buair, .i. im tochur rri  
comet rínteadá--8.D. Derio necnuigiu, .i. i leabair, .i. a leiginn,  
no ip mo catá. Derio roóruigiu, .i. capuit maic tar curch a gabail  
lor, no bí deghairdeac im rabail loca ríra, .i. a lor a capuit, .i. rri  
raige por in coicriú. Derio treiriu, .i. beri treine rri eimpoiche  
cinnu imbleoguin air, no nantochor. Rri himpoiche, .i. a bualgur a  
gairgí. Der foruirta, .i. beag deac porur trebair, .i. a corur gin  
O'D. 1087. curch gin fein[5], .i. a bualgur a nirt fein, no ip e ip foruirta ina baile.  
Rri hurnair, .i. oibair cur ub e beiriuur, .i. gair in treanorach.  
—8.D. Domairne, .i. a cinnu cur ub é icur.

Cumao ríach do gabur do cad daine ipin tuait o ríait  
gelfine, ocur ríait gelfine do gabail ríacha o rí tuaithe; no dono  
gac daine ipin tuaithe o rí tuaithe, cia ríaitiuur deirde ata ac  
ríait gelfine .i. tar nairbrena, a tar nairlabra, ocur toga  
do ríannair, ocur ríctmar tpe oibair ná laim.

Imur ríach fine imanetur, imur ríachet, imur coit-  
cet, imur cobrathar; imur cumtaiget fine.

Imur ríach fine, .i. ná cuir inoigthacu do ní neach, .i. ip eim  
ruairu in fine ecurru fein, cur ub e in tí ip neagra beiriuur .i. ruairu  
in tí ip neagra a cuir cto fe fine cto fe annfine do gne cuir. Imur

<sup>1</sup> *Exhibition.* When the geilfine-chief is not the king of the territory, but takes  
stock from the king of the territory, he enjoys the privileges above obscurely  
described. Similar privileges were ceded to O'Finaghty by O'Conor, and to

without false witnesses. Of good deeds, i.e. if he be a just head, i.e. for joint maintenance, i.e. co-operation, i.e. without false witness, i.e. without wounding, without burning. Of good morals, i.e. without theft, without plunder. Exempt, i.e. without wounding, without theft, i.e. without crimes, i.e. none of them has transferred his crimes to another. Affluent, i.e. for lending, for giving in charge, for lending on pledge, i.e. each of them gives a pledge for the other. Capable, i.e. each can accommodate the other with horses and bridles, and as to joint contract and joint-stock. The body of each is his tribe, i.e. the tribe is the body of each person who is chief of his tribe. For there is no body without a head, i.e. there is no body of a tribe without a head of themselves over them according to justice. The head of every tribe, &c., i.e. that every one who is head or chief of the 'geilfine'-tribe be of the people of the tribe; or that every one who is head be according to the people of the tribe, i.e. he is the head of the tribe before men, i.e. the person who is most experienced, &c. The most experienced, i.e. in wisdom. The most noble, i.e. in degree, i.e. rank. The most wealthy, i.e. as to ploughing and reaping, i.e. as to wealth to guard the tribe lands.—S.D. The wisest, i.e. in books, i.e. in learning, or he who is the most dignified. The most popular, i.e. he has good friends outside the territory taking part with him, or he is well befriended in procuring compurgators, i.e. in consequence of the increasing number of his friends, i.e. for suing one of an adjoining territory. The most powerful, i.e. the most powerful to sue the crimes of kinsmen-sureties, or the wrong contracts. To oppose, i.e. in consequence of his valour. The most firm, i.e. whose place of residence is the best, i.e. his body without trembling, without anger, i.e. in consequence of his own strength of mind and body, or he is the most secure in his residence. For suing, i.e. the legacy, i.e. that it be he who will obtain it, i.e. support the old man who has left it.—S.D. Losses, i.e. that it be he who pays for liabilities.

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Every person in the territory accepts equal stock from the 'geilfine'-chief, who himself accepts stock from the king of the territory; or else every person in the territory accepts it from the king of the territory, though it is from him the 'geilfine'-chief takes chieftainship, i.e. first of exhibition,<sup>1</sup> first of speaking, choice of divisions, and the seventh of land legacy in his possession.

The tribe can impugn among themselves, they can impugn outside, they make oath, they relieve each other; the tribe sustains itself.

The tribe can impugn, i.e. the tribe quickly impugn among themselves, i.e. the unlawful contracts which one of them makes, and the nearest of kin is he who obtains it, i.e. the nearest of kin impugns his contract whether he made it with one of the tribe or with an external tribe. They can impugn, i.e. they quickly

O'Caomhan by O'Dowda. See Tribes and Customs of Hy Fiachrach, pp. 108, 139, 140, 143.

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fuichet, .i. [ir em fuacht amach] fhuachtur fine. Imur coitcet, .i. comrath ocuf coimriathuiri, no i foitcet ocuf i foitcet, .i. comtoingit. Imur cobriathar, .i. im om, ocuf im aithne, ocuf im aithne, ocuf im iathacht, .i. fhu dochtuise. Imur cumtaiget fine, .i. ir em cumtaiget in fine cach tob a ceta, .i. cumtaic caic dia maile, .i. dochtuise, ocuf dochtuise, ocuf do fhuathuise.

Ir meiruch cach fear fine cunai a finciu; naid in-  
nean, naid fannu, naid foctean, naid fuich cinuise  
na coruib; ir meir imur fuich curu a fine, imfuich cach  
curu a compocur ma eapaneartur a cinu, ocuf a  
rathu, ocuf a curu, ocuf a chinu, ocuf a gnimu  
orba, cu naidtaige gair eapaneartur finciu.

- O'D. 1088. Ir meiruch, .i. ir cumtaic cach fear [fine] coimeo a fearuinn cin a  
O'D. 1088. nec fhu inoetbhuir ar fectuib urcuise [o bur oitcet he in eapaneartur  
O'D. 1088. fo coruib]. Naid innean, .i. im no de [i. amach uile]. Naid fannu,  
.i. uime uile, no fo taob mic foerum eapaneartur, .i. na fcaile. Naid  
foctean, .i. fo taob mic foerum im a nec a inoetbhuir. Naid  
fuich cinuise, .i. inoetbhuir eile. Na coruib, .i. inoetbhuir, .i. celrime  
inolitcet. Ir meir imur fuich [no foiche], .i. ir cumtaic eim fuir-  
tuise na cor do naid in fineartur. Imfuich cach curu a compo-  
cui, .i. ir eim fuirtuise caic curu in a ir compocur don fineartur  
o bair amuib. Ma eapaneartur a cinu, .i. ma e urpethur a  
cinu coru ocuf laime. A rathu, .i. a cinu rathu, .i. fhu hann-  
fuiche, .i. a gnim rathu ocuf eirne. Ocuf a curu, [i. fhu hannfuiche  
O'D. 1088. no], fhu fuirtuise, .i. fuirtuise cor eirne. A chinu, .i. alerum  
a clainne. A gnimu orba cu naidtaige gair, .i. orba ocuf do  
ruba, .i. naic gnim olegar don corba, ocuf gair na fear fine bit cin  
clainn; no olegar finciu oerum fin. Cu naidtaige gair, .i.  
.i. cur in ianumtaige ir aca olectuim don fin fine, gair in eapaneartur  
coitcet, .i. do neoch oitcet a gair a finciu.

Coru cach comra, cach focrec, cach cpec, cach nec,  
cach cunnur, cach cor, cach celrime, cach gailnu,  
cach fognum fhu fine teachta ian compocur coitcet,

<sup>1</sup> Without necessity. In O'D., 1088, the reading is—"i. na fo eclann ni  
co inolitcet fo toeb fein," i.e. he is not to conceal any part of it unlawfully  
for himself.



impugn outside with respect to an external tribe. They make oath, i.e. equal stock and equal testimony, or in affirmation and in denial, i.e. they swear mutually. They relieve i.e. by lending, by transmitting, by loan, by accommodation, i.e. when in difficulty. The tribe sustains itself, i.e. it is quickly, each of the tribes relieve the other, i.e., the one is sustained by the other, i.e. in horses, in clothes, and in bridles.

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Every tribesman is able to keep his tribe-land : he is not to sell it, or alienate it, or conceal it, or give it to pay for crimes or contracts : he is able to impugn the contracts of his tribe, and to impugn every contract of his kinsman for whose crimes, and securities, and contracts, and *fosterage*-liabilities, and land-deeds, with support of seniors due for tribe lands, he is accountable.

Is able, i.e. every tribesman is capable of keeping his land, and not to sell it without necessity for perishable 'seeds,' when he can lawfully impugn contracts. Not to sell it, i.e. any part of it, i.e. to sell the whole of it out. Or alienate it, i.e. the whole of it, i.e. or to release it in favour of an adopted son of an external tribe. Or conceal it, i.e. in favour of an adopted son, to sell it without necessity.<sup>1</sup> Or give it to pay for crimes, i.e. other crimes without necessity. Or contracts, i.e. without necessity, i.e. of unlawful tenancy. He is able to impugn,<sup>2</sup> i.e. he is able to set aside the compacts which the tribe have made. To impugn every contract of his kinsman, i.e. he quickly sets aside every compact of the person who is related to him in the tribe, when he is so circumstanced. For whose crimes he is accountable, i.e. if it is he that pays for the crimes of his foot and hand. Securities, i.e. his liabilities of security, i.e. for immovables, i.e. his deed of security and hostageship. And his contracts, i.e. respecting immovables or movables, i.e. he disturbs the contract between two persons. His *fosterage*-liabilities, i.e. the fosterage of his children. His land-deeds with support of the old, i.e. the deeds of attack and defence, i.e. every deed due of the land, and the support of the old members of the tribe who are without children ; the tribe-property requires this of him. With support of the old, i.e. with the remnant of support which ought to be due of the tribesman, i.e. the support of the common senior, i.e. such as is entitled to support from his tribe-property.

Every litter of pigs, every reward, every purchase, every sale, every covenant, every contract, every tenancy, every 'giallna'-security, every service is properly due to the lawful tribesman by consanguinity, to whom

<sup>1</sup> Impugn. The words in brackets in the Irish are an aliter marginal reading.

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cinu<sup>1</sup>ḡ, ocur cin romuine ocur domuine, ocur iar<sup>2</sup>cuigi<sup>3</sup>u  
con<sup>4</sup>teath<sup>5</sup>gatur.

Copu, [.i. ip cuice ip coir] cach com<sup>6</sup>pa muc biar os in fir<sup>7</sup>pine do  
b<sup>8</sup>reit do cum in fir<sup>7</sup>pine eile da metha, cupub do beap ceatruime meara  
fir<sup>7</sup>pine airtib, .i. no ip cora bit é in tí ip neapa beir<sup>9</sup>ur a com<sup>6</sup>pa, ocur a  
c<sup>10</sup>rec, ocur a cun<sup>11</sup>ro<sup>12</sup>rao in fir<sup>7</sup>pine, ocur cach romuine biar aise, p<sup>13</sup>er<sup>14</sup>u  
ronus ach<sup>15</sup>er<sup>16</sup>un<sup>17</sup>ra, ap ip é beir<sup>9</sup>ur a domuine, ma dor neacmu. Cach  
poc<sup>18</sup>rec, .i. gach de<sup>19</sup>grec loise<sup>20</sup>ta do bepa amac, cupub da p<sup>13</sup>er<sup>14</sup>u pine do  
be<sup>21</sup>pa, .i. p<sup>22</sup>er<sup>23</sup> poichle. Cach c<sup>10</sup>rec, .i. im<sup>24</sup>uich, .i. mo<sup>25</sup>ir, .i. ca<sup>26</sup>d ni cen<sup>27</sup>nuigi<sup>28</sup>ur  
am<sup>29</sup>uis, cun<sup>30</sup>ro é ce<sup>31</sup>annuigi<sup>32</sup>ur. Cach p<sup>33</sup>ec, .i. am<sup>34</sup>ach, .i. im be<sup>35</sup>s. Cach  
cun<sup>36</sup>n<sup>37</sup>ro<sup>38</sup>ro, .i. i cia<sup>39</sup>uit cuin<sup>40</sup>o ocur p<sup>41</sup>atha. Cach cop, .i. ce<sup>42</sup>gialla. Cach  
ce<sup>43</sup>il<sup>44</sup>pine, .i. p<sup>45</sup>or<sup>46</sup>gialla. Cach g<sup>47</sup>iallu, .i. cu<sup>48</sup>ir<sup>49</sup>u. Cach  
p<sup>50</sup>og<sup>51</sup>nu<sup>52</sup>m, .i. p<sup>53</sup>ae<sup>54</sup>r<sup>55</sup>uath. Fir<sup>56</sup>u pine te<sup>57</sup>ach<sup>58</sup>ta, .i. cupub o pine n<sup>59</sup>lig<sup>60</sup>ti<sup>61</sup>s  
ge<sup>62</sup>bur é, .i. os a mbia eac<sup>63</sup>mu<sup>64</sup>is na neche rin. Iar com<sup>65</sup>po<sup>66</sup>ur, .i. iar<sup>67</sup>um  
ón tí ip com<sup>68</sup>po<sup>69</sup>ur do da caim<sup>70</sup>pine beir<sup>71</sup>ur eir<sup>72</sup>ic a cin<sup>73</sup>ro cupub u<sup>74</sup>ra  
gab<sup>75</sup>ur rin, .i. iar<sup>76</sup>um in tí no com<sup>77</sup>po<sup>78</sup>ir<sup>79</sup>oe<sup>80</sup>s do da caim pine p<sup>81</sup>e h<sup>82</sup>al<sup>83</sup>tr<sup>84</sup>um  
na cl<sup>85</sup>u<sup>86</sup>in<sup>87</sup>oe cin<sup>88</sup>ur u<sup>89</sup>ra da p<sup>90</sup>ic a<sup>91</sup>lep. Cin, .i. coir<sup>92</sup>u ocur laime. Somuine  
.i. in u<sup>93</sup>bu<sup>94</sup>ro. Domuine, .i. cinu<sup>95</sup>ro. Iar<sup>96</sup>cuigi<sup>97</sup>u con<sup>98</sup>teath<sup>99</sup>gatur, .i.  
coit<sup>100</sup>ceann tech<sup>101</sup>uit, .i. in iar<sup>102</sup>um<sup>103</sup>oir<sup>104</sup>se, coit<sup>105</sup>ceannuigi<sup>106</sup>it g<sup>107</sup>aire in t<sup>108</sup>reanor<sup>109</sup>ach  
coit<sup>110</sup>chinn.

Ni tu<sup>111</sup>al<sup>112</sup>u<sup>113</sup>is im<sup>114</sup>poich<sup>115</sup>u<sup>116</sup>da no<sup>117</sup>do g<sup>118</sup>uin no<sup>119</sup>do ma<sup>120</sup>ir<sup>121</sup>n  
m<sup>122</sup>ig<sup>123</sup>uim ocur m<sup>124</sup>icor<sup>125</sup>uib, ocur no<sup>126</sup>do r<sup>127</sup>annu p<sup>128</sup>inn<sup>129</sup>te<sup>130</sup>ad<sup>131</sup>uib,  
p<sup>132</sup>or<sup>133</sup>do<sup>134</sup>cuigi<sup>135</sup>ur do cor<sup>136</sup>uib, in<sup>137</sup>de<sup>138</sup>cuir<sup>139</sup>th<sup>140</sup>ur a<sup>141</sup>ir<sup>142</sup>pine, na-  
d<sup>143</sup>in<sup>144</sup>air<sup>145</sup>u<sup>146</sup>it p<sup>147</sup>inn<sup>148</sup>ti<sup>149</sup>ḡ fir<sup>150</sup>u romuine ocur domuine, na<sup>151</sup>d  
com<sup>152</sup>ai copu.

Ni tu<sup>153</sup>al<sup>154</sup>u<sup>155</sup>is, .i. no<sup>156</sup>cha cuim<sup>157</sup>ge<sup>158</sup>d éim<sup>159</sup>pa<sup>160</sup>ir<sup>161</sup>u<sup>162</sup>o na cor<sup>163</sup>u do n<sup>164</sup>iat a p<sup>165</sup>ine-  
da<sup>166</sup>ire. No<sup>167</sup>do g<sup>168</sup>uin, .i. p<sup>169</sup>ein, .i. son<sup>170</sup>ur neach don p<sup>171</sup>ineaca<sup>172</sup>ire. No<sup>173</sup>do  
ma<sup>174</sup>ir<sup>175</sup>n, .i. do ni in b<sup>176</sup>ra<sup>177</sup>th, .i. do nach e<sup>178</sup>le. M<sup>179</sup>ig<sup>180</sup>uim, .i. im g<sup>181</sup>uin, no im

<sup>1</sup> Lawful tribesman. In O'D. 1089, the gloss is different, as follows:—Fir<sup>1</sup>u  
pine tech<sup>2</sup>ta, .i. cupub fir<sup>3</sup>u in p<sup>4</sup>er<sup>5</sup> pine n<sup>6</sup>lig<sup>7</sup>te<sup>8</sup>d oca mbia<sup>9</sup>o ac<sup>10</sup>ma<sup>11</sup>is  
cap na neithe rin do cup u<sup>12</sup>ro, gab<sup>13</sup>ur iat; no cor<sup>14</sup>ab do rin do be<sup>15</sup>pa eir<sup>16</sup>ic  
a cin<sup>17</sup>ro coir<sup>18</sup>u ocur laime, cor<sup>19</sup>ab do be<sup>20</sup>pa<sup>21</sup>n na neit<sup>22</sup>i rin, no cor<sup>23</sup>ab fir<sup>24</sup>u  
ic<sup>25</sup>ar. Iar com<sup>26</sup>po<sup>27</sup>ur, .i. iar<sup>28</sup>um in tí no com<sup>29</sup>po<sup>30</sup>ir<sup>31</sup>oe<sup>32</sup>s do da caim<sup>33</sup>pine  
p<sup>34</sup>e h<sup>35</sup>al<sup>36</sup>tr<sup>37</sup>um na cl<sup>38</sup>u<sup>39</sup>in<sup>40</sup>oe cin<sup>41</sup>ur u<sup>42</sup>ro, dá p<sup>43</sup>ic a<sup>44</sup>lep. Somuine, .i. u<sup>45</sup>bu<sup>46</sup>ro,  
cop<sup>47</sup> abe be<sup>48</sup>re<sup>49</sup>p. Domuine, .i. cin<sup>50</sup>ro, cor<sup>51</sup>ab é be<sup>52</sup>re<sup>53</sup>p, .i. p<sup>54</sup>u<sup>55</sup>ba ocur p<sup>56</sup>u<sup>57</sup>ba.  
Iar<sup>58</sup>o<sup>59</sup>is, .i. ocur in iar<sup>60</sup>o<sup>61</sup>is coit<sup>62</sup>ceannuigi<sup>63</sup>it uile in pine, .i. g<sup>64</sup>aire  
in t<sup>65</sup>reanor<sup>66</sup>ach coit<sup>67</sup>ain<sup>68</sup>o. Con<sup>69</sup>teath<sup>70</sup>gatur, .i. t<sup>71</sup>ir. The lawful tribes-

the fosterage is due, and crimes as well as the profits and losses, and the support of the common senior.

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*Every litter* is properly due, i.e. it is right that every litter of pigs which the tribesman has should be brought to another tribesman to fatten, so that he shall have the fourth of the benefit due to the owner of the land out of them (*the litter of pigs*), i.e. or it is right that it is the nearest *of kin* that should obtain the litter, the sale, and the contract of the tribesman, and every profit which he has, before external persons should obtain them, for it is he that should bear their losses, if such should happen. Every reward, i.e. every perquisite of reward which he shall give out, it is to his tribesman he shall give it, i.e. a man who earns wages. Every purchase, i.e. outside, i.e. great, i.e. everything which he buys outside, it is he that shall buy it. Every sale, i.e. out, i.e. small. Every covenant, i.e. in which adults and sureties are concerned. Every contract, i.e. of first security. Every tenancy, i.e. of second security. Every 'giallne'-security, i.e. of third security. Every service, i.e. of 'saer'-stock. To the lawful tribesman, i.e. that he should receive it from a lawful tribesman,<sup>1</sup> i.e. who is able to bear these things. By consanguinity, i.e. that he should receive this from the person who is nearest to him of his own tribe who bear the 'eric'-fine of his crimes, i.e. from the person who is so near to him of his own tribe as to foster the children who descend from him, if necessary. Crimes, i.e. of hand and foot. Profits, i.e. the legacy. Losses, i.e. crimes. The support of the common senior, i.e. who is common to them, i.e. the last senior surviving, whom they support in common among them.

He cannot impugn *the contracts of the tribe*, who wounds or betrays by evil deeds and evil compacts, who alienates his tribe-lands, against whom bad contracts have been proved, who has adopted one of a strange tribe, who does not share the tribe property with the profits and losses, who does not observe justice.

He cannot *impugn*, i.e. he is not competent to disturb the contracts which his tribe make. Who wounds, i.e. himself, i.e. who wounds one of the tribe. Who betrays, i.e. who commits betrayal, i.e. for another person. Evil deeds,

man, i.e. that they are received by the lawful tribesman, who has capability not to put these things away from him; or that it is to him the 'eric'-fine of his crimes of foot and hand is given, that it is to him are given these things, or that it is to him they are paid. By consanguinity, i.e. the person who is so near him of his tribe as to foster the children which descend from him, if he should require it. Profits, i.e. the legacies, it is he that obtains them. The losses, i.e. the crimes, it is he that bears them, i.e. the service of attack and defence. The survivor, i.e. the last survivor, whom all the tribe support in common, i.e. the maintenance of the common senior. They bear it in common, i.e. in the territory.

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—

Sic.

ḡait fect na fine. Micoruib, .i. im a bhrath, no im pec neð da ferunn  
a nnoetbriur. Noto rannu, .i. do mac poeuma do aine. For-  
oosuisiur, .i. portuiser porru imaille fpu plait neachtunno, .i.  
firfisiur do chur aile innoisictha do denum. Inoecuirichur, .i.  
ata cuirid ré mac poeum damine, .i. pocer do fpu plait neachtunno,  
.i. do beir micur, .i. micomurba cuca na tibriut pat mbraichirpe  
fpu corur a fine. Naoinairiut, .i. ni uprannut oligeð na fine.  
Somairne, .i. tiri noidair, .i. tidiar noch a bepa. Domuine, .i. na gaire  
do denum, no im ic a cinuid, uair icuio. Na comair coru, .i. noch a  
coimeounn ino olisur do fep cor gaire in tpeanoruch, no be ina oligeð,  
no cin curu inoetbriur do denum de .i. iur fuba ocup fuba ocup gaire.

Sic.

Ma damut fine a micur, cunteachtacht, iar nairilt-  
nib, cach cor cunu poluib, cach polair cunu fpuipolai,  
cach pollur cunu poluib, incuiritur adaimtur. Olisur  
a farat, amuil innlathur innuill co fuilliu, co  
fullium, co romuine, muine fpecuritur cell co poluib  
O'D. 1090. techta[ib].

Ma damut, .i. maia rabuit in fine neimaitcin na oiochcor rin, .i.  
muna fuaruit in fine na micur do beup por na lobtauib. Cun  
teachtacht, .i. coiteannuisur gaire in tpeanoruch coiteino, amuil  
airiluit no amuil olisur, .i. teat air tabuie poluir do mach.  
Cach cor, .i. o plait, no in rath .i. fcoit turcluire. Cunu poluib,  
O'D. 1090. .i. im biao. Cach polair, .i. on fine [i. in fect turcluire]. Fpuipolai  
.i. in manchine. Cach pollur, .i. in rath no in fect turcluire. Cunu  
O'D. 1090. poluib, [im an mbiathar] .i. in manchine, .i. on cele. Incuiritur,  
.i. on plait. Adaimtur, .i. on cele no on fine. Olisur a farat,  
.i. olisur a farat amuil romnibtur oligeð oia amir biata amach.  
Co fuilliu, .i. in diablar. Co fullium, .i. in cumul no in enea-  
clunn. Co romuine, .i. in biao no in cumul. Muine fpecuritur  
cell, .i. muine fpecuritur é do fep incialla in briteamun, .i. munab  
e da cell acuo fpuachur na fect uo, no foim uib, .i. ir ann rin  
atit na neche rin don plait. Co poluib techtaib, .i. cor in poluir  
ir olisur do, .i. uir na fect iar ntehmuid a dualg innurpa.

<sup>1</sup> *Stealing.* In O'D., 1090, there is added:—"i. uil ar nech do tobac co  
hinolisteach," i.e. to go against one to levy unlawfully.

<sup>2</sup> *Alienates.* In O'D., 1090, there is added:—"comrcaile in fearuno,"—  
who unlooses, breaks up, or disperses the land.

<sup>3</sup> *Responded to.* In O'D., 1090, it is explained thus:—"Mana fpecurthar,  
i.e. unless he (*the chief*) is responded to, i.e. *served and attended* as to his services of

i.e. as to wounding, or stealing<sup>1</sup> the 'seds' of the tribe. Evil compacts, i.e. as to betraying, or selling a part of his land without necessity. Alienates,<sup>2</sup> i.e. to an adopted son from a strange tribe. Against whom, &c., have been proved, i.e. it is proved against him that he had made such *evil contract* with an extern chief, i.e. it is proved by true evidence that he had made another evil contract. Who has adopted, i.e. he has planted in *the territory* an adopted son from a stranger tribe, i.e. he made *this compact* with an extern chief, i.e. he brings false contracts, i.e. a pseudo-successor to them, who could not give fraternal security for the law of the tribe. Who does not share *the tribe property*, i.e. who does not share the right of the tribe. Profits, i.e. the land legacy, i.e. who does not obtain the legacies. Losses, i.e. to perform the maintenance of *the old*, or pay for his crimes, for he shall pay. Who does not observe justice, i.e. who does not observe what he is bound to do according to the right of maintenance of the senior, or who persists in his illegality, or who does not observe the necessary duties, i.e. both service of attack and defence, and maintenance of *the old*.

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If the tribe acknowledge their bad contracts, they bear in common, according to circumstances, every compact with its returns, every stock with its returns, every reward with its returns, which are given and acknowledged. It is right to make them binding, as the compact was made with addition, with interest, with profits, unless he (*the chief*) is responded to with lawful returns.

If *the tribe* acknowledge, i.e. if the tribe were not cognizant of these bad contracts, i.e. unless the tribe impugned the bad contracts imposed upon the defaulters. They bear in common, i.e. they bear in common the support of the common senior, as they merit or are bound to do, i.e. they are bound to do so after he has given out his property. Every compact, i.e. by the chief, or the stock i.e. the returnable 'seds.' With its returns, i.e. the food. Every stock, i.e. to the tribe, i.e. the returnable 'seds.' Returns, i.e. the work. Reward, i.e. the stock or the returnable 'seds.' With its returns, i.e. in the victualling, i.e. the work, i.e. from the tenant. That is given, i.e. by the chief. Acknowledged, i.e. by the tenant or by the tribe. It is right to make them binding, i.e. it is right to make them binding according as the compact was originally made out from the time of rendering the victuals forward. With addition, i.e. the double *restitution*. With interest, i.e. the 'cumhal' or the honor-price. With profits, i.e. the food or the 'cumhal.' Unless he is responded to,<sup>3</sup> i.e. unless the return is made according to the sense of the judge, i.e. unless their sense is to return the 'seds' justly, or render service for them, i.e. it is then these things are *due* to the chief. With lawful returns, i.e. with the property which is lawful for him, i.e. forfeiture of the 'seds' after ten days by right of ejectionment.

food and labour due to him, according to the estimation (*sense or judgment*) of the Brehon, he is then entitled to these things; or unless it be their intention to make a true restoration of the 'seds,' or render service for them."

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Nach cor, nach coru nað acuum fine ponuarnat inðairbenat, mað beith fine ina polta[ib] techta[ib]; nī taŕcnaī fine, na orbu, na beoðil na maŕboil, ðilri feoit caich inðecuirtechur inðoligro, mað iar ocru cach faonleðaro O'D. 1091. fine fo coruib [techtaib]. 1r upocra[is] gach fuioir, O'D. 1091. gach bothach, gach ðalta co ðailte, cach felmac 1 naimeir ðaire ðo fithioir, gach mac beoathur nað bi faor a chop, nach ben forra mbe cenn comuirle.

Nach cor, .i. nach cunnruð na biat in fine inaitit. Ponuarnat O'D. 1091. .i. ðo nīat a comŕgaleo [no fuaiteche], .i. fe na ðenum fo cetoir inðairbenat, .i. iar na ðenum, .i. ðenuit a ninurba iarcan. Mað beith fine ina polta[ib] techta[ib], .i. maðia nabuit in fine 1r na poltuib ðligteuib, .i. im uproŕa, no im aineir ðo beitacca, .i. nī gonoit, nī maimeit. Nī taŕcnaī, .i. nocha nuacht inŕuigteur faarann na fine ðo ðul inn, na mbeoðil no na maŕboil, .i. o biar amliuð rin, cin co taŕruŕtar in cintuch. ðilri feoit caich, .i. 1r ðilur a feoit o cach aða chuirur cunnruð ðo ðenum ru co taŕruŕtar in uproŕa, .i. 1r ðilur ðon fine feoit in caic no aðauiŕŕtuur cūru inðoligthecha ðo ðenum fe fei fine, no co taŕruŕtar in cintuch. Mað iar ocru, .i. ma iar na uproŕa ðon fine na ðeina nac cunnruð fua faimleðachuib, .i. uproŕa chuir no cunnruða é ðo fei ðligro; ocuŕ fo coruib teacur, .i. uproŕa ðo fei ðligro fo firi, .i. 1r loŕ ða nuproŕa na gnech fo. 1r upocra gach fuioir, .i. aŕ amuil fuproŕa caé im ðiaéuin fo cūru, .i. in ðeŕfuioir. Gach bothach, .i. in ðeŕbothac, ocuŕ cū faeŕbothac fon nŕe cerna, no a mbeit anŕna gnetib feo. Gach ðalta, .i. co ti aŕ ðailte. Cach felmac 1 naimeir ðaire ðo fithioir, .i. cach mac biŕ aŕ fogluim eolur 1r in fe ŕachain ma ðeŕ é ðaithir na ŕecha na heaðan. Gach mac beoathur, .i. caé macathur bi nochan faeŕ lum cunnruð ðo ðenum firi, .i. mac gōŕ ocuŕ mac inŕoŕ. Nach ben forra mbe cenn comuirle, .i. ma aulterach cin macuð. Ocuŕ fo coruib fo uile teacur.

<sup>1</sup> Tutor. Here the words, .i. cū ŕechur ma aul—"on whatever condition he nourishes him"—are interlined in the MS.

<sup>2</sup> Proper time, i.e. course of study, during which time the pupil was entirely under the control of his tutor.

Every contract which the tribe do not recognise they impugn and dissolve, if the tribe be in their lawful conditions; the lands, the live chattels, or dead chattels of the tribe shall not be seized for it, *but* the 'seds' of him who made the illegal contract shall be forfeited, if *the tribe* had proclaimed the fugitive tribesman by lawful proclamations. Every 'fuidhir'-labourer, every cottier, every foster son, until the completion of his fosterage, every pupil during the period of his pupilage to his tutor, every son of a live father, who is not free from obligation, every woman over whom there is an adviser, are as persons proclaimed.

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Every contract, i.e. every covenant of which the tribe are not cognizant. They impugn, i.e. they dissolve, or oppose it, i.e. immediately at the making of it. Dissolve, i.e. after the making of it, i.e. they reject it afterwards. If the tribe be in their lawful conditions, i.e. if the tribe be in the conditions which are required of them, i.e. as to their having proclaimed *the person who made the covenant*, or having been in ignorance of *his covenant*; also that they be not themselves stained with crimes, that they do not wound, or betray. Shall not be seized, i.e. the land of the tribe shall not go to compensate for it, nor their live chattels, nor their dead chattels, i.e. when they are so qualified, although the delinquent has not been apprehended. The 'seds' shall be forfeited, i.e. his 'seds' are forfeited by every one who has undertaken to make a contract with them (*the proclaimed tribesmen*) until the proclaimed person is apprehended, i.e. it is lawful for the tribe to seize the 'seds' of every one who undertook to make illegal contracts with a tribesman, until the delinquent is apprehended. If *the tribe* had proclaimed, i.e. if after the proclamation issued by the tribe that no contract should be made with their fugitives, i.e. *if there had been* prohibition of bargain and contract according to law; and their contracts are impugned, i.e. these which follow down here are prohibited according to law, i.e. their condition is sufficient to prohibit them *from entering into engagements*. Every 'fuidhir'-labourer is proclaimed, i.e. every 'fuidhir'-labourer is like one proclaimed with regard to contracts, i.e. the 'daer-fuidhir'-labourer. Every cottier, i.e. the 'daer'-cottier, and even the 'saer'-cottier, is in the same condition, or their being in these conditions renders them as incompetent as persons proclaimed. Every fosterson, i.e. until the age at which his fosterage ends. Every pupil during the period of his pupilage to his tutor,<sup>1</sup> i.e. every son who is learning knowledge during the proper time,<sup>2</sup> if he is bound to the father of instruction or of science. Every son of a living father, i.e. I do not deem it allowable to make a contract with the son of a living father, i.e. an obedient son, or a son who does not support his parent. Every woman over whom there is an adviser, i.e. if she be an adulteress without sons. And the contracts of all these are impugned.

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Να ὑποφουρτωγῇ αὐρ οὐρ cunnurta, ma ro ptiur in ὑποφρα  
in ti do rinne cunorud mu, taitimigtiur na reoit amuig fori  
cuu, ocur ni fuil a reoit dofum no co taruirtur cinat.

Να ὑποφρα dligtechu imurru, ni fuil tiactuin fo coruib rtoe  
no co taruirtur in aigim dib.

Do ni ὑποφραῖ αὐρ οὐρ cunnurta do neoch bet na ὑποφ-  
rach biata, ocur noch a denun ὑποφραῖ leartunur de bet in  
ὑποφρα αὐρ no cunnurta.

Να ὑποφρα dligthecha, teacur fo coruib ocur fo cinuib co  
puitiurde, co na icuit na cin, ocur fo cinuib cin puitiurde, co cloe-  
cinod do na reuib co na taruactuin dib fein, ocur muna tar-  
puitiurde, icuit a fineairne ceart aigim gim lor, gim ar, cin  
inforbuirt.

Να ὑποφραῖ cor mbel, teacur fo cinuib cin cin co puitiurde  
cin cin cin puitiurde, cuna hicuit aet ceart aigim cin lor, cin ar,  
cin inforbuirt, cuna taruactuin dib fein, ocur muna tarpuiti-  
tar, noch an icuit a fineairne nach ni.

Cach cor, cach inbell, cach ionucul fo ceirtur fori  
na ὑποφραῖ ra, munub a forngairne a ceann, ic dliur  
reoit caich indecoruib cuirtur do cinn cach meamur  
micosuig; in dliur a reoit rom mað puitiurde nað  
taetcuirturde iar na ὑποφρα, if co riachuib gairi;  
gair cach tothlu fori a meamuib in ecmur a ceann.  
Cach fuarud iarmota rin cin in dliurda, acht ma  
ecumun, airtodai plan, ocur fuillium, ocur meat,  
ocur romaine fuilliuma.

Cach cor, .i. ceillrine, .i. do coruib ocur do cunnurtaib. Cach  
inbell, .i. lanumnur. Cach ionucul, .i. fuilliuma no do com-

<sup>1</sup> Bed. leartunur. A person so proclaimed, i.e. forbidden lodging, was com-  
pletely outlawed.

<sup>2</sup> Growth, i.e. in size and flesh of the body.

<sup>3</sup> Increase, i.e. calves.



*As to those who are prohibited from making bargain and contract, if the person who made the contract with them had known of their having been proclaimed, the 'seds' of the person outside shall be sent back, and his 'seds' shall not be returned to him until the delinquent is apprehended.*

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But *as regards* those prohibited legally, there is no opposing their contracts until restitution is made to them.

A man who is proclaimed and prohibited from *receiving* food in his native territory is also prohibited from *making* bargain and contract, but to be prohibited from bargain and contract does not make him prohibited from bed.<sup>1</sup>

Those proclaimed legally shall have their contracts and their assaults with or without counter assaults set aside, so that they shall not pay for any liability but make a return of the 'seds' if found with themselves, but if they are not found *with themselves* their tribe shall pay exact restitution without addition, growth,<sup>2</sup> or increase.<sup>3</sup>

Those forbidden to make contracts by word of mouth, shall have their bad contracts *set aside* whether with or without set off, so that they shall pay nothing but exact restitution without addition, growth, or increase, when *the 'seds' are found with themselves*, and if they are not so found, the tribe shall pay nothing.<sup>4</sup>

In every contract, every unlawful act, every bargain which is made with these prohibited people, unless it is by order of their chiefs, the 'seds' of those who made the contracts are forfeited to the chief of the persons who contracted unlawfully; their 'seds' are forfeited if it be found that they were not returned after being proclaimed, and with the fines for theft; every evasion by the members in the absence of their chiefs is *as* theft. Every dispute afterwards without returning, except where such was impossible, takes away the full *amount*, the interest, *the fine for failure*, and the profits of interest.

Every contract, i.e. of tenancy, i.e. of contracts and covenants. Every unlawful act, i.e. of social connexion. Bargain, i.e. of interest or

<sup>4</sup> *Pay nothing.* To punish the plaintiff for having made a contract with persons not legally qualified to enter into any.

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mauib ocuip do aipeaduib ocuip d'urghair[ib]. Po ceip tuip forp, .i. cuip-  
ther peipin lucht po urghairtuip d'iged cunnup do denum. Munub  
a forpghair, .i. mana rabat a cino ac forpcongra a deniia. Ic d'urp  
reoir, [.i. ip d'urp reoir in caich po adacuirpceip cuip in d'urghair do  
denam,] a dualgair in d'arba i forpba dechmaro. Do cinn cach mea-  
mair [.i. do cino cacha meamair do ni d'rochcuip], .i. ip do ip d'urp iat,  
ocuip ni do in meamair, .i. do ni na d'roch cuip, .i. ar in meamair  
do gni in micor; aithgim imar leas do elo do breit don meamair; na cuic  
reoir ocuip einneclunn ocuip in diabla do roimad do elo, ocuip in aithgim  
po d'urp in innarba do breit don cinn. Ma do riapuitheip, .i.  
ma do tarpuip iat. Na do taiccuipitheip, .i. amuich iat nup-  
rogra, .i. diabla iat nelo, ma po leas do elo iumpu. Ip co riachuib  
gairi .i. ip riach gairi biar o deimio imach, no iat trocud do  
ceoir forp in ci do eltar a cno o na cele i necmuir a ceann, .i.  
ip amuich gairi in in d'urp cach ni beip on meamair a necmuir a ceann.  
Cach fuairno, .i. cae po ogra do in innarba, .i. fuairno hupgairtheip  
pumiunn fuair do dainib ceipine, cinmoa amuich ip riapuitheip  
dona ceipine po ceana do dainib paera.—8.D. Fuairno ceipine ceana  
inno do traipuib, cinmoa fuairno cor na nupgairi. Iar moa rin  
.i. iar moa poegium in chup, .i. cach fuairno ceipine iarpum  
ar a haitle rin, uair fuairno cor ocuip cunnup do adubpumiup  
pumiunn. Cin in d'urba, .i. do bet ann, .i. ip inno ocuip do gne in  
innarba, ma egim poipair gan a deniia. Acht ma ecumug, .i.  
ata aet lium cunio inno do ocuip do net hi in inbuir na caemugair  
a denum, .i. ip inno do ocuip do gneha an innarba, ma egim an-  
nui; ocuip do a cuic icuip in diablu.—8.D. Fuillium, .i. in diablu.  
Meat, .i. in cumal. Somaine fuilliuma, .i. in bia do ocuip in  
manchume, .i. in in aithgim.

### Cach cor.

.i. ceipine, .i. do coruib ocuip do cunnupuib. In cunnup do  
niat na meamair, ma ta ceann in d'ara de ag ciaetuin fui, ocuip  
ni denunn aet poegium fuairtuip, ip in d'aele do na retuib do  
gairi.

Mar innarba do gni in plait, ip in d'aele doib co deimio,  
ocuip d'urp na ret o deimio amach d'urp in fuairtuip a dualgair  
innarba, ocuip aithgim a ret peip do cin a toicheo, ocuip dia  
lectuip elo a toicheo, ip aithgim do cuna letgabail d'ubultu.

Meamair poteacuip cora po, ocuip necmuir a ceann do rinnead

<sup>1</sup> *Impugning.* Here in the margin of the MS. are written words which probably  
should be read "poegman inno," (warnings here,) or "poegman inno," (these  
are warnings).

barter and gifts and exchanges. Which is made with, i.e. which is made with those people with whom the law prohibits contracts to be made. Unless it is by order, i.e. unless their chief were commanding them to make them. The 'seds' are forfeited, i.e. the 'seds' of those who have undertaken to make unlawful contracts are forfeited, in right of expulsion at the end of ten days. To the chief of each member, i.e. to the chief of each member who makes bad covenants, i.e. it is to him they are forfeited, and not to the member, i.e. who has made the bad covenants, i.e. by the member who makes the bad contract; restitution of what was absconded with shall be obtained by the member; the five 'seds' and honor-price and the double which the absconding incurs, and the restitution which the expulsion forfeits shall be obtained by the chief. If it be found, i.e. if they are caught. That they are not returned, i.e. out after proclamation, i.e. double after absconding, if they have been absconded with. And with fines for theft, i.e. it is fine for theft that shall lie from ten days out, or immediately after fasting against the man who privily takes away his cattle from the tenants in the absence of their chiefs, i.e. every thing that is taken from the member in the absence of the chiefs is like theft for illegality. Every dispute, i.e. every complaint without expulsion, i.e. we have above treated of the impugning of the contracts of prohibited persons in 'daer'-stock tenancy, besides what we have said already of persons in 'saer'-stock tenancy.—S.D. We have here already treated of the impeaching of persons in 'saer'-stock tenancy, besides the impugning of the contracts of proclaimed persons. Afterwards, i.e. after impugning the contracts, i.e. every disturbing of tenancy afterwards occurring, for it was of the impugning of contracts and covenants we had spoken before. Without returning *the cattle*, i.e. taking place, i.e. it is the same as to make the returning, if force prevented him from making it. Except where such was impossible, i.e. I make a condition that it is the same thing to him as if he had made it (*the returning*) not to have been able to make it, i.e. it is the same to him as if he had made the returning, if it was violence that prevented him; and out of his share the double is paid.—S.D. Interest, i.e. the double. *The fine for failure*, i.e. the 'cumhal.' Profits of interest, i.e. the food and the work, i.e. for the restitution.

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### Every contract.

That is, of tenancy, i.e. of contracts and covenants. In a covenant which the members make, if the chief of one party is for impugning it, but he only warns that he will impugn it, the 'seds' are always mutually returned.

If the chief causes the 'seds' to be returned,\* there is a mutual return to be made of them within ten days, and a forfeiture of the 'seds' after ten days to the man who impugns in right of returning, and restitution of his own 'seds' to him without his suing for them, and if the suing be evaded, there is restitution *due* to him, with double half seizure.

These are members whose contracts are opposed, and it was in

\* Ir. Makes  
returning.

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cunnuaid friu. Cach cunnuaid do maic na meamuir i necmuir na ceann, dia fuairgizthuir fo cetoiri, ir cloecmo oib co dechmuir. Dia fuairgizthuir tar dechmuir, ir oiri in da cunnuaid. Dia troirgetur iumru co dechmuir, ir oiri in da cunnuaid.

Ma iar n-dechmuir troirgetur iumru, ir oiri a cunnuaid fein do ocuf cunnuaid in fir, ocuf diablad ocuf einneclunn.

Cach baile na torraetatur a feoit a laim in duime, ocuf na fuil aice ni iumruib, noch a necin do aic toirtheo do tabuirt ina retuib, ocuf da lectur a elo, ir euc eluid oic ann, ocuf cuic feoit, ocuf einneclunn.

Ma tar faruza na ceann ina freacnurcur, ir tre diablad ; munub faruza ir imclaeemo do na retuib.

Matia foaluid uao fo cetoiri, ma co troirgetur do boio, ir tre diablad fia n-dechmuir, .i. tre diablad iumru iar n-dechmuir cin troirgetur. Ma troirgetur iumru, ir tre diablad ir cuic feoit.

Cach cor.

.i. ma a fiaonuir in cinn, ocuf curub tar faruza, ir oiri do na feoit do berur don meamur ar ceitre huairc fichet, ocuf diablad a ret fein. Ire a troirgetur. Ire a troirgetur a feoit doirum, ocuf oiri na ret aile.

Mat ina ecurur imoio, ir claochmo ret co dechmuir maine fuirgizthuir ; dia fuirgizthuir imoio, ir diablad oib iar n-dechmuir, ocuf ir oiri na ret amuis, ir e a troirgetur, ocuf cuic feoit dia mbe troirgetur. Ire a troirgetur oiri na ret tall, ocuf na feoit amuis iar n-dechmuir, ocuf dia mbe troirgetur, ir ann ata in diablad.

Cach cor.

.i. tecor fo coruib in duime do ni in cunnuaid, ocuf curthuir na feoit uaoa anach, ocuf muna zabtur amuis iad, ir oiri na

the absence of their chiefs *that* contracts were made with them. In every contract which the members make in the absence of the chiefs, if it is impugned at once, there shall be a mutual return within ten days. If it be delayed beyond ten days, the contract on both sides is annulled. If fasting be performed respecting them within ten days, the contract of both sides is forfeited (*null and void*).

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If it be after ten days the fasting is performed respecting them, his own contracts and the contracts of the *other* man are annulled to him, and double and honor-price *are due*.

Whenever his 'seds' have not come into the possession of the person, and he has not got anything to return, he is only obliged to sue for his 'seds,' and if he is evaded, 'eric'-fine for evasion shall be paid for it, and five 'seds' and honor-price.

If it be in violation of the chiefs in their presence, it is thrice double *that is to be paid*; if it be not in violation of the chiefs, the 'seds' shall be mutually returned.

If they were taken away from him at once, if they have been taken with fasting, it (*the penalty*) is thrice double within ten days, i.e. thrice double after ten days without fasting. If with fasting, it is thrice double and five 'seds.'

### Every contract.

If *made* in the presence of the head, and that it be a violation of *right*, the 'seds' which are given to the member of the tribe shall be forfeited to him in twenty-four hours, and double of his (*the member's*) own 'seds.' This is the severity of it. The leniency is that he (*the member*) gets his own 'seds,' and forfeits the other 'seds.'

But if *the contract be made* in his absence, the 'seds' shall be mutually returned within ten days unless it (*the returning*) be delayed; but if it be delayed, there is double *restitution* of them after ten days, and the 'seds' outside shall be forfeited, and there shall be, in the severity of the case, five 'seds' *fine* if fasting has taken place. The leniency of the case is the forfeiture of the 'seds' without, and of the 'seds' within after ten days, and if there has been fasting, it is then that there is double *restitution*.

### Every contract.

That is, the contracts of the man who made the bargain are impugned, and the 'seds' are sent out from him, and if they are not

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բօւտ յար յոճմարձ ծոն ճոն, ա ծաւշար յոթարեւա; ցոյնց թոմ  
ա թօթս Կոթեմ ամուշ, օսար մոնա բաշատ յա, տարատ արած օսար  
շրօրար, օսար մա յո լեւշո՛ ա նեւո՛, իր ցու բօւտ օսար քեւլոմ, օսար  
օրաւեւո՛ բաշ ծօն ի լեւո՛ ա նեւո՛; օսար ին բաշ եւո՛ ծոն  
ճոն, օսար ան աճշոն Կոմուշ ծոն Կալլ.

### Cach տօւլ.

1. Կոմոմար. Ին Կոմոմար աճ մարա բօշոմ ուլ ան, ցո՛ ք  
աճար ին մո, ցո՛ ք աճար նա հոցոն ծո նե ին բօշոմ, ուո  
նարարո՛ ին Կոմոմար ծո շրօր, աճ բոմուլտ նա օրեւ ք յաշար  
բոմալտա նա մոն.

Մարա յոթարեւո՛ ուլ ան; մար ք աճար ին մո ծո ու ին  
յոթարեւա, իմլաօճո՛ թե նա մա ծօ քեւմար, օսար ուլի  
ցարմա նա օրեւ ծո թարմ նա մոն աւո՛ ա յոթարեւո՛, ա ծաւշար  
յոթարեւա, յար յոճմար, օսար աճշոն նա օրեւ Կոմոմ քն լեւոն  
եւո՛; օսար ծա լեւար եւո՛, աճշոն ք բաշ եւո՛.

Մար քաճար նա հոցոն ծո ու ին յոթարեւո՛, իմլաօճո՛ թե  
նա մա ծօ քեւմուշ, օսար ուլի նա օրեւ ք քեւմուշ ամաշ, ա  
ծաւշար յոթարեւա, օսար աճշոն նա հոցոն Կոմոմ քն լեւոն  
եւո՛; օսար ծա լեւար եւո՛, աճշոն նա հոցոն ք լեւարեւ յոթարեւա  
նա օրեւ.

Մարա նեւար ա ծա նաճար ծո յոնարձ ա ար, մար քաճար նա  
հոցոն լե քի, օսար ու ծոնո՛ աճ բօշոմ, իմլաօճոմո՛ թե  
նա մա ծօն ծո շրօր, օսար բոմուլտ նա մոն ա յաշար բոմալտա  
նա օրեւ.

Մար յոթարեւա ծո յոնն քաճար նա հոցոն, իմլաօճոմո՛ ծօ  
ք քեւմար, օսար բոմուլտ նա մոն անաշար բոմալտա նա օրեւ.

*Sic.*

Մար յոթարեւա ծո յոնն քաճար նա հոցոն, իմլաօճոմո՛ ծօ  
քեւմուշ, օսար բոմուլտ նա մոն անաշար բոմալտա նա օրեւ, օսար  
ուլի նա թե ծո քաճար նա հոցոն ա ծաւշար յոթարեւա ք քեւմուշ  
ամաշ, օսար աւր ա իցոն քն լեւո; օսար ծա լեւար եւո՛ ա  
լեւարեւա, իր աւր ա իցոն ծո, օսար ցարմար նա օրեւ ք լեւո,  
ար յոն յոթարեւա.

<sup>1</sup> *Member.* In the corresponding passage in C. 1110 the reading is 'Կոմար,'  
(the defaulter).

accepted of outside, they are forfeited after ten days to the chief, in right of returning ; he seeks his own 'seds' outside, and if he does not get them, let him serve notice and perform fasting, and if they were allowed to escape, there shall be five 'seds' and honor-price, and double debt *paid* for allowing them to escape ; the fine for evasion is *paid* to the chief, and the original restitution to the member' of the tribe..

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### Every unlawful act.

That is, of social connexion. If in the connexion there be any warning, whether the warning be made by the father of the son or the father of the girl, the connexion shall not be made binding, but the use of the marriage present is *counterbalanced* by the use of the woman.

If it be a case of returning ; if it was the father of the son that has made the returning, the 'seds' only shall be mutually returned for ten days, and an equivalent of the marriage present of the 'seds' of the woman is forfeited at the returning of her, in right of returning, after ten days, and exact restitution of the marriage present when no evasion took place ; but if evasion took place, restitution is *to be made* with a fine for evasion.

If it be the father of the girl that makes the returning, there shall be only a mutual return of the 'seds' within ten days, and a forfeiture of the marriage present from ten days forth, in right of returning, and restitution of the girl herself when without evasion ; but if evasion took place, there shall be restitution of the daughter and the double half seizure of the marriage present.

If they made their contract in the absence of their two fathers, if it be the father of the girl that impugns it, and he only gives notice, there shall always be a mutual return of the 'seds' only, and the use of the woman is *put* against the use of the marriage present.

If the father of the girl makes returning, there shall be a mutual returning until ten days *have elapsed*, and the use of the woman is *put* against the use of the marriage present.

If the father of the girl makes returning, there shall be a mutual return till ten days *have elapsed*, and the use of the woman is *put* against the use of the marriage present, and *there is* forfeiture of the 'seds' to the father of the girl from ten days forth, in right of returning, and the restoring of his daughter to him when without suing ; and if evasion of his suing has taken place, his daughter shall be restored to him, and an equivalent of the marriage present along with her, by way of double *restitution*.

'CAIN  
AIGILLNE,'  
OR LAW OF  
'DAER'-  
STOCK  
TENURE.

Mar e athuir in mic do rigne in foegem, imclaoctos oib do  
Sner for, ocuf fognum na nina a nagaio fomelta na coibce.

Mar inoarbha do rigne athuir in mic, imclaocto doib (no doib  
beor) co dectum, ocuf cutrumur na coibce do fetuib ruioilri  
na nina do uilriugad do athuir in mic a dualgur inoarbha, ocuf  
aithgin na coibce do cin toicheo, ocuf da lectur elo a toicheo,  
ir aithgin do cu na letgabail dubulta.

Ma do rala altrum eturrao, ir a beo for in ti ic a narta.

Cach ionucul fo ceptur for na urguruib ra.

.1. fuilliuma, no do cumainib, ocuf daiceuib, ocuf sur-  
gair. Na feoit fuilliuma, aet ma foegium uill ann, fecib  
ceann do ne in foegium, ir neamparad in fuillium do Sner,  
ocuf imclaocto do na fetuib ocuf don fuillium, in tan  
damuir oligeo iumru.

Cach fuairnuo iarmoeta rin.

.1. cach fuairnuo celrine iarum ar a haete rin, uair fuair-  
O'D. 1092. nuo cuir ocuf cunnurtha [aoubhamar] nomumh.

O'D. 1092. [Ma foegem o flait ocuf aithiu o fine, ir plan don flait,  
ocuf diabla o fine.

Ma foegem o fine ocuf aithiu o flait, plan do fine, ocuf  
diabla o flait; no dono ir aithgin o fine, ocuf in lethgabail  
diabulta on flait.

Ma foegem o flait ocuf o fine, ir let aithgin for ceactur de.

Ma foegium o flait ocuf innurba o fine, ir plan don fine,  
ocuf aithgin o flait.



If it be the father of the man that has given the warning, there shall also be always a mutual return made by them, and the service of the woman *is counterbalanced* by the use of the marriage present.

‘CAIN  
AIGHLINE,  
OR LAW OF  
‘DAER’-  
STOCK  
TENURE.  
—

If the father of the man made returning, a mutual return shall be made by them within ten days, and the equivalent of the marriage present in the ‘seds’ belonging to the woman shall become forfeited to the father of the man in right of returning, and the restitution of the marriage present shall be given to him when no suing is in question, but if his suit is evaded, he shall have restitution and double half seizure.

If fosterage has happened between them, it is to be on the person who is for making it (*the marriage*) binding.

Every bargain which is made with these prohibited people.

That is, of interest, or of barter, of gifts, and of exchange. As to the ‘seds’ of interest, if there be a *prohibiting* notice, whatever chief serves the notice, he shall render the interest not binding, and the ‘seds’ and the interest are to be mutually returned, when law is submitted to respecting them.

Every dispute afterwards.

That is, every impugning of tenancy that shall occur afterwards, for we have treated of the impugning of bargain and contract before.

If *there be* warning by the chief and acknowledgment by the tribe, the chief is quit, and the tribe shall pay double.

If *there be* warning by the tribe and acknowledgment by the chief, the tribe is quit, and the chief shall pay double ; or else it is restitution *that is due* of the tribe, and the double half seizure of the chief.

If *there be* warning by the chief and the tribe, half restitution is due of both.

If *there be* warning by the chief and returning by the tribe, the tribe is quit, and restitution is due of the chief.

'CAIN  
ARGILLNE,'  
OR LAW OF  
'DAER'-  
STOCK  
TENURE.

Ma foegium o fine ocur innarba o flait, ir flan don flait, ocur aithgin o fine; ocur cach baili meburctmar flainti ar innarba, ir la taeb dildirgi na ret.

Mat innarba o flait ocur aithgiu o fine, ir dildir na reoit don flait, ocur diablud on fine.

Mat innarba o fine ocur aithgiu o flait, ir dildir na reoit do fine, ocur diablud o flait.

Mat innarba uaduib anoir, ir dildir na ret doib iar ndechmuir.

Mat aithgiu uaduib anoir, ir diablud uaduib, ocur ir fo curruima icait eturru; no dono ir da aithgin o fine, ocur rann in diabalta eturru.

Ma no fuaiturthei riu mbair ica bir, ir ann ata in flit ro, ocur no fuaiturthei riu re mfuichidā cori olcena.

Mana fuaitret co hmbair ica bir, ir artao celrime iar ruide.

O'D. 285. Mat foegem [no aithgi] o flait ocur o fine, ir diablud.

Ma foegium uaduib anoir, ir aithgin.

Mat innarba uaduib anoir, ir dildir doib iar ndechmuir, ocur ir riu mbiaitā na flaita doegurthei.]

Foegium cin innarba aithgi aithgin, ar ni diupurā nach tironucal adaimtur; di collnab ret naitghina, ar ataim nat innarban; ni innarban nat apunn; con aithcur ocur innarba ocur dighbail, co comruic indilri for reotu, co dicunhuing.

Foegium, .i. do denam doib, .i. ciō innarba ber ann, nocha biao ni doib rin don flait, .i. tarpuircur aithgin o fine foegme do gner, ocur ni fuil faratā. Ar ni diupurā, .i. ar no diubaritcur in ci aithnighcur no tironucal ratha, gin aithgin collna ratha do, ocur deymibneēt ar:—

Garut a nemer farur,  
Cin co be oir a mrim,  
C collna na bi co bhar,  
Noa ni anan amablar.

<sup>1</sup> Care. There is, after the "r" of the word thus translated, in the MS. a mark which looks somewhat like an "i"; the whole verse, which appears to be an interpolation by a later hand, is very difficult to decipher, and the translation given is only conjectural.

If *there be* warning by the tribe and returning by the chief, the chief is quit, and restitution is due of the tribe ; and wherever we have ascribed 'acquittal to returning,' it means together with forfeiture of the 'seds.'

'CAIN  
AIGILLNE,'  
OR LAW OF  
'DAER'-  
STOCK  
TENURE.

If *there be* returning by the chief and acknowledgment by the tribe, there is a forfeiture of the 'seds' to the chief, and double due of the tribe.

If *there be* returning by the tribe and acknowledgment by the chief, the 'seds' are forfeited to the tribe, and double is due of the chief.

If returning *has been made* by both, the 'seds' shall be forfeited to them after ten days.

If *there be* acknowledgment from both, double is due of them *both*, and they pay equally between them ; or else it is two restitutions that are due of the tribe, and the double is divided between them.

If the impugning took place before the period of rendering the food, it is then this case holds good, and the impugning took place before the period of annulling contracts generally.

If the impugning did not take place till the period of rendering the food, the tenancy is binding afterwards.

If *there be* warning or acknowledgment by the chief and by the tribe, it is double *that is due*.

If *there be* warning by them both, it is a case of restitution.

If *there be* returning by them both, they incur forfeiture after ten days, and *this* is done before the rendering of the food to the chief.

Warning without returning incurs restitution, for no one should be defrauded of that which it was acknowledged he had given ; *he should receive* restitution of the original 'seds,' for he acknowledges who does not return ; he returns not without warning ; by returning and removing and driving off, he secures forfeiture of the 'seds,' *or* by not being able *to do so*.

Warning, i.e. to give *warning* to them, i.e. if there be returning, none of these things are *due* to the chief, i.e. restitution is always obtained from the man who warns, and there is no binding of *his contract*. For *none* should be defrauded, i.e. for the person shall not be defrauded who is acknowledged to have given the stock, but restitution of the original stock should be given him, as this verse exemplifies:—

Short is the time—in good truth—  
Though thereof thou hast no care,<sup>1</sup>  
Return him his stock at once,  
As no defrauding is allowed.

‘CAIN AIGILLNE,’ muna deimna, .i. na deimna a urroga. Ili innarban na aruinn  
 OR LAW OF .i. noch a cuimseó an innarbad iartain muna tuca apad .i. poceoir, .i. ní  
 ‘DAER’- roich innarbad na fet a dligeó, maní aigoba ne na tabuirt don éele  
 STOCK TENURE. .i. do tair in cele. Co nathcuir, [.i. na feoit amad  
 poceoir.] Innarba, .i. iartain. Dingbail, .i. bu coir don fir amuig,  
 O'D. 1093. .i. na feoit do deimna in cele. Co comruc inoilirí for feotu, .i.  
 coimreó, ocu cactaó, .i. comaract an oilirí for na fetuib o do dentur  
 rin, .i. inu athcuinge. Co dícunuinis, .i. maine caem a innarbad,  
 .i. munab e turbad deimna a innarbad, .i. cin turbad do beó do ar  
 nead oib, uair dia roib, raerpuir e, .i. in fir dia tabuirtar, no in  
 aige fine, .i. é na caemucair a ntabail, inuio do ocu do né, no in  
 tan geber poegeam ginn innarbad do, .i. noch a necin do aige doic.

Ma innarba o flait ocu o fine, ir oilirí na feoit doib iar  
 ndeacmuir, ocu a rairin eturmuir ar do.

Ma poegium uadib anoir, ir aigein, ocu a ic doib po cuirumur.

Ma aicteugad uaduib anoir, ir diablad co deimna, ocu a ic  
 uaduib anoir po cuiruma, ocu artao celrine iar ndeimna.

*Sic.*

Ma aicteug on daria nae ocu poegium o raire, ir diablad o  
 fir na haiticir co deimna, ocu farat celrine iar ndeimna,  
 ocu rlan dír na poegim; no teora .iiii. for fir naiticir, ocu  
 .iiii. for fir poegime.

Ma innarbad on daria nae ocu poegium no aicir o araire,  
 ir oilirí na feoit don fir do gni innarbad aenur iar ndeach-  
 muir, ocu ní harcuigter celrine forruiruga, ocu ir cele fein  
 icu in aigein, no in diablad ir berur runn, diamibe oga.

Ir e coir dennia na hinnarbuir, na feoit do athcuir amach  
 cach lae co ceann deaimnae, no cumad ir in cet lo ocu ir in  
 lo degnuch, co teach in duine for a ndentur in tinnarbad,  
 ocu a tabuirt lair caé naitóe da éig buóin.

Maiead do mize a raire amuig irin cet lo don deimna,  
 aet maiead a dubuirt in raire amuig co na gebed iat co ndligeó  
 no cin dligeó, aet ma tairtuir amuig, ir a leat a leir in fir  
 amuig cin ní sic fir, ocu aiguc uad na fet ruc.

For he acknowledges who does not return, i.e. it is the same to him as to be in acknowledgment of the contract, unless he has made *returning*. He returns not without warning, i.e. unless he has given warning at once, as he ought to do, he cannot return the 'seds' afterwards, i.e. he cannot return the 'seds' according to law, if he has not warned before giving it to the tenant, that he may know it, i.e. to the land of the tenant. By returning, i.e. the 'seds' out at once. Removing, i.e. to the chief afterwards. Driving off, i.e. it is right for the man outside, i.e. to drive the 'seds' off the land of the tenant. He secures forfeiture of the seds, i.e. guarding, impounding, i.e. it secures the forfeiture of the seds when he has acted so, i.e. as to the petition. By not being able, i.e. unless he is able to return them, i.e. unless it be during a period of exemption the returning is made, i.e. he not having exemption as to any of them, for if he had, it would free him, i.e. the man to whom they are given, or the head of the family, i.e. when he cannot take them, it is the same to him as if he had, or when warning has the same effect as returning for him, i.e. he is not compelled to pay restitution.

'CAIN  
AIGILLNE,'  
OR LAW OF  
'DAER'-  
STOCK  
TENURE.

If the return of the 'seds' is made by the chief and by the tribe, the 'seds' are forfeited to them after ten days, and divided between them into two parts.

If warning has been given by them both, it is a case of restitution, and to be paid by them equally.

If acknowledgment has been made by them both, there is double to be paid within ten days, and to be paid by them both equally, and there is binding of the tenancy after ten days.

If there be acknowledgment by the one and warning by the other, there is double from the man who makes the acknowledgment within ten days, and binding of the tenancy after ten days, and the person who warns is quit; or three-fourths are upon the man who acknowledges, and one-fourth upon the man who warns.

If there be returning by the one and warning or acknowledgment by the other, the 'seds' are forfeited to the man alone who made the returning after ten days, and the tenancy is not fastened upon him, and it is the tenant himself that shall pay the restitution, or it is the double which is given, if he has it.

The proper mode of making the returning is, to send out the 'seds' every day to the end of ten days, or on the first day and the last day, to the house of the person to whom the returning is made, and to bring them back every night to his own house.

If what he did was to leave them outside on the first day of the ten days, and if what the man outside said was that he would not take them with law or without law, and if they perished outside, they are to be put to the charge of the man outside without paying him anything, and he is to restore the 'seds' which he got.

'CAIN  
AIGHILNE,'  
OR LAW OF  
'DAEK'-  
STOCK  
TENURE.

Ma mairit na feoit aice iar nbeimuid, i' imclaoémoð do na  
fetuib, no dono cumao a noidir ðeip na hinnaibéa, uair na  
dam fann ðligeð.

Ma feao a dubuip co ngebed iat muir a ðeip ðligeð, ocup muir  
gab fip athcuip ðin a hinnaibéa, aét ma terta na feoit, ni fuil  
i leaó i leé in fip amuis, aét munai do a ðualsur aétne; ocup  
ni fuil aipuc na fet ata na laim uaoa co tuctuip feoit tar a neip,  
aét aipuc na fet ata na laim uao, ocup feoit eile ðorpu tar  
a neip.

Ma mairit i' a leaó a leé in fip muis; ocup cia ma  
aé ðeip innaibéa a noidir do, ni fuil, uair na gab ðligeð, ocup  
aipuc on fip amuis na feoit ata ina laim.

Nocha noleguip ðeip innaibéa na fet innaibéa do legen  
amuga, cin co foemthuip uaoa iat.

Ia huile aétne uile no haitnigeð do ðuine, cio da ðeoin cio  
da aimðeoin no faebaó aice, munuip cuip uaoa iat tar cuich i  
fiaonuiip fip bunuis, i' a nic do maia leip in feapunn aipuc  
faebaó iat; munub leip muipuo, aét munuip gab do laim i  
coimeð, i' plan do cio muia ðigrip na feoit; ocup maio gab  
do laim a coimeð, cin cub leip in feapunn aipuc faebaó iat, i' a  
nic do ma do cuaoip amua.

O'D. 1093. [Ma na uirfaemtar naðingðaiter fupin fupth cori  
rin co ninðarba, ic ðilri collnaib ocup aithginuib,  
ocup fuilliuð, ocup fuillein ocup in ar.

Ma na, .i. muna uirfaemtar, .i. on plaith, na feoit uao o fip inðarba,  
.i. muna ðingðaiter uao iat, .i. on ceile iup in fip aétor rin, .i. iupin  
fipathchor rin, uair da raib, faepuao a tuipua he, .i. tuipua do  
bith ar neachtar ðib. Co ninðarba, .i. do beith ar na fetuib. Ic  
ðilri, .i. i' ðilep colant na fet buéin a ðualsur inðarba i ninduo  
maipuo, ocup aithgin eile tar a eip in tan na maipet; in uair no fuid  
don ci acap faebaó iat, a nic a ðualsur aithne. Fuilliuð, .i. in ðiablað.  
Fuillein, .i. in eneclainn, .i. in cumal. In ar, .i. na colant, .i. in oipuar  
na fet.

<sup>1</sup> Increase. The corresponding passage in O'D. 286, is not glossed.

If the 'seds' live with him after ten days, the 'seds' are to be returned, or they are forfeited to the person who returns, as the other did not submit to the law.

'CAIN  
AIGHILNE,  
OR LAW OF  
STOCK  
TENURE.

If what he said was that he would receive them as the law should direct, and that the person who returns did not stay without returning them, and if the 'seds' perished, they are not to be put to the charge of the man outside, unless they reached him by proper delivery; and the 'seds' which are in his hands are not to be restored by him until other 'seds' are given him in their stead, but he restores the 'seds' that are in his hands, and other 'seds' shall be given him in lieu of them.

If they are living they are put to the charge of the man outside; and though the person who returns should wish them to escheat to him, they shall not, because he did not submit to the law, and the man outside shall restore the 'seds' that are in his hands.

The person who returns is bound not to let the seds which are to be returned go astray, though the receiving of them from him is not consented to.

As to all things that are given in charge to a man, whether they were left him with his consent or without it, unless he has sent them away from him across the boundary in the presence of the owner, he must pay for them if he owns the land on which they were left; but if he does not, and if he did not undertake to keep them, he is quit, even though the 'seds' have gone astray; and if he has undertaken to keep them, although the land is not his on which they were left, he must pay for them if they went astray.

If consent is not obtained *from him* that by this sending out the return is made, the original 'seds' are forfeited with restitution, and addition, and interest, and the increase.<sup>1</sup>

If *consent* is not *obtained*, i.e. if true consent is not obtained, i.e. from the chief, that the 'seds' may be truly returned by him, i.e. if they are not secured to him, i.e. by the tenant with this true return, i.e. with this true return; for if there were, his exemption will free him, i.e. if there be exemption on either of them. Return, i.e. to be made of the 'seds.' Are forfeited, i.e. the original 'seds' themselves are forfeited in right of returning, when they are living, and another restitution in lieu of them when they are not living; when they have been *legally* delivered to the person with whom they were left, he is to pay for them in right of delivery. Addition, i.e. the double. Interest, i.e. the honor-price, i.e. the 'cumhal.' The increase, i.e. of the bodies, i.e. the increase of the 'seds.'

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X





No unlawful putting in *of stock* is fastened on the tribe ; let it be referred to the court. What is sent into the tribe by bad contracts is forfeited, 'indallat'. forfeiture takes place when not witnessed by the proper heads, when their guardians were not attending to tell them of their welfare, according to strict justice.

'CAIN  
AIGILLNE,'  
OR LAW OF  
'DAER'-  
STOCK  
TENURE.

Is not fastened, i.e. the thing which is returned to the tribe unlawfully cannot be fastened upon them. Is forfeited, i.e. what is returned into the tribe by bad contracts of tenancy is forfeited; if it be put in *unlawfully* let it be driven out, i.e. back. 'Indallat'-forfeiture *takes place*, i.e. it is forfeited by right of returning. Proper heads, i.e. unless their chiefs are present, as is proper, i.e. unless they have made the contracts in presence of the proper heads. Their guardians, i.e. the sensible adults who witness their liabilities, i.e. if the sensible adults were awaiting them to acknowledge their receipt of the stock. Of their welfare, i.e. unless their contracts were made for their welfare at that time, according to justice, in a proper manner, or as it is right according to justice, i.e. these are they who declare their welfare according to justice, in a proper manner.

If the chief has a tenant who is good, of original possessions and of original family in 'saer'-stock tenure, this chief removes the *other* chiefs; if the chief gives warning before witnesses, if he does not return but only warn, it incurs double restitution.

If the chief has a tenant, i.e. if the chief has a tenant who is good, or eligible for him to have, a tenant who has original possessions. Original family, i.e. who is of his family originally. In 'saer'-stock tenure, i.e. it is then he is free to return the stock. This chief *removes*, i.e. it is this chief who expels the other chiefs' off him. If the chief gives warning, i.e. if the chief warns by proper notice that opposition will be made, when the tenant is receiving stock from another chief. Before witnesses, i.e. in the presence of witnesses. If he does not return, i.e. if the chief does not expel (*return the cattle*), if he only warns that he will oppose, it is then that restitution lies. It incurs double restitution, i.e. it is restitution, with its double, that is paid for it by the tribe.

When there is warning from the chief and from the tribe, it is restitution of the 'seds' that shall be *due* from them both to the time of the victualling.

If there be acknowledgment from them both, there is double of the 'seds' *due* at the time of the victualling.

If justice is done with respect to their second security, the second security shall be charged\* on the lands of both.

\* Ir. Go.

'CAIN  
AIGILLNE,'  
OR LAW OF  
'DAER'-  
STOCK  
TENURE.

Μαθ ινδαριβας υαδαιβ διβλιμαιβ, οκυρ πο ραμαγξτι ρορην αρ  
ecm na peoit, ιτ διλρι διοιβ ιαρ ηδεμυιτο muna fuil ecumiac na  
μιαρυ, πο τυρβατο ζαλυιρ ρορ ρορζιαλνα. Δεμυιτο αρ α ηαιελε  
ρην ιρ ινδι α νοιλυι.

Ροεγεμ οη δαλα ηαε οκυρ αιτιτιυ ο λαυι, διαβλαδ να ρετ οη τι  
αδαμ co haimyir in biata. Δια tince α διαθαδ, οκυρ ηι cepte do  
O'D. 1095. ζην, ιρ ηα [cuir] aenuir tet, οκυρ ιρ ρλαν do ρη ροεγεμ.

Μαθ ινδαριβα οη δαλα ηαο οκυρ ροεγιυμ ο ραλε, πο αιτιτιυ,  
O'D. 1095. ιτ διλρι do neoch do ζην ινναρβυ; ια αιτηζην [ρειρ] ροειζμε.

### 1ρ διαβυλ ηαιτηζινα αδα κυρπηυρ.

1ρ διαβυλ ηαιτηζινα αδα κυρπηυρ, .ι. ιρ αιτηζην μαθα  
κυρπηυρ cuna διαβλαδ οη ριηε; οκυρ αιτιτυο υιλ ααδ ανη, πο ιρ  
αιεζην cuna διαβλαδ ριρμα δια ραδυιτ ιη ριηε ιηα πο αιτιτιυ ο θα ιη ρε  
ηερα τιερμιτιρ ρο coρuib πο cunnuyrchiuib co τι αμρην biata. Οκυρ  
ιρ ραρτωξτε celρiue ο τιερρ αμρην biata.

O'D. 1095. [Μαθ ροδμα ριηε ηα ριρτηρoγνηαιθερ, αρ ιρ ι cuir  
ριηε τειτ ηι ηαδ ηαταηη ρλαιη, ρολταιβ do ρλαιηιβ ιλιβ  
echepanduib. Ματ ροδματ ρλαιηι nach αιε, ιρ ηα  
τοιρρηε τιαζατ. Μανι ατμα ρλαιη ηα ριηε ηαδ ινναρ-  
bann, ιρ αιτηζην ιηδ αδρειαρ ρειδ ρο ηερταρ. Να βι  
ροερα λα ροιρερην, co ηαηευρ ρια ριαθηαιβ ρολλυρ.

Μαθ ροδμα ριηε, .ι. μαθα ραβατ ιη ριηε ιηα πο αιτιτιυ ριρ ιη ρο  
αρ α ροicheann διαβλαδ ορρα, .ι. muna εανιε αμρην α ριρ ρογηαμα, ιρ  
αυο ατα ιη διαβλαδ. Ερ ιρ ι cuir, .ι. αρ ιρ ι ιη ριηε ιεκυρ ιη ευιτ ρο  
ροιχ ορρη ριρ ηα ρλαιιβ ιλαρταιβ ιρ εαετμραιν doιβ, ιη ταη ηα βι  
ιη ρλαιη tue θεαξρολαι doιβ αρ τυρ ιηα αιτιτιυ. Ματ ροδματ, .ι.  
μαθια ραβατ ηα cet ρλαιηε α ηαιτιτιυ ηα ρλαιε ηδερθεναε. 1ρ ηα

<sup>1</sup> *Made binding.* If the contract is not impugned, and the stock returned before  
the rent has become due, the tenancy is confirmed.

If the returning is made by both, and the seals were fastened upon them by force, they are forfeited to them after ten days, unless there be an incapacity of service, or exemption on account of disease upon *the chief who got the second securities*. Ten days after the removal of which, they become forfeited.

'CAIN  
AIGILLNE,  
OR LAW OF  
'DAER'-  
STOCK  
TENURE.

When warning from the one and acknowledgment from the other occur, double the '*seals*' are due from the person who acknowledged up to the time of the victualling. If he (*the latter*) tenders the food, but does not do justice, he alone is chargeable, and the person who warned is quit.

If there be returning by the one and warning by the other, or acknowledgment, they (*the 'seals'*) are forfeited to the man who makes the returning; the person who warned shall make restitution.

### It incurs double restitution.

It incurs double restitution, i.e. it is restitution with its double that is charged on the tribe; and they are *considered as* in acknowledgment here, or restitution with its double is incurred if the tribe were in complete recognition from the period when they might oppose contracts or covenants until the time of rendering the food-tribute. And when the time of paying the food-rent has arrived the tenancy is made binding.<sup>1</sup>

*It incurs double restitution* if the tribe acknowledge the receipt of the stock, for whatever property the tribe receive from external chiefs, and of which *their own* chief is not cognizant, is put to the charge of the tribe. If their chiefs have acknowledged the others, it is to their charge it goes. If neither the chief nor the tribe have acknowledged or returned it, restitution is *to be made* according as it was received *in this case*. No warning *was given* by eye-witnesses, nor returning *made* before proper witnesses.

If the tribe acknowledge, i.e. if the tribe were in acknowledgment during the time in which double comes on them, i.e. unless the time of their service has arrived, it is then the double lies. Is put to the charge *of the tribe*, i.e. for it is the tribe that shall pay the amount that shall come upon them to the various chieftains who are strangers to them, when the chief who had given them goodly wealth, (*i.e. stock*), originally, is not in acknowledgment of such. If *their chiefs* have acknowledged, i.e. if their first chieftains were in acknowledgment of the last chieftains. It is to their charge, i.e. it is to their account if



goes, i.e. to one-third. If neither *the chief nor the tribe* have acknowledged, i.e. unless the chief or the tribe were in acknowledgment of it. Nor returned, i.e. unless they sent back the 'seds' which had been given as stock. Restitution is *to be made*, i.e. restitution<sup>1</sup> is to be made in property as good as had been given, and both equally have warning. No warning, i.e. unless there had been warning given by them respecting the returning before one that was looking on. Returning, i.e. with returning plainly in the presence of witnesses as to the returning.

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### If the tribe acknowledge.

That is, if the tribe was in perfect acknowledgment of it (*the stock*) during the time in which double would come upon them, i.e. unless the time for rendering the food has arrived, and if it has, they cannot oppose it, but they can until then; and they are free from *finer* for the space of a month, but so as they give restitution of his stock to the chief when they are in acknowledgment; but they shall render restitution with its double from that forth, should they be in acknowledgment till the time of rendering the food.

### Restitution as it was received.

That is, restitution is always paid by the person who warns, in as good state as it was given him; and warning *only* is in question.

If there be warning *given* by *both* the chief and the tribe, there is restitution only.

If there be warning by either of them, there is double only for the stock *to be paid*.

If there be returning by either of them, there is restitution only. If there be returning by them both, there is forfeiture to both after ten days.

If there be returning it is right to go to prove it with the property, so as it was not by any intentional trick the notice was given, it shall be forfeited in ten days, if there be no incapacity or exemption, unless the chief being wealthy has cleared the 'seds' which he had unlawfully given.

If there be returning, i.e. if what was sent away exists, it is right to go to prove it, with the property which had been given to the tenant outside, and which is to be returned again. Intentional trick, i.e. that it be not at the voluntary word of another that they give the notice, or made the returning by passing through such processes, but for the sake of benefiting themselves. It shall be

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dechmaroe na feoit innaib. Achit ma, .i. ata aét lium ann in  
inbair na caemnacair neé a innaib, ir mann do ocuf do neé he.  
No turbaide, .i. do bié ar in muir cetna. Muna foroghlana,  
.i. muna firglana in plait deé rogaltáe cuici amach na feotu eirnear  
anunn cu hinoligteé, bair a nollir do luét tall, a duallgur innaib,  
o bair innaib oirio.]

### Tolairch ainreb obair.

.1. munub ar obloiréet do ne in innaib .i. nochan ar fuach  
tolunuch do neium in obloiréet rin ir na fir réib rin, achit  
do díchur na ret, no nochan suac toile do rat re apud aét  
do dicur na ret, .i. nochan ar foccul tolunuch nech eile do  
neium in urfoghlana rin, no innaib tne forubal ir na fir  
réib, aét ar daisin maithiura iuu buóein.

### Muna forglana plait poluib na feota inoligthe- cha eirniur.

.1. muna firglana in plait deé poltuch amach na feotuó no  
eriuó amach (no amuich) co hinoligteé, bair a nollir don luét  
amuig (no tall) a duallgur innaibcha, o bair innaib oirio,  
.i. artao for cele, ocuf a fognum oib. Ocuf it lair a feoit  
inollir cin innaib on plait, .i. in plait do rat in poluib.

O'D. 1096. [Atait féet mbeorcará do plaitib ocuf a naicill-  
nib unir fuarlaise dligio do coraib; imreair do  
imroga co nairiutu ocuf loguó, cen anfolta nechtar  
dalina. Adgeinichir feoit fairne inepenaiter, achit  
ni ina teilge logaó nairuten, ocuf ar dithoi forcarao  
romuini, copo rcarat cen imdiubairt, co romaine  
neich no fallaisger.

Atait féet, .i. atait féet mbicaréti, féet rcaréto do na bñb, no  
féet mbeo rcaréti, féet rcaréti eturétu ina mbetharo itir na plaitib

<sup>1</sup> *Intentional trick.* The MS. appears to be defective here.

<sup>2</sup> *Within.* The words in parentheses in the Irish are aliter readings in the MS., i.e., over the letter 'a' in the word 'amach,' (outward), the letters 'ui' are written, intimating that the word should perhaps be 'amuich,' (outside); and over the word 'amuig,' (outside), the words 'no tall,' (on the other side), are written.

forfeited, i.e. the returned 'seds' shall become forfeited after the expiration of ten days. If there be *no incapacity*, i.e. I make an exception in the case when one is not able to effect the returning, it (*the wish*) is the same to him, as if he had done it. Or exemption, i.e. existing at the time in the same way. Unless he has cleared *the 'seds'*, i.e. unless the qualified chief has cleared *and carried* to himself the 'seds' which he had given out *on interest* illegally, they shall be forfeited to the people within, in right of returning, when the returning has taken place.

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### Intentional trick<sup>1</sup>.

That is, unless returning has been done by deceit, i.e. that it be not at the designing word of *another* they practice this deceit in these processes, but to send out the 'seds,' or that it was not at the designing word of *another* that they gave notice, but to dismiss the 'seds,' i.e. that it was not at the designing word of another person that they gave this notice, or effected the returning by passing through these processes, but for the sake of benefiting themselves.

Unless the chief being wealthy has cleared the 'seds' he has unlawfully given, &c.

That is, unless the wealthy chief clears out the 'seds' which he had given out unlawfully, they shall become forfeited to the people within by right of returning, when they had been returned, i.e. the tenants shall be bound to *their bargains*, and shall render service. And unless the chief has made returning, i.e. the chief who gave the property, *the other* shall have the unlawful 'seds' back.

There are seven separations in their lifetime between the chiefs and their tenants which dissolve the law of their engagements: a separation from choice with accepting and remitting, without any disqualification on either side. The 'seds' are produced as they were given, except what the price of accepting takes away, and the overplus of profits subtracts, so that they separate without fraud, and return is *made* of that which had been neglected.

There are seven *separations*, i.e. there are seven life separations, seven separations by the living, or seven living separations, seven separations in their lifetime between the chiefs and the people who have by choice come into a state

**'CAIN** ocur in luét leym uca tosaíthe ceilgime doib, .i. a ceile. Unir puar-  
**AIGILLE,** laice, .i. ip eim uatuaílaicte caé olise ro bai bai etuicéa por copuab  
**OR LAW OF** cur oíapra, don plait on ceile ocur don éile on plait. Imreaprao,  
**'DAER'-** .i. imreap ip eim tosaíthe leo apaeen do niat, .i. tosa la cechtur de  
**STOCK** in timreaprao. Co nairitru, .i. ac in ceile .i. on to laith. Loguio,  
**TENURE.** .i. acon plait, .i. on cheile. Cen anpóla, .i. cen oíochpóla ac  
 nechtaí de inoannat rin. Ceisimichir, .i. aca seim na seoit pon  
 rae no hepneio iat ipu rath. Achit nī ima teilege, .i. aét an  
 eimteilege luíú a aiputígeí don plait ar a deom. Ar oibdaí,  
 .i. uap oibdaíer ar in plait in imreaprao romaine, biata, ocur  
 manúme tuc in ceile. Co ro pcarat, .i. cura eceppcarat cen  
 emuibairt neie oib aca éile. Somaine, .i. biat na bliatna a  
 neceppcarat.]

Fuil peét mbeorpartha ip bús bpar,  
 Iar plunnioo punn a peanár,  
 Leu noílaasit luibuir líb,  
 O plathuib dia naeiluib.  
 Ucu comatuir ceatcur de,  
 Tatcur ocur timsaíre,  
 Anpóluir éana ro leé,  
 Peé noípoeluro comatíge;  
 Compreera nan polat naró,  
 On éile ru plait poraprao;  
 Ru oan upélan, plunnreer re,  
 Aca noíumunio anio oabre.  
 Tuét nat coire no clop  
 Ru porceann plata ip pollur,  
 Peé a peéta—pega in ppoeth,—  
 Rueth a poeluib pteó.

Imreapra imtoza ro itru plait ocur a ceile, ocur aétgin a rathia  
 ocur a pet tuicelurde don plait ann, ocur aétgin bió na bliatna  
 i noenuit imreapra, ocur comatruasat itru a comloigéib, no itru in  
 rath tar aipreoiú ocur in upainoiú, ocur eiobé oib aza mbe in  
 imreaprao iat re cele; ocur nia maipit a rath in tan do niat  
 imreapra, ip aipue do amuil maipuir, cio deoluis é, uap cia  
 doipnoíde aer ocur pozuu.

Muna maipunn itru, ip a aipue pon pcarat tuat é ipu  
 rath, cio be auiú. Znath no mznath, puuipru é eimmoa zalu

<sup>1</sup> *Death.* The reading in O'D., 1097, is "aíreo," which is the more usual  
 spelling of the word translated "death."



of tenancy to them, i.e. their tenants. Which dissolve, i.e. it is quickly they 'CAIN  
dissolve every lien which was between them respecting contracts hitherto, for the AIGILLNE,'  
chief from the tenant and for the tenant from the chief. A separation from OR LAW OF  
choice, i.e. they make separation by mutual agreement,\* i.e. both of them make the 'DAER'-  
separation from choice. With accepting, i.e. by the tenant, i.e. from the STOCK  
chief. And remitting, i.e. with the chief, i.e. from the tenant. Without TENURE.  
any disqualification, i.e. without any disqualification on either side at that  
time. The 'seds' are produced, i.e. the 'seds' are produced in the same \* Ir. Chosen  
good condition in which they were given as stock. But what the price by both.  
of accepting takes away, i.e. but what the price of their acceptance by  
the chief takes away by his consent. And the *overplus* subtracts, i.e.  
for the overplus of profits, food, and labour which the tenant had rendered  
must be withheld from the chief. So that they separate, i.e. so that they  
separate without either of them cheating the other, but a proper balance being struck  
and all demands paid. And return, i.e. the food of the year in which they  
separated.

There are seven life separations of great force  
(After being mentioned here in the 'Sencus,'  
Which books completely describe to you),  
From chieftains by their tenants.  
By equal choice of both parties,  
By returning and withdrawing,  
By disqualification of law separately,  
As the neighbours shall arbitrate;  
Return for the great wealth,  
To be made by the tenant to the noble chief;  
By noble art, be it mentioned here,  
If their poverty refuses.  
A form which is not proper—it was heard,—  
For the ending of chieftaincy, it is manifest,  
As the seven—a curious series—  
Were found in the words of poets.

This is in the case of a separation made from choice between the chief and his tenant, at which the chief shall have restitution of his stock and of his returnable 'seds,' and restitution of the food of the year in which they separate, and a balance struck between their mutual accounts, or between the overplus stock and the overplus of the rent, and whichever of them has the overplus, he shall pay the other; and if the cattle given as stock are alive when they separate, they must be restored to him in the condition in which they are, be they ever so poor, for they may have been wasted by age and service.

If they be not living at all, similar cattle must be restored in as good condition as those that had been given as stock, by what death'

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bunuid cinnce, no cunnatabarbach na platha ffu ré niubaile  
aicinta na ret.

Hocha nruilic beo rgartha dairegead itir in cele ocur a fu  
rein, aet eturruo ocur ruz ectrunn, ocur zrao platha ectrunn,  
atait beo rgartha dairegead.

Sic.

Ma rgaruo rgarthu ocur bid beo rgaruo, nin ni ara  
raema platha do romuine nao bid a techta ann, ni  
ruubur flaithe de a lo imrgair, ma dozo a poluid fua  
der.

Ma rgaruo, .i. ma rgarad rgaruit ocur bid rgarad na mbeauid.  
Ni ara raema, .i. ani rruuomur in flait da romuine biata ocur  
manhuine, noch a bid a olizeo ann. Ni ruubur flaithe, .i. noch a  
ruuburur in flait de ir in lo do niat eimrgarao. Ocur cairde tucur-  
tur in flait imin da biad ann, ocur a ic rer a lo imrgair. Ma dozo  
a poluid fua der, [.i. mas comlan a poluid fua a eileib], .i. each  
ni for facba in flaithe ar lobud lair in cele cor a la rgarua do ruur  
dorum ir in lo degnach.

O'D. 1094.

O'D. 1097. [Ma marathar reoit eirner flaithe, cia do rruimbi  
aer ocur rognam, ma rrurognaither romaine co  
ngaire techta, ni obun do flaithe a reotu cenibat fu  
reib ro nath.

Ma marathar reoit, .i. ma marut na reoit eirner in flaithe ir  
in raet. Cia do rruimbi aer, .i. cia eait aer na bu. Rognam, .i. na  
heo, ocur na dama, .i. conuat ruina. Ma rrurognaither, .i. maia  
rognaither don flait imin romaine olizeo im a biad. Co ngaire, .i.  
im in manhuine. Ni obun, .i. noca olezar don flaithe anobud na ret  
tucurur ir in raet cen cu fu iat in la do niat imrcar fon rebur ro  
erurter ir in raet iat.

Imrcarao do cluizter flaithe ffu aigilni na bit

soever, usual or unusual, they (*the original stock*) may have been carried off, except *in case of* certain original disease or doubtful disease of the chief's *stock* during the natural period of the 'seds.'

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There is no separation to be considered during life between the tenant and his own king, but it is only between him and an external king, and an external chieftain, that separations during lifetime are to be considered.

If they separate, and that during lifetime, whatever profits the chief has consented to, but which are not the lawful *amount*, the chief shall not be defrauded on account of it on the day of the separation, if he has given the full *amount of* goods to the tenant.

If they separate, i.e. if they separate and that the separation be in their lifetime. Whatever *profits he (the chief)* has consented to, i.e. whatever the chief has truly consented to receive of his returns of food and labour, and which is not his *full* right. The chief shall not be defrauded, i.e. the chief shall not be defrauded of it the day on which they separate. In this case the chief has given respite for the payment of the two food *tributes*, but they must be paid to him on the day of the separation. If he has given the full *amount of* goods, i.e. if *he has given* the full stock to his tenants, i.e. everything which the chief has left by neglect *in demanding it* with the tenant till the day of their separation shall be paid to him on the last day.

If the 'seds' which the chief had given be living, though age and service may have wasted them, if the profits have been rendered with the lawful service, the chief shall not refuse *to accept of* his 'seds' although they are not worth what they were when he gave them *as stock*.

If the 'seds' be living, i.e. if the 'seds' be living which the chief had given as stock. Though age may have wasted them, i.e. though age may have wasted the cows. Service, i.e. the horses and the oxen, i.e. which are grown old. If *the profits* have been rendered, i.e. if the chief has been served by the commodities which are due to him for his food. With the *lawful* service, i.e. as to the work. *The chief* shall not refuse, i.e. it is not right for the chief to refuse *to accept of* the 'seds' which he had given as the stock although they are not of the same value on the day that they separate as they were when they were given as stock.

*In* a separation which the chief requests from the

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anpolaio in ceili gairtear ann, fo pacaib flaiti trian  
uib. Munabat ucca lar in ceile, ir ecen donimairg  
do riap a flatha, ar dligid cach flait a reir, ma  
ropoltach.

Aithgin do flait acht trian pacaib uib, munab ar  
diumunn in ceili lar in flaiti, na bi anpoltach nech-  
tar da lina copo pacaia. Irpeo beinnar an pola  
timgairi, trian pacaib iapum ma fpuirgnaithet  
flaiti poltaib.

Impearao, .i. in timpear doelairge in flait ar in ti leiri uca  
toirde ceilrime da. Na bi anpolaio, .i. nocan iat roepolaio in  
ceili gabair ann. Trian uib, .i. ar paiti timgairi. Munabat ucca  
lar in ceile, .i. munab uctoide leir in ceile. Ir ecen, .i. cenir toga,  
.i. conat ecen dligid timairce ar a flait do reir. Al reir, .i. do  
ceilib. Aithgin, .i. na pait. Acht trian, .i. ar pait timgairi.  
Munab ar diumunn, .i. munab ar diuioide in ceile ri in flaiti  
do ni impear fpuir. Na bi anpoltach, .i. munabat roepolaio ac  
neetar de in da namnao rin. Copo pacaia, .i. co pacaia impear.  
Irpeo beinnar, .i. ir roepolaio ar beinnar trian imne timgairi do  
bi aca. Ma fpuirgnaithet, .i. maia pogaitear in flait in na  
poltaib dligir, ir ann ata pait. Poltaib, .i. biathaoc ocu manume.

In timpear doelairge flait fpuir aigillni, uilri trian in paita  
ocu in treoit tuirleide uil don ceile ann, ocu uilri do na  
bliatna i netairpacaia, ocu aip na comloigti on flaiti, ocu  
uilri na comloigti don ceili; ocu aithgin reir no pait ir in  
da trian uil don flaiti.

Impearao aitheir cen anpoltach flatha paita nath-  
cuirteir, na bi ar digne, acht accobria paiti, na bi ar  
telgud do flaiti uil, aithgin con diabul digne

tenant not on account of any disqualification of the tenant, the chief shall forfeit one-third of them (*the* 'seds'). If the tenant submit not he shall serve the chief by increased services, for every chief is entitled to service, if he (*the tenant*) is qualified.

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Restitution *is due* to the chief, except one-third which he leaves of them (*the* 'seds'), unless it be out of contempt of the tenant for the chief that they separate, when there is no disqualification on either side. What subtracts from the stock is the recalling, *and* one-third is subtracted if the *proper* services have been rendered to the chief.

A separation, i.e. the separation which the chief requests of the person who had chosen to be in tenancy to him. No disqualification, i.e. it is not the bad qualifications of the tenant that are the cause of it. One-third of them, i.e. on account of recalling. If the tenant submit not, i.e. unless the tenant chooses. He shall *serve*, i.e. if he has chosen, i.e. he must submit to the law which his chief shall impose upon him. Service, i.e. from the tenants. Restitution, i.e. of the 'seds.' Except one-third, i.e. on account of recalling. Unless it be out of contempt, i.e. unless it be out of disrespect *on the part* of the tenant for the chief that he separates from him. When there is no disqualification, i.e. unless there be disqualifications on either side. That they separate, i.e. when they make the separation. What subtracts, i.e. the recalling is the bad qualification which subtracts the one-third. If the *proper services* have been rendered, i.e. if the chief has been rendered the services which were due to him, it is then this is so. Services, i.e. the food and the labour.

In the separation which the chief requests from the 'aigillne'-tenant, the one-third of the stock and of all the returnable 'seds' are forfeited to the tenant, and the food of the year in which they separate is forfeited, and the 'comloigthe'-payments made must be returned by the chief, and the 'comloigthe'-payments are due to the tenant; but restitution of the other two-thirds of the stock shall be made to the chief in the same condition that he gave them.

In a separation by return of *the stock* without any disqualification of the chief to whom the return of *stock* is made, when there is no contempt *intended*, but desire of 'sacr'-stock tenure, when there is no removal to another chief it is justly said that restitution with its

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‘Dloméair inraic; ar ip inraic cach naithgin co ecubur; ecubur cach ndiumur do nuidideir mamu; inbrosaid cach romuine co diabul do neoch ro metha, cenmoéa rmaét etaim meth naigillne. ‘Diabla do don romuine na bliadna i nathcuirpéir, maó ropóltach in plaith for a nathcuirpéir.

Imreapad, .i. imreap athcuir on éirle can ropóltach ec in plaith for a ndentar in tatéur. Na bi ar tighu, .i. nocun ar dimiadaide leir na plata. Acht accobra, .i. aét ara met ip acobair leir bith a rairi, .i. lair in ceile. Na bi ar teltu, .i. nocun ar a teltu don plaith eile. Aithgin, .i. dheimniúgáir aithgin a raéa, ocu a feoit turlaide don plaith ann, co na diabla. ‘Dloméair inraic, .i. raiteir no airneisteir rin co hinnraic. Ar ip inraic, .i. ar ip aithgin nich tlesair ann. Co ecubur, .i. con ropócbur diumainn do bit aice ino. Ecubur, .i. ip ropócbur don ti dimiadaideir in ti da meirumnaigenn modusa no gneim ceilpne. Mamu, .i. ripenaiúgáir caé romaine biaa ocu manúine co na diabla don plaith, .i. caé nanintraic nanpoit. Cenmoéa, .i. do neó ro meúr do ceilpne na plata. Smaét, .i. cenmoéa inni rmaétaisteir a meé uca tógaíde, acht na ceilpne in éumal, uair noco bia rígi ann, no ce bet, noco bia a diabla. ‘Diabla, .i. diabla do na bliadna a netarpcarat. Maó ropóltach, .i. maó éróltach in plaith for a ndentar in tatéur. For a nathcuirpéir, .i. in nath.

Imreap ar acobra raire rin do ní in cele rir in plaith. Aithgin a ratha ocu a feoit turlaide, ocu do na bliadna a netarpcarat, co na diabla uilí don plaith ann, ocu aise na comloigti on celi, ocu uilí na comloigti don plaith.

Supoirgell no supionaire do rigne in plaith ar in celi ano rin; ocu cemaó ne nech eile do gnet, ip rogail imreap illeir rir in ceile, ar a eclaire leir a denam rir fein; ocu comarusaó in tin raé ocu na feét mbiaa, amail bo maib in plaith, ocu cipe doib ca roib an inarpcarat, iccá ne ceile; ocu ce lectar a elo ina biaa etir, imoibaid a ropóltair ime, co na fuil aét aithgin a raéa do.

double *is to be paid*; for every restitution is perfect till bad faith *is proved*; every contempt which is shown to authority is bad faith; every profit is increased to double in what is failed in, except the fixed 'smacht'-fine for failure of 'aigillne'-tenancy. And there shall be double of the profits of the year in which the returning of the stock takes place, if the chief to whom the return of stock is made, is qualified.

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Separation, i.e. separation by the return of the stock by the tenant without any disqualification of the chief to whom the returning is made. When there is no contempt, i.e. it is not out of contempt of the chief. But desire of 'saer'-stock tenure, i.e. but on account of his great desire for 'saer'-stock tenure, i.e. the tenant's. When there is no removal to another chief, i.e. it is not for the purpose of going over to another chief. Restitution, i.e. restitution of his stock, and his returnable 'seds' with double, is made to the chief. Justly said, i.e. this is said or stated honestly. For every restitution is perfect, i.e. for perfect restitution is due here. Bad faith, i.e. it is bad faith for him to have contempt in this case. Bad faith, i.e. it is bad faith for the person who contemns him to whom he owes submission or tenancy service. Authority, i.e. every service of food and labour shall be made good, with double to the chief, i.e. every unintentional dishonesty. Except, i.e. what is failed in as to the tenancy service due to the chief. The fixed 'smacht'-fine, i.e. except the fine that is imposed for the failure of the service in the case of option of tenancy, except the 'cumbal,' for this shall not be imposed, or should it be, it shall not be doubled. Double of the profits, i.e. double of the food of the year in which they separate. If qualified, i.e. if the chief to whom the return of his stock is made is qualified. To whom the return is made, i.e. to whom the stock is returned.

This latter case is a separation which the tenant makes from the chief from a desire of 'saer'-stock tenure. In this case restitution of his stock and of his returnable 'seds,' and of the food of the year in which they separate, with the double of them all is to be made to the chief, and the return of the arrears remitted by the tenant, and the forfeiture of the arrears remitted to the chief.

In this case the chief had borne false judgment or false testimony against the tenant; and even if it were against another person he had borne them, it would be a crime sufficient to entitle the tenant to separate from him, from his fear of the same being done to himself; and an adjustment shall be made between the stock and the seven victuallings, as if the chief were dead, and whichever of them had the excess, he shall pay the other; and though he was evaded as to his food, his bad qualification disentitles him, so that he shall have but restitution of his stock.

CAIN  
AIGILLNE,  
OR LAW OF  
'DAER'-  
STOCK  
TENURE.

Imrcapad ffu anfolta platha, mað ri ber anfol-  
tach, rcapad cen imdiubairt, conpodelaithep colla ret  
raipe in epenaithep ffu romaine, ma ffuirpognaithep  
con gairpe techta. Mani ffuithpognaithep, arpenat anpo-  
laid platha fuillima, fepdair collna ret inaithep,  
mana ffuirpognaithep.

Imrcapad, .i. in timrcapad do niat tre rpoéfoltaib na plata.  
Mað ri, .i. mað he in plait ber rpoéfoltach. Scapad, .i. rcapad cen  
emdiubairt neid tob aca ceile. Conpodelaithep, .i. ir can podeligter  
colla na ret fon raipis no heinit iat ir in rath. Epenaithep, .i. can  
ceile. Ffu romaine, .i. ffuir in mbiaðad ocur ffuir in mancuine.  
Ma ffuirpognaithep, .i. ma tainic ainpex in rognuma min mbiað.  
Con gairpe, .i. in in mancuine. Mani ffuithpognaithep, .i. muna  
tainic ainpex in rognuma. Arpenat, .i. arpunuit, .i. aipunuidic a  
rpoéfolaid min plait na tabair fuillium do re rath. Fepdair, .i.  
atpaignigter aithgin colla a ret daður do. Mana ffuirpognaithep,  
.i. muna tainic ainpex in rir rognuma.]

### Imrgapad ffu anfolta platha.

.1. ir iat anfolta a deir ann ag in plait fupongell no  
gauriðnuiri, .i. ar nach eile ar eagluide lair a denum  
lair fén; ocur da mað ar cele buðein, noch a luza ler  
ina diumunn, ocur co necuit a celidhe uðein imrgar pier,  
uair ir erinruic é; ocur comairuza etir in mbiaðad ocur in  
mancuine, amuiz bu maib in plait ann; ocur in rath, ocur in  
ret turcluide; ocur gis be tob aca mbe in muircuio icuit re  
ceile. Ma tainic ainpex in rognuma ir ann ata rin; ocur muna  
tainic, ir aithgin a raða ocur a ret turcluide don plait, ocur  
airuc na comloithe on plait, ocur uilri na comloigter don  
cele.



In a separation in consequence of the bad qualifications of the chief, if it be he that is disqualified, —a separation without defrauding—the original ‘seds,’ in the same condition in which they were given, shall be balanced against the services, if the services have been rendered in proper work. If the services have not been rendered, the disqualifications of the chief shall deprive him of interest, but the original ‘seds’ must be returned, if the services have not been rendered.

‘CAIN  
AIGILLNE,  
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‘DAER’-  
STOCK  
TENURE.

Separation, i.e. the separation which they make through the disqualifications of the chief. If it be he, i.e. if it be the chief that is disqualified. A separation *without defrauding*, i.e. a separation without defrauding each other. Shall be balanced, i.e. the original ‘seds’ as they were given in the stock shall be fairly counterbalanced. They were given, i.e. to the tenant. Against the services, i.e. against the victuallings and the labour. If the services have been rendered, i.e. if the time of rendering the food service had arrived. In *proper work*, i.e. in the manual labour. If the services have not been rendered, i.e. unless the time of the service has arrived. Shall deprive, i.e. his disqualification takes away, i.e. deprives the chief of *his right* to receive interest with his stock. Must be returned, i.e. the original ‘seds’ are bound to be returned to him. If the services have not been rendered, i.e. if the time of rendering the services has not arrived.

Separation on account of the bad qualifications of the chief.

That is, the bad qualifications mentioned here on the part of the chief are false judgment or false witness, i.e. *which he bore* against another from his fear of the same being done to himself; and if *he has acted thus* towards his own tenant, it is no less to him than contempt, and his own tenants can separate from him, for he is unworthy; and an adjustment *shall be made* between the victualling and the labour, as if the chief were dead, and the stock and the returnable ‘seds;’ and whichever of them has the excess shall pay the other. This is the case if the time of the service has arrived; and if it has not arrived, the chief shall have restitution of his stock and his returnable seds, and the ‘combloighthe’-settlement shall be returned by the chief, and the ‘combloighthe’-settlement shall be forfeited to the tenant.

'CAIN  
AIGHILNE,  
OR LAW OF  
'DAER'-  
STOCK  
TENURE.  
O'D. 1100.

[Imreapad fpu hanmolta aicgillne, mað anpoltach in cele fpuir in flaithe, arpen ar cach naicgín cona ðurpu, amail bið gao po gatað. Acht íf cuicce peithid an ðurpu co tairpuredtar 1 lan loz einach na flata, ní fuillend ðurpu ðar poðain, la ðiabul naicgína cach colla ocur cach peoit, la ðiabul fuillima, mate nama anpolaio in cele palla fpuithgnama.]

Imreapad, .i. in timreap do niðer tre ðroðpolaio in ceile. Mað anpoltach in cele, .i. mað ðrochpoltach in ceile fpuir flait im na neicib fpu. Cona ðurpu, .i. cur in ni íf ður le. Amail bið gao, .i. in lan ðurpe ocur im let ðurpe ocur im trian ðurpe do puit pe tri petuib ðib. Acht íf cuicce, .i. ata ac lium ant curuib e aipet peitir in ðurpe fpu cu ti lan loz enec na flatha de. Ní fuillend, .i. nocon poile- atann a ðurpe ðar inni aðairin. La ðiabul, .i. la aicgín cona ðiablað ac neic do coluinn in pata, ocur in tfeit turlaioe fpu na peit in ðurpe. Cach colla, .i. in pata. La ðiabul fuillima, .i. biað na bliaðna a neaturreapad, .i. cumal ocur ðiablað in bið. Mate nama, .i. mað iat ðroðpolaio ber ac in ceile nama, fail do ðenuin im fpuicnaic, íf ant ata fpuin.]

Imreapad fpu anpoltach aicgillne peo; ocur íf iat anpolaio uil aic in cele ann, fail fpuichnuma do ðenuin im na ppuin biaðuo. Ipeð íf fail fpuichnuma cin biað do torrachtuin ina uide ice coir. Lan ðurpe, ocur let ðurpe, ocur trian ðurpe do puth pe gao tri petuib do coluinn in pata ocur in pet turlaioe, co ti loz einuic na flata de; ocur ma ta ní don pet turlaioe per na peth in eniuclunn, íf aicgín ptoe cuna ðiabluð, ocur aicgín gao neic per 1 peth, ocur ðiabluð bið na bliaðna 1 neaturreapad, ocur aipue na comloigthe on cele, ocur uil na comloigthe don flait, ocur cumul; no ðono, co na beð cumul do gper, acht a mbiað treapib no fgeathuch.

<sup>1</sup> *Disqualifications.* The word 'anmolta' rendered disqualifications here, seems to be a clerical error for 'anpoltach,' which occurs several times in the laws, and is found in the corresponding passage of the other MS. H. 8, 17, or O'D. 291.

In a separation on account of disqualifications' as to tenancy, if the tenant be disqualified towards the chief, he shall pay restitution with 'dire'-fine, as if it were theft that had been committed. But it is to him the 'dire'-fine shall accumulate till it amounts to the full honor-price of the chief—the 'dire'-fine does not increase beyond that—with double restitution of the original *stock* and the *returnable* 'seds', with double interest, if neglect of service was the only disqualification of the tenant.

'CAIN  
AIGILLNE,'  
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STOCK  
TENURE.

A separation, i.e. the separation which is made in consequence of the disqualifications of the tenant. If the tenant be disqualified, i.e. if the tenant be disqualified in relation to the chief in these things. With 'dire'-fine, i.e. with the thing that is due in addition to it. As if it were theft, i.e. full 'dire'-fine and half 'dire'-fine, and one-third 'dire'-fine shall accumulate on three 'seds' of them. But it is to him, i.e. I have an exception, that the extent to which the 'dire'-fine runs is until it amount to the full honor-price of the chief. The 'dire'-fine does not increase, i.e. the 'dire'-fine does not increase beyond that particular. With double *restitution*, i.e. restitution with double of everything of the original stock, and of the returnable 'seds' with which the 'dire'-fine runs. The original, i.e. of the stock. With double interest, i.e. the food of the year in which they separate, i.e. the 'cumhal' and double of the food. If it was the only *disqualification*, i.e. if the only disqualifications of the tenant be to have neglected the service, it is then it is so.

This is a separation on account of disqualifications as to tenancy; and the disqualifications of the tenant are his having neglected to perform the service respecting the principal victuallings. Neglect of the service means not to forward the food at the period of its payment. Full 'dire'-fine, and half 'dire'-fine, and one-third 'dire'-fine shall run with every three 'seds' of the original stock and of the returnable 'seds,' until it amounts to the honor-price of the chief; and if there be any part of the returnable 'seds' with which the honor-price does not accumulate, the restitution of that with its double, and the restitution of everything with which it runs *shall be paid*, and the double of the food of the year in which they separate, and the return of the 'comhloighthe'-settlement by the tenant, and the forfeiture of the 'comhloighthe'-settlement to the chief, and a 'cumhal' *as a fine*; or indeed *according to others* the 'cumhal' *as a fine* is not always due, but in case of bitter or mawkish food.

'CAIN  
AIGILLENE,'  
OR LAW OF  
'DAER'-  
STOCK  
TENURE.

O'D. 1101.

[Dit dono anfolaid beca and ceana na tuillet anriu,  
acht iccaidtar fpuir in flaithe ar a reir faoirin, ma  
beith ina foltaib coirub, ariur and oligis flaithe in  
fuillet ra.

Dit dono anfolaid, .i. bit dofolaid beca and ceana, ocur noco  
tuillet no noco ariultuget in ni reo ariubnuman romaino inntib,  
.i. rannit, ocur crummeir n. Cr a reir faoirin, .i. a reir oligis  
a rmaet fein inntib. Ma beith, .i. maia roib in flaithe ir na foltaib  
olegair de do reir coir. Crur and, .i. ariubnuman romaino.

Imreapad contethgatar anfolaid ceatar dalina,  
an am in da fpecrat anfolaid fo cutruma, irapad  
cen imdiubairt doib, co romaine ocur aithgin feib ro  
ratha, imdenat fiadain injuce atcondarcatar in tan  
ro ratha; no iarum ir a reir breitheaman achtran  
doib arpenar a romaine ma beith and.

Imreapad, .i. in timreapad contennaisit dofolaid ceatar de  
indanannat rin, in flaithe ocur in ceile ro cutruma. An am, .i. an uair  
reapad dofolaid caic doib a ceile. Irapad cen imdiubairt, .i.  
reapad doib can emdiubairt neich doib aca ceile, .i. ni teit a nairm  
colla funn romaine mib, uair irad inoligis doiblinab. Co romaine,  
.i. bit na bliatna a netarapad. Aithgin feib ro ratha, .i.  
aithgin in raia ocur in reoit turclaithe ron rebur ro heimeo iat.  
Imdenat fiadain, .i. ir eim do niat na fiadain inruice cu facatar  
iat in tan ro heimeo na reoit ir in ra. Ho iarum, .i. ar a haicil.  
Ir a reir breitheaman, .i. ir a reir in breitheaman ir un-arpann  
doib in in romaine eiruter acu, maia roib eturcu and in imreap  
no in imreap, .i. uair irad inoligis doiblinab. Cr romaine, .i. na  
reoit do bit ocur rath.

<sup>1</sup> *Curds*. This is explained in O'D., 520, as a collation of curds and butter and milk which is given in the summer.

<sup>2</sup> *Cheese*. This is also explained in O'D., 520, as a feast which is given to the chief in the time of the 'creamh' (wild garlic harvest). It consisted of cheese and milk.

<sup>3</sup> *Defrauding the other*. In O'D. 292, there is added here, .i. comairm itir in mbiad, ocur in tuar ocur in loir ocur in mbiat, muna be loir in

There are also minor disqualifications which do not merit this thing, but payment shall be made to the chief according to his own will, if he be in his proper qualifications, for it is then the chief is entitled to this addition.

'CAIN  
AIGILLNE,  
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STOCK  
TENURE.

There are *minor* disqualifications, i.e. there are also small disqualifications, and they do not deserve or merit this thing which we have said before *as a fine or penalty* for them, (i.e. *neglect of service respecting the minor foods*), i.e. curds<sup>1</sup> and butter and milk collation, and the cheese<sup>2</sup> and milk feast, &c. According to his own will, i.e. according to law he (*the chief*) has his own 'smacht'-fine for them. If he be, i.e. if the chief be in *possession* of the qualifications which he ought to have by right. For it is then, i.e. as we have said before.

*In a separation caused by the disqualifications of both parties, when the disqualifications correspond equally, they part without any defrauding, with services and restitution of the stock as it was given, which is proved by worthy witnesses who saw the stock when it was given; or afterwards it is according to the adjudication of an external party they shall pay the services if the separation takes place.*

A separation, i.e. the separation which the disqualifications of both the parties unite to bring about, i.e. the chief and the tenant equally. When, i.e. when the disqualifications of both correspond *and are equal* to each other. They part without any defrauding, i.e. they separate without the one defrauding the other,<sup>3</sup> i.e. the services of the food do not enter into the computation of the original stock, for both are illegal. With service, i.e. the food of the year in which they separate. Restitution of the stock as it was given, i.e. restitution of the stock and of the returnable 'seds' in as good a condition as they were given. Which is proved by witnesses, i.e. the worthy witnesses quickly prove that they had seen them when they were being given as stock. Or afterwards, i.e. after that time. It is according to the adjudication, i.e. it is according to the adjudication of an external party between them respecting the services which shall be paid by them, if the separation or the dispute took place, i.e. for both are illegal. Services, i.e. the 'seds' of food and stock.

birō ann, tuillter p̄p̄r son aith̄r̄m. "There is an adjusting here between the food *on the one hand*, and the manure, the increase, and the milk *on the other*; if they do not amount to the price of the food, addition shall be made to them out of the restitution, i.e. *the stock which was to be returned*."

'CAIN  
AIGILLNE,'  
OR LAW OF  
'DAER'-  
STOCK  
TENURE.

Imrcar con teathgatar anfolair cechtar dalma rain; ocur aithgin a ratha ocur a feoit tuirlaide don flaithe ann pon febur no eynesar iat iym rath, ocur aithgin biu na bliatna i netarrcarac, ocur comarudgato itir a comloigib; ocur ar i a deithbir feo ocur in timrcar imtoza thuar, aithgin in ratha ocur in tfeoit thurclaide runto pon febur no hepnit, cia maiuit zen cu maiuet, ocur nocu nuil tuar in nimbair maiuit, acé a ngabail cio deolair iat.

Nach flaithe be roroltach iym imandene feib a ret do neoch nado bi dearb la rathna, ocur ir a reir ictair aithgein ocur fuillium, mana tairuet a subreatha, nach a suporzell, nach a mignima, nach a mifolair fua deir.

Nach flaithe, .i. nac flaithe ber vespolacé ipe do ni imdenu a ret po pebtair. Feib, .i. febur. Do neoch nado bi dearb, .i. do neoc na bi veimin lair na rathnaib. Ir a reir, .i. ar a breithimhir fein. Fuillium, .i. im in tpe, .i. in biu. Mana tairuet, .i. muna tairnet a subreata ar imleat neic aile. Nach a suporzell, .i. ima leat busein. Al mifolair, .i. nac rorolair fua ceib, no fua rearmu, .i. brath.

Mad in cele tathcuiridreir fair ar dimuno lair, ir he roroltach, oligro los neimech la diabul naithegna a oligro olcena.

Ar dimuno, .i. ar dimiatare lair na ratha, .i. a ra dimano ann po rir. Ir he roroltach, .i. ir e vespolacé in flaithe. Oligro los, .i. oligro eneclann in flaithe. La diabul naithegna, .i. la

<sup>1</sup> *Condition.* 'Deolair,' means poor, lean, in bad condition.

<sup>2</sup> *Land.* The Irish word 'deir' means either tenants or land. *Vide* Stokes, *Old Irish Glossaries*, pp. 73, 76.

<sup>3</sup> *The chief.* In O'D. 292 there is added here, no ni fru lair beé aice "or he does not think it worth his while to remain with him."

This is *in the case of* a separation which the disqualifications of both the parties (*the chief and the tenant*) tend equally to bring about ; in this the chief shall have restitution of his stock and of his returnable 'seds' in as good condition as he gave them as stock, and restitution of the food of the year in which they separate, and an adjustment shall be made between their 'comhloighthe'-settlements ; and the difference between this and the 'separation from choice' above treated of is, that *in this case* restitution of the stock and of the returnable 'seds' is made in as good condition as they were given, whether they are living or not living, and in the case above that when they are living, nothing is *prescribed* but to accept of them be they in ever so bad a condition.<sup>1</sup>

'CAIN  
AIGILLNE,'  
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'DAER'-  
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TENURE.

Every chief who is qualified can prove the goodness of such of his 'seds' as are not certified by the witnesses, and it is according to his *own* will restitution and interest shall be paid, if his false judgments, or his false witness, or his evil deeds, or his disqualifications towards his tenants or land<sup>2</sup> do not prevent it.

Every chief, i.e. every chief who is qualified is the person who proves his 'seds' as to their goodness. Goodness, i.e. goodness of condition. Such as are not certified, i.e. such as are not certain to the witnesses. His *own* will, i.e. according to his own decision. Interest, i.e. as to the 'dire'-fine, i.e. of the food. Do not prevent it, i.e. unless his false judgments to the prejudices of another hinder it. Or his false witness, i.e. in favour of himself. His evil deeds, i.e. his disqualifications, i.e. his bad qualifications towards his tenants, or towards his land, i.e. to betray them.

If it be the tenant that returns to him out of contempt to him, when he is qualified, he (*the chief*) is entitled to honor-price with double restitution of all that is due to him.

Out of contempt, i.e. out of disrespect to the chief,<sup>3</sup> i.e. two cases of contempt here. When he is qualified, i.e. the chief is duly qualified. He is entitled to honor-price, i.e. the chief is entitled to honor-price.<sup>4</sup>

<sup>4</sup> Entitled to honor-price. In O'D. 292 there is added here, .i. ennuclunn ro cinnuio ip in tuumuy ro cetoip; ni hinunn ocuy in timrgaruo aile aua nanpola, vire a ruiguo ma luga aua a einoclunro. "That is, honor-price was determined for the contempt at once; it is not the same as the other separation in which there are two disqualifications, and for which there is 'dire'-fine when it is less than honor-price."

'CAIN AITHGIN CONA DIABLAÓ IN NEIC AILE DLIGER ULI ÉENAG; BIAD NA BLIAÓNA AIGILLNE,' α ΝΕΤΑΡΡΕΑΡΙΑΤ ΟCΥΡ CAC NEIC AILE DLIGEP.

OR LAW OF

'DAER'-

STOCK

TENURE.

Maó do urglan ría plath aile, na bí ar diumunó, ír leath los einach na platha, la diabul naithegna do collnaib pet ocur do romaine; inge maó dligtechu ar opo platha, plait ceniul techta, na be dligtechu ar pinctiu, ír trian loge einnech don plait for a tathcuirichter, la diabul naithegna a pet, la ní ro meatha.

Maó do urglan, .i. maó rir glanó re plait aile. Na bí ar diumunó, .i. ocur nocan ar diuicáirde leir. Leath los einach, .i. ír leit enecclann don plath ann. La diabul, .i. la aithgin cona diablaó do do collaib na pet tucaó ír in pat ocur ír in pet tucéirde. Do romaine, .i. biad na bliatna a netarpariat beup, .i. diablaó do romaine in bío. Maó dligtechu, .i. ma dligtegi ar opo plait, ír cuice raóur ocur ní cum neich aile. Ceniul techta, .i. cenel plait dligtegi eiric, .i. mac plait, ocur ua araile. Na be dligtechu, .i. ma dligtegi, ír trian raóur do los eneé don plait. Ar pinctiu, .i. ar riri ouéais, ar outhais na pine. Trian loge einnech, .i. a enecclannó. For a tathcuirichter, .i. a raáa ocur a éilrine. La diabul, .i. in raáa ocur in tpeoit tucéirde. La ní ro meatha, .i. la diablaó in neich ro methur ann, biad na bliatna a netarpariat.

In timpar ar diumunó do ní in éle rir in plath, diablaó a ratha ocur reoit tucéirde don plath ann, ocur diablaó bío na bliatna a netarpariat, ocur cumal ocur enecclann re taeb rann, ocur aipic na comloigéi on éeli, ocur a noilri don plath.

Munab ar diumunn itir, acht do urglan re plait aile, ír leith enecclann don plath ann, ocur diablaó a ratha ocur a

<sup>1</sup> *More lawful.* In O'D. 293 there is added here, o mac in boairé tíg co plait athur ocur reanathur. "he goes from the son of a 'bo-aire'-chief to the chief whose father and grandfather were chiefs."



With double restitution, i.e. with restitution, and its double of every other thing to which he is entitled; the food of the year in which they separate, and everything else to which he is entitled.

'CAIN  
AIGILLNE,  
OR LAW OF  
'DAER'.  
STOCK  
TENURE.

If it be to clear off to another chief, and not out of contempt *that the tenant separates*, it is half honor-price that is due to the chief, with double restitution of the original 'seds' and of the services; but if he (*the chief to whom he goes over*) be more lawful as to rank, a chief of legitimate family, and if he be more lawful as to tribe property, it is *only* one-third of honor-price that is due to the chief to whom *the stock* is returned, with double restitution of his 'seds,' together with what was failed in.

If it be to clear off, i.e. if to make a true removal to another chief. And not out of contempt, i.e. it is not out of disrespect to him. Half honor-price, i.e. half honor-price is due to the chief for it. With double *restitution*, i.e. with restitution, and its double of the original 'seds' which were given as the stock and as the returnable 'seds.' Of the services, i.e. the food of the year in which they separate also, i.e. double the services of the food. *But if the chief* be more lawful,<sup>1</sup> i.e. if he be more lawful as to chieftain rank, it is to him he will go and not to anyone else. Of legitimate family, i.e. he is of the race of the lawful chief, i.e. the son of a chief, and the grandson of another. If he be more lawful, i.e. if he be more lawful, it is one-third he resigns as honor-price to the chief. As to tribe property, i.e. the hereditary tribe land, the hereditary land of the tribe. One-third of honor-price, i.e. of his honor-price. To whom *the stock* is returned, i.e. his stock and his holding. With double *restitution*, i.e. of the stock and of the returnable 'seds.' With what was failed in, i.e. with double of the thing that was failed in, i.e. the food of the year in which they separate.

*In the separation for contempt which the tenant makes from the chief, double his stock and his returnable 'seds' are due to the chief, and double the food of the year in which they separate, and a 'cumhal' and honor-price besides, and repayment of the 'cumhloighthe'-settlements is to be made by the tenant, and they are forfeited to the chief.*

If it be not out of contempt at all, but to clear off to another chief, *that the separation is made*, it is half honor-price that is due to the chief for it, and double of his stock and his returnable 'seds,' and double the food of the year in which they separate;

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τρεοιτ τυρclaiðe, ocur diablao bto na bliatona a netarpcapac; ocur ni ðligtechu ar opo ptaða he, ocur ni neyu ar opo pntiuga. Ma ta nechtar ðe ðib aice, ip trian nemeðlainðe ðon ptaith ann, ocur diablao a pata ocur a tpeoit thurclaiðe ðon ptaith ann, ocur diablao bto na bliatona i netarpcapac. No cona beith acht aithgin, mað taic map aen aice, ip diablao a pata ocur a peoit thurclaiðe ðo, ocur aithgin bto na bliatona i netarpcapac.

Mað ðligtechu ar pntiuch ip diabul naithgina pet nama, ocur aithgin romaine. Nach cele ropoltach, ocur mað anpoltach in ptaith, erinuc, guach, subreathach, conao fuirb amirep, ocur bto inðruc in cele, ropoltach, ipe ðo toing cach nimpepan bir eturpu ocur a ptaith; acht ropgellat ptaðain coitechta inðraice etarpu. Muna bet ptaðain occaib, ip a peip in ropoltaig arpenar.

Mað ðligtechu, .i. ar a pme ðutaið, ar ðutaið na pme. Ar pntiuch, .i. ar bpatairp. Diabul naithgina, .i. in pata ocur in peoit thurclaiðe. Aithgin romaine, .i. bto na bliatona a netarpcapac. Nach cele ropoltach, .i. ber ðegpoltac im comallao a ðligð. Mað anpoltach, .i. ma ðnoðpoltac in ptaic im erinucucur ocur im inðligð ðo ðenum. Erinuc, .i. i mbreith, .i. im bpat. Guach, .i. i luigi, .i. im ptaonairp. Subreathach, .i. berup breata gua. Conao fuirb, .i. co ppeibean a ptp umapac he. Inðruc, .i. o bpuathraib. Sopoltach, .i. ðegpoltac he o gnimraib. Ipe ðo toing, .i. ipe ðo ni inðenum cað impepa bir eturpu ocur a tpeina. Acht ropgellat. i. ac an ropgilt na ptaðain comðligtechta inðraice eturpu. Coitechta, .i. ðoibpum. Inðraice, .i. ppu cað. Muna bet ptaðain occaib, .i. gleap a nimpepan. Ip a peip, .i. ip a peip in ti aca mbic na ðegpolaio erinuctep i nimpepan ðo gleð. In ropoltaig, .i. in cele.]

Mað ðligtechu in ceann cio no cio inðligtechu in meamup, ip breithiumup, ocur inðenum, ocur ptaonup ðon cinn rop in meamup.

<sup>1</sup> *False judging.* In O'D. 293 there is added here: im ðep neð eile ocur cio im a ðep buðein, ni luðuite ip puðair, "whether it be for the welfare of another or for his own welfare, it does not lessen the enormity of the crime."

and he (*the chief to whom he went*) is not more lawful as to order of chieftainship, and he is not nearer in point of kindred. If he (*the tenant*) has either of them (*of these reasons to urge*), it is one third honor-price that is *due* to the chief for it, and double of his stock and of his returnable 'seds' is *due* to the chief also, and double the food of the year in which they separate. Or if he has both these *reasons* there is only restitution, and double of his stock and of his returnable 'seds,' and restitution of the food of the year in which they separate.

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If he be more lawful as to kindred it is only double restitution of the 'seds' *that is due*, and restitution of the services. As to every duly qualified tenant, if the chief be disqualified, unworthy, lying, false judging, one who impugns the truth, and that the tenant is worthy, qualified, it is he (*the tenant*) that decides every dispute that is between him and his chief; but lawful and worthy witnesses bear testimony between them *if such are to be had*. If they have not witnesses, it is according to the qualified person payment shall be made.

If he be more lawful, i.e. as to the tribe property, the hereditary property of the tribe. As to kindred, i.e. brotherhood. Double restitution, i.e. of the stock and the returnable 'seds.' Restitution of the services, i.e. the food of the year in which they separate. As to every duly qualified tenant, i.e. who is qualified as to keeping the law. If *the chief* be disqualified, i.e. if the chief be disqualified by unworthiness and commission of illegality. Unworthy, i.e. in word, i.e. in betraying. Lying, i.e. in swearing, i.e. as to testimony. False judging, i.e. who pronounces false judgments. One who impugns *the truth*, i.e. his knowledge cuts him off from doubt. Worthy, i.e. in words. Qualified, i.e. well qualified by deeds. It is he that decides, i.e. it is he that decides every dispute that is between him and his lord. Bear testimony, i.e. except in what the lawful worthy witnesses bear testimony between them. Lawful, i.e. *equally lawful* to them both. Worthy, i.e. to all. If they have not witnesses, i.e. who settle their disputes. It is according to *the qualified person*, i.e. it is according to the person who has the qualifications that the right is ceded of settling their disputes. The qualified person, i.e. the tenant.

If the chief be lawful, and the member of *the tribe* lawful or unlawful, the chief has judgment, and proof, and witnesses upon the member.

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Μαρά δλιγthuch in meamur, ocur inδλιγthuch in ceann, ιρ bpeiteamnur, ocur pιαonur, ocur inδonum don meamur air.

Μαρ inδλιγthuch araeu, no cio δλιγthuch in meamur, muna fuil bpeiteamnur aige, no ge ta, munur airberetnuig in bpeiteamnur do bpeit, ιρ ann tιαγuit a fuigell a mbeolu aetrunn.

Nach ceile ber ropoltuch.

.1. inrγapao ppi hanpoltuib pλatua annro, ocur ιρ iat anpolaro uil aige ann diumuno. Oily tpuan in pαtha don cele ar rγat timγapre, ocur lan emecluno don cele do da tpuan in pαtha, ma tγe de, ocur muna tγe. ιρ fuilleo pex do petuib eile na pλatua, co poib lan emeclunni in cele ann, ocur oily a pαta uada, ocur a peoit tynclunoe, ocur oily bio na bliatua a nδentur in timrγar, ocur oily a comloigte don cele, ocur airic a comloigte on pλat.

Μαρ da tabuirt a pαth do cele eile, ocur ni huairle i nγpao epioe, ocur ni neapa ar upo pinnteoα, ocur ni neapa ar romaine biata in a manchuine, na compuinn dibuo, oily tpuan in pαtha, ocur let emeclunni don cele do da tpuan in pαtha; ocur oily a pet tynclunoe, ocur oily bio na bliatua i nδentur in timrγar, ocur oily a comloigte don cele, ocur airic a comloigte don pλat.

Μαρά nera i nγpao é, no μαρά neapa ar upo pinnteoα, no μαρά neapa ar romaine biata no manchuine, no pe compuinn dibuo, oily tpuan in pαt don cele ar rγath timγapre, ocur tpuan emeclunne don cele do da tpuan in pαtha, ocur oily bio na bliatua i nδentur in timrγar, ocur oily a comloigte don cele, ocur airic a comloigte on pλat.

Μαρ uairle a nγpao e, ocur μαρά neapa ar upo pinnteoα, ocur μαρά neapa ar romaine biata ocur manchuine do é, ma ta dega no tpega oib pin aige, oily tpuan in pαtha on pλat don

If the member be lawful, and the head unlawful, the member has judgment, and witnesses, and proof upon him (*the chief*).

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If both are unlawful, or though the member should be lawful, unless he has judgment, or even if he has, if he has not given notice of the judgment about to be passed, his judgment shall then be transferred to the mouth of an external person.

### Every tenant that is qualified.

That is, separation on account of the disqualifications of the chief is here *referred to*, and the disqualifications which he has here is contempt. The third part of the stock is forfeited to the tenant on account of the recalling of the stock *by the chief*, and full honor-price shall be paid to the tenant out of the *remaining* two-thirds of the stock, if they amount to it, but if not, more must be added from the chief's other 'seds,' until the full honor-price of the tenant is made up, and *thus* he forfeits his stock, and *perhaps also the whole of* his returnable 'seds,' and he forfeits the food of the year in which they separate, and the 'cumhloighthe'-settlements are forfeited to the tenant, and his 'comhloighthe'-settlements are to be returned by the chief.

If it is to give his stock to another tenant who is not nobler in point of grade, or nearer in point of kindred, or nearer for services of food or labour, or distribution of legacy *that the separation is made*, the third of the stock is forfeited, and the tenant is entitled to half honor-price out of the *remaining* two-thirds of the stock; and his returnable 'seds,' and the food of the year in which they separate are forfeited, and the 'comhloighthe'-settlements are forfeited to the tenant, and his 'comhloighthe'-settlements are returned by the chief.

If he (*the person to whom the stock is transferred*) is nearer in dignity, or if he is nearer in point of kindred, or if he is nearer in point of services of food or labour, or distribution of legacy, the third of the stock is forfeited to the tenant on account of the recalling of the stock *by the chief*, and one-third honor-price is due to the tenant out of the *remaining* two-thirds of the stock, and the food of the year in which the separation takes place is forfeited to the tenant, as are also the 'comhloighthe'-settlements, and the 'comhloighthe'-settlements are to be returned by the chief.

If he be nobler in grade, and nearer in point of kindred, and nearer to him for service of food and labour, if he has two or three of these *qualifications only*, the third of the stock is forfeited by the

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AIGILLNE,'<sup>1</sup> nōenuit in timígar, ocu díri a comloigte don ceile, ocu  
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O'D. 1105. [Maó ar diumano in ceile inara in flait a reotu,  
ír díri don cele log neinech díb do collaib ret  
aítegena, na toglen romaine colla ret.

Maó ar diumano, .i. maó ar diumaidne in éile leir in flait  
innraige in flait a cenn na ret tucclaid ír in íat. Ír díri don  
cele, .i. enecclann do da treinib in íata, ocu díri a trin ar tim-  
íaire ar úr. Do collaib ret, .i. do da treinib aíteina colla ret  
in íatha. Ma toglen, .i. noco toglenano ní don flait do romaine a  
ret, muna mó na log enig in éile ber in da trian in íata iar mbíut  
a trin ar úr ar íat timíaire. Somaine, .i. bío. Colla ret,  
.i. cen a beth accoib.

In timígar ar diumano íain do ní in flait íirín ceile,  
díre trin in íatha ocu in éreot thupclaid uilí ar íath  
timíaire ann don éile ocu lan neineclainne don da treinaib  
eilí, ocu díri bío na bliatna a netarícarat.

Munab ar diumano etir, acht da tabairt do éilí aile, ocu  
ní huairle i ígrao hé, ocu ní neíu ar ímótu, ocu ní íairí,  
íe carthim a bío ceilíne, ír leith enecclainne don éile ann do  
da treinaib in íatha.

Ma tait a triuir ano, ír trian neineclainne don éilí do da  
treinaib in íatha, ocu díri bío na bliatna i netarícarat  
don éile in cáe ínat díbrein; ocu ariuc na comloigthe on flait  
in cáe ínat díbrein, ocu an díri do cheile.

Ma do tabairt i íath do nach cheilíu aile, munab  
ar diumano, ír leith log eimech in éilí íoíla don  
íath la romaine, munab aníoltach in cheile; inge

<sup>1</sup> *Forfeited.* O'D. 295, adds here:—"If the chief committed illegality against  
one tenant, it is safe for him to renounce the tenancy."

chief to the tenant, on account of the recalling of the stock *by the chief*, and the returnable 'seds' are forfeited, and also the food of the year in which the separation takes place, and the 'comhloighthe'-settlements are forfeited to the tenant, and the 'comhloighthe'-settlements are to be returned by the chief.

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If it be in contempt of the tenant that the chief recalls his 'seds,' the tenant is entitled to honor-price out of them, i.e. out of the original 'seds' of restitution, so that no services adhere to the original 'seds.'

If it be in contempt, i.e. if it is out of disrespect for the tenant on the part of the chief that the chief sends for the 'seds' which he gave as stock. The tenant is entitled to, i.e. to honor-price out of the two-thirds of the stock, the one-third having been first forfeited to him on account of the recall of the stock *by the chief*. Of the original 'seds,' i.e. out of the two-thirds of the original 'seds' of the stock *to be returned*. No services adhere, i.e. nothing of the profits of his 'seds' belongs to the chief, if the two-thirds of the stock *remaining* after the one-third has been first deducted on account of the recall of the stock by the chief, be not greater than the honor-price of the tenant. Services, i.e. of food. Original 'seds,' i.e. that they (*the services*) shall not adhere to them.

In that separation for contempt which the chief makes from the tenant, one-third of the stock and of the returnable 'seds' is forfeited to the tenant, on account of the recall of the stock *by the chief*, and he (*the tenant*) has full honor-price out of the other two-thirds, and the forfeiture of the food of the year in which they separate.

If it (*the recalling*) be not out of contempt at all, but to give it (*the stock*) to another tenant, who is not nobler in degree, or nearer in point of kindred, and not nearer for consuming his food of tenancy, it is one-half honor-price that is then due to the tenant out of the two-thirds of the stock.

If the three reasons for recalling exist, it is only one-third honor-price that is due to the tenant out of the *remaining* two-thirds of the stock, and the forfeiture of the food of the year in which they separate, is due to the tenant in each case of these; and the chief returns the 'comhloighthe'-settlements in each case of these, and they are forfeited<sup>1</sup> to the tenant.

If it (*the recalling*) be to give the stock to some other tenant, and it is not out of contempt, it is half the honor-price of the tenant that is deducted from the stock

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mao dligtechu in céilí hÍ do feilge dón flaithe, maó huairliu, no maó nera ar opo rinneuidá, no maó nerum a romaine don flaithe; maó amail rodaín, ír trian loise eneach dÍ he pet lair in cheilí.

Munab ar dímumno, .i. noéan ar dímiarab leir in ceile ro bai eice. Ír leth loz einech, .i. ír leth eneclann in céile dílar in nat annraib, .i. írpet rodaibtear fíur dia nat leth loz enec in ceile, ocup trian in nat. La romaine, .i. lair in romaine dleagar do, dílrí bío ná bliatna a netarparat do. Anpoltach, .i. munib rodpoltac in ceile, ír ann ata rin. Inge maó dligtechu, .i. inge ar aét; ata aét lium ant, ma dligéda in ceile da teigean in flait nat do tabairt. Maó huairliu, .i. ír ngíat. Ar opo rinneuidá, .i. ar opougat fine dútáis he a fine, .i. dúda do. No maó nerum, .i. no maó nera don flait he a romaine a bío céilíne. Maó amail rodaín, .i. maó amlaio rin ber, ír trian neneclannoi tairpíur lair in ceile do da treimib in nathá.

Maó cimgaire nódaibne no athcuir nódaibne, nach an be do folair cena, ír aithgín muna marathar feib no nathá, cen fuillíuo leo. Nach optha nech in dícumung.

Maó cimgaire, .i. ma daibne do beia ar in flait a nat do cimgaire, nocon fuil uice ní da ndeapna a bethamnar cu tuca a nat éuici arir. No athcuir, .i. no ma daibne do beia ar in ceile aétur in nathá, nocon fuil aice ní da ndeapna rognum don flait aét a nat daétur ar. Nach an be do folair, .i. noco bí folair éuic no bethamnar ac in flait aét a nat do tabairt cuici; no, noca bí folair éuic ac in céile da ndeapna rognum aét a nat daétur. Ír aithgín, .i. ír aithgín fon feabur no heirneo ír in nath ann, muna maipno icir; no ír aithgín fon febur no heirneo ant ge maipit inoap aile, muna maipno feib no nath; ocup ír hÍ a dethbir jeo ocup in cimpcar imtoza, ocup in cimpcar contethnatar anfolair cethar da lina, dílrí bío ná bliatna a netarparat fíur, ocup a nairec innceirum. Cen fuillíuo, .i. cen fuillíuo leir ná fetaib tucao ír in nat in mbair maipno feib no nat. Nach optha, .i. noco noipcei néd im in ní im inacumtar, im ing, im bocha, .i. cio flait cio ceile.



together with the services, unless the tenant be disqualified; but if the tenant be more lawful to whom the chief transfers *his stock*, if he be nobler, or nearer in point of kindred, or nearer in services to the chief; if this be so, it is one-third honor-price that is due to the tenant.

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If it is not out of contempt, i.e. that it is not out of disrespect to the tenant whom he had *before*. It is half the honor-price, i.e. half the honor-price of the tenant that is then paid out of the stock, i.e. the part of his stock which is kept from him is half the honor-price of the tenant, and one-third of the stock. With the services, i.e. with the returns due of him, the food of the year in which they separate is forfeited. *Unless the tenant be disqualified*, i.e. this is the case, unless the tenant be disqualified. But if *the tenant be more lawful*, i.e. 'except is for 'but'; I make an exception here, if the tenant to whom the chief transfers his stock be more lawful. If he be nobler, i.e. in grade. In point of kindred, i.e. in the order of tribe land in the tribe, i.e. it is due to him. Or nearer, i.e. or if he is nearer to the chief in the returns of his food of tenancy. If this be so, i.e. if it be after this manner, it is one-third of his honor-price that is kept by the tenant from the two-thirds of the stock.

If it be a recalling *on account* of poverty, or a returning *on account* of poverty, when there is no other property, it (*the penalty*) is restitution, unless they (*the 'seds'*) are living *in the same condition* as they were *when* given as stock, without addition to them. No one should be oppressed in *his* difficulty.

If it be a recalling, i.e. if it be poverty that induces the chief to recall his stock, when he has nothing to support himself until his stock is returned to him. Or a returning, i.e. or if it be poverty that induces the tenant to return the stock, when he has not wherewithal to perform the service to the chief, *he can do nothing* but return him his stock. When there is no other property, i.e. when the chief has no property in cattle or food *he can do nothing* but recall his stock to himself; or when the tenant has no property by which he could perform the service *he can do nothing* but return the stock. It is restitution, i.e. restitution is to be rendered of '*seds*' in as good a condition as they (*the 'seds'*) were when given as the stock, if they (*the original ones*) are not living at all; or restitution is to be made of '*seds*' in as good a condition as those given as stock, even if they are living, but not in the same condition as when given; and the difference between this and the "recalling by choice," and the "recalling mutually caused by the disqualification of both parties," is, that the food of the year in which they separate is forfeited in this case, and there is only a return of them (*the seds*) in those. Without addition, i.e. without addition to the seds that were given as the stock when they are living in as good a condition as when they were given. No one should be oppressed, i.e. one is not to be oppressed about a thing which he is not capable of rendering, in his difficulty, or in his poverty, i.e. whether *he be* chief or tenant.

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Maó in ceile dír daíobir, foghí loḡ ina fét amail  
meḡtar, conam anḡerbará.

Daíobir, .i. in inoile. Amail meḡtar, .i. amail meḡemnaíḡtir a  
loḡ. Foghí, .i. do corp ḡnui, .i. do ní fíeic loḡ ná fét oḡognum.  
Conam anḡerbará, .i. co nara tuabarḡair in flait can loḡ a raḡa do.]

foghí loḡ ná fét.

.i. loḡ ná fét no in raḡa do ḡognum on cele in curnuma ḡo  
ḡebirí ar ḡognum o neoch eile; ocur o raḡur a ceann in ḡognuma,  
ní fuil loḡ ná ar do raḡh fét ná fétuib.

If it be the tenant that is indigent, he may render the value of the 'seds' in service according to estimation, so that there be no fraud.

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Indigent, i.e. as to cattle. According to estimation, i.e. according as their value is estimated. He may render in service, i.e. of bodily labour, i.e. he may perform the amount of the 'seds' in service. So that there be no fraud, i.e. that the chief may not be defrauded of the exact value of his 'seds.'

He (*the tenant*) may render the amount of the 'seds' in service.

That is, the tenant may render the amount of the 'seds' or the stock in service at the same rate of payment that he could get for his service from another person ; and when he has once entered upon the performance of service, neither growth nor increase shall accumulate upon the 'seds.'

## CCAIN LANAMNNA.

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NEXIONS.

Cain lanamna dilear do cechtar da lina cia po chaithre cia toymala cechtar da lina ar araile, acht ní po raiorem i nólizid flatha, ocur ní po riachaisgarar nólizid, no urólizeo, no aipilecuo, no ní po tathaisger nech oib ar araile. Slan cach pocomra, cach pocobur, eplan cach necobur i cain lanamna.

O'D. 297. Cain lanamna, .i. riasail na lanamna [ar an i r lanhoma, .i. plenur oma .i. duine comlan, fear ocur bean qui fuit adam ocur Eva.] Dilear, .i. i r dilear do cechtar de in da naimas rin. Cia po chaithre, .i. do biuó. .i. ciobeo po chaithre do biuó ocur deaé. Cia toymala, .i. ciobeo toymailear do rtaib, .i. detach, .i. no caiteam la tuait, ocur toimilt do eclair. Cechtar da lina, .i. ceétar de in da naimas rin ar a éile. Acht ní po raiorem, .i. acht inni po nemraiorium i nólizid na flata ocur in éile romaino, i rin nimrean imtoza, uair ipeaó uil anoraioe, comarousaó itir a comloigthaib; ipeaó fuil funo imorru, uilre na comloigte, maia nóligtech iat maiaen; ocur maiaen innóligtech iat maiaen, i r comarousaó itir a comloigtib. Maia nóligtech in daia de, ocur innóligtech a cheile, aipeo na comloigte on innóligtech ocur a nóliri don nóligtech. Ní po riachaisgarar, .i. no in ní riachaisger nech oib do rieri nólizid, .i. imin coibce, .i. in baile a nóligar coibce. Dólizid, .i. im in coibce. Urólizeo, .i. riasail ocur daireti. Aipilecuo .i. ní do riarar rru aét ocur aipeo. No ní po tathaisger, .i. no in ní gatur nech oib o éile do neoó a mbia enecclann, .i. uicéio cu hiarriaro. Slan cach pocomra, .i. do biuó ocur etach, .i. rlan doib caé pocomais uair do ní caé oib re éile im in comloigú. Cach pocobur, .i. caé deacubur uair im in comaititio, .i. im a atmail. Eplan cach necobur, .i. i r eplan do neoó oib riuóobur gaiti do venum ar a éile. I cain lanamna, .i. don lanamain do rieri riasla, no i riasail in lanamnaip.

<sup>1</sup> ‘Coibche’-marriage gift. A present given by the husband to the wife at their marriage.

## THE 'CAIN'-LAW OF SOCIAL CONNEXIONS

IN the 'Cain'-law of social connexions what either party has consumed or worn to the disadvantage of the other is forfeited, except what we have mentioned in the law of the chief, and that debt which is claimed by law, or *as* liability for another, or loan, or what one of them has stolen from the other. Every act of accommodation, every honest act is safe, every dishonest act is unsafe in the 'Cain'-law of social connexions.

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'Cain'-law of social connexions, i.e. the rule of social connexions. '*Lanamhna*,' from that which is *lan homo*, i.e. *plenus homo*, i.e. a full man, a man and a woman,—*qui fuit Adam et Eva*. Is forfeited, i.e. either of these two is forfeited. *What either party* has consumed, i.e. of food, i.e. whatever he or she has used of food or clothing. Or worn, i.e. whatever he has worn of 'seds,' i.e. of raiment, i.e. or spending *is applied* to the laity, and wearing to the clergy. Either party, i.e. either of the two parties concerned as regards the other. Except what we have mentioned, i.e. except what we have mentioned before in the law of chief and tenant, in the "Separation from choice," for in that law there is an adjustment of their set-offs; but here there is forfeiture of the set off, if both parties are lawful, (i.e. *lawfully competent to enter into this connexion*); and if both are unlawful, there is an adjustment between their set-offs. If one be lawful and his tenant unlawful, the set off is to be returned by the unlawful person, and to be forfeited to the lawful person. That debt which is claimed, i.e. or the thing which one of them claims according to law, i.e. 'coibche'-marriage gift, i.e. where 'coibche'-marriage gift is due. By law, i.e. respecting the 'coibche'-marriage gift<sup>1</sup>. Liability for another, i.e. the 'sicals'<sup>2</sup> and the 'dairt'-heifers. Or loan, i.e. a thing that is given on condition and for a specified purpose. Or has stolen, i.e. or what one of them has stolen from the other, who has honor-price, i.e. he conceals it until it is sought for. Every act of accommodation is safe, i.e. of food and clothing, i.e. every act of accommodation which the one does towards the other respecting the set off. Every honest act, i.e. every conscientious act respecting the acknowledgment, i.e. *as to its avowal*. Every dishonest act is unsafe, i.e. it is unsafe for one of them to be guilty of an unconscientious act of deceit towards the other. In the 'Cain'-law of social connexions, i.e. the social connexions according to rule, or in the rule of the social connexions.

\* *Sicals*. The 'sical' appears to have been a small piece of silver (probably coined), equal in value to the 'screpall,' and weighing from twenty to twenty-four grains. It was equivalent to three 'pinginns.' The 'screpall' was, it seems, the Irish designation for the denarius. *Vide* "Petrie's Inquiry into the Origin and Uses of the Round Towers of Ireland," pp. 216-232; Dublin: Hodges & Smith, 1845.

'CAIN LA-  
KAMHNA,'  
OR LAW OF  
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NECTIONS.

Cair cīr līr lanamna docuirin la fēme. Nīn—  
α ocht. Flait̃h fīria aicgillne; eclair fīria manchu;  
athair fīria hingin; ingen fīria bīrathair; mac fīria  
mathair; dalta fīria α muimig; fīthit̃hair fīria real-  
mac; fear fīria ben.

Cair, .i. comaircīm no iarragim cīa lēir no cīa līn dō lanamnab  
oirgnat̃air no tharar̃air dō fēir in fēimechair.

Flait̃h, .i. fō α fōlaid, maī nā fōlaid dōlzar dē nē cēilīb, no fō  
maith, ocuf laīt linn, maīt lēir linn.

O'D. 595. 1r i lanamnacht athreḡtair itir in flait̃h ocuf α cēile, nath  
ocuf reoit̃ turclaidi uat̃um dōibrium, ocuf α nōit̃in ar cāc  
ninnoligēd go nic, biat̃ad ocuf manchuine [ocuf ureirge]  
uait̃hibrium dorum, ocuf tairic fēt̃ fōr comorba, no co  
comorba i bail i nōlzar. b̃reit̃heamnu, ocuf imdenum, ocuf  
fīat̃nair dōn flait̃h fōr α dāer̃cēilīb; ocuf α fēna dā  
fāer̃cēilīb, ocuf fīat̃nair māra cōit̃cēann fīat̃nair dō denum  
dōib fōr α cēlīb.

O'D. 595. Fīria aicgillne, .i. fīria ucca cēile fīr in lūcht lēir an ucca tōgaid  
cēilr̃ne dōnā cēilī bit̃ aice. Eclair, .i. ecan clār, clār in ecnā; no,  
eclār, iclār, clār icca caich in eclār im in nī pecat̃ aleār; no, eclār  
[.i.] uas clār, clār uag̃tir ar cāc in eclār; no, eclār, ecen lēār, bail  
i nōent̃ar lēir nēich in uair bīr i nōcin; no, eclār, onī 1r ecleria [iur̃ti  
populati, .i. cōit̃inol nā fīrēn.] Fīria manchu, .i. fīr in lūcht dō  
bērat̃ māine romannacha dī iār cae, iār conair.

.1. 1r i lanamnacht uil itir in eclair ocuf α manchu,  
p̃raicecht ocuf oīf̃f̃renn, ocuf imait̃ñ anma on eclair dā man-  
chab, ocuf air̃it̃iu cāc mēic dō fōrcet̃al, ocuf cāc manais dō  
cōir̃ aithr̃igē; dēchmat̃a ocuf p̃rim̃it̃i ocuf al̃m̃r̃ana uait̃haib-  
rium dīr̃i, ocuf lan lōg enāc in nēir̃t̃l̃aiñti, ocuf t̃rian lōg enāc  
fīr bār; ocuf b̃reit̃heamnu, ocuf imdenam, ocuf fīat̃nair dōn  
eclair fōr α mañcāib, itir fāer̃manach ocuf dāer̃manāc, ocuf

<sup>1</sup> *Ecleria*. This last is the true derivation of the Irish word 'eclais,' or 'eglais.'  
The French *eglise* is derived from the same source—*εκκλησια*.

Question—How many kinds of social connexions are there with the Feini? Answer—Eight. The chief with his ‘aigillne’-tenants; the church with her tenants of ecclesiastical lands; the father with his daughter; a daughter with her brother; a son with his mother; a foster-son with his foster-mother; a tutor with his pupil; a man with a woman.

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Question, i.e. I ask or inquire how many or what number of social connexions are distinguished or decided according to the ‘Feinechus’-law.

The chief, (‘flaith,’) i.e. ‘fo-a-fholaidh,’ good his wealth, i.e. good (‘fo’) is the wealth (‘folaid’) which he is bound to give his tenants, or good, (‘fo’) and ale, (‘laith’), he is fond of ale.

The social connexion which is considered between the chief and his tenants is, that he is to give them stock and returnable ‘seds,’ and to protect them against every injustice that he is able, and they are to render him victuals and labour, and respect, and to return the ‘seds’ to his heir, or for his heir where it is right to do so. The chief has power to pronounce judgment, and proof, and witness, upon his ‘daer’-stock tenants; but his ‘saer’-stock tenants can oppose them, and bear witness against his tenants if they be impartial witnesses.

With his ‘aigillne’-tenants, i.e. with those tenants he has who have taken it as a choice to accept of tenancy from him. The church, (‘eclais,’) i.e. ‘ecan clas,’ the assembly of wisdom; or ‘eclas,’ i.e. ‘iclas,’ because the church supplies every one with what he requires; or ‘eclas,’ i.e. ‘uag clas,’ pure assembly, the church is an assembly which is purer than all others; or eclas, i.e. ‘ecen leas,’ by which one’s welfare is effected, when he is in difficulty; or ‘eclas,’ from the Greek *ecclesia* ‘*justi populati*,’ i.e. the assembly of the just. With her tenants of ecclesiastical lands (‘manchu’), i.e. with the people who give it (*the Church*) valuable (‘somainacha’) goods (‘maine’), after a proper way, (‘cae’), or manner.

The social connexion which subsists between the church and its tenants of ecclesiastical lands is, preaching<sup>2</sup> and offering,—and requiem for souls is due from the church to its tenants of ecclesiastical lands, and the receiving of every son for instruction, and of every such tenant to right repentance; tithes, and first fruits, and alms, are due of them to her, and full honor-price when they are in strong health, and one-third honor-price at the time of death,<sup>3</sup> and the church has the power of pronouncing judgment, and proof, and witness, upon its tenants of ecclesiastical lands, both ‘saer’-stock tenants and

<sup>2</sup> *Preaching.* In O’D. 595, the reading is “Baptism and communion, and requiem of souls, and preaching and offering.”

<sup>3</sup> *Death.* In O’D. 595, there is added. “And every first calf, and every first lamb, and every first-born of children, and every tenth child from that out.”

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FOR CÁÉ TUAATA UILE CIO RAEPMANACH HE, MUNA RAIB ECLAIR AILE,  
[eclair ír comuairal reir], ACA TERTUGUO.

ATHAIR, .i. aithe imecha toir, no aua noí toirichniúeann. FRIA  
hINGIN, .i. fria innesen, nír in ngen inapar a hinne in athair, in inesen;  
OCUR NOCO MO ARAR INA IN MAC, ACÉ MO NO FOICH DO REIR INOAITHMAIS.

.1. ÍR LANAMNACHT UÍL ÍTIR IN ATHAIR OCUR IN INGEN, A HÁLT-  
RAMPI DOPOM DO LAN NO DO LEITH, OCUR LAN IARAI, NO LEITH IARAI  
LE DOCHUM AITE; OCUR A HUPNADOM FRI COMÉNEOL IAR NAER TOGA;  
OCUR TRIAN TINOL LE DO CUM IN COMÉNOIL FEIN. CÉT COIBÉE CACHA  
HINGINE DIA HATHAIR UAITHERE DOPOM; OCUR DA TRIAN AR IN COIBÉE  
TANIRE, OCUR LEATH AR IN TRIAR COIBÉE, OCUR UIRAMNUR CAÇA  
COIBÉE O FAIN AMAH CO FRIA COIBCHE AR FICHE: OCUR BPEITHENMUR,  
OCUR INOENAM, OCUR FIADNAIRE DON ATHAIR FOIR A HINGIN.

INGEN FRIA BHATHAIR, .i. fria bpeo thuar, nír in mbpeo noíchoi-  
richniúeann amail in athair in uair níc aleap.

MAC, .i. mo a uccu, mo ír ucca thosaróe he ina in ingen. FRIA  
MATHAIR, .i. fria mo toir, mo no thoiuénigenn, no mucha no thoi-  
richniúeann inna in tathair.

.1. ÍR LANAMANNACHT UÍL ÍTIR IN MAC OCUR A MATHAIR, A AL-  
TRAMPUN DOPOM DO LAN NO DO LEITH, NO DO LAN IARAI, NO LEITH IARAI  
LEIR DO CHUM AITE; OCUR BPEITHENMUR, OCUR INOENAM DON MATHAIR.

<sup>1</sup> *Relief.* In O'D., 595, the reading is 'athair, .i. aithe, .i. imecha toir;  
no, aua noí toirichniúeann,' which seems to mean the same thing as the reading  
in the text.

<sup>2</sup> *Word.* Dr. O'Donovan remarks here, "this is not the true derivation of the word  
'ingen,' a daughter. In Cormac's Glossary it is derived from 'in,' a negative, and  
'gen,' a woman, i.e. not yet a woman, and in this sense it is used in the oldest  
MSS. At the present day, however, 'ingen' is a relative term, the same as *filia*  
in Latin. In like manner 'mac' would appear to have changed its meaning, for  
in these laws and other ancient authorities it is used to denote a boy. It is now a  
relative term like *filius*. The modern word for boy—namely, 'garraún'—is never  
found in old Irish MSS., and is evidently a loan-word from the French."

<sup>3</sup> *'Tirol'-marriage collection.* A collection for the young couple made amongst  
the friends at the marriage of a daughter. The same custom appears to have pre-  
vailed in Brittany and in Wales not long ago; perhaps it prevails in some places  
even now. Vide "Brittany and the Bible," by I. Hope, pp. 12, &c. Longman, 1852.



'daer'-stock tenants, and upon every other layman, even though he be a 'saer'-stock tenant of ecclesiastical lands, unless there is another church of equal dignity claiming him.

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A father, ('Athair,') i.e. quick, or rapid ('aithe,') his relief,<sup>1</sup> ('imecha thoir,') or lawfully, ('ada,') he relieves, ('toir &c.) With his daughter, ('hingen,') i.e. with the offspring of his loins, his 'inne-gein,' i.e. the daughter is the off-spring ('gen,') which springs from the loins ('inne,') of the father; and she does not spring more so than the son, but she would appear to spring more so according to the derivation of the word.<sup>2</sup>

The connexion which subsists between the father and the daughter is, that he is to foster her wholly or to the extent of one half, and to send full price of fosterage, or half the price of fosterage, with her to her foster-father; and to wed her to a man of equal family, after she has arrived at the marriageable age; she is to bring one-third of the 'tinol'-marriage collection<sup>3</sup> with her to that man of equal family. The first 'coibhche'-wedding gift of every daughter is to be given by her to her father; and two-thirds of the second 'coibhche'-wedding gift, and one-half of the third 'coibhche'-wedding gift, and a proportion, in the same descending ratio of every 'coibhche'-wedding gift from that forth till the twenty-first 'coibhche'-wedding gift; and the father has the power of pronouncing judgment, and proof, and witness upon the daughter.

A daughter with her brother ('brathair'), i.e. with 'breo thuair,' with the fire ('breo') which relieves like the father ('athair') when she stands in need of relief.<sup>4</sup>

A son ('mac,') i.e. 'mo a ucca,' i.e. greater ('mo') his selection ('ucca') than the daughter. With his mother ('mathair'), i.e. with his 'mo toir,' i.e. more ('mo') she relieves ('thoir' &c.), or quicker ('mucha') she relieves ('thoir &c.') than the father.

The connexion which subsists between the son and his mother is, that she is to foster him wholly or to the extent of one-half, or to send full fosterage-fee, or half fosterage-fee with him to his foster-father; and the mother has power of pronouncing judgment, and proof upon

<sup>4</sup> Need of relief. In O'D. 596, there is added here a passage to the following effect:—"The connexion which subsists between them (*the brother and sister*) is, that he is to foster her wholly, or to the extent of one-half, or send full fosterage-fee, or half fosterage-fee, with her to her foster-father, unless her own father is living, and to marry her to a man of equal rank, after she has come to the years of selection in marriage; and she is to bring one-third of the 'tinol'-marriage collection with her to that man of equal family. What is due of the daughter to the brother is this: if he be the head of the sept, half her first 'coibhche'-wedding gift is due to him, and two-thirds of one-half the second 'coibhche'-wedding gift, and a proportion of her legacy portion and her body-fine. He is to support her in her old age, and to assist her in poverty. The brother has power of pronouncing judgment, and proof, and witness, upon his sister."

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for a mac, ocuf fiaonairfe, mara coitcéann fiaonairfe; ocuf  
faisde fhu domatais, ocuf gairfe fhu reanodais; ocuf biaro on  
ingin fein for da mathair ocuf hathair, ocuf da haise fine.

— Dálta, .i. di no naiteno in muime; no deoe ailep he, a aite ocuf a  
muime; no deoe da naiter he, da mathair ocuf da hathair.

Fria a muimig, .i. fria mo ime, mo imer a eodach uime ica cluoguso  
ocuf aca alernum, na in taiti; no mo na mi no naiteno.

O'D. 596. [I r lanamnacht uil on buime don dálta, alernama do lan no  
do let ne co aoir diailtre, ocuf lan ret gerta, no let ret gerta  
uaithe do iar naoir diailtre; ocuf ar e lanamnacht ata on dálta  
oiri, a faisde fria domatais, ocuf a gairfe fhu reanodais; ocuf  
briethenimur, ocuf imdenam don buime for in dálta, ocuf fia-  
onairfe, mara coitcéann fiaonairfe; no com a rena na buime don  
dálta.]

Fithichair, .i. ret athair, aithair fethaisi mae in forcetail, no,  
athair na peioe, na helathan. Fria fealmac, .i. fria hoilmac, .i.  
fhu in mac da tabair a foglam, o oir, no bup ac foglam foillura  
na halathan acoe; no fhu uile mac, fhu in mac da tabair a foglam  
uile uair ann.

O'D. 597. I r lanamanacht athfethair itir in dálta ocuf in taiti for-  
cetail, forcetail cen diell [ocuf a fuirmit an graid], ocuf core  
can acgairbe on oite for in dálta, ocuf a biathad ocuf eituro  
in aipet ber ac denam dana dligthig, muna pagba o neoc aile;  
ocuf o fcoil fenuira forpuid anall gabair in forcud rain;  
ocuf faisoi fhu dommatais, ocuf gairfe fhu reanodais on dálta  
don aite, ocuf loig enech in graid a fuireama he, ocuf a etail  
dana uile in aipet ber aca foglam, ocuf cet tuilleam a dana  
iar noul a tig a aite; ocuf briethenimur, ocuf imdenam, ocuf  
fiaonairfe don oite forcetail for in dálta, ocuf don athair  
for a mac, ocuf don eclair for a manach.

the son, and witness, if she is an impartial witness; and he is to aid her in poverty, and to support her in old age; and *the same duties* are also due from the daughter to her mother and to her father, and to the head of her tribe.

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A foster-son (‘dalta’), i.e. twofold (‘di’) his nurse nurses (‘nailend’) him; or two (‘dede’) nourish (‘ailes’) him, i.e. his foster-father and his foster-mother; or there are two (‘dede’) for whom he is fostered (‘nailter’), i.e. for his mother and his father.

With his foster-mother (‘muime’), i.e. with his ‘mo ime,’ she more (‘mo’) folds his clothes about him (‘ime’) to warm him and to nourish him, than the foster-father; or more (‘mo’) than a month (‘mi’) she fosters him.

The connexion which subsists between the foster-mother and her foster-son is, that she fosters *the foster-son* wholly or to one-half of the time at which his fosterage is completed, and she gives him the whole of the ‘seds’ of lawful maintenance, or half the ‘seds’ of lawful maintenance, after *he comes* to the age at which his fosterage is completed; and the relative duties due of the foster-son to her are, to assist her in poverty, and to maintain her in her old age; and the foster-mother has *power of pronouncing* judgment, and proof, upon the foster-son, and witness, if she be an impartial witness; or the foster-son may oppose *the witness* of the foster-mother.

A tutor (‘fithithair’), i.e. ‘feth-athair,’ i.e. the father (‘athair’) who guards (‘fethaigi’) the way of instruction, or ‘athair na fede,’ i.e. the father (‘athair’) of science (‘fede’). With his pupil (‘felmac’), i.e. with his ‘oilmac,’ i.e. with the son (‘mac’) to whom he communicates his learning (‘fhoglain’) by word of mouth (‘oil’), or who is learning the secrets (‘folliusa’) of science with him; or with his ‘uile mac,’ i.e. with the son (‘mac’) to whom he gives all (‘uile’) his learning at a certain time.

The social connexion that is considered between the foster-pupil and the literary foster-father is, that the latter is to instruct him without reserve, and to prepare him for his degree, and to chastise him without severity, and to feed and clothe him while he is learning his legitimate profession, unless he obtains it from another person; and from the school of Fenius Forsaidh onwards this custom prevails; and the foster-pupil is to assist his tutor in poverty, and to support him in his old age, and the honor-price of the degree for which he prepares him, and all the gains of his art while he is learning it, and the first earning of his art after leaving the house of his tutor, *are to be given to the tutor*; and the literary foster-father has *power of pronouncing* judgment, and proof, and witness upon the foster-pupil, as has the father upon his son, and the church upon her tenant of ecclesiastical lands.

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Ἐσάρ, .i. on ni ír uirceat, o nír. Ἐρία ben, .i. fíri boin, fíria maith, fíur in ni ír maith léir, .i. ría mnai; no [a benignitate] on t[r]ianemilatair, no on miasamlatair pírdatair, ocuf aca rochtam fíon robar and.

Ocuf írhi lanamandacht uil atáru, toíl ocuf senur ocuf banghnim uaitíurí doírom, ocuf fíurghnim uadírui doíur; ocuf tñian tinoíl aiceprí mara hingen gñairó fíeme co mac gñairó fíeme, no ingean gñairó fíatha co mac gñairó fíatha, no hingen gñairó fíatha co mac gñairó fíeme; ocuf da tñian tinoíl ac an fíur.

Μαρα ingean gñairó fíeme imoírui co mac gñairó fíatha, da tñian tinoíl uaitíe rí, ocuf tñian tinoíl o mac in gñairó fíatha.

Ocuf connenum a fíelba doib, ocuf ír ar gñabair eíreic, cu naititíon fíor teacht muíge ocuf tíge, ocuf ar fíogñi teacht do muíge. Ocuf fíena in fíur don mnai mara comolígtech íat, no mara cominolígtech íat, no mara olígtechu in bean; uairí olígto cennácta uil eturru, ocuf ge aíruiro olígte cñenácta ac an fíur ar fíerírdacht, no ar fíoruaíre, noco moíroí no ría muídenam do ar in mnai ce beir aílairó fíon, uairí ír cunóirad fíul eturru.

Comóirer do cach doib cía tarra dia raile, cía imaríabara cach doib ar aíraile cen elgum, cen tarde;

<sup>1</sup> 'Tinol'-marriage collection. In O'D., 597-598, there is a different reading to the following effect :—"The connexion which subsists between them is that she gives him her will, and desire, and the female act, and one-third of the 'tinol'-marriage collection, and a portion of her legacy, and of her body-fine; and he gives her the 'coibhche'-wedding gift and 'sicals,' and one-third of the 'tinol'-marriage collection, if she be the first spouse, or the 'coibhche'-wedding gift and one-third of the 'tinol'-marriage collection only, if she be an adultress (*a kept woman, a mistress*), and he gives her the virile act whether she be a first spouse or an adultress.

"Whatever amount of food and raiment, by way of set off in consequence of the connexion, each of them may give the other without condition, without stipu-

A man ('fear'), *the word being derived* from the thing which is 'virtus,' 'CAIN LA-  
i.e. from his strength. With a woman ('ben'), i.e. with 'boin,' with his good, NAMHNA,  
with what he likes, i.e. his wife, or from 'benignitate', from the kindness *of the* OR LAW OF  
woman, and the dignity of the man, and to reach these *qualities* they exist. SOCIAL  
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NEXIONS.

And the connexion which subsists between them is, that she is to give him her will and desire and female act, and he gives her the virile act; and she shall have the third of the 'tinol'-marriage collection<sup>1</sup> if she is the daughter of one of the Feini grade *who goes* to the son of one of the Feini grade, or the daughter of one of the chieftain grade *who goes* to the son of one of the chieftain grade, or the daughter of one of the chieftain grade who goes to the son of one of the Feini grade; and the man shall have two-thirds of the 'tinol'-marriage collection.

But if she be the daughter of a man of the Feini grade *who goes* to the son of a man of the chieftain grade, she shall give him two-thirds of the 'tinol'-marriage collection, and the son of a man of chieftain grade gives *her* one-third.

And they are to prove their possession mutually, and the reason from which it (*the custom*) is derived is this, that "they take possession of *cattle, land, and house, with the acknowledgment of the tribe, and taking possession of land, cattle, &c., requires proof.*" And the woman may oppose the evidence of the man if they are both equally admissible to give legal evidence,<sup>a</sup> or if they are both <sup>a</sup>Ir. legal. equally inadmissible to give legal evidence,<sup>b</sup> or if the woman be more <sup>b</sup>Ir. illegal. lawful; for it is a law of headship that is between them, and though the law cedes headship to the man for his manhood and nobility, he has not the greater *power of proof* upon the woman on that account, for it is *only* a contract that is between them.

What each of them gives the other is equally forfeited, *as also* what each of them takes from the other

lation, if both are lawful, all is forgiven on both sides, and if both are unlawful all is to be returned by both. If one be lawful and the other unlawful, the set off is forfeited to the lawful person, and it is to be returned by the unlawful person.

"Whatever be the amount of food and raiment, and of set off in consequence of the connexion, that one gives to the other upon condition and stipulation, whether both are lawful or unlawful, both must return it. Whatever one of them gives to the other as a gift, if he should wish to prove that it was not for a gift he gave it, he will not be permitted to prove it, for proof of the intention<sup>a</sup> is <sup>a</sup>Ir. reason. never allowed between those connected by social connexions."

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arpenar aithguin cach díchmaire cairnichtheor co  
tiorcaio, acht in eclair. Aithgin olcena cach dích-  
maire cairuisteor co imcím tiorce no eluda oluigio.  
Cach díchmaire cen tairde, cen elguin, cach díchmaire  
cairuisteor, follaisteor, ir cona tiorce dobonzair.

Comtoirer, .i. ir eutruma ir toirce do cach tob do na hocht lanamnaib  
atrubriamair nomainio cibeto do bepat da ceile do comloigib can acht  
can aipeare uice. Cía imarbara, .i. cibeto eimbera caé tob o ceile  
im a neirrach. Cen elguin, .i. cen eolguair compairi do denam ima  
brié tar parusaio i riadnaire. Cen tairde, .i. dicheit i necmair, .i. cen  
dicheit o no cluin i iarruio. Arpenar, .i. ir uair eirnitheor aithgin  
ir in ni beair o neoch can atcomair; in tiorrach ina huirde icce coir, aét  
na deirtear innoilge tob rin aro. Cach díchmaire, .i. inuirt cen  
athcomair co na atmail po cetoir. Co tiorcaio, .i. co na deirtear  
tiorcaio ime ac iarruio a aithgna iar na gabail; ir ann ata aithgin  
do tuata ann muna tiorceor. Acht in eclair, .i. aét mainib o eclair-  
daio beair he, ir ann ata aithgin aro ría tiorcaio, uair ipre cuir in  
in aétuagte a bail ata aithgin laéta no gnimraio don tuat ann, bair a  
diablaio do eclair. Aithgin olcena, .i. aithgin uile éena in cach ni  
beair o neoch cen athcomair ir in neirrach co na tiorrachtain ina  
uirde icce coir, .i. cenmoé eclair. Cairuisteor, .i. cuingitir, .i. airtuir  
iar cae eirce a haithle a gabala. Co imcím, .i. co roib eimcinnuio  
tiorce do leuco imme, do gnaraib plaéta noco nuil aét aithgin ann.  
Eluda, .i. apar na gnaraíme. Cach díchmaire, .i. caé eirrach beair  
o neoch cen atcomair. Cen tairde, .i. dicheit i necmair. Cen elguin,  
.i. paraische i riadnaire. Cach díchmaire, .i. caé eirrach beair  
o neoch cen athcomair. Cairuisteor, .i. airtuir eirce iar na gabail iar  
cae, .i. o airtiu o fein, oairirí fuil deitbir caé gne tob ro. Follaisteor,  
.i. iar na cuingio, .i. do nitheor fuil imme, eluo apar do lecon for  
gnaraib íme, no tiorcaio do lecon do gnaraib plaétha. Ir cona tiorce,  
.i. ir cona lantiorce toibgitir he in tiorrach iare tairgille, no iar leuco  
elote imme.

without consciousness of crime, without theft; restitution is paid for every illegal taking with which they are charged by fasting, except *when the church is concerned*. Restitution is *also paid* for every illegal taking with which they are charged, by avoiding fasting or evading law. Every thing illegally taken without intent of stealing, or consciousness of crime, every thing illegally taken with which they are charged, *if the charge is neglected*, is exacted with 'dire'-fine.

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NAMIHA,'  
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Equally forfeited, i.e. whatever by way of settlement of accounts they give each other without condition or stipulation is equally forfeited by either party *in each* of the eight social connexions which we have mentioned before. What each of them takes, i.e. whatever one of them takes from the other as forced relief or loan. Without consciousness of crime, i.e. without committing intentional trespass by bringing it away in the presence of *the owner* by violence. Without theft, i.e. concealment in the absence, i.e. without concealing it when he has heard it asked for. *Restitution* is paid, i.e. restitution is *fully* paid for the thing which is taken away from one without asking permission; the forced relief or loan *is to be paid* at its proper period of payment, so as none of these illegalities are committed. Every illegal taking, i.e. acting without asking permission, *but* with acknowledgment immediately. Fasting, i.e. when fasting is not performed in seeking its restitution after it has been taken; restitution is *not* paid to a layman unless the fasting is performed. Except *when the church is concerned*, i.e. unless it (*the property*) has been taken from an ecclesiastic, if it has, there shall be restitution before fasting, for the force of the "except" is *that* where there is restitution of milk or work to a layman, there shall be double *restitution* to the church. *Restitution is also paid*, i.e. restitution *is* likewise *paid* for everything which is taken away from one without asking permission, i.e. for the forced relief or loan which is to be forthcoming in its proper time of payment, i.e. except *when the church is concerned*. Are charged, i.e. it is sought, i.e. it is sued after the proper manner after its being taken. By avoiding *fasting*, i.e. when there is evading of the performance of fasting, *for* it is in the case of the chieftain grades that there is *no fine* for it but *restitution only*. Evading of *law*, i.e. of *serving* notice on the Feini grades. Everything illegally taken, i.e. every forced relief or loan which is taken from one without asking permission. Without theft, i.e. secretly in the absence of *any one interested*. Without consciousness of crime, i.e. of violence in the presence of *the owner*. Everything illegally taken, i.e. every forced relief or loan which is taken from one without asking permission. Is charged, i.e. this is sued after being taken in order, i.e. acknowledgment from himself, and there is a difference between every species of these. *If the charge is neglected*, i.e. after being asked, i.e. negligence is committed, when they evade serving notice on the Feini grades, or fasting on the chieftain grades. With 'dire'-fine, i.e. it is with full 'dire'-fine it is exacted, i.e. the forced relief or loan after the period of pledges, or after evasion respecting it.

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298.

[Tabuirt na platha cetamur.

.i. ríath tarairirtois tabuirt in cele don ní teit a nairim cáé  
forreuir nairibí. Tabuirt na ecluiri, biathad in aen cineoá zin  
fine, zin tiri, zin milled, ocur cach mic ocur zach manuis. Ocur  
tabuirt manuis, .i. .x. 7n. Tabuirt na mizine, .i. feireó. Tabuirt  
na mathuri, .i. leé tineoil tneabhéa; a rannruim o aoultrachu-  
cáib ocur co ruige rocori no angbocht; no tabuirt zach mna po  
miao, .i. oáa ferpuir nolla cu glonnaí, .i. aen fecht záa bliadna.  
Tabuirt reanathuri, .i. feireó, no co ruige rocori; no tabuirt  
záa mna amuil arbei. i. in cin. Tabuirt bñathuri dono, ma  
pori a feib beaí, amuil tabuirt a athuri. Tabuirt a mic, .i. biad  
ocur etuch rrua záie oileí, ic in cinuio co leé no dá trian.  
Tabuirt in athuri no mathuri, .i. leé iarpuio lair, no a biathad  
ocur a etuch co diaitpe do, leé no feireó, no cu ruice ro-  
cori. Tabuirt in dála, .i. biad ocur etuch oi rrua záie amuil  
athuri, no leé trian a corpuire. Tabuirt na muime, .i. a leé  
biathad, ocur a leé etuch, ocur leé eipic ac cinuio, uairi ruc  
leé iarpuio. Tabuirt in aite, .i. biad, ocur etuch, ocur fori-  
cetul. Tabuirt in felmic, .i. los neimuch in zriao do beupir  
fair, ocur muime o rin amach ocur uperze. Tabuirt in fir co  
tize leé no trian, no ír biad ocur etuch ír oileir do ceachtur  
de dia raié. Tabuirt na mna dono amuil tabuirt in fir, zin  
acé zin arurz.]

Áithzin neirici ocur áithzin peime do eclair rrua triocuo;  
áithzin ocur oipe ocur enecclann iar triocuo, ocur a los do  
pennat in dichmaíre in fein. Áithzin do cáé cena ina dich-  
maíre rrua triocuo; áithzin imorpu ocur oipe ocur enecclann  
in taíde, ocur in elzui rrua triocuo, írpeó ono in dichmaíre iar  
triocuo. Cia trioirctheir imorpu imon taíde ocur imon elzui,

<sup>1</sup> The book called 'Cin.' The word 'cin' is explained in Cormack's Glossary, to mean five sheets of parchment, *vid.* Stokes' Old Irish Glossaries, p. 9. For an account of a book called the 'Cin Droma Snechta,' *vid.* O'Curry's Lectures, pp. 13, 15, &c.



*As to the implied duty\* of the chief in the first place.* 'CAIN LA-NAMHNA,' OR LAW OF SOCIAL CONNECTIONS.  
 i.e. The excessive return for the stock is the implied duty of the tenant out of that which goes to the account of each excess of measure. The implied duty of the church is the feeding of the last survivor without a tribe, without land, without cattle, and of every son *left destitute*, and of every tenant of ecclesiastical lands. And the implied duty of a tenant of ecclesiastical lands, i.e. the tenth, &c. The implied duty of the daughter, i.e. the sixth. The implied duty of the mother, i.e. half the collection of the house; their private property *is required* from adultresses, and as far as great want or great poverty; or the implied duty of every woman is according to her dignity, i.e. *it varies* from a woollen distaff to a 'glonnas,' i.e. once every year. The implied duty of the grandfather, i.e. one-sixth, or as far as great want; or the implied duty of every woman as it is said in the book called 'Cin.'<sup>1</sup> The implied duty of a brother, if it (*the property*) be in his possession, is like the implied duty of the father. The implied duty of the son is food and raiment for maintaining the father legitimately, and payment of liabilities as far as one-half or two-thirds. The implied duty of the father or mother is, to give half fosterage-fee with him (*the son*), or to feed and clothe him till his fosterage ends, to the extent of one-half, or one-sixth, or as far as great want. The implied duty of the foster-child is to give her (*the foster-mother*) the same amount of food and raiment for maintenance, as he ought to give to the father, or half one-third of his body-fine. The implied duty of the nurse, i.e. to half feed him, and to half clothe him, and pay half 'eric'-fine for his crimes, for she had obtained half fosterage-fee. The implied duty of the foster-father, i.e. food, and raiment, and instruction. The implied duty of the pupil, i.e. the honor-price of the degree which is conferred upon him, and from that out he owes kindness and respect to his tutor. The implied duty of the husband amounts to one-half or one-third, or food and raiment are due from the one to the other. The implied duty of the wife is like the implied duty of the husband, without condition or stipulation.

Restitution of 'eric'-fine and restitution of penance *are to be paid* to the church before fasting; restitution, and 'dire'-fine, and honor-price after fasting, and the amount for the illegal taking are paid in penance. Restitution *is due* to everyone in general for illegal seizure before fasting; but restitution, and 'dire'-fine, and honor-price *are due* for theft, and for illegal seizure before fasting, and these penalties are for illegal taking after fasting. But even though fasting be performed in cases of theft and forcible seizure, double shall not

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DITIONS.

ni icéar diabla do neoch ro raideim, co ro cinne breithium.  
Irré a trocar; a etrocar imorru diabla neich dleagar nua  
trocar do ic iar trocar i taidé ocu i nelsuin. Ire fein atai  
im in díchmaire, naé aili imorru inniur in taidé.

Cair cir lir lanamna cumtara comperca do cuirín  
la fene. Nín—α deich, lanamnur comtincuir; den for  
perincuir; fer for bantincuir, co fognam; den for  
airitin nurala; fer tathaisge cen urgnam, cen urail,  
cen tarcuo, cen tinol; lanamnur foxail; lanamnur  
amra for faeniul; lanamnur tothla; lanamnur ecne;  
lanamnur genaise.

Cair cir lir lanamna, .i. comaireim cia ler, no cia lín do lanam-  
naib dircnaiteir no cairiteir re breth comperca doib do fein in fene-  
chuir. Cumtara comperca, .i. dia ta comairtheur ima compeirte,  
no comtabairt i cummaio lanamna. Lanamnur comtincuir, .i. in  
lanamain ac an cuthma tcairteair tir ocu inoile, in be cuirteirna.  
Den for perincuir, .i. in bean for in tincuir fearoa. Fer for  
bantincuir, .i. for tincuir mbaoa uair eile. Co fognam, .i. denam  
don fir no don mnai. Den for airitin nurala, .i. in bean cairit-  
niuso a leraiği fo urail in fir; in nairnech no in cairteach. Fer  
tathaisge, .i. in fear tathaisge do cum na airis, no na cairteagib.  
Cen urgnam, .i. ar na buain do denam di. Cen urail, .i. can a bith  
for urail, .i. for a cairte. Cen tarcuo, .i. amuich di. Cen tinol,  
.i. tall dia reatib. Lanamnur amra, .i. in lanamain bir a namaine  
ar panneloo a hinuo dino. Lanamnur tothla, .i. do nithen i toet-  
loo fir in mnai fleithe. Lanamnur ecne, .i. do nithen ar eicín, in  
bean forcuir. Lanamnur genaise, .i. do nithen tre gean os mear no  
darachtach fir dnuith no darachtaro.

Lanamnur comtincuir, ma co tir ocu cetra ocu  
intreb, ocu maó comair comtechta α cuma lanam-  
nura, ocu ir don den rin arberar be cuirteirna. Ní  
bi cor cor nechtaí da lina rech araile, inge curu

<sup>1</sup> *The Feini.* In the original the word 'feine' is not written, but there is a mark of contraction over the 'a' of the preceding word. The phrase 'la feine,' however, occurs frequently in the Irish Laws, and probably was meant to be understood here.

be paid for anything we have mentioned, until the Brehon decides it. That is the leniency of the case ; but the severity is that the double of the thing due before fasting is to be paid after fasting for theft and forcible seizure. He (*the plaintiff*) himself is *the witness* of the illegal taking, but another person tells of the theft.

‘CAIN LA-  
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Question—How many connexions of equal rank for procreation are recognised by the Feini? Answer—Ten ; a connexion of equal property ; a woman upon the property of a man ; a man upon the property of the woman, with service ; a woman received by command ; a man who frequents without service, without command, without acquired wealth, without ‘tinol’-marriage collection ; connexion of abduction ; connexion of a wandering soldier ; connexion of deception ; connexion of force ; connexion of mockery.

Question—How many connexions? i.e. I ask how many, or how numerous are the connexions which are distinguished or recognised for procreating, according to the ‘Fenechus’-Law? Equal rank for procreation, i.e. who have equal goodness for procreation, or equal gift in the marriage state. Connexion of equal property, i.e. the married couple who have got equal land and cattle, i.e. the wife of equal property. A woman *supported* on the property of a man, i.e. the woman *supported* upon the man’s property. A man *supported* on the woman’s property, i.e. *supported* upon the woman’s property at another time. With service, i.e. to be performed by the man or the woman. A woman received by command, i.e. the woman receives her support by order of the man ; *she is* the ‘airech’-woman, or the ‘carrthach’-woman. A man who frequents, i.e. a man who frequently pays visits to the ‘airech’-woman, or ‘carrthach’-woman. Without service, i.e. *without* performing ploughing or reaping for her. Without command, i.e. without being under order, i.e. of her friends. Without acquired wealth, i.e. outside for her. Without ‘tinol’-marriage collection, i.e. within, of her ‘seds’. Connexion of a *wandering* soldier, i.e. the married couple who are in military service, wandering from place to place. Connexion of deception, i.e. which is done in secret with a woman unconscious of it. Connexion of force, i.e. the connexion which is effected by force, i.e. *with* the violated woman. Connexion of levity, i.e. which is made through sport by a lunatic or a madman with a female idiot or madwoman.

*In the* connexion of equal property, if with *equal* land and cattle and household stuff, and if their marriage state be equally free and lawful, the wife in this case is called the wife of equal rank. The contract made by either party is not a *lawful* contract without *the con-*

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lepaigter a cumtur; iteirdo inpo comul comuir riu  
coibne techta in tan nað bi occaid faðerin comobair  
trebta do luad; fochraic tpe; tinol cua; comull  
pollaman; ril cethra do luad; lanad treb inreid; comul  
comra; creic neich do ðarraib no ðeraib do  
toircioib.

Lanamnuir comtinuuir, .i. lanamain ipcurnama aca tecartar tpe  
ocur moile, .i. do tpe ocur buaib. Ma co tpe, .i. mað amlaio beic  
ocur tpe ocur cethra acro po eurnama. Inreid, .i. ocur in ni bir a  
nino a treibe do maibioile accro po eurnama, .i. do leptaib ocur  
tincur eða. Mað comrair, .i. comraich a cineal, cen ceillirne.  
Comtechta, .i. ip eurnama ip ðigteð in lanamain pe im genur.  
Acuma lanamnuir, .i. acaem amuair in lanamnuir. Ir don ben  
rin, .i. ip ril in mnaí rin raicir no aigneitir ben ip comtegegnat.  
Ni bi cor, .i. noco cunnrat cunrat nechtar de in ra naimas rin feth  
a ceile, .i. dia rilat a ler fein. Inge, .i. inge ar aét; ata aét lium ann;  
aét na cuir lepaigter iat ma cumaid co huair, .i. dia rilat a ler fein.  
Iteirdo, .i. itiat po iatpaoð Comul comuir, .i. comtinol, .i. acco-  
mul a comuir doib pe caempine, co ðigteð. Fui coibne, .i. riu fine  
nechtar de, .i. in nuair na bia accu buðein in ni comoprigter trebair  
doib, ip ano ðlegair do neoch doib comar do ðenam pe nech aili.  
Comobair, .i. ariathar an oenar [ip pe fer fine doðena comar cein  
tairgiur doib in eurnama tairgiur fer aine fine, ocur maino tairgiur,  
fer aine fine ar fer do ðenut comar]. Fochraic tpe, .i. fearunn do  
cennach in nuair rilat a ler, .i. dia ar, no ðichia feoir. Tinol cua,  
.i. biað, .i. tinol na feola ipin gemped. Comull pollaman, .i. com-  
tinol bi ar cino na pollaman, .i. ar cairc no noðlaic. Sil cethra, .i.  
na cethra rilat ac neoch do cennach doib in nuair rilat a ler. Lanad  
treb inreid, .i. comtinol in neich bir i nino a treibe do brecanair  
ocur do cepcaillib. Comul comra, .i. accomul a comra muc ða meðat  
in uair baðebat. Creic neich do ðarraib no ðeraib, .i. cennach  
meic ip eðbaðat uaitib, inech ip toirc aða doib inuair neacat a ler,  
do toircioib .i. creic neic ip eicin doib do eoch [air] ocur maibioile  
olcena.

O'D. 299.

Cach cunnrat cen ðichell, focur focubur iari na

*sent of* the other, except in case of contracts tending equally to the welfare of both ; such as the alliance of co-tillage with a lawful tribe when they (*the couple*) have not the means themselves of doing the work of ploughing ; the taking of land ; the collecting of food ; the gathering for the festivals ; the buying of breeding cattle ; the collecting of house furniture ; the collecting of litters of pigs ; the buying of stacks and *other* necessities.

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Connexion of equal property, i.e. a married couple who happen to have equal land and cattle, i.e. land and cows. If with land, i.e. if they happen to have land and cattle in equal proportion. Household stuff, i.e. what they have in the middle of (i.e. *within*) the house, of inanimate property in equal proportion, i.e. of vessels and furniture in general. If equally free, i.e. their families being equally good, without vassalage. Lawful, i.e. this couple is equally lawful to beget children. Their marriage state, i.e. of equal dignity in the connexion. The wife in this case, i.e. this description of wife is called or denominated a woman of equal dignity. Is not a contract, i.e. the contract of either of the two parties is not a contract *at all* without the other, i.e. if it is for his own good. Except, i.e. the 'except' is for 'but'; I make an exception; except the contracts which redound to their mutual welfare in their married state, i.e. which tend to their own good. Such as, i.e. these are they. The alliance of co-tillage, i.e. their joining with, i.e. their lawful union with a proper tribe, for ploughing. With a *lawful* tribe, i.e. with the tribe of either of them, i.e. when they themselves have not the means to perform the ploughing, it is then lawful for one of them to enter into a *compact* of co-ploughing with another. The work of *ploughing*, i.e. of the ploughing alone; it is with a tribe-man that the co-ploughing is to be made, if he offer them the same proportion of *work* which a strange tribe-man offers, and if he does not, it is with the stranger they shall make the compact of joint ploughing. The taking of land, i.e. to buy land when it will be required, i.e. to plough it, or to eat its grass. Collecting of food, i.e. meat, i.e. to collect the flesh-meat in the winter. Gathering for the festivals, i.e. gathering of food for consumption at the festivals, i.e. at Easter or Christmas. The *buying* of breeding cattle, i.e. to buy the cattle which breed for one, when they are required. Collecting of house furniture, i.e. collecting of the property which is *within* the house, consisting of plaids and couches. Collecting of litters of pigs, i.e. collecting litters of pigs to fatten when they want them. The buying of stacks, i.e. the purchase of what is wanting to them, or necessary for them at the time that they require them. *Of other* necessities, i.e. the purchase of what they must necessarily have of horses and of dead chattels in general.

*As regards* every contract made without concealment, it should be a fair conscientious contract

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coir coitechta co nimaiticiu ineach crenar, amail ber  
relb neich penar anó.

Cach cunnhar, .i. cáca cunnhar do genat can viceall neich oib da  
ceile. Dicheall, .i. diubairt. Socur, .i. deşcor comloise do denam  
doib. Socubur, .i. imaatmail. Iar na coir, .i. iarum amail i coim-  
oligtech doib do neir éoir. Co nimaiticiu, .i. co na emaiticiuigat in  
neich ro cennaisge amuich do comroind etarpu amail ro bi a realb i  
in ni ro pacat amach.

Amail ro bi a cuir i in ni ro pacat amach roindteir in imar-  
crao fuit da cind amuic anlaio rin; no ono comat cuirio  
tobaig dimarcaro do buit don ti ro toibig amuic he; .i. no  
cona airtin co heim a hinne a cuir i in roioir ro ceanngaó ann,  
amuic ro bui a cuir i in ret tucad da cinn, .i. ret innada  
coitcinn tucad dia chinn, ocu fuit imurcuir ar, ocu atbeir  
in ti na ceannuig in ret ni tibre ni don imurcuir don ti eile; ar  
a ai i ruinn ar do oleguir.

Ni penar nach ainim do feilce domaine i trebat  
cen cocur, cen comairle, cen comlogu, ar ni coir etla  
cumtara lanamhara comtincuir cen comlogu.

Ni penar, .i. noco recta do neoch oib o ceile in ni aneimiger ina  
trebat, cuir domaine, .i. aen sam no aen capall, ocu do neoch ber  
ann doib éna, ocu ril. Cen cocur, .i. eoirio fein, .i. iur in lanamain.  
Cen comairle, .i. ne cennair. Cen comlogu, .i. on ti iur noerna  
in cocur, .i. uatib uile. Ar ni coir etla, .i. uair noco éoir do neótar  
de don lanamain etla in neic tmeairéir ina cumar co huair co hinne-  
oligtec amach, can a comlogu o cá oib da éile. Cumtara, .i. do  
beir commairiur doib.

Amail comperca i roairi rochrair; i cor cach  
techta do beir rocomul a cumtara a comairleib.

<sup>1</sup> *Set off.* 'Comloghadh' means 'compromise,' 'adjustment,' 'giving and taking,'  
'balancing of accounts,' &c., and is translated here by the legal phrase 'set off.'

according to equal justice, with acknowledgment of what is purchased, according to the possession in the thing sold.

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Every contract, i.e. every contract which they (*the couple*) make without the one deceiving the other. Concealment, i.e. fraud. Fair contract, i.e. that they make a fair contract of set off. Conscientious, i.e. as to its acknowledgment. According to *equal* justice, i.e. as it is equally lawful for them, according to justice. With acknowledgment, i.e. with ready acknowledgment of the thing which was bought outside, to divide it between them according to *the proportion* of their possession in the thing which was sold out.

It is according to their shares in the thing which was sold out that the gain which is got by means of it outside is divided; or else the person who levied the gain outside shall obtain the share belonging to the person who levies; i.e. or with ready acknowledgment as to his share in the ‘seds’ which are purchased on the occasion, according to his share in the ‘seds’ which were given for them, i.e. ‘seds’ of general increase were given for them, and gain is obtained upon it (*the bargain*), and the person who bought the ‘seds’ says that he will not give any part of the gain to the other person. *This, however, is unjust*, for it ought to be divided into two parts between them.

Any animal which has become useless for ploughing shall not be sold without consultation, advice, and set off,<sup>1</sup> for the mutual advantage of a connexion of equal property is not to be evaded without adjustment.

Shall not be sold, i.e. one of them (*the contracting parties*) is not to sell from the other the animal which fails in his ploughing, so that he becomes useless, i.e. any ox or any horse, and whatever is useless to them in general. Without consultation, i.e. between themselves, i.e. between the married couple. Without advice, i.e. *without advising* with their chiefs. Without adjustment, i.e. from the person with whom the consultation was made, i.e. from them all. Is not to be evaded, i.e. it is not right for either of the married couple to make away unlawfully with the thing which is provided for their mutual accommodation, without an adjustment being made by the one to the other. Mutual advantage, i.e. which brings equal good to them.

*Every arrangement about ordering their children to be placed with a friendly foster father; and every lawful contract which brings mutual comfort and advantage into their common habitation is binding.*

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Cupraíl, .i. cupraíl in neich compeíteir uaite, a clainne, a n-ogsaice be  
rocairdeé rúir doib don. 1r cor cach techta, .i. 1r cor cor rin do  
reir caé dligid, .i. doib go uile. Do beir rocomul, .i. do beir deagacomul  
orhogum rin ina cumaid uair a caema da naitrib, .i. do beir roacomol ar  
co maé doib ina comaitrib.

Cach cor cen raithnó ; ar foruarluice cehtar da  
lina dochurua araili; ní fuarlai a dochurua do neoch  
do ruirne, ma beith cach comra cen imainainri cen  
imacloid, co rocomra, co rocubur.

Cach cor, .i. caé cunorad do ghenat can ní ir raé ne nech doib ann, do  
galairuib bunaid, no dainuib inleirí, no do diubar. Cen raithnó,  
.i. cen breccat. Ar foruarluice, .i. uair fuarlai a cehtar de  
in da naimat raín a dhochorua ceile in taideé rae, ó biarui doib rin  
aib, .i. da ruir a ler sein. Ní fuarlai, .i. muna ri a ler, .i. da  
ruir a ler. Do neoch do ruirne, .i. do neoch go raithnainri ro-  
mainn itir in lanamain. Ma beith, .i. ma beith cach caem anuair  
lanamain can emainainri i n-riathraib itir in lanamain. Cen  
imacloid, .i. cen imacloid no delia etarra, .i. naera. Co rocomra  
.i. co rocomad uair accu ina comitrib. Co rocubur, .i. co n-og-  
cubur accu iman comaitrib.

Ma rocarad, cach rocarad cen imdiurair; ma im  
toza rocarad, conpólat iar techta. Trian cach toraid  
do tir, acht lamtorad; trian do cethra beir a bunadar  
on innuide; trian do urgnam. Conpólatheir po air-  
illuid caich iar tir, ocu cethra, ocu urgnam; ma  
comait a polaid, no ma comolca, 1r in tuchta po con-  
pólat a triene.

Ma rocarad, .i. ma rocarad netaircarad iat, caé rocarad do ghenat can  
emdiurair neic doib aca ceile. Ma imtoza, .i. ma imtoza no

<sup>1</sup> *Ordering.* In C. 2746 this passage is explained as follows:—"aice, .i. aice no  
altrum ut erc, uair compeita i roair rocarad, .i. a clann co deagair  
deagairach. A fosterer, i.e. a foster father, or fosterage, as it is called, ordering  
their offspring with a good friendly fosterer i.e. their children with a good well-  
befriended foster father."



Ordering<sup>1</sup> *their children*, ('coimperta,') i.e. commanding what is begotten from them, i.e. their children *to be placed* with a good friendly fosterer is a good contract for them *both* also. Every lawful contract, i.e. that is a proper contract according to every law, i.e. of all these. Which brings mutual comfort, i.e. which brings goodly comfort upon them in their happy state in their common habitation, i.e. which brings a good bond of union to them in their common habitation.

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Every contract *made without deceit is binding*; for either of the two parties can dissolve the bad contracts of the other; they cannot dissolve their good contracts, such as we have enumerated, if every arrangement be made for mutual convenience, conscientiously, without deception or dispute.

Every contract *made without deceit*, i.e. every compact which they make without the existence of anything detrimental to one of them, such as original diseases, or concealed defects *in the cattle*, or fraud *of any kind*. Without deceit, i.e. without fraud. Can dissolve, i.e. for either of these two parties can dissolve the other's bad contract by impugning it, when there is any of these *frauds* in it, i.e. if they themselves require it. They cannot dissolve, i.e. unless it is necessary, i.e. though they should require it. Such as we have enumerated, i.e. such as we have mentioned before *as possible* between the married couple. If *every arrangement* be made, i.e. if every settlement be made without any deception in words between the married couple. Without dispute, i.e. without any contention or dispute, i.e. of suing. For mutual convenience, i.e. with perfect equalization as to their property. Conscientiously, i.e. with good conscience as to equal acknowledgment.

If they separate, let every separation *be* without fraud; if their separation be from choice, let them divide lawfully. One-third of every *kind of* produce goes to the owner of the land, except the produce of the hand; one-third to the owner of the cattle from which the increase springs; one-third to attendance. It (*the produce*) is divided according to the desert of each as to land, and cattle, and attendance; if their property be equally good, or if it be equally bad, they divide the thirds accordingly.

If they separate, i.e. if they separate, every separation which they make *should be* without the one defrauding the other. If *from* choice, i.e. if it be

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leir na heolámbiaí ac fearaí, a mbeir co comhligteá ariáen. Conpólaí, .i. ír cain pódailgíí pónio meich bír acúirí co dligteá, amail dleáit. Trían, .i. inoáí do pónio a trí. Céht lamtoíraí, .i. uair nocon fuil ní do trí ar in lamtoíraí, nó dá mbeith, comáí .u.í. Trían do céhtíra, .i. trían do ná céhtíra ír bunáí uair o nínarann in tinoáí. Do uphnam, .i. do uphnaib. Conpólaícheir, .i. ír cain pódailgíí eiríí do cáí amail aipillíngíí. Íar trí, .i. trían do trí. Céhtíra, .i. trían do bunáí. Uphnam, .i. trían do fúchnam. Mat comáíí, .i. máí comhligteá íat. Comólaí, .i. comhligteá íat. Ír in tuchí í, .i. ír ío in ígne íreo pódailgíí a tréne.

Trían nuphnuma innuáí céhtíra ; conpólaícheir a trí : trían do aithíuch tíge, trían do mnáí fíur í mbí aithechur tíge, trían do uphnamtaib, .i. dá uphnaib, ír de aí "mac ílabra íaíre."

*Sic.*

Trían nuphnuma, .i. trían uairí pónama ná céhtíra ináíar ann, .i. trían fúchnama. Conpólaícheir, .i. ír cain pódailgíí eiríí í trí. Trían do aithíuch tíge, .i. trían don tí aithíí in téí, fear in tíge, ar íaríraí. Trían do mnáí, .i. trían don mná írbíí ac aithíí in tíge, .i. ar eiríí, .i. ar íííí. Dá uphnaib, .i. ar imcoimeí. Ír de aí, .i. ír don ííí aí, nó ír don inoíí ííí aí in írlabíra do beiríí don mac íar íolaíí ná íaííe do íenamí.

Al cumat mbíííí conpólaícheir a trí íar trí, ocur céhtíra, ocur uphnam. Trían nuphnuma, a íéhtí do mnáí do ííí, a íéhtí náíí in íéhtííí do íéhtíí ; a íéhtí náíí, dá trían do aithech tíge, ar áen trían do uphnamtaib ío trébtá.

Al cumat, .i. a coimeíí nó a íuphnuma íain in íáíí, .i. bíáíí do pónio í trí amail innoáí. Conpólaícheir, .i. ír cain pódailgíí eiríí í trí íannab. Íar trí, .i. trían do trí. Céhtíra, .i. trían do búab. Uphnam, .i. trían do íúchtí in uphnama. Trían nuphnuma, .i.

decided by those learned in the law that they should separate, both should be equally lawful. Let them divide *lawfully*, i.e. they should make a fair division of the thing which is between them lawfully, as they ought. One-third, i.e. the increase is to be divided into three parts. Except the produce of the hand, i.e. for nothing is due to the land out of the produce of the hand, or if there be, it is one-sixth. One-third to the owner of the cattle, i.e. one-third to the owner of the original cattle from which springs the increase. One-third to attendance, i.e. to the shepherds. Is divided according to the desert, i.e. it is fairly divided among all according as they deserve. As to land, i.e. one-third to the land. Cattle, i.e. one-third to the owner of the original stock. Attendance, i.e. one-third to service. If equally good, i.e. if they be equally lawful. Equally bad, i.e. if they be equally unlawful. Accordingly, i.e. it is after this manner they divide their thirds.

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One-third of the *cost* of attendance falls on the increase of the cattle; it (*the increase*) is divided into three *parts*: one-third goes to the man of the house, one-third to the woman with whom cohabitation in the house is had, one-third to attendance, i.e. to the shepherds, from which is derived the saying, "the son who receives the portion for maintenance of the old."

One-third of the *cost* of attendance, i.e. one-third of the *cost* of attendance on the cattle which increase, i.e. one-third of the *cost* of service. It is divided, i.e. this is fairly divided into three parts. One-third to the man of the house, i.e. one-third to the man who frequents the house, the man of the house, for his herding. One-third to the woman, i.e. one-third to the woman who is with the man of the house, i.e. for littering, i.e. for a sixth. To the shepherds, i.e. for minding. From which is derived, i.e. it is from that thing, or that circumstance, is derived the portion which is given to the son in consideration of his doing the duties of maintaining the old.

The amount of the milk is divided into three *parts* between the owner of the land, and the owner of the cattle, and those who perform the service. Of the third for the service, one-half is due to the woman who performs it, of the other half-third, one-half is due to the owners of vessels; of the other half-third, two-thirds are due to the man of the house, and one-third to the attendants of the house.

The amount of the milk, i.e. the amount or proportion of the milk, i.e. the milk is divided into three *parts* like the increase of the cattle. Is divided, i.e. it is fairly divided into three divisions. Between the owner of the land, i.e. one-third to the land. The owner of cattle, i.e. one-third to the cows. Service, i.e. one-third to the attendants. The third for the service, i.e.

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feireo loimeo do marbentair, ocuf marbentair caé ben a léit re lacht. *Al leth, .i. let léit in tinn, aile dec in laim eiric do leir-  
tra; a da trian rair do maileirerab, in toctmar rann dec; ocuf a  
trian do minoleirerab, in feireo rann truchat. Al leth naill, .i. in  
let aile lete in tinn, in aile dec aile. Da trian, .i. in ochtmar rann  
dec. Ar aen trian, .i. in feireo rann truchat. Do urgnamtaib, .i.  
do ugnab; ocuf a roim reic ar do itir buachaillib bo ocuf laeg, cen-  
motha cuicig uairtneach oimairerab do bhué do buachaillib bo, no co  
noechrae laig; comairerab lacht, ocuf o rachair, a bhué do buachaillib  
bo uile.*

Maó aile da lina beta olca polair, racabair a cuic  
urgnama in mupolair lair in ropolair, ocuf ní diu-  
panair tiri na cethra.

Maó aile, .i. maó nechair de in da naimairin ber olca polair, .i.  
riaic adairerab; ocuf a ceile mpo. Racabair a cuic urgnama, .i.  
oiri acotair fupthuma on adairerab. Ocuf ní diupanair, .i. noo  
diubarair hi in cuicir tiri na cethra.

Trian urgnama etha ocuf railli rannair a tri,  
.i. trian ar do minai fup i mbi ar ocuf buain, ocuf  
cruo, ocuf diachao, ocuf methao, acht methao rop  
bliet, ic da trian iuiuiu do minai.

Etha, .i. in arba. Sailli, .i. na muc, .i. eppao na muc aice naima,  
ocuf beoentair hi a let fup in arbur. Rannair, .i. urannair i tri  
eiric. Trian, .i. fup a noentair. Ar, .i. ir in neirach. Buain, .i.  
ir in foimur. Cruo, .i. na laeg, ocuf na mbanab ocuf ril. Diachao,  
.i. na nairman ocuf na muicre ocuf ril. Methao, .i. na muc rop meir  
Acht methao, .i. acht in meair rop in lacht; da trian ar anair-  
ir in don minai; a trian fupthuma; ocuf marbentair hi anirardec co  
cuicig maileirera acce, .i. ar da trian in tinn oiri anirardec, .i. feireo  
loimeo. Ic da trian, .i. cethramtu acht cethramtu nomair.

Teora muca ar a mbeir ben ocht rano dec; muc inuioa,

<sup>1</sup> *Salting portion.* The term ‘*Cuitigh Uairtneach*’ is glossed thus, .i. in bo blegur  
fup in uairan, .i. fup in palann, no fup in m-baigum. “The cow that is  
milked with the ‘uairan,’ i.e. with the salt, or with the mouthful.”—O’D. 2098.

the sixth of the produce of the churn<sup>a</sup> is due to the great worker, and every woman is a great worker in regard of milk. The half, i.e. one-half of one-half of one-third, or one-twelfth of the whole is due to the owners of the vessels; two-thirds of this to the owners of great vessels, i.e. one-eighteenth; and its third to the owners of small vessels, i.e. the one-thirty-sixth. The other half, i.e. the other half of the half of the third, i.e. the other one-twelfth. Two-thirds, i.e. the one-eighteenth. One-third, i.e. the one-thirty-sixth. To the attendants, i.e. the shepherds; and this is divided into two parts between cowherds and calfherds, except the salting portion<sup>1</sup> of excess which the cowherds obtain, until the calves come to suck,<sup>b</sup> and when they do, all the herds obtain it.

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<sup>a</sup> Ir. churn-  
stick.

<sup>b</sup> Ir. accom-  
pany the  
milk.

If one of the two parties be of worse quality, the service of the unqualified is forfeited to the well qualified person, but he or she is not defrauded of his or her land or cattle.

If one, i.e. if either of the two parties be of worse quality, i.e. this class of cases refers to an adulteress and her paramour. The service is forfeited, i.e. her service is forfeited by the adulteress. Not defrauded, i.e. she is not defrauded with respect to her land or cattle.

One-third of the amount due for service rendered in the production of corn and bacon is divided into three parts, viz., one-third for the woman by whom the ploughing and the reaping are done, and by whom the young of cattle are fed, and who superintends the feeding of working men, and the fattening of cattle, except in case of the fattening with milk, for which two-thirds are due to a woman.

Of corn, i.e. the 'arba'-corn. Of bacon, i.e. of pigs, i.e. she has the littering of the pigs only, and she is a small worker with respect to the corn. Is divided, i.e. this is divided into three parts. One-third for the woman, i.e. with whom they are done. The ploughing, i.e. in the spring. The reaping, i.e. in the harvest time. Cattle, i.e. of the calves, and of young pigs, &c. The feeding, i.e. of the ploughmen and of the swineherds, &c. Fattening, i.e. of the swine upon mast. Except the fattening with milk, i.e. except what is fattened with the milk; the woman has two-thirds out of this particular thing; one-third for attendance; and here she is a great worker having the share due to the owner of great vessels, i.e. for she has two-thirds of the third for this, i.e. one-sixth<sup>2</sup> of the produce of the churn.<sup>c</sup> Two-thirds of one-third, i.e. one-fourth except the fourth part of one-ninth.

<sup>c</sup> Ir. churn-  
stick.

There are three pigs out of which a woman obtains the eighteenth part: a pig of increase which is fattened upon masts but of

<sup>2</sup> One-sixth. This is incorrect, for  $\frac{2}{3}$  of  $\frac{1}{3}$  is not  $\frac{2}{9}$ , but  $\frac{2}{9}$ . The true calculation is given at the next line:  $\frac{2}{3}$  of  $\frac{1}{3} = \frac{2}{9} = \frac{1}{4} - \frac{1}{36}$ .

'CAIN LA- ocuf metar for meaf, ocuf ní fíl cuir di i mefhao; ocuf muc  
NAMHNA,'  
OR LAW OF naé innuða, ocuf no faig in ben lefuḡao buacalla, ocuf muc  
SOCIAL nach innuð, ocuf methtar for arbur; ocuf íf becdentais.  
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— Tã muc af a mbeir aile dec, .i. muc metar for lacht, amail  
arbeir,

Áilí dec do mnai,  
Á faill muice crai;

ocuf cið for arbur dono, íf áilí dec mað muc cneice, ocuf íf  
marðentair in ben.

Teora muc af a mbeir ix., .i. muc innuða; ocuf no faig  
lefuḡao buacalla, ocuf íf becdentair co ninuile; ocuf muc  
innuða ocuf metar for arbur, ocuf íf becdentair beour; ocuf  
muc luaisghir do arbur, ocuf metar for arbur, ocuf íf  
becdentair beour.

*Sic.* In toir petã dono, ocht pinninge dec, íf friu riasglaisḡer, .i.  
ífe oib do bunao, ocuf a fe do ñir, ocuf a fe do ffrisḡnam.

Cið fodepa trian do bunao ífuno, ocuf leath do bunao  
muice i mbaile áilí. Cach muc af thuailḡa beathao a haenur  
af di ata leath, ocuf na hai nacha thuailḡe comao a trian  
aite. Trian ffrisḡnama rianotar i noe, .i. a leath do mnai, a  
leath áilí do ffrí ocuf do augairib, ocuf do minleḡtraib ocuf  
do marleḡtraib. Rannfaige i noe iteḡum, .i. a leath do mar-  
leḡtra ocuf minleḡtraib, a leḡ naill do ffrí ocuf augaire, .i.  
leithpinnḡ do minleḡtraib, ocuf pinuḡ do marleḡtra, a  
chumao do ffrí ocuf augaire. Íf lair in mnai cuir marleḡtra,  
.i. abel, co nað ceathramao don mnai aḡ ceathramthu  
dechmaro.

Nomao do mnai a lin for a coir, amail arbeir,

ḡra poir  
Mað for a coir;

beth fechumuo di iar na tirmuḡao, ocuf trian iar na ailḡuao,  
ocuf leth o fein ruar.

Oḡtmað do mnai af lomrað, ocuf uieao di iar na cet

which she has no share in the fattening; and a pig which is not of increase, of which the woman gets the *share due for swineherd's service*, and a pig not of increase and which is fattened on corn; and she (*the woman*) is a small worker.

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There are two pigs out of which *she obtains the one-twelfth*, i.e. a pig which is fattened upon milk, as it (*the law*) says,

The one-twelfth to the woman,  
Of the bacon of a sty-pig;

and even if it has been *fattened on corn*, it is the one-twelfth *that is due to her* if the pig was purchased, and *in case the woman is a great worker*.

There are three pigs out of which she gets one-ninth, i.e. a pig of increase; *in this case* she provides the service of a swineherd, and she is a small worker with cattle; a pig of increase which is fattened upon corn, and she (*the woman*) is also *in this case* a small worker; and a pig which is purchased with corn, and fattened on corn, and she (*the woman*) is *in this case* a small worker also.

The *price of the petted hog* also, of the value of eighteen pence, is thus regulated, i.e. six of them (*the pence*) are due to the owner of the original young pig, six to the owner of the land, and six to those who give the attendance.

What is the reason that one-third is given to the owner of the original young pig here, and one-half to the owner of the original young pig elsewhere? The owner of every pig which is able to feed alone is entitled to one-half, but the owner of such as cannot is entitled to only one-third. The third due to service is divided into two parts, i.e. one half to the woman, and the other half to the man and to the shepherds, and to the owners of the small vessels and the large vessels. These are again subdivided into two parts, i.e. one half to the owners of great vessels and small vessels, and the other half to the man and the shepherd, i.e. one halfpenny to the owner of the small vessels, and a penny to the owners of the large vessels, as much to the man and the shepherd. The share of the owner of great vessels is the woman's, i.e. an obole, so that the woman gets the one-fourth, except the one-fourteenth.

The woman gets one-ninth of growing flax, as is said,

"A vessel of flax,  
If it be on foot"

(*i.e. standing*); she shall have one-sixth of it after being dried, and one-third after being scutched, and one-half from that out.

One-eighth of the wool is due to the woman after its being shorn, and one-sixth to her after its greasing, and one-third after its being

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belad, ocur trian a cirta adalam, ocur leat o rein ruar;  
comao leth fri bunad, ocur comao for an let aile no beth  
in[comruinno]ne muireo; no cona hairmuirea bunad etir of  
aurlam.

Maó la mnai cairiú, comao leat caða hepnaiúe oib ro do fri  
co huplamad, ir paino inde annaiúe do gner.

Friuchnam eiruiú fri har ocur cruó; da trian  
a dligiú na mna ar.

Fri har, .i. do denam aú. Cruó, .i. na mac. Da trian, .i. in  
.ix. aú, .i. da trian a mbia ú ar in mbliadain aúe irreú dliger ar in  
neirach a aenur.

Homao inuúda in fri don mnai occa mbi inuúle. Maó ben  
cen inuúle, ir .i. aú trian friuchnama úi i ninnuúda; no feétmad  
nomao. Maó maúdentao co ninnuúle, ir seiréú úi a harbaim.  
Maó beódentao co ninnuúle, ir .ix. aú úi a harbaim. Maó  
maúdentao cen inuúle, ir feétmad trian friuchnama úi, conao  
hi in .ix. maó rann fichit in arba uúle; no feétmad a leú in  
trian, conao hi in daia rann cethraúat in narba uúle; no ir  
inann a cuir ocur beódentao co ninnuúle, .i. .ix.

Maó beódentao cen innuúle, ir .ix. trian friuchnama úi, conao  
hi in feétmad rann fichit in arba uúle; no .i. .ix. .i. in  
trear rann ferúat in uúle; no ir feétmad trian friuchnama,  
iar mac rampadain.

Ben in .ix. dia lectar i mbellúne, ir da trian inomao  
berer; ben in oúmair, ir trian in nomao; ben in rampao,  
ir trian trian nomao úirge; ben in genmuú, ir trian inna  
cenmaú ruúne .lxxx. úi.

Acbeir cathan ir curuma cuir maúdentao co ninnuúle ocur  
cen inuúle a trian friuchnama. Beódentao rimeliter.

Ún ocur glaisín nri ril nri oib do tri, ar aúeúe neich ro  
seiréú do tri, ocur meir friuchnama friur ocur úeúgchúne.

<sup>1</sup> *Divided in two.* In O'D. 302, the reading is 'innuúe' for 'annaiúe' of the text.

<sup>2</sup> *Twenty-first part.* The Irish has the twenty-ninth part, which must be a mistake.

<sup>3</sup> *'Glaisin'-dye-plant.* The word 'glaisin' is not explained in any published Irish Dictionary; it is very probably the name of some plant used for dyeing blue, as would appear from a passage in the life of St. Ciaran of Clonmacnoise, contained in the book of Lismore, fol. 78, b. col. 1.



rough combed, and one-half from that out; or, *according to others*, the original owner gets one-half, and the other half is divided, as here mentioned; or, *according to others*, original ownership is not reckoned (*i.e. taken into consideration*) when it (*the wool*) is completely prepared.

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If the sheep belong to the woman, the man shall have one-half of the wool in all these stages until it is completely prepared, after which it is always divided in two.<sup>1</sup>

*As to the amount due for the service of Spring in ploughing and fattening; the right of the woman out of it is two-thirds.*

In ploughing, *i.e.* to be done in it. Fattening, *i.e.* of the pigs. Two-thirds, *i.e.* of the one-ninth, *i.e.* two-thirds of what is due to her for the whole year are due to her for the spring work alone.

The ninth part of the *cattle* increase of the man is due to the woman who has cattle. If she be a woman without cattle, she has the one-seventh of the third of the increase for her service; or the seventh of the ninth. If she be a great worker with cattle, she has the sixth of the corn. If she be a small worker with cattle, she has the ninth of the corn. If she be a great worker without cattle, she shall have the one-seventh of the third for her work, which is the twenty-first part of the whole amount of the corn; or, *according to some*, the seventh of one-half of the third, which is the one-forty-second part of the whole amount of the corn; or, *according to others*, her share is the same as the share of a small worker with cattle, *i.e.* the ninth.

If she be a small worker without cattle, she shall have the ninth of the third for her service, which is the twenty-seventh part of the whole amount of the corn; or, *according to others*, the seventh of one-ninth, *i.e.* the sixty-third part of the whole; or it is the seventh of the third for service, according to Mac Samhradhan.

If the woman entitled to one-ninth be put away in May, she shall obtain two-thirds of one-ninth; the woman put away in the Harvest time, gets one-third of the ninth; the woman put away in the Summer, one-third of the third of the ninth; the woman put away in Winter is entitled to one-third of the one-eighty-first part.

Cathan says that the share of a great worker with cattle and without cattle is the same when one-third is for service. A small worker *similiter*.

Of flax and 'glaisin'-dye-plant' no part is due to the owner of the land, on account of the smallness of the quantity which could belong to the land, and the greatness of the price of the service and the price of attendance.

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[In cinnus do ruinn a tri, aét ma re innus na mna.]

Trian tpe aigerium ann, ocur trian bunus aicepe, ocur trian fuchnuma do compuin doib eturruo ; a trian tpe ar liarrus, a trian do mna ar erus, ocur trian do aegair ar coimeo ; aét ma ra léri aegair ir cuic nomus aicepe, ocur ceitpe nomus aigerim.

Mar leirium aegair, ir cuic nomus aigerium ocur ceitpe nomus aicepi ; ocur mar leo maraen, ir ruinn ar do etarrus.

Ma ra lepe aegair, ir da nomas aicepe ann ocur peét nomus aigerium. Ma ra leirium aegair, ir oét nomus aigerim ann ocur nomus aigepi. Ma ra leo imaraen, ir nomas co let aicepi ann, ocur let nomus aigerim.

Cio pa da bet a laig a coimeteét laéa noch nruil a ruinn no condechruic a noirge, ocur o rachruic ir ann ata a ruinn.]

Leath do mna a etach no lamtorad ruithiu ; trian a cruithu adblam ; lethtrian allobaib, ocur a ruapaib lin ; trian a cruib glairne, leth ma coitethe.

A etach, .i. uplam, no o biar ina ruath uplam he iar na toiruth-  
mugad bi o laim da ruim. Adblam, .i. adbul, conach em conach  
uplam he, aét a cruath ar belad ocur ar cumar na holla. Lethtrian  
allobaib, .i. let in ruin, ruir na holla. A ruapaib lin, .i. ar  
ruabaib do zenam de, ocur ara tuirumugad. Trian a cruib  
glairne, .i. arin glairin ina cet cru. Leth ma coitethe, .i. ar in  
cru tanairce, no marat huplam.

Cetheora ruada ruil for ollaino, .i. .uiii. ma ar lomruo,  
ocur .ui. eó allobaib ; ocur trian a cruithu adblam, leth o da cae  
beoil ino, iur abruir ocur etach.

<sup>1</sup> 'Cru'-state. The word 'cru,' in the sense in which it appears to be used in connexion with the word 'glaisin,' has not occurred elsewhere in the Irish Laws. It is used apparently to denote the 'glaisin' in some state of its preparation, before being ready for use.

The increase is divided into three *parts*, unless it be the increase 'CAIN LANAMHNA,'  
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 belonging to the woman.

In this case he (*the man*) has one-third for the land, and she one-third for the original stock, and they divide the one-third for the service equally between them; one-third *goes* to the man for his herding, one-third to the woman for littering, and one-third to the shepherd for minding; but if the shepherd belongs to her she shall have five-ninths, and he four-ninths.

If the shepherd belongs to him, he shall have five-ninths and she four-ninths; and if he belong to both, it (*the increase*) shall be divided into two *equal parts* between them.

If the shepherd belongs to her, she shall then have two-ninths and he seven-ninths. If the shepherd belongs to him, he shall then have eight-ninths and she one-ninth. If he belong to both, he shall have a ninth and a half, and she half a ninth.

However long the calves may be sucking the cows,\* they shall not be distributed until they (*the cows*) run dry, but when they do run dry then they (*the calves*) shall be distributed.

\*Ir. Accompanying the milk.

One-half of cloth or the produce of the hand by spinning is due to the woman; one-third of *wool* which is combed once; half one-third of *wool which is* in locks, and of sheaves of flax; one-third of the 'glaisin'-dye-plant in the 'cru'-state,<sup>1</sup> one-half if prepared.

Of cloth, i.e. prepared, or when it is in the shape of prepared thread being produced by her hand in spinning. Once, i.e. in its first process, when it is not prepared, but combed after the wool has been greased and mixed. Half one-third of *wool which is* in locks, i.e. half the third, or one-sixth of the wool. Of sheaves of flax, i.e. when it is made into sheaves, and when it is dried. One-third of the 'glaisin'-dye-plant in the 'cru'-state, i.e. she has one-third out of the 'glaisin'-dye-plant in the first 'cru'-state. One-half if prepared, i.e. out of it in the second 'cru'-state, or if it be prepared.

There are four divisions of the wool, i.e. one-eighth *is due to the woman* after the shearing, one-sixth *when it is* in locks, and one-third when it is first combed, one-third when the grease is put into it, and both of thread and cloth.<sup>2</sup>

<sup>2</sup> *Thread and cloth.* The more the manufacture of the wool was advanced the more the woman was entitled to at her separation from the man or husband, because she was allowed for her work, and paid in the material or manufacture she had worked at.

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O'D. 302.

Ceitheora randa di for glairin, .i. nomad [ar buain na glairin]; .ui.eð iar na minugad co techt a cno, [.i. ar in glairin ina cet cno]; trian iar na cet codad; leth mað co tarde.

Ceitheora randa di for lín; herera ruir di mað for a coir beth in lín; nomad a rcuapaib cen thuargam; reireð mað innarta; leth o do choi o clár.

Teora ranna berer fer o mnai do inoðad, itir bu ocuf caeréa 7rl.; reireð ar na legaib do berad na bꝥ leo ina mbroim; trian ar a laegaib riðe irin tner bliadain, .i. trian tne, ocuf leth trin fpuithnamia 7rl.

Ni toroimle cechtar do lina dia raile ir oilef do mað tria comlogud do biathad ocuf etiuð.

Ni toroimle, .i. ni torimelef cechtar de in oaimac rin ina ceile do comloigib.

.i. Ir oilef do cað ni caitef do biud ocuf deatð, mað iar na comlogad, uair ir oib rein ir doic in comlogud do denum; ocuf cio do neicab aile do neðar he, buð oilef; no cona bat oilef comlogud do neithaib aile aét oib rin.

Ir de arberir “irlan cach cocraithe comloige.”  
Aipenar aithgein cach diubairt co logud, no inepanar a lo imrcartha.

Ir de arberir, .i. ir de raitef no aipneigir. Irlan, .i. irlan o neoch in ni oib no ciallrunaigirir do tabairt iar na cocuf. Aipenar aithgein, .i. ir uair eipnitheir aithgin in cað nupain ebairt berer neð oib o ceile, ocuf aétugad ice uil ano .i. icair aithgin i cach diubairt co no loigir, ciobed inbairt inacartar co rcarad .i. ar oin no ar aiplicud tuat, ocuf nocor cinuð re. Co logud, .i. co roib logud ann on ci o rucad. Inepanar, .i. no eipnitir a hic ir in lo i nðenat imrcar, ocuf aétugad ice uil ano.

Ni foroxla tarde no cnet no foruiriud no forcomul

<sup>1</sup> From the board. In O'D. 303, the reading is ‘for clár’, i.e. on the board.

Four divisions of the 'glaisin'-dye-plant are due to her, i.e. the ninth when the 'glaisin'-dye-plant is pulled; one-sixth after it is smoothed, until it comes into the 'cro'-state, i.e. she has this out of the 'glaisin'-dye-plant in its first 'cro'-state; one-third after its first hardening; one-half if it be completely prepared.

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Four divisions of the flax are due to her: she is entitled to a vessel of flax-seed if the flax in the stalk be growing: to a ninth if it is in sheaves without being scutched; one-sixth if scutched; one-half if it went from the board.<sup>1</sup>

The man obtains from the woman three divisions of the increase, both of cows and sheep, &c., one-sixth of the calves which the cows carry in their womb; one-third of these calves in the third year, i.e. one-third to the owner of the land, and half of one-third to those who perform service.

What either of the two parties consumes is forfeited to that party if there be set off as to food and raiment.

What *either* consumes, i.e. what either of these two parties uses belonging to the other is mutually remitted.

That is, what either *party* uses of food and raiment is remitted, if a claim for set off exists, for it is of these it is likely the set off is to be made; or if it be made of other things, they shall *also* be forgiven; or, *according to others*, no set off of *any* other things except these is allowed.

Hence it is said: "every thing adjudicated to be a matter of set off is safe." Restitution shall be paid for every fraud until there is satisfaction given, or it shall be paid for on the day of separation.

Hence it is said, i.e. from it is said or observed. *Is safe*, i.e. what one has advisedly given after its being awarded is safely withheld from him. Restitution shall be paid *for every fraud*, i.e. restitution is fairly paid for every overplus that one of them has obtained from the other, and there has been a stipulation of payment in this case, i.e. restitution is paid for every fraud, so that there is satisfaction given for it, at whatever time it is sued for, until the separation takes place, i.e. if it was as a loan or at interest it was given, without specifying the time. Until there is satisfaction given, i.e. until there is satisfaction for it *made* to the person from whom it was taken. It shall be paid for, i.e. the payment shall be made on the day on which they make the separation, and there is a stipulation of payment in the case.

That which is taken away in theft secretly or openly or by violent seizure, shall be paid for with addition

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necne, arpenar cona fuillem co diabul naithegenā.  
Mao marbtoile mao beotoile, co nar ocur lor ocur  
fuillem ocur fuilliuo.

Ηι ποροαλα, .i. ni porlar nech oib o ceile i ngoit. No cnet, .i. co  
hipeal. No porguiriuo, .i. cu haro. No porcomuiz necne .i.  
no fir porcomuiz tre eicin paruiže. Arpenar, .i. ir uair eirnitir  
eireic cona fuilleam imon nenecian. Cona fuillem, .i. i naithe,  
ocur bia diabla cen co tuc ar airo. Co diabul, .i. in oire. Mao  
marbtoile, .i. ocur biao fuilleam leo. Co nar .i. inorbairt na ret, .i.  
na colla leorairt. Lor, .i. na laig. Fuillem, .i. in inorbairt .i. in  
laet. Fuilliuo .i. in diabla .i. in oire.

Maia neigin no maia ngait rucar a feoit uaithe, aet maia  
marbtoile, ir lan riach gait inotib po cetoir, ir fuilleam do  
riach riu amail po betir for treabairt eactrann; maia  
beotib inonriu, ir lan riach gait po cetoir, ocur lor ocur ar  
ocur gearit inotib iar rin, ocur lacht ocur gnimrat dairac uao.

O'D. 303.

[.i. Maia ar ecin, no maia ar gait a ngait rucar a feoit  
o neoch, maia marbtoile po gatar ann, no beotib ag na fuil  
inorbairt, lan riach gait do po cetoir, ocur fuilliuo do riach  
riu amail no betir for treabairt eactrann cu cenn mbliatona.

Maia beotib agana aicinta innuo do bet, aet ma rucar  
innuo amuiz, aet ma marit acuo e, ir a airuc leo, ocur muna  
maritunn, innuo a macaramluo da epe.

No maia beotib inonriu, lanriach gait inotib po cetoir,  
ocur ar ocur lor ocur gearit inotib iar rin; ocur laet ocur  
gnimrat do airuc uao; ut est legim, qui alicter in oulibi  
interat, niri per optum fur est, .i. in ti tet conuiz eile irin  
liar caerac aet tar a dorur ir amuil gatuize e; ir amuiz  
rin ata in ti tet a relb nech eile gan oligeo aige, ir amuil  
crechuire e.

Muna rucar innuo amuiz, ir cetrui comā roga innuo  
ofir bunuo, .i. fearuiui piriinne lai na eachairb, no laig  
bunuiinne lai na buairb.]

<sup>1</sup> *Theft.* 'goit' here stands for both larceny and robbery.

<sup>2</sup> *Dead Chattels.* The word 'marbtoile,' translated 'dead chattels,' is probably  
a clerical error for 'marbtoile,' which occurs frequently in the Irish Laws.

and with double restitution. If it be dead chattels or live chattels, *they shall be returned* with growth, and increase, and interest, and addition.

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That which is taken away, i.e. the thing which one of them takes away from the other in theft.<sup>1</sup> Secretly, i.e. privately. Or openly, i.e. publicly. Or by violent seizure, i.e. actual violent seizure by force and compulsion. Shall be paid for, i.e. it shall be fairly paid, with interest respecting the honor-price. With interest, i.e. of what they sue, and there shall be double paid though he did not bring it into view. With double, i.e. the 'dire'-fine. If dead chattels, i.e. and there shall be interest with them. With growth, i.e. the growth of the 'seds,' i.e. the bodies (*original stock*) with them. Increase, i.e. the calves. Interest, i.e. the increase, i.e. milk. Addition, i.e. the double, i.e. the 'dire'-fine.

If it be by force or by theft her (*the woman's*) 'seds' have been carried away from her, if they be dead chattels, full fine for theft shall be paid for them at once, and interest shall accumulate upon them, as if they were on the security of external persons; but if they be live chattels, full fine for theft shall be paid at once, and increase, and growth, and milk for them afterwards, and the milk and the work shall be returned by him (*the man*).

If it be by force, or with a view of stealing them, that his 'seds' have been taken away from one, if they be dead chattels that have been stolen in the case, or live chattels which have no increase, full fine for theft *shall be paid* to him at once, and interest shall accumulate upon them, as if they were on the security of external persons to the end of a year.

If they be live chattels, which, it is natural, should have increase, *they shall be returned*, and if they have borne increase outside, and that it live with them, it shall be returned along with them, but if it is not living, similar increase must be given in its place.

Or, if they be live chattels, full fine for theft *shall be paid* for them at once, and the growth, and increase, and milk for them after that; or the milk and the work, shall be returned<sup>2</sup> by him; as it is written "he who goeth otherwise into the sheep fold<sup>3</sup> than by the door is as a thief;" so likewise is he who goeth into the possession of another person without having right, he is as a plunderer.

If they (*the chattels*) have not borne increase outside, it is the opinion of lawyers that the original owner may have his choice of increase, i.e. male foals with the horses, or female calves with the cows.

<sup>2</sup> *Shall be returned*, i.e. compensation shall be made for their milk and their work.

<sup>3</sup> *The Sheep-fold*. The word 'oulibi' in the text is no doubt intended for 'ovile.'

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O'D. 305.

Óileir cach oin, cach aipliciu, cach reic, cach  
cneic [cin imoibiuir] do cechtar da lina dia rain-  
oiliur faoirin, co ruce los nenach do cach iarn a  
coir cunniurda. Fochu, fuiriu do cechtar da lina  
ro miao.

Óileir cach oin, .i. fúircara araile. Aipliciu, .i. ar araile  
leiceir .i. imach. Cach reic, .i. imoch. Cach cneic, .i. imuch.  
Cin imoibiuir, .i. cáe ní beireir nech oib o ceile [cin] emoiubair.  
Dia rainoiliur, .i. dia rainoiliur buoin, .i. dia cuic inoitea ocu  
rúgnama, no da trian tinoi trebta. Co ruce los nenach, .i. co los  
a enech in éicé dano coir cunniurda do denam, .i. do na ceithir mnaib  
dligécha. Fochu, .i. in ní ir coir oib fochugad irin lo. Fuiriu,  
.i. in ní ir coir oib fuiriu do in aité for dano. Do  
cechtar da lina, .i. do cechtar do in da naoimad rain ro uairligia-  
taise.

In be cuitcheriu, ocu in cétmuirtir co macaib ocu cen  
macu, ocu in adairach co macaib, do beir na ceithir mna ra  
los a nenech buoin dia forciara a nairé a fer ocu a necmair,  
a nom ocu a aipliciu, a coraib ocu i cunniurdaib; ocu gaibit  
a naithe; ocu do beir da trian loise a nenech fer, cio  
a nairé cio a necmair a fer, dia lethtinoi; ocu do beir a  
forciara uile do fuairugad a carat a glar no rlabra; do  
béir a lethtinoi co ruce rocor no angbocht, ocu tiarait a  
riathair fer los i nenech a nairé a fer, ocu fer trian loise a  
nenech a necmair, ocu it arciara a roéair, ocu taithecht a  
a roéair.

O'D. 2253. In adairach cen macu ní tabair i necmair aét croma [ocu  
fercail ocu aice]. Ní tabair cio a nairé aét ní forcongaire  
a cheile. Do beir a forciara do fuairugad a carat, ocu feré  
dia lethtinoi; ocu teit fer trian loise a nenech dia nar be

<sup>1</sup> *Without fraud.* In O'D. 1119 the reading is 'cach cneic, cáe imoiubair,'  
i.e. every sale, every fraud, but in O'D. 305 the reading is 'cach cneic cin  
imoibiuir,' (i.e. every sale without fraud.) This seems the correct reading,  
and the same MS. adds, "if there be fraud the fraud is not forfeited till it amount  
to the honor-price of each, i.e. of each of the four lawful wives, but they are not  
commensurate with the honor-price of the men."



Every loan, every *case of* lending at interest, every sale, every purchase without fraud,<sup>1</sup> of their own peculiar property, is forfeited to either party, to the amount of the honor-price of such as are entitled to make contracts. Each of the two parties has *power to give* refection and feast according to their respective dignity.

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Every loan is forfeited, i.e. answering another. Lending at interest, i.e. for another thing it is given, i.e. out. Every sale, i.e. out. Every purchase, i.e. outside. Without fraud, i.e. every thing which one of them takes from the other without fraud. Of their *own* peculiar property, i.e. of their own proper possessions, i.e. of their share of the increase or service, or two-thirds of the gathering of the house. To the amount of the honor-price, i.e. to the amount of the honor-price of such as are entitled to make contracts, i.e. of the four women that have the right.<sup>2</sup> Refection, i.e. what should be given as refreshment in the day. Feast, i.e. what it is right for them to serve in the night to visiting parties. Each of the two parties, i.e. each of the two parties according to their respective nobleness.

\*Ir. *Lawful*  
*wives.*

The woman of equal rank, and the first wife with sons and without sons, and the aduress with sons, these four women may give their own honor-price of excess in presence of their husbands, and in their absence, in loan and in lending at interest, in bargains and in contracts; and they receive things committed to their charge; and they give two-thirds of their own honor-price whether in presence of or in the absence of their husbands, of their half 'tinol'-marriage collection; and they may give all their excess of fortune<sup>3</sup> to ransom their friends from fetters or chains; they may give half their 'tinol'-marriage collection until it comes down to great poverty or extreme want, and they may go security to the amount of their honor-price in presence of their husbands, and to the third of their honor-price in their absence, and their good contracts are binding, and their bad contracts are dissolved.

The aduress without sons shall not give in the absence of *the man anything* but a hook<sup>4</sup> and a distaff and *such* implements. She shall not give in his presence *anything* but what her partner shall order. She may give her excess of fortune to ransom her friends, and the sixth of half her 'tinol'-marriage collection; and she may go security to *the amount of* the third of her honor-price, if she has separate property, in the presence of her partner,

<sup>3</sup> *Excess of fortune.* Excess of their fortune over that of the husband.

<sup>4</sup> *A hook.* 'cromán,' a hook for cutting ivy. O'D. 502.

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ιραινοιλιρ ι ναιγιό α ριρ, ocyr ni teit a necnairc ρρι ni; ocyr ιρ ταιτhmechta α ρόαρι ocyr α dochair; ocyr ni teit ρι áct ρο na ceiteora cyru, .i. imbi α cuir, ρεic mbo ocyr ceirach, bió ocyr etair. Ágyr do beir caó ben α coitcheuoir na haircaire ριit ιριι éin, dia chairdaib doinaib caóa bliatna, ocyr comao dia ρυιολιρ; .i. ρcpeall do beir ben mibododais; τρι ρcypaill do beir ben caóa ogyrech; ben caóa boairech cu ρuce dairt; do beir ben caó aipech ιτιρ da airiz, ág letloize bo; bo innlaez do beir ben aipach oera; oét ρcypaill dec do beir ben aipech tuipe; uinge do beir ben caó airac o ρυιoiuó co ρuice ριg. Teora uinge do beir ben cach ριg ocyr cach bryugao ocyr cach ριiό.

Ρορυιόιθερι βοairiz an aile, ni pothairdeir iarum co iar nbe tpeire; ρορυιόεθερι α ρλαιτ ocyr α eclar ρaderin cechtar dalina, ocyr α cairde ocyr α chorlointhe.

Ρορυιόιθερι, .i. ροραιgió in boaire in mboairiz aile. Ni pothairdeir, .i. nocon poáigeann ρe nech aile iarum ρορ oampuo co haile na tpeiri, .i. poeram in bo aipech in tpeiri. Ρορυιόεθερι α ρλαιτ, .i. uair noco gabann gneim poeram neich aile ρuyaire ap a manéaib, ocyr geibio gneim α paepamom ρe nech co ρuice α leath, Cechtar da lina, .i. ceachtar de in da namao ρain. Cairde, .i. claemcluma. Á chorlointhe, .i. ρialypa.

Íanamnur mna ρορ ρepchinucur, ιρ cor α cor in ριρ rech in mbein; acht ρeic etais ocyr bió, ocyr ρec do ocyr ceapech, maó ben upnaoma na be cetmunnter.

Íanamnur, .i. ben bir α noligeo íanamnair ρορ in tincur ρeapoa. Ιρ cor α cor in ριρ, .i. ιρ cunnrao cunnruo in ριρ ρin ρec in mnai, .i. in doalrpach can macu. Acht ρeic, .i. oeyimirecht ap na huilio dochoraib poceap ρain. Ben upnaoma, .i. doalrpach cin macu inoio.

Maó be cetmunntepara techta, comairt ocyr com-

<sup>1</sup> The book called 'Cin.' Vide note 1, p. 354.

but she may not go *security* for anything in his absence; and her good contracts and her bad contracts are *alike* dissolved; and she shall impugn only the four contracts, i.e. in which she has part, *viz.*, the sale of cows and sheep, of food and raiment. And every woman in general may give the presents which are mentioned in the book called 'Cin,' to her poor friends every year, so that they be out of her own separate property; i.e. the wife of a man of the lowest rank gives one 'screpall'; the wife of every 'ogaire'-chief gives three 'screpalls'; the wife of every 'bo-aire'-chief may give presents as far as the value of a 'dairt'-heifer; the wife of every 'aire-itir-da-airigh'-chief, a calf of the value of half a cow; the wife of every 'aire-desa'-chief gives an in-calf cow; the wife of every 'aire-tuise'-chief gives eight 'screpalls'; the wife of every 'aire'-chief from that up to a king gives an ounce. The wife of every king gives three ounces, as does the wife of every Brewy, and of every poet.

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One 'bo-aire' chief entertains another, *but* he does not entertain again till three days *have elapsed*; either of the two parties entertains his *own* chief and church, and his friends and relatives.

One 'bo-aire'-chief entertains another, i.e. one 'bo-aire'-chief gives refection to another. He does not entertain *again*, i.e. he does not entertain another person afterwards at a party till after three days, i.e. the protection of the 'bo-aire'-chief is three days. Entertains his *own* chief and church, i.e. for the protection of another person does not take hold along with them upon their tenants of ecclesiastical lands, but their protection takes hold with *another* person as far as one-half. Either of the parties, i.e. either of the two. His friends, i.e. his allies. His relatives, i.e. his kindred.

*In the connexion of a woman upon the property of a man, the contract of the man is good without the consent of the woman; except as regards the sale of clothes and food, and the sale of cows and sheep, if she be a contracted woman who is not a first wife.*

Connexion, i.e. a woman who is subject to the law of connexion upon the property of the man. The contract of the man is good, i.e. the contract of that man is a *good* contract without the *consent* of the woman, i.e. the adulteress without sons. Except *as regards* the sale, i.e. this is an example of all bad contracts which are impugned. A contracted woman, i.e. this is an adulteress without sons.

If she be a woman of first lawful marriage, of equal

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ceniuil—rech ír comceniuil cach co maith—ro fuar-nairde  
a cupu uile mat baith, ar níraro dílre for díubirte na  
roguiriu; conda tathbongat a meic.

Mat be cetmunteara, .i. mat bean buí cetmuinnter uair co  
dligthech. Comaith, .i. a tothchur, .i. im trian tinol techta. Com-  
ceniuil, .i. commaith a cinel, .i. camraer. Sech ír comceniuil, .i.  
reicim no inoraigim cunao amail comcneol doib o buí commait  
a tothchur, .i. cenib camraer, .i. im trian tinol trebtha. Ro fuar-  
nairde, .i. comraicirairde a cuirairto uile mat innoiligtech iat.  
Mat baith, .i. in be cuirgeirra. Ar níraro dílre, .i. uair noco  
tairpenn dílre in cunnartha innoiligtech o beirir aca ograicreth, .i.  
dia mbe díubairte inoib. Conda tathbongat a meic, .i. co tathmige  
cú mac na be cuirgeirra in cunnarao muna cumaing fein a tathmech,  
.i. a clanna no a naomanna no a ratha.

Mat coibce fíu bein da ratha, cú dia retairb faderin,  
ír dílir don cetmuinntir in coibce fín, ma ogaio a mamu  
techta a lanamnair.

Mat coibce, .i. mat coibchí do beia fe do mnai aile dar a cenn.  
Cú dia retairb faderin, .i. cú dia retairb buoin in fín in coibchí. Ír  
dílir don cetmuinntir, .i. los nenech ocur coibce dílir o fín, ocur los  
nenech on doaltrairge, ocur in coibceí do rathaí dí, ocur coibceí fíu o fín  
dia nana hí fíu, ar ír rogál eiricairtath. Ma ogaio a mamu  
.i. mat comlanairge a gneim co dligtheach ír in lanamnair, .i. ní  
hime tucaro bean tar a cenn im innoiligeo do denam.

<sup>1</sup> *For the purpose.* The husband did not mean to cheat his wife by bringing  
the other woman into the house. He wishes to pay such fines to his wife as the  
law should impose.

In O'D. 306, the following remark is added:—Ma ro fíu in bean tugad  
ann cunad ar ceann mnai tugad hí, coibche ocur einiuclunn o fín dí, ocur  
einiuclunn on mnai tucaro ann, ocur cuirpma na coibce uair da retairb  
fíu dílir fein do dílirugad don mnai tar a noeacharó ceann a uairgair

property and equal family—she who is of equal property is of equal family—she can disturb all his (*the man's*) contracts if they be ill-advised, for legality cannot attach to fraud which is opposed; her sons may dissolve them.

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If she be a woman of first lawful marriage, i.e. if she be a woman who is a first wife, noble and lawful. Of equal property, i.e. as to wealth, i.e. as to the third of the lawful gathering. Equal family, i.e. her family being equally good, i.e. equally noble. Of equal family, i.e. I hold or advance that they are, as it were, of equal family, if their wealth be equally good, i.e. as to one-third of the gathering of the house, i.e. though there are not *in reality* equally noble. She can disturb, i.e. she can dissolve all his (*the man's*) contracts if they be unlawful. If they be ill-advised, i.e. the woman of equal rank *can do so*. For legality cannot attach to *fraud*, i.e. for the legality of the unlawful contract cannot stand *good* when it is opposed, i.e. when there is fraud in it. Her sons may dissolve it, i.e. the sons of the woman of equal rank dissolve the contracts if she cannot dissolve them herself, i.e. his agreements, compacts, or securities.

If he gives a 'coibche'-marriage present to a woman, though of his own seds, that present is forfeited to the first wife, if she has fully performed her duties during the connexion.

If he gives a 'coibche'- marriage present, i.e. if he gives a present to another woman, in her place. Though of his own 'seds,' i.e. though the marriage present be *given out* of the man's own 'seds.' Is forfeited to the first wife, i.e. honor-price and the marriage-present are due to her from the man, and honor-price from the adulteress, and the marriage-present which was given to her; and an *additional* sum is due to her from the man, if she remain with him, for it (i.e. *what he has done*) is a cause of separation. If she has fully performed her duties *during the connexion*, i.e. if she has legally completed her lien in the connexion, i.e. the woman was not brought in in her place for the purpose<sup>1</sup> of committing illegality.

ἡννυρθεῖα οὐραχμυρὸ ἀμαεῖ; οὐρ ἁρμυρ νὰ κοῖβε ρυζ εἰν τοῖχεο, οὐρ  
να λεγυρ εἶσο α τοῖχεο, ἢ διαβλασ ἰαρ νελο.

"If the woman who was brought in on this occasion knew that it was in the place of *another* woman she was brought, the husband shall pay the marriage-present and honor-price to the latter, and the woman who was brought in shall pay her honor-price; and a proportion equal to the marriage present shall be forfeited out of their own proper 'seds' to the woman in whose place she (*the new woman*) came, by right of the expulsion if she went away; and the marriage present which she brought shall be returned without suing, and if her suit be evaded, double shall be paid after the evasion."

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17. *riachach cach adaltrach do teit for cen do cet-  
muinntire; arren log nenech na cetmuinntire.*

[.1. *Altait fech oga ar gaé mnai tet ar adaltrur for ceann  
a rin buoin, .1. co fer eile.*

Arreanur log neiniuch na cet muinntire, .i. 17. uair eirni-  
ther dāna eieclann ann da cet fer buoin, .i. teorā coibde beirur in  
cetmuinntir ro, in coibde do rat in fer do ar tur, ocuf in coibde rus in  
adultruch, ocuf log einiuch on adultruch, ocuf coibde on riur o tucad  
aridiri, cumad tri coibde ramliad, ocuf eieclann.]

Marā cutruma coibde na mna tucad ann, ocuf coibde a  
mna fein, .i. na cetmuinntire, 17a uilri na coibde uiri, ocuf  
eneclann on mnai tucad ina ceann, ocuf eneclann on rin.  
Marā luga coibde na mna thucad ann, fuillead in fear nua  
co raib cutrumur a coibde ri ann, ocuf eneclann o cehtar de  
for. Marā mo coibde na mna thucad ann, bio a himarcrad  
aiccirum.

Cetmuinntir co macaib, ocuf cetmuinntir cen macu, ocuf  
adaltrach co macaib, ocuf be cutcheruira, firi log 1 nenech  
tiadait a riadnair a fear aicirur, ocuf firi trian loige enach  
a fer tiagait ina necnairc, ocuf 17. de a trian loige 1 nenech  
rom in rain; ocuf do beirat log a nenach in oin ocuf a nairlicud,  
ocuf a cunorad do forcrad a tocuf a cō a nairgō cō a nec-  
nairc a fer. 17i tabrat imorrio aēt trian loige enech a fer  
in oin, ocuf a nairlicud, ocuf a cunorad, muna be forcrad  
tothcuf accaib, ocuf do beirat dno co ruice roōor no angbocht,  
do éno a éarad a glar no rlabrad.

Maō adaltrach cen macu imorrio, 17. firi trian loige enech a  
rin tet a neirur ina riadnair, ocuf 17. firi da trian in trian  
rin ina necnairc; no ni tet 1 neirur firi ni etir ina ecnairc;  
ocuf do beir da trian loige a hinech fein 1 noin ocuf a nairlicud,

<sup>1</sup> *Property, i.e. above that of the man.*

Every adultress is fineable who goes in the place of a first wife; she shall pay the honor-price of the first wife.

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That is, there are full fines imposed upon every woman who goes in adultery in violation of her own husband, i.e. to another man.

She shall pay the honor-price of the first wife, i.e. she shall fairly pay for it to her own first husband, i.e. this first wife shall thus obtain three 'coibche'-marriage presents, viz., the 'coibche'-marriage present which the husband gave her at first, and the 'coibche'-marriage present given to the adultress, and honor-price from the adultress, and a 'coibche'-marriage present from the man who took her next, making thus three 'coibche'-marriage presents, and honor-price.

If the 'coibche'-marriage present of the woman who was brought in, and the 'coibche'-marriage present of his own wife, i.e. the first wife, are equal, these 'coibche'-marriage presents are forfeited to her (*the wife*), and honor-price is due to her from the woman who was brought in her place, and honor-price also from the husband. If the 'coibche'-marriage present of the woman who was brought in is smaller, the husband shall add to it until it is equal to her 'coibche'-marriage present, and both of them owe her honor-price also. If the 'coibche'-marriage present of the woman brought in is greater, she (*the first wife*) shall get the excess.

A first wife with sons, and a first wife without sons, and an adultress with sons, and the woman of equal rank, may go security in the presence of their husbands to the amount of their honor-price, and to the amount of the third of the honor-price of their husbands they go security in their absence, and that is the two-thirds of their own honor-price; and they may give the amount of their honor-price in loan and lending at interest, and they may contract unto the excess of their property either in the presence or in the absence of their husbands. They shall not, however, give but (*more than*) the third of the honor-price of their husbands in loan, and lending at interest, and contract, unless they have excess of property, and they shall give of it till it comes down to great want or extreme poverty, in behalf of their friends in fetters and chains.

But if she (*the woman*) be an adultress without sons, she may go security only to the amount of the third of the honor-price of her man in his presence, and to the two-thirds of that third in his absence; or according to others she may not go security for anything at all in his absence; and she gives two-thirds of her own honor-price

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— δια πορνευαὶδ ; no nι ταβρατ nι ιτιρ ι noin ocyr α nαιρλιεαὶδ αέτ  
nι πορconγαίρ α έελε τοι, ocyr αιςceat ρίγε ; ocyr το βειρl τοπο  
ρειρεὶδ α ραινερuiδ το έινο α cαιρατ α γλαρ no α ρλαβραδ. Ocyr  
το βειρατ ιμορpυ α πορνευαὶδ uile το γιλλ δια cαιρδαib α γλαρ  
no α ρλαβραδ, cιo cετmuιntepa cιo αοαλτραάα.

Ρορuiδιδτεp in ben leth dam in pιr, amail bep miao  
chele na mna.

Ρορuiδιδτεp, .ι. ποραιγο in ben ap dampaδ leth damme in pιr, .ι.  
ιρ λεέbιαθαδ το βειρ τοib maδ co ταρpαιo, ocyr nι pυil comuy pοr im  
menn na apboρ το co po λαινbιαθαδ daime α pιr. Amail bep miao,  
.ι. amail bep αιpμιcιu no uairiaτu pιr na mna.

Γιoβε toμuy pο cιpet na daμα, da pειb in pειr ann, ιρ λαν dam ;  
muna pαιb ιρ leth dam ; no ono cena, map co toμuy in pιr  
tangatoρ na daμα, γε beth gin co be in pειr ann, ιρ λαν dam ;  
map po toμuy na mna, γε beth gin co be in ben ann, ιρ leth dam.

Maδ ben boaipech πορuiδιcητεp ocaιpυg ; maδ ben  
aipech oepa, πορuiδιcηeap boaipυg ; maδ ben aipech  
tauιr, πορuiδιcητεp aιpυg n'opea ; maδ ben aιpυg aip'o,  
πορuiδιcηeap aιpυg tauιr ; maδ ben aipech ποργιλλ, πορui-  
διcητεp aιpυg ap'o.

Maδ ben boaipech, .ι. oιr von ocaipech ιρ pειp cu mna in  
boaipech ιρ pειp oα πορyαδ τοι πορ dampaδ. Maδ ben aipech  
oepa, .ι. cιuy pοr λεέdaim in aipec oepa. Aipech tauιr, .ι. ap in  
aιpe tauιr. Πορuiδιcητεp, .ι. cέpuy ap λεέ dam in aipech tauιr.  
Ben aιpυg aip'o, .ι. ap in aιpυg nαιp'o. Aιpυg tauιr, .ι. ap in aιpυg  
tauιr, .ι. cuic'ep. Aipech ποργιλλ, .ι. ap in aιpυg nαιp'o pειpuy  
λεέdaim in aipech ποργιλλ ιρ tauιpe.

Cach pothuyad co hιap'oiage iap λaine othpuyα  
cuile iap cambiathaδ. Biathaδ cen aipain neich cen



in loan, and in lending at interest, of her excess of property ; or, according to others, she may not give anything in loan and in lending at interest except what her partner orders her, and implements of weaving ; and she may give the sixth part of her own property for the sake of her friends to ransom them from fetters or chains. And they all, indeed, whether first wives or adultresses, may give all their excess of property as a pledge to ransom their friends from fetters or chains.

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The woman may entertain half the number of the company of the man, according to the dignity of the husband of the woman.

Entertain, i.e. the woman entertains at a party half the number which the man entertains, i.e. it is half food she gives them if with condiment, and she cannot get butter or corn until the man's parties are fully fed. According to the dignity, i.e. according to the respectability or nobility of the woman's husband.

Upon whatever invitation\* the parties come, if the man be present, \* Ir. Mea- it is full company ; if he is not, it is half company ; or else if the parties <sup>sure.</sup> have come upon the invitation\* of the man, whether the man be or be not present, it is full company ; if upon the invitation\* of the woman, whether the woman be or be not present, it is half company.

If she is the wife of a 'bo-aire'-chief she may entertain an 'og-aire'-chief ; if the wife of an 'aire-desa'-chief, she may entertain a 'bo-aire'-chief ; if the wife of an 'aire-tuisi'-chief, she may entertain an 'aire-desa'-chief ; if the wife of an 'aire-ard'-chief, she may entertain an 'aire-tuisi'-chief ; if the wife of an 'aire-forgaill'-chief, she may entertain an 'aire-ard'-chief.

If she be the wife of a 'bo-aire'-chief, i.e. the best 'og-aire'-chief has two persons when he comes on a coshering visit to the wife of the best 'bo-aire'-chief to entertain them at a party. If the wife of an 'aire-desa'-chief, i.e. three persons constitute the half company of the 'aire-desa'-chief. Of an 'aire-tuisi'-chief, i.e. on the 'aire-tuisi'-chief. May entertain, i.e. four persons are the half company of the 'aire-tuisi'-chief. The wife of an 'aire-ard'-chief, i.e. on the 'aire-ard'-chief. An 'aire-tuisi'-chief, i.e. on the 'aire-tuisi'-chief, i.e. five men. Of an 'aire-forgaill'-chief, i.e. on the 'aire-ard'-chief six persons constitute the half party of the lowest 'aire-forgaill'-chief.

He who supports the last survivor of a family shall have his kitchen supplied after he has entertained

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ḡaim techta. Ní fuibén enecclanḡ arain ḡair ḡaim techta, ar ní heitech ḡo neoch maḡo ḡaim techta ciarḡo.

Cach foḡuḡuḡo, .i. ír fo a foirḡḡin uair ḡo beḡar ḡon tí foḡaíḡer na ḡama ḡa nḡḡḡḡar íarum, curub íarum lan a éuil íar mbiaḡaḡo neic éirḡi co caíḡḡemaḡ, .i. ír aḡa foirḡḡeo uair ḡo beḡar ḡon caḡ ḡo beir in foḡuḡuḡo ḡia íarumḡoḡi, curub lan a éuil íar canmbiaḡaḡo neic éirḡi. Diaḡḡaḡo cen aírain, .i. biaḡḡaḡo na ḡaíḡe ḡleḡar ḡib can neḡ ḡo ḡul uaḡaib ar ain foḡar ain can biaḡ. Cen ḡaim techta, .i. can a ḡaim ḡliḡḡiḡ aice buḡeín. Ní fuibén, .i. uair noco tabair foḡuḡaḡo foḡar neḡ im a enecclainḡ ce fo ḡeḡraḡo neḡ uaḡ ar ain foḡar ain can biaḡ, maḡ amlaḡo beḡ, ocuḡ a ḡaim ḡliḡeo aice buḡeín.

Ma fcairḡo, ocuḡ bḡo imḡocaḡo leo, noḡ bḡo commairḡi a foḡaḡo fpu himfcairḡaḡo ḡoib, foḡḡoḡi fḡan faerḡoimile caich ḡia fḡailiu cen ecubur, co comḡinucur fpu himfcairḡaḡo arnam ḡerḡara. Cach naíḡḡin fḡeib fo ḡronḡḡar, co nar, co loḡ, co nḡerḡ, co fuilliuḡo. Cach taíḡe, cach eḡean, cach foḡaḡ cen loḡuḡo, cen aíḡḡe, cen ḡiḡḡe, ír cona ḡirḡi.

Ma fcairḡo, .i. maḡ fcairḡaḡo ḡo net in lanamain. Bḡo imḡocaḡo leo, .i. curub emḡḡaíḡe leo fcairḡaḡo ḡo venum. Noḡ bḡo commairḡi, .i. ocuḡ cura comair a fḡaíḡe in ní caíḡe ḡo éomloíḡḡib. Saerḡoimile, .i. ḡo bḡo ocuḡ ḡetaḡ. Caich ḡia fḡailiu, .i. in ní ḡo beir caḡ ḡib ḡa éuil. Cen ecubur, .i. cen ḡroḡcubur ḡaíḡe ḡo venam ḡoib im in ní bḡir ina comḡinucar no co nḡerḡar imfcar, .i. ḡia mbe ecubur, ír aíḡḡin co ḡroḡeo. Arnam ḡerḡara, .i. co na fḡa ḡerḡoibḡa neḡ ḡib a éuil. Cach naíḡḡin, .i. caḡ naíḡḡin ḡic foḡar fḡebur no caíḡeḡ hḡ, ocuḡ aḡḡuḡiḡ ice uil ann, no ír ḡaíḡe no íraruḡaḡo. Co nar, .i. na coblanḡo, .i. inoḡbaíḡe na fḡe. Co loḡ, .i. na laíḡ. Co nḡerḡ, .i. in laḡe ocuḡ in tuar. Co fuilliuḡo, .i. in ḡirḡi, no in ḡiablaḡo. Cach taíḡe, .i. ḡiḡeíḡe. Cach eḡean, .i. fḡaraíḡḡi a fḡaḡaíḡi. Cach

Sic.

him. He who is without his lawful company should be entertained without refusal. When the company is above the lawful number refusal does not lessen one's honor-price, for one should not refuse if the lawful company has arrived.

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He who supports, i.e. this is the noble relief which is given to the person who entertains the companies to shelter them, viz., that his kitchen is filled afterwards, after he has pleasantly entertained one out of it, i.e. it is the noble relief which is given to the person who gives support to the last survivor of a family, that his kitchen is filled after he entertains one out of it. Entertained without refusal, i.e. to entertain the company due of them without suffering one to go away fasting without food. Without his lawful company, i.e. who has not his own lawful company. Does not lessen, i.e. for it does not lower one as to his honor-price even though *he should suffer* one to go away from him fasting without food, if it be so, he himself retaining his lawful company.

If they (*a man and a woman*) separate, and that by mutual consent, and that their property be equally good at their separation, what they have consumed of each other's *property* without dishonesty is remitted, *together* with equal property at separation that there may be no fraud. Restitution *is to be given* for every thing as it was *when* consumed, with growth, increase, milk, and addition. Every thing stolen,\* every *thing taken by* violence, every thing carried away without leave, permission, or entreaty, is *to be returned* with 'dire'-fine.

Ir. Theft.

If they separate, i.e. if the married couple separate. By mutual consent, i.e. when it is their choice to make a separation. Equally good, i.e. and that what they have consumed of the set off, be equally valuable. What they have consumed, i.e. of food and raiment. Of each other's *property*, i.e. what each of them gives the other. Without dishonesty, i.e. without the bad intention of stealing what is common property until they separate, i.e. should they have had the evil design, there is restitution with fasting *to be made*. That there may be no fraud, i.e. that one of them may not defraud the other. Restitution, i.e. every restitution is to be paid in as good a condition as the thing that was used; and there is condition of payment in the case, or (*i.e. otherwise*) it is theft or violation. With growth, i.e. the growth of the *original* bodies, i.e. the increase of the 'seeds.' With increase, i.e. the calves. Milk i.e. the milk and the manure. With addition, i.e. the 'dire'-fine, or the double. Every thing stolen, i.e. *every act* of concealment. Every *thing taken by* violence, i.e. *every act* of violence in the presence of the owner. Every

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φορὰ?, .i. ἐπὶ τῷ αἵματι, .i. τοῖς μαίαι. Cen λογ-  
νο, .i. in τι ο ρυκατο αὐτο, .i. on mui. Cen αιτθε, .i. domaine το-  
Cen τοῖς τοῖς, .i. cen τοῖς τοῖς ο βριατραις. Iρ co na τοῖς, .i. ιρ co  
na lan τοῖς, .i. los nenech αιρετιρ no ιεταιρ καὶ no βεραιρ εἰς εἰρηαῖ  
τοῖς ριν.

Leth lamtopaird do mnai, amail ιρ rubrad ιρ in  
lanamnar tairrech ιρ rubarctmar; leithetrian a mblicht,  
cor na τοῖς cobdailaib tairrechais ιτιρ τιρ, ocur bu, ocur  
leithraib, ocur fognamadaib.

Leth lamtopaird, .i. a leat don mnai in topaird do dona ot laim  
o biar ina etach uilum, no ina laithetriaib tairrech. Amail ιρ rubrad,  
.i. amail no rairctmar romann. Rubarctmar, .i. no rairctmar  
romann. Leithetrian, .i. leithetrian in laithetria, rairctmar do rair-  
ctmar, ocur marctmar cae ben a leithetria. Cor na τοῖς  
cobdailaib, .i. cur in cobdailaib tairrech a rubarctmar romann.  
Iτιρ τιρ, ocur bu, .i. in euit ιρ cor do cae in τοῖς ριν. Fognama-  
daib, .i. in euit ιρ cor do uilum.

Nomad a inuud, ocur a ardim, ocur a rail maod  
marctmar; ιρ miach τοῖς caeha mair aia bi co ceant  
mbliadna, .i. cur na belletanaib biad nerom; ar mu biad  
ι naimrir imrarta ircarad.

Al inuud, .i. a hinnad in ριν. Ocur a ardim, .i. ocur bectentair  
ιρ annairche. Al rail, .i. muc innuud coitcino nomad, ocur meatair  
ριν inannur ριν. Iρ miach, .i. miac ριγε no miach mair, .i. ιρ miac  
τοῖς coe mi cu porcenn na bliadna a ριν biot etarctmar etarctmar  
ar .i. uio no ari nomad ριν; no cumad miac ριγε do ban doctair  
arair; no ιρ miach co no ριγε, ocur ιρ ριρ ριρ. Cur na belleta-  
naib, .i. uair ιρ ann bu τοῖς imrarta τοῖς. Uio nerom, .i. ριν bi  
a comocur τοῖς. I naimrir imrarta, .i. ιρ in ριρ a netai-  
rta a naimrir.

Lanamnar ριν ρορ banctonacur; ιρα ριρ τοῖς ριν  
ι nuidu mna, ocur ben a nuidu ριν. Maod ριν fognama,

thing carried away i.e. every secret carrying off by force, whether in the 'CAIN LA-presence or in the absence of the owner, i.e. without asking. Without leave, i.e. without asking leave of the person from whom it was taken, i.e. of the woman. Permission, i.e. being asked by him. Without entreaty, i.e. without proper entreaty in words. To be returned with 'dire'-fine, i.e. it is with full 'dire'-fine, i.e. honor-price, every thing that is carried off in any of these ways shall be returned or paid.

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Half the produce of the hand is due to a woman, as has been said in the case of the connexion which we first mentioned; also half one-third of the milk, with the two first divisions between the owners of land, and kine, and vessels, and those who perform services.

Half the produce of the hand, i.e. half the produce effected by the hand is due to the woman when it is prepared cloth or manufactured thread. As has been said, i.e. as we have said before. Which we first mentioned, i.e. which we have mentioned before. Half one-third, i.e. half one-third of the milk, or one-sixth of the produce of the churn,\* is due to the great worker, and every \*Tr. Churn-woman is a great worker with respect to milk. With the two divisions, i.e. stick. with the first distribution which we have said before. Between the owners of land, and kine, i.e. the share which is by right due to each of these. Services, i.e. the share which is by right due to those who perform service (work or attendance).

One-ninth of his (the man's) increase, and of his corn, and of his bacon is due to the woman if she be a great worker; she has a sack every month she is with him to the end of a year, i.e. to the next May-days, for this is mostly the time in which they make their separation.

Of his increase, i.e. of the increase of the cattle of the man. And of his corn, i.e. and she (the woman) is a small worker in this particular. Of his bacon, i.e. of the general increase of swine she has one-ninth, and what is in the same manner fattened on the land. A sack, i.e. a sack for the way or a sack of partition, i.e. she has a sack for every month to the end of the year in which the separation takes place between them, and this is as the sixth or the ninth; or it is a sack for the way which is due to a woman-stranger; or it is a sack that is given every month until it comes to one-sixth, and this is the truth. To the next May-days, i.e. because they are then likely to separate. The next, i.e. that are the very next to them. The time in which they make their separation, i.e., it is at that particular time they make their separation.

As to the connexion of a man supported on the property of the woman; in this case the man goes in the place of the woman, and the woman in the place of the man. If he be a man of service, he shall have the ninth

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NEXTIONS.’</sup> <sup>1</sup>ir nomad a harbim don fir, ocuf don fail, mad ceano comairle cuinodrig muintire fpu comairle comnir.

Lanamnar fir, .i. in fer bir i nobiseo lanamnair for in tincur mbanta. Ipa fuioiu, .i. ir don iadairin teit in fear ir in nobiseo a roib in ben tuar. I nuioiu, .i. i ninad. Den a nuioiu fir, .i. in ben ir in nobiseo a roibe in fer curtarpa. Ma fer rognama, .i. ma he in fer do ne in rognum imbit for bantincar. A harbim .i. ocuf arada air uil aice ocuf let frienama, ocuf nomad do ar cad ni oib cona da nomad, ocuf teit in co fuice a leth. Don fail, .i. ar liarnad, .i. muc innoia coitinne nomad rin. Ma ceano comairle, .i. ma cenn bur comut mar comairle a cuinodrig na muintire fpu in caem airle taitneamad rin, .i. in aradain ocuf in let frienam na trebairne aice in uair ata gain.

.i. Aradu ocuf leith frienad na trebairne fuil eice ann. Ocuf trian trin riethnama ruc fer aiceis no bai ac an mnai ina aiceis ac denam friethnama, ocuf da nomad eiceium an; ocuf teit ben ina gnimrad, gu mberinn nomad oib uad. Ocuf ni leirium tir na ril an rin.

Fer for ban tronacar nomad a hinnoiu, ocuf a harbaim, ocuf a fail berer dia noena gnimrad, ocuf ir ceano comairle. Seictmo trin friethnama do ar gnimrad. Manab ceann comairle reictmad ocuf trian in reictmad do. Ma ceann comairle nama, cen gnimrad ocuf aruroa, .vii. mad ocuf trian in reictmad. Nomad in fuilidi dia no tech. Ma dono cen gnimrad, ocuf ni ba ceann comairle, leth in reictmaiz ar gabail lama nama.

Ocuf na ceitheora cota beirer in ben a holaino in fir, ir nomad cad cota oib rin berer in fer on mnai, ocuf nomad reirio lairida do a laet. Berio na cuic nomada ra cio ceann comairle gin cob ceno.

Leth trian do blicht confozlaizcher in tri; leth do letrai, a leth nail da trian a fuioiu don fir; nomad a lamtoiraid fpu himrcarad doib. Ma imtucu doib rcarad ir amne a rcarad.

<sup>1</sup> Without work. The text appears to be defective here; cen gnimrad ocuf da, is the reading of H. 2.15; but over the word da, a later hand has written arur with a view to make aruroa, which is the reading of H. 3.17, col. 240. The meaning of the passage is very obscure.

part of her corn and of the bacon, if he be a head of counsel directing the family with strong advice.

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The connexion of a man, i.e. the man who is in the law of connexion upon the property of the woman. In this, i.e. in this particular case the man becomes subject to the law to which the woman was *subject* above. In the place, i.e. in the situation. The woman in the place of the man, i.e. the woman is subject to the law to which the man was *subject* hitherto. If he be a man of service, i.e. if it be the man who is supported upon the woman's property, who does the service. Of her corn, i.e. he is bound to do the ploughing and half the service, for each of which he is entitled to one-ninth, and it may be two-ninths, and he may participate in it to the extent of one-half. Of the bacon, i.e. for his herding, i.e. that ninth is of the general swine increase. If he be a head of counsel, i.e. if he be a head that is useful for *giving* advice in guiding the family with his gentle agreeable counsel, i.e. he has the ploughing and half the service of the husbandry *to attend to* when this is the case.

That is, he has the ploughing *utensils* and half the *amount due* for service of the husbandry in this case. And the third of one-third of the *amount due* for service was obtained by a workman whom the woman had *employed* against him to do service, and he had two-ninths then; and the woman participates in her own work, and so carries one of the ninths from him. In this case neither the land nor the seed is his.

A man *supported* upon the woman's property gets the ninth of her *cattle-increase*, and of her corn, and of her bacon, if he performs work, and is a head of counsel. One-seventh of a third of the *cattle-increase* is due to him for work. If he is not a head of counsel he gets a seventh and a third of the seventh. If he is a head of counsel only, without work *he gets* a seventh and one third of a seventh. The ninth of the whole if in her house. If, however, he does not work, and is not a head of counsel, *he gets* half the seventh for 'hand seizure' alone.

And of the four shares which the woman obtains of the man's wool, it is one-ninth of each share of them *which* the man obtains from the woman, and one-ninth of the sixth of the produce of the churn *goes* to him as *his portion* of the milk. He gets these five-ninths whether he be a head of counsel or not a head of counsel.

\* Ir. Churn-  
stick.

Half one-third of the milk is divided into three *parts*; one-half *is due* to *owners* of the vessels, two-thirds of the other half to the man; one-ninth of the produce of her hand *to the woman* at their separation. If they choose to separate it is thus they separate.

‘CAIN LANAMIHNA,’ ocyr marventarō caē ben uile a leit ne laēt. Conpoglaigther, .i. or law of social connexions. **Λετθ** τριαν, .i. λετ τριν in λαττα, περὲς λαινετα το μαρventaro, .i. ιρ cain ποσειγθερ ειρεic α τρι πανταιb cen cob acc τρι. **Λετθ** το λετρηαι, .i. λετ in περτο αιλε το minλετρηα ocyr το μαρλετρηα. **Α** λετθ παιλλ, .i. α λετ αιλε, in αιλε dec αιλε. **Θα** τριαν, .i. θα τριαν ιρ in ιασταιριν ιριν αιλε dec don ριρ, .i. οέτματo πανν dec ριρε, ocyr α τριαν το buαcαλλib, in περτο πανν τρυχac. **Νοματo** α λαμτοραιo, .i. amail na ρυαιρ in ben aicepium ní i ποέcpαt αέt in θα νοματo don arbur, cona techpatoρom ειcιpι acē in θα νοματo; no cena i bail ιτα τριαν αρ ειpετα acobul lom ban acoviz po bi aicepium ιna αιcιoρium co ρuc νοματo uacipium, ocyr θα νοματo ειccepi anpραιoε; ocyr ουλ doρum ιna cιmipαt co mbeipann νοματo oib uacιe. **Ματo** ιmтycy, .i. ματo emtoζαιoε leo ρcαpαt το venum. **Ιρ** amne α ρcαpαt, .i. ιρ amλaίo ριν ρcαpαt.

.i. In bail ιτα τριαν αρ ειpετα acobulum, θα τριαν cιmιa ριρ aicepim, ocyr τεit in θα νοματoαib oib, co mbeipenn in θαpα νοματo, ocyr in τηep νοματo aicepι don τριun cen ουλ doρam ιno; uαιρ τρι νομαtο bιρ ιριν τριun, ocyr in θα τριαν α cιmιa-ρι τεit ρium.

**Ματo** αιλε θα λina bep anpoltach, ιρ oιλip cuic upgnuma in mιpoltach don topoltac. **Ματo** cetmuin-τεp, ιρ oιλεp uile don τι bιρ ιna mamαib techταib, παtο beip apαile cuic α τηp, na bunαt cethpa; acηt ρcαpαt amail conoρecat; in θα beip cach λαιp curanaile, α μαpαcηap de ιppeo bepep λαιp ριρ himpαpαt, na αιcηcιn oια topαt muna μαpαcηap; acηt ιρ πεp το pαnaρ α hιncηαib na mna μαtο λε in tothchur uile, ιnge μαtο poρoltachu in πεp oλdαρ in ben, no μαtο cαiδιu, no μαtο ραιpe, no μαtο αιpιmιDnechu.

**Ματo** αιλε, .i. μαtο nectap de in θα naιμαt ριν bep oρocpoltac. **Ιρ** oιλip cuic upgnuma, .i. oιλip α cotaē ριcέnaθa on acαλeρaιc ιna cet poζaιl λαν. **Ματo** cetmuinτεp, .i. oιλip α cotaē tιpe, ocyr bunαt, ocyr ριcέnaμα on cetmuinτηp ιna cet poζaιl λαν. **Ιρ** oιλεp uile, .i. ιnnuο uile. **Θον** τι bιρ ιna mamαib techταib, .i. oen τι bιρ ιna



Half one-third, i.e. half one-third of the milk, or one-sixth of the produce of the churn is due to a great worker, and every woman is a great worker with respect to milk. Is divided, i.e. it is fairly divided into three parts, but only three parts. One-half to the owners of vessels, i.e. half the sixth is due to the owners of small vessels and of large vessels. Of the other half-sixth, i.e. its other half, or the other one-twelfth. Two-thirds, i.e. two-thirds of the other twelfth is due to the man, i.e. that is the one-eighteenth, and one-third of it (the other twelfth) to the shepherds, i.e. one-thirty-sixth. One-ninth of the produce of her hand, i.e. as the woman did not get from him anything but two-ninths of the corn, so likewise he does not get anything from her except two-ninths; or else where she has against him one-third for woman's work of the rough carding until he took one-ninth from her, and then she had two-ninths; and he then goes into the calculation of his work and bears off another third from her. If they choose to separate, i.e. if they choose to make the separation. It is thus they separate, i.e. it is after this manner they separate.

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That is, where there is one-third due for rough combing, she has two-thirds of the work of the man, and he gets two-ninths of them, so that she has the second ninth, and the third ninth of the third, without his share going into it; for there are three-ninths in the third, and he goes into two-thirds of her work.

If either of the two parties be unqualified, the service of the unqualified party is forfeited to the qualified. If it be the case of a first wife, it (the amount due for service) is all forfeited to the person who is lawfully married to her, so that she does not obtain any share in the land, or in the original stock of cattle; but they separate as they met; as to whatever each has brought with him to the other, he carries off what lives of it at the time of the separation, or an equivalent of its produce if it is not living; but the man's share is estimated by the honor-price of the woman if all the property be hers, unless the man is more qualified than the woman, or more respectable, or more noble, or more venerable.

If either of the two, i.e. if either of these two parties be unqualified. The service is forfeited, i.e. her part of the service is forfeited by the adulteress for her first full crime. If it be the case of a first wife, i.e. her share of the land, and stock, and service is forfeited by the first wife for her first full crime. It is all forfeited, i.e. all the increase. To the person who is lawfully married

'CAIN LA- moamut, no ina gheim dligteá, ir diler na neide rin. Aché rcarait,  
 NAMHNA,' .i. acé rcarat amail comraicit, .i. in bunat tuc le o tigh irreo beiru  
 OR LAW OF le i naimpín imrcair, uair da rochair a cuicig tige, ocyr bunat, ocyr  
 SOCIAL rriénama don inuut uaiti don rin ina rochair. Da beir cach, .i. m n  
 CON- do beir caé leir oib do cum a éile. A marathar de, .i. in ni maru  
 NEXIONS. de. Ireo beire, .i. irreo beire leir in tan do n:at imrcair, .i. ma ro  
 — rita na reoit tuc ri le amuis, ma maru a rola, a brait digne le, a brait  
 airmu; no ono, aithgin aneic, .i. ocyr acéugao ice uil ann, ocyr inuut na  
 ret ruat ir in rochair ir iat do beir ir in cmaro annrin; no ono,  
 aithgin neic tucra le cio o chuair amuis do brait le dia cuir inuut  
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O'D. 308. [Cupruma na haithgina don chuit ro roich oinnuó ireo  
 beiru, munab ina cinuio. Inci bir ina dligteó beirchur. Achro-  
 cuire inro; a epocuire imurro, ni beir ni itir.

Ma a cinuio inci bir ina dligteó beirchur, ocyr ni uaim dligteó  
 uime, ir cupruma na haithgina sic uat, ce beé innuó ann cen  
 co be.]

Aché ir fer do rana, .i. ata acé lium ann conat tuatgur einis  
 na mna eirnióer enecclann don rin ir ann ro on, .i. ni da cruo bunat  
 tuat don rin roir acéugao, ocyr aiper aice, ocyr in ni ro bui in bunat  
 ruat uaithe a tabairt si do inuut a cruo buoim, uair do rochair a  
 cuicig bunat uaithe don innuut, ocyr a cuicig tige, ocyr rriénama.  
 In totchur, .i. inuile. Ma ro rochair, .i. in totchur tige  
 ocyr inuile, .i. in inuucur ocyr in roia. Ma ro cairu, .i. in  
 inuucur .i. a nrao, .i. in leigero, no in rligéet. Ma ro fairu, .i. a  
 ceneol. Ma ro airimioechu, .i. in ruithin nairéeta, .i. irin gao  
 rain.

Lanamnar rin catigche cen tarpuo, cen upnam;  
 cuiced a lamtopat cuir in rin, .i. in chele rin him-  
 rcarat doib, arur enachruice dozum rurei inrair,  
 cia forruartar rria, ireo arurartar do de, ocyr ata a  
 cuire i ruide.

<sup>1</sup> Upon condition. In O'D. 308, nearly the same words occur: "In this case she  
 gave a part of her original cattle to the man on condition, and they remain with  
 him, and there was not as much of the increase of her own cattle as amounted to  
 the value of the stock obtained from her to be given to her, for she forfeited her  
 share of the increase, and of the land, and of the amount due for service.

to her, i.e. to the person who is joined to her or united to her in lawful bond, these things are forfeited. But they separate, i.e. but they part as they came together, i.e. the original stock which she brought with her from her house is what she carries off with her at the time of the separation, for her share of the land and original stock, and *the amount of the increase of cattle due for service*, and fell away from her to the man *in punishment* for her first full crime. What each has brought *with him*, i.e. the thing which the one brings with him to the other. What lives of it, i.e. the part which lives. He carries off, i.e. it is what he carries off with him when they make the separation, i.e. if the 'seds' which she brought with her be found, if her property *in cattle* be living, she carries them with her, she carries them off; or, *according to others, she gets* an equivalent of their produce, i.e. there is a stipulation for payment in this case, and the increase of the 'seds' which was forfeited for the crime goes to pay for the responsibility in this case; or, *according to others, she gets* restitution of the property which she brought with her on going away, out of her share of the increase.—S. D.

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She gets an equivalent of the restitution out of the part of the increase which should come to her, unless *it goes* in her responsibility.

*If it does*, the person who is legally wedded to him<sup>a</sup> gets it. This is <sup>a</sup> *Ir. In his law.* the leniency of it; the severity is that she gets nothing at all.

If it be given to satisfy the responsibility of the person who is legally married to her,<sup>a</sup> and that he does not yield law respecting it, <sup>a</sup> *Ir. In her law.* he must give an equivalent for the restitution, whether there be increase or not.

But the man's *share* is estimated, i.e. I make a condition that it is from the price of honor of the woman that the honor-price of the man is paid in this case, i.e. she had given a part of her original cattle here to the man upon condition,<sup>1</sup> and it remains with him, and there was not as much of the increase of her own cattle remaining to be given to her as was worth the cattle obtained from her, for she had forfeited her original share of the increase, and her share of the land, and of the *amount due for service*. The property, i.e. cattle. More qualified, i.e. with respect to property in land and cattle, i.e. *or* in worthiness and integrity. More respectable, i.e. as to worthiness, i.e. in dignity, i.e. in learning, or in poetry. More noble, i.e. of family. More venerable, i.e. for his splendour at the assembly, i.e. in that dignity.

*As to* the connexion of a frequenting man without acquired property, without service: the fifth of the produce of the hand is the share of the man, i.e. of the partner at their separation, for it is the price of blushing that is due to him for her then, if anyone has quarrelled with her (*i.e. violated or insulted her*), this is what he pays for it, and his (*the man's*) share is *included* in this.

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SOCIAL  
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NEXIONS.  
O'D. 309.

Λανάμναρ, .i. in ben cur a nātāisenn in fer do denum lānamnair  
[f] rīa, in cārrētāc [.i. urail uirne a tīs charut], ocur nī tabar fēit  
ar a urail .i. ben cuir ocur urnatōma cundēiten tātāisēti in fir  
cuice, no cārrētāc. Cen tārξut, .i. amuith. Cen urξnam, .i. talē,  
.i. cen uara pōξnum im ēuitis rriēnama. Cuicēo a lāmtopta, .i.  
cuicēo in topta do nī dā lām ippeo atā on cārrētāis don fir in tan do  
nīat imfear, .i. cuicēo cota fir tligētis, no cuicēo caca pōintōe pō fēic  
rriēnam; [cēthraimēe ar in lāmtopta, .i. op dēnta a lēt do nēē,  
a lēt nāil dno dīa fir pēin, ocur don fir, ar atā tīr pāntō inōe etāriu  
dēiri in cētrame cēctar dō 8. D.] Cuit in fir, .i. in cūtruma no biat do  
o mnaī buein do lāmtopta, .i. cuicēo do on cārrētāis. Cūp enach-  
ruice, .i. ar lān no ar tīriān dōpām mācārrētāis. Cīa pōrpūarar.  
.i. cūbēo dōir pūāctāin pōgla do nētār rīa. Ipeo arpūarar, .i. ippeo  
ēirpūitēp do don fir dī don ēnāit, .i. cuicēo in fēctmāit, no dno ip tīriān  
fir pōla .f. d. Cēa a cūitpē, .i. lēt no cētrūmēa, .i. atā a cūitpē  
irīn nī dōa arīn, uair do allā in cētrāmēu fūil dōir a pōgail lām  
iurpūm a nēllāc in tīriān fūil dōpām a pōgail lām do dēnam rīarī.

Sic.

Λανάμναρ αἰρῖταν πορ ὑραῖλ; cēthrumān a lāmto-  
ptā dōn fir a rīdōiu; mā dō cēthraib por tīr, con-  
pōglā dō cuit tīri ocur urξnamā ocur dūnāit cēthra  
dō cach bēpāai.

<sup>1</sup> To the man. The MS. seems defective here.

<sup>2</sup> The fourth. The Irish of this clause, which is in brackets, is on the top margin of the 1st col. of the MS., H. 2.15, p. 59.

<sup>3</sup> From his own wife. In O'D. 309, there is the following brief commentary on this article, which helps to lessen its obscurity:—

.i. In ben cur a nāthiξunn in fer do denum lānamnair rīa, .i. bean chuir ocur urnatōma, contō tīntāthēp in fir cuicēo; no in cārrētāch, .i. urail uirne a tīs charut, ocur nī tabair pēoit ar a hūraīl. In tannū-  
rūanne tligēip ben tligētēc do ealāc in fir cūtrūmup a cētrūmun dōn  
aīuξ, ocur a cuicēo dōn cārrētūξ.

.i. mā tīg pēin bīp in bean pō, ocur ip pūim bean bēop; cuicēo ar a  
lāmtoptūc, .i. cuicēo lētī a lāmtoptūc dī ar a lēp do dēnum in aīuξe  
dō fūep; ocur ip cō nāitēit pēin pō.

In cōmpēit dō dēntup ip alēpum, ocur a cīn pōr in fer; ocur o mīp  
anāc ip cōmālēpum pōr pīne, ocur cōmūc in cīuāis, dīa mbeē i nāitēit  
in pōxūl.

Connexion of a frequenting man, i.e. the woman to whom a man habitually comes to cohabit with her, or the 'carrthach'-woman, i.e. who is seduced in the house of a friend, and in whose case no 'seds' are given for the seduction, i.e. a woman of compact and covenant with cognizance of the man usually visiting her, or a 'carrthach'-woman. Without acquired property, i.e. outside. Without service, i.e. within, i.e. without the noble service, as far as his share of service. The fifth of the produce of the hand, i.e. the fifth of the produce which she produces with her hand is what is due of the 'carrthach'-woman to the man when they make the separation, i.e. the fifth part of the share of the lawful man, or the fifth of every division due to service; one-fourth out of the produce of the hand, i.e. when the half is performed by her, the other half by her own man, and for the man<sup>1</sup>, for the land is divided into two parts between them after each gets the fourth.<sup>2</sup>—S. D. The share of the man, i.e. whatever be the share which he would get from his own wife<sup>3</sup> of the produce of her hand, i.e. he gets the fifth of that from his 'carrthach'-woman. For it is the price of blushing, i.e. in full or to one-third due to him for his 'carrthach'-woman. Has quarrelled with her, i.e. whatever real attack is made upon her to injure her. This is what he pays, i.e. this is what is paid by the man to her for the crime, i.e. the fifth of the seventh, or the third by a man of blood.<sup>4</sup>—S. D. His share is in this, i.e. half the fourth, i.e. his share is included in this particular, for the fourth which is due to her for a full injury done to him is taken off in consideration of the third which is due to him for a full injury done to her.

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As to the connexion of support to be at the man's will; the fourth of the produce of her hand is due to the man in this case; if he has cattle upon land, they divide according to the share of the land and service and original stock of cattle possessed by each.

"The woman whom the man habitually visits to cohabit with her, is a woman of compact and covenant, with the cognizance that the man visits her; or a 'carrthach'-woman i.e. who was seduced in the house of a friend, and in whose case no 'seds' are given for the seduction. The fourth part of proportion of the cattle of the man to which the lawful wife is entitled is the complement due to the 'airech'-woman, and the fifth to the 'carrthach'-woman.

"That is, this woman lives in her own house, and she is a chief woman moreover; she is entitled to one-fifth of the produce of her hand, i.e. one-fifth of half her hand produce is always due to the 'airech'-woman for doing her duty; and this too is with cognizance.

"The offspring of this cohabitation (i.e. the case of abduction), shall be fostered, and the man shall bear its liabilities; and from a month out the tribe shall equally sustain the fosterage, and equally pay for the liabilities, if they had been cognizant of the abduction."

\* A man of blood. If the word *Pola* in the original be taken as a clerical error for *Pogla*, the meaning would be, "a third for real injury."

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Λανάμναρ αἰρετᾶν, .i. forrech, .i. in ben bīr ac in fīr a nōlīgēð  
Λανάμναρ, αἰρετῶτερ ἀρὰ υἱαῖ, in αἰρῖς, ocur ρεοῖτ βεραρ φορ ἀ υἱαῖ.  
Cechruman a lamtoraid, .i. cechruman cota fīr nōlīgēð, nō cech-  
ruman cācā rāinne rō ρεῖð rruēnam, .i. in cutruman uil dō a lamtoraid  
a mna budein a cechruman dō on ēarrētaḡ nō αἰρῖς, .i. in tainmrainne  
nōlīgēð ben nōlīgēð dō hēladain in fīr, cutrumur a cēramēchan dōn  
αἰρῖς, ocur α εἰςεο dōn ēarrētaḡ. Α ρυῖου, .i. on αἰρῖς. Μὰ  
cō cēthraib, .i. mada rōib cēra aice φορ in tīr, .i. dō ēabairt αρ  
υἱαῖ anuñ. Conroglad, .i. īr cain rōdeilīgēð eturru hē rōn cuit  
nōlīgēð dōn fēranñ. Uḡnam, .i. in cuit nōlīgēð dōn uaral rōgnam.  
Dunaid cēthra, .i. in cuit nōlīgēð nā cēra dunad. Dō cach bē-  
pāai, .i. ocur rrumben īr anhrāde.

In cutruman bīar dōn fīr dō lamda a rrum mna, cō rāba a  
cuicēð bēf dō dō lamda a captaḡe, nō a cechruman dō lamda a  
αἰρῖς, ocur nocon uil nī dō dō lamda a dōrmaine, nach a bē  
nīruman, uair αρ ἀ υἱαῖ ρεῖn bīr a ēarrētach ocur a αἰrach,  
ocur noco neað bīr a dōrmaine nach a bē nīruman. Iḡeo ρō  
dēra conad nio dō lamda a αἰρῖς dō inna dō lamda a ēarrētaḡe,  
ρεοῖτ dō βεῖr αρ υἱαῖ nā hāirḡe, ocur noco tabair αρ υἱαῖ  
nā captaḡe; ocur leitheineclanna a athar a coibcī cācā mna  
rōib rāin, ocur īr cutruman bēperom dō dōbad ocur dō cīnair  
cācā mna dōbrāin, ocur dō dōbad ocur dō cīnair a rrum mna  
cenmoða a bē nīnolīr; ocur noco bēpenn nī dā dōbad rāḡe  
nā dā chīnair, uair ατα nech aīlī ρō cīnair; ocur a αῑῑῑn a  
rrum mna ocur a ρine ατα cach ben rōib rāin aice cenmoða in  
bē nīnolīr; ocur a αῑῑῑn a fīr ατα ρāde.

Λανάμνυρ φοxαῖl ocur Λανάμναρ ταῖde, nī techtað  
nī dō chomraim dō rru hīmrarad dō dēodil nā marbōil,  
acht comperta. Cīa dō rāta ben bīr φορ φοxal αρ ἀ ρine  
nī dīa chele ρōdācōrle, īr inōlīr o ρine, ocur īr am-

<sup>1</sup> The fifth to the 'carrthach'-woman. The Irish of this clause is taken from the margin of the MS.

Connexion of support, i.e. the woman who is with a man subject to 'CAIN LA-  
the law of connexion, and who is supported to be at his will, i.e. the NAMHNA,'  
'airech'-woman, and 'seds' are given for his order (*to have her at his will*). OR LAW OF  
The fourth of the produce of her hand, i.e. the fourth of the share of a SOCIAL  
lawful husband, or the fourth of every division due to *those who perform service*, CON-  
i.e. the fourth of the share which he gets of the produce of the hand of his own NEXIONS.  
wife is due to him from the 'carrthach'-woman, or the 'airech'-woman, i.e. the  
fourth of that part of the produce of the man's art to which his lawful wife is  
entitled, is what is due to the 'airech'-woman, and the fifth to the 'carrthach'-  
woman.<sup>1</sup> In this case, i.e. from the 'airech'-woman. If he has cattle, i.e. if  
he has cattle on the land, i.e. to give them out for command (*for having at his com-  
mand*). They divide, i.e. they fairly divide it (*the produce*) between them,  
according to the share of the land they are *respectively* entitled to. Service, i.e.  
the share of the noble service to which they are entitled. Original stock of  
cattle, i.e. the share to which the original cattle are entitled. Possessed by  
each, i.e. and she is a principal woman in this case.

Whatever proportion of the produce of the hand of his chief wife is  
due to the man, it is the fifth of the same that is due to him of the pro-  
duce of the hand of his 'carrthach'-woman, or the fourth of the pro-  
duce of the hand of his 'airech'-woman, but he has nothing of the pro-  
duce of the hand of his 'dormaine'-woman, or of his 'imrim'-woman,  
for his 'carrthach'-woman and his 'airech'-woman are at his own  
command, and not so are his 'dormaine'-woman nor his 'imrim'-wo-  
man. The reason that he gets more of the produce of the hand of his  
'airech'-woman than of the produce of the hand of his 'carrthach'-  
woman is, because he gives 'seds' for the command of the 'airech'-wo-  
man, and he does not for the command of his 'carrthach'-woman; and  
half of the honor-price of her father is given as the 'coibche'-marriage  
present of each woman of these, and he (*the man*) obtains an equal  
proportion of the bequest and liability of each woman of these, and of  
the bequest and liability of his chief woman except his 'indlis'-woman;  
but he obtains no part of her legacy and *bears no part* of her liability,  
for another person is under (*answerable for*) her liability; and by the  
cognizance of his chief woman and of his tribe he has all these women ex-  
cept the 'indlis'-woman; and he has her by the consent of her husband.

*In the connexion of abduction and the connexion of  
secrecy, they (the man and woman) ought not to divide  
anything of live chattels or dead chattels at their sepa-  
ration, except the offspring. If the woman who has  
been carried off from her tribe by abduction has given  
aught to the husband who has abducted her, it is unlaw-  
ful to withhold it from the tribe, and it shall be restored*

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lais tairic co leithdipe arpenar, mað na mna an do  
rata. Ma beith cuir an do nach aile, ir co na lantdipe  
arpenar. Ar imta lanamnar tothla i tairde.

Lanamnar foxail, .i. in ben bepar ar foxal do denum lanamnar  
ria, .i. in ben puataig. Lanamnar tairde, .i. in ben riur ndentar  
lanamnar a tairde, .i. cen fir dia fine. Ni techtao, .i. noco teatad ni  
do cum a roinn in tan do niat impar, .i. uair ni bi accqib ni comraimioit.  
Achit comperca, .i. aet an comairbercnaigter uairib alernum, a  
clainne, .i. tectait imurro a comperca. Cia do rata ben ni, .i. ciobed  
do bepa in ben bepar ar foxal amad don ci berur amad hi a nécmair  
a fine. Dia chele, .i. ni dia cruo don fir foxlar amad hi. Co  
leithdipe, .i. co let dpe eirnithep don fine ina retuib, .i. ir aipe  
ictair in letdipe runn a reotu na mna uair ni hurnarom oligte, ocuf  
ir aipe na hicanrur lan, amail na icrao ir na retu no bepa o caa  
memor dena, uair ir doa iarbai, romaine do bit eturru rum. Ma  
na mna, .i. mað leir in mna in ni do bepa, ir ann ata rin. Ma  
beith cuir an do, .i. mað raib cuir do neoð aile ir na retuib do bepat  
na mna amad. Ir cona lantdipe, .i. ir lantdipe eirnithep don fine ina  
retuib buoin. Ar imta, .i. ir amlaio rin ata in lanamnar tairde  
do niter a toetlog, .i. ir inann im dpe, ocuf im comroinn, ocuf im  
comperca.

O'D. 810. [Co leth dpe irpeanur ma na mna an do rata.

.i. Co letdipe eirnithep don fine ina retuib; ma ler in  
mna in do bepa ir ann ata rin.

Inreacha ar mac ca[r.]chaige in let dpe do bet don mna  
ina retuib buoin cuna tounucal da fir da deoin; cona eo  
ar coir ann, ir co let dpe irpeanur, .i. ar cur in ata don  
dara let, ne dpe ocuf ne heimclunn eirnithep ann, .i. aichg; ;  
damao ler in fine na reoit imurro, no buo cubuio dpe do  
bet doib ina retuib. Ir aipe ictair let dpe runn i reotu na  
mna, uair ni hurnarom oligte, ocuf ir aipe na hicanrur fo in  
lan, amail no icrao ir na retuib no bepa ac in meamur cheana,  
uair ir dochu iarpuio romuineach do bet eturrurom.

<sup>1</sup> Imperative. The word 'comairbercnaigter,' which is here freely translated,  
appears to be used in a double sense, meaning both 'which is produced' and 'which  
is enjoined by law.' In the former sense the word is used at page 404, third line  
from bottom; in the latter sense, it is employed in O'D. 540.



and paid for with half 'dire'-fine, if it belong to the 'CAIN LA-NAMHNA,'  
woman who gave it. If another had a share in it, it OR LAW OF  
shall be paid for with full 'dire'-fine. *The case of* SOCIAL  
the connexion of secret elopement is similar. CON-  
NEXIONS.

Connexion of abduction, i.e. the woman who is carried off by abduction to cohabit with her, i.e. the abducted woman. Connexion of secrecy, i.e. the woman who is cohabited with in secret, i.e. without the knowledge of her tribe. They ought not to *divide* i.e. they possess nothing to divide when they make the separation, i.e. because they have nothing to divide. Except the offspring, i.e. except the thing which springs from them, *and* which it is equally imperative<sup>1</sup> on them to foster, i.e. their children, i.e. they possess their offspring however. If the woman has given aught, i.e. whatever the woman who is carried off by abduction shall give to the man who carries her off in the absence of her tribe. To the husband, i.e. some of her cattle to the man who carries her off. With half 'dire'-fine, i.e. these 'seds' shall be paid to the tribe with half 'dire'-fine, i.e. the reason that this half 'dire'-fine is paid here for the 'seds' of the woman is because the marriage is not lawful, and the reason that she does not pay full 'dire'-fine, as would be paid for the 'seds' carried off from members of the tribe in general, is because there is more likelihood of profitable survivors being between them. If it belong to the woman, i.e. if the woman owns what she gives, it is then this is so. If *another* had a share in it, i.e. if another had a share in the 'seds' which the women carry out. With full 'dire'-fine, i.e. it is full 'dire'-fine that shall be paid to the tribe for their own 'seds.' Is similar, i.e. the *case of* connexion of secrecy which is made by elopement is similar, i.e. it is the same as regards the 'dire'-fine, and distribution, and offspring.

It shall be paid for with half 'dire'-fine if it belong to the woman who gave it.

That is, these 'seds' shall be paid for to the tribe, with half 'dire'-fine; this is the case if the woman *herself* owns what she gives.

It would be a plundering of the son of a 'carrthach'-woman that *full* half 'dire'-fine should be paid by the woman for her own 'seds' which she delivered to her husband of her free will; and therefore what is right in this case is, that payment be made with half 'dire'-fine, i.e. in the other case (*where the woman takes cattle not her own, or all her own*) payment is to be made with 'dire'-fine and honor-price, i.e. restitution *should be made*; if the 'seds' belong to the tribe, however, it would be meet that they should get *full* 'dire'-fine for their 'seds.' The reason that half 'dire'-fine is paid here for the 'seds' of the woman, is because the marriage is not lawful, and the reason that she does not pay the full 'dire'-fine, as she would for the 'seds' carried off from the members of the tribe generally, is, because it is probable that profitable survivors may be between them.

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NAMHNA,<sup>1</sup>  
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Mar ingean gnaio feine co mac gnaio feine, no ingean gnaio  
flata co mac gnaio flata, no ingean gnaio flata co mac gnaio  
feine, trian tinoil aicefe ocur da trian as in fir.

Mar ingean gnaio feine imurro co mac gnaio flata, da  
trian tineoil uaithe dozum, ocur trian tinoil o mac gnaio  
flatha, ocur coimimdenam a realba doib. Ocur ir ar gabur  
erec con aicitin for teét muige ocur tige, ocur ar foghú tead  
do muig; ocur rena in fir do mnai mara comoligthuch iat ocur  
mara comoligthuch, no mara oligteé in bean; uair oligteó  
ceannodaéta uil eturruó, ocur ce airmio olig ceannodaéta ac on  
fir ar a feruadé no ar a foruairle, nocha moaroe ro ría  
imdenum do ar in mnai ce bet amliuó rin, uair ir cunrruó fil  
eturruó.]

Lanamnar eicne no pleithe ní techtat da acht com-  
perpta; ocur arpenar lan epaic in ingin macdacht,  
ocur im macaillig na diulta cailli, ocur i cetmuinter;  
leith eipaic maó adaltracha; cen fpuithige in ro uile,  
co lan log eimech ber fpuithem for, do be do neoch  
dia mbi faindilear.

Lanamnar eicne, .i. do niter ar eicin, .i. ben forcuir. No  
pleithe, .i. in ben épleit. Ní techtat, .i. noco teétann tarba in  
feair do. Acht comperpta, .i. aét altram in neich comairberuag-  
ter uao. Arpenar, .i. ir uair eiruniter lan neneclainni don ingin ac  
ata in tiacht maicne ina pleit, no ina faruagao, .i. na teorpa cumala no

<sup>1</sup> *Second stage of life*; i.e. from the age of seven to fifteen years—so 'macdaét'  
is explained in Cormac's Glossary in voce 'colamna aipe', vide. Stokes' old Irish  
Glossaries, p. 13. In O'D. 311, it is more fully explained as follows:—

"Mar re re na réct mbliaðan ro truailleó in ingean, lan coirpoirne  
innri, ocur einaclunn a dualgur oe; lan coirpoirne o tha na réct  
mbliaðna amac co rúge a dech, ocur let einaclunn a hathar; da trian

If it be the daughter of *one of the Feini grade that goes to the son of one of the Feini grade, or the daughter of one of the chieftain grade to the son of one of the chieftain grade, or the daughter of one of chieftain grade to the son of one of Feini grade*, she shall have one-third of the 'tinol'-marriage collection, and the man shall have two-thirds.

'CAIN LA-  
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But if it be the daughter of *one of the Feini grade that goes to the son of one of chieftain grade*, she shall give two-thirds of the 'tinol'-marriage collection to him, and one-third of the 'tinol'-marriage collection is left by the son of *one of chieftain grade to her*, and they must mutually prove their possessions. And this custom is derived from the fact that they take possession of land and house with cognizance of the tribe, and a house is of service to the land; and the proof adduced by the man may be denied by the woman, if they are equally admissible to give legal evidence<sup>a</sup> or equally inadmissible<sup>b</sup> to give legal evidence<sup>c</sup>, or if the woman be lawful; for it is a law of headship that is between them, and though the law cedes headship to the man for his manhood or his nobleness, he cannot the more, on account of his being so, prove against the woman, because it is a contract that is between them.

<sup>a</sup> Ir. legal.  
<sup>b</sup> Ir. illegal.

*In the connexion of force or secrecy they (the man and woman) possess nothing but the offspring; and full 'eric'-fine is paid for a daughter of the age of childhood, and for a young nun who has not renounced her veil, and for a first wife; half 'eric'-fine is paid if they be adulteresses; all this is when they are without drawbacks, with full honor-price of those heads who are over them, to be paid to him to whom they particularly belong.*

Connexion of force, i.e. which is committed by violence, i.e. a woman-rape. Or secrecy, i.e. committed on a woman secretly. They do not possess, i.e. the man does not derive any benefit from it. But the offspring, i.e. but he must foster the offspring which results from it. Full 'eric'-fine is paid, i.e. full honor-price is honourably paid to the daughter who is in the second stage of life,<sup>1</sup> for secret cohabiting with her, or for violating her, i.e. the three 'cumhals,'

coirpoirne innte o cha na tech mbliaona amac co ruige a cethuir dé, ocuip  
let éineclunn a hachar vi; ocuip n; fuil nann coirpoirne o cha rin amach."

"If the girl has been defiled within the age of seven years, full body-fine shall be paid for her, and honor-price in right of God; full body-fine also till she reaches the age of ten, and half the honor-price of her father; two-thirds of body-fine for her from the age of ten forth till she reaches fourteen, and half the honor-price of her father; and there is no division of the body-fine from that forth."

'CAIN LA- let enecclann a athar.—8. D. 1m maccaillig, .i. no don maccaillig na  
 NAMHNA, ' duileann a caillceét, .i. trian loig enis na caillche bio amail ata  
 OR LAW OF annraioe, .i. amail ata leteneclann do tanairi comarba briosoi.  
 SOCIAL 1 cetmuinte, let los enis a ceile do, .i. don cetmuinte a rogaíl  
 CON- laín do denum ría. Leith eirao, .i. let na heirce fuil do ina pium  
 NEXIONS. mnaí i rreó fuil do ina airis, no ír aóalepaé hí, ocuf eirirracuf lete do  
 — punne; ocuf do ní maíe da toéuf, .i. let na heirce uil do ina pium mnaí  
 i rreó uil do in a tharraétaio ina hairis; no ír í a pium bean hí, ocuf  
 eirirracuf lete do punne, ocuf do ní maíe da toéuf; let na henec-  
 lainni no bí aice reime, do ina deáio, ocuf aóalepaé hí ann rín; no ír  
 let na heirce uil do ina pium mnaí do na tharraétaio don capraeas.  
 Maó aóalepaé a, .i. ceathraméu enecclainní a rín don airis. Cen  
 ríochisioe, .i. cen dhuir acu atait na hairnaile reo doib uile, .i. da  
 mbe ríutaisce, ír uile don rín ríur nolaann cen enecclann doib reo,  
 ocuf ícaio let enecclann ríua cáe fear ríur nolaat. Co lan los  
 eirnech, .i. co lan enecclann don laé ír uairliu rín bír uairu da  
 cennab, no da coibeaéab. Do neoch, .i. don tí dana uile íat co  
 ríurpuéach.

Lanamnar genais, meir, no darachtaé, ríu dhuith, no  
 darachtae, ní techta nechtaí nae urtechta do ro-  
 maine na domaine; nech condaíuice ar gnae, ocuf conn  
 ríada ndentaí, lair in coimpeir rín, ma beith coimpeir  
 de, a altram, ocuf a cin, ocuf a raíth forab; ír ríe,  
 ocuf eclap, ocuf fine a neiric, ocuf a ndíabó.

Lanamnar, .i. do níeir eir gen noé. Genais, .i. cuiríob. Ríu  
 dhuith, .i. do comrac ríu dhuith no darachtae aile. Ní techta nech-  
 taí, .i. noco techtaí nechtaí de doib uairu dígao do romaine doabao  
 no domaine cinab. Nech condaíuice, .i. nech comraiceí íat ar gnae  
 ro cuiríob. Conn, .i. in connach; ndentaí ríadnaíre in comrac. Lair  
 in coimpeir rín, .i. ír leir in coimpeir araf don comrac ríu  
 ualtrum. Ma beith coimpeir de, .i. da nara coimpeir uathaib.  
 Altram, .i. do denam. A cin, .i. cin a coirí ocuf a laime sic.  
 A raíth, .i. cin a rathaisí. Ír ríe, ocuf eclap, ocuf fine, .i. ír

<sup>1</sup> *Bright*, i.e. St. Bridget of Kildare.

or half the honor-price of her father.—S. D. For a young nun, i.e. or for the 'CAIN LA-  
young nun who has not renounced her nunship, i.e. one-third of the honor-price of **NAMHNA,**  
the nun who is similar to this one, (i.e. who has not renounced her veil or her nunship,) **OR LAW OF**  
i.e. such as half honor-price to the tanist successor of Brightit.<sup>1</sup> And for a first **SOCIAL**  
wife, half the honor-price of her husband is due to her; i.e. to a first wife for **CON-**  
committing full trespass against her. Half 'eric'-fine, i.e. half the 'eric'-fine **NEXIONS.**  
which is due to him for his chief wife is what is due to him for his 'airech'-woman;  
or, according to others, she is an aduress, and it was impropriety that was committed  
with her; and she does good with her property, i.e. half the 'eric'-fine which is due  
to him for his chief wife is what is due to him for the seduction of his 'airech'-  
woman; or, according to others, she (the one here referred to) was his chief wife,  
and impropriety was committed with her, and she does good with her property;  
half the honor-price which she had before, she retains after it, and she is then an  
aduress; or, according to others, it is half the 'eric'-fine that is due to him for his  
chief wife that is due to him for the seduction of his 'carrthach'-woman. If  
aduresses, i.e. the fourth of the honor-price of her man is due to the 'airech'-  
woman. Without drawbacks, i.e. it is when they (the women) are without  
unchastity on their part, that all these kinds of fine are due to them, i.e. if there be  
drawbacks, it is lawful for the man with whom they make the assignation not to pay  
honor-price to themselves, and every man with whom they make an assignation  
shall pay honor-price for them. With full honor-price, i.e. with full honor-  
price to the noblest of those heads who are truly over them, or to their relatives. To  
whom they particularly belong, i.e. to the person to whom they particu-  
larly belong.

*In the case of connexion of mockery, of a lunatic, or  
mad man, with a female lunatic, or mad woman,  
neither of them is entitled to any share of profits or  
losses; the person who united them for fun, and  
the sensible adult before whom it was done, are bound  
to foster the offspring, if offspring ensue of it, and  
bear their crimes, and become their security; their  
'eric'-fine and their legacy belong to the king, and  
the church, and the tribe.*

Connexion of mockery, i.e. which is made through perfect wilful levity. Of  
mockery, i.e. of wilful levity. With a lunatic, i.e. one lunatic to cohabit with  
another lunatic or mad person. Neither is entitled, i.e., neither of them is entitled  
to any share of the profits of the legacies, or liable to bear the losses of the crime.  
The person who united them, i.e. the person who brought them together for the  
sake of sport. The sensible adult, i.e. the sensible adult before whom the  
union was made. Is bound to foster the offspring, i.e. it is his duty to  
foster the offspring which proceeds from that union. If offspring ensue of  
it, i.e. if offspring grow from them. To foster, i.e. to perform the fosterage.  
Bear their crimes, i.e. to pay for their crimes of foot and hand. Security,  
i.e. to be security for their crime. To the king, and the church, and the

'CAIN LA- iat a tnuir ro bi ina fionnairi anoirain, ocuf cto aen oib if amlao fein  
 NAMHNA,' biar. A nairic, .i. coirpoiric. A nairic, .i. fct ocuf maine, amail  
 OR LAW OF icairt in cinairt.

SOCIAL  
 CON-  
 NEXIONS.

O'D. 311-  
 312.

[.i. Inai do rinne uirnaom na da meair, ma ta clann acuo,  
 ocuf ni fuilid a fine ar airto, no ce bet for airto, ocuf ni fine  
 codnuch iat, in taltrum for in ti do rinne an uirnaom.

Ma taic fine for airto, ocuf if fine codnuch iat, in taltrum  
 for fine. Ma taic a da fine imuirto for airto, ocuf if fine  
 codnuch, in comaltrum do denum toib.

Marat codnuir in daira de, ocuf ecodnuig arail, in taltrum  
 for fine codnuch.

Mar ecodnuch do rinne in uirnaom a fionnuir na codnuch,  
 in taltrum for in codnuch i nderuat fionnuir.

Mar iat fein ceana ro comruic cin neach dia nuirnaom, in  
 taltrum for fer in fearuinn. Na codnuig ro batara a fionnuir  
 in da meair as denum in lanuinnuir, in taltrum do cethruime  
 forro ar bith as a fellcect; na codnuir ro dera a denum im-  
 uirto in taltrum orruo fide co hair diaitri; ac muna dingba  
 fellcect, a cethruime toib, ocuf athcuir e for fine iar nair  
 diaitri, ocuf accuir fine for nuig.]

tribe, i.e. the three were the witnesses here, and though only one of them were so 'CAIN LA-  
it will be similar. Their 'eric'-fine, i.e. body fine. Their legacy, i.e. they NAMHNA,  
get their 'seda' and their property, in as much as they pay for the crimes. OR LAW OF  
SOCIAL  
CON-  
NEXIONS.

That is, the person who united the two lunatics *must bear the fosterage of the children*, if they have children, and their tribe are not present, or, *according to some*, though they (*the tribe*) be present, if they are not sensible adults, the *burden of the fosterage falls* on the person who made the union.

If the tribe be present, and they are sensible adults, *the burden of the fosterage is upon the tribe*. But if the tribes of both are present, and they are sensible adults, they must perform the fosterage equally.

If the one party be sensible adults, and the other not-sensible adults, the tribe of the sensible adults shall sustain the fosterage.

If it was an insane adult that caused the union in the presence of the sensible adults, the fosterage is upon the sensible adults who witnessed it.

But if it was they themselves that united, no person uniting them, the *burden of the fosterage shall be upon the owner of the land*. The sensible adults who were present when the two lunatics entered into connexion, shall sustain the fosterage as far as the fourth part, for having been eye-witnesses; and the sensible adults who caused it to be done shall sustain the fosterage until the age when it is completed; but if they were not eye-witnesses, a fourth shall be taken off which they shall transfer to the tribe after the age when the fosterage determines, and the tribe shall transfer it to the king.

## APPENDIX.

‘CAIN LANAMHNA’—(continued).

**APPENDIX.** In tarbhar do roinn 1 tri, .i. trian do tri, ocus trian do fil, ocus trian do frutgnim. Trian frutgnima, ac̃ ma ta fir ocus daim do leith acir, a leat do bith durr. Gunus reireb̃ no trian do bith in arba uil aiccir anhrin.

‘Cain Lanamhna,’  
or Law of  
Social Con-  
nexions—  
continued.

Maime uilet fir na daim acir itir, ac̃ ma ta gnom̃ laim̃ acirum̃, uil durr inna gnom̃raoim̃ gurur̃ a leat; mara mardoentair̃ h̃i no gurur̃ a trian. Mara beccdentair̃, gunus reireab̃ no nomair̃ gnom̃a a fir aiccir ann rein.

Maime uil gnom̃ laim̃ aiccirum̃ itir, ac̃ ma ta etair̃ acirum̃, uil durr a trian frutgnim̃a da etairum̃ gurur̃ a let, mara mardoentair̃, no gurur̃ a trian mara beccdentair̃, genmõta etair̃ roir̃cel̃a no eccall̃ra; uair̃ nucu ber̃a ni deir̃deir̃, gunus reireb̃ no nomair̃ etair̃ in fir aiccir ann rin.

Ac̃ ma ta langnimir̃a mna ac mna, g̃ro forbarach̃ g̃ro nem̃forbar̃tãc̃, ir̃ a uil 1 langnimir̃a fir. Ir̃ẽ ir̃ gnom̃rãc̃ forbar̃tãc̃ ann, inũb̃ ocus etair̃; ir̃ẽ ir̃ gnom̃rãc̃ neam̃forbar̃tãc̃ ann, bro ocus loir̃rat ocus al̃trum̃.

Maime uil langnimir̃a mna aiccir, cãc̃ ni ir̃ er̃bar̃dach̃ uair̃ de b̃ro aiccirum̃ da gnom̃rãc̃ gen uil durr inũb̃, ocus eir̃gẽb̃ cãc̃ d̃ib̃ 1 gnom̃rãc̃ a cẽle o fein am̃ãc̃; no b̃ro a gnom̃ ac̃ cãc̃ gen uil do neõc̃ d̃ib̃ 1 ngnim̃ a ceir̃e.

Ir̃rẽ da ñi beccdentair̃ durr̃ banair̃c̃ uair̃oim̃ ina aig̃oir̃, no muir̃leño aicc̃i. Ir̃ẽ da ni mardoentair̃ durr̃ gen ni d̃ib̃rin aig̃oir̃um̃.

Seir̃ẽb̃ d̃un mardoentair̃ ar̃ in mb̃liar̃am̃ uil; a da trian d̃i ar̃ in er̃rãc̃ a aenur̃, ix.; a trian ar̃ in rãm̃rãc̃ ocus ar̃ in rõg̃mar̃; iñn õc̃mãc̃ rãnn a da trian rẽ dẽc̃ ar̃ in rõg̃mar̃, in cẽr̃rãmãc̃ rãnn r̃ic̃et̃ a trian ar̃ in rãm̃rãc̃, in cẽr̃rãmãc̃ rãnn cãec̃cat̃.

<sup>1</sup> *One-half.* There appears to be a portion of text wanting here in the original.

<sup>2</sup> *His property.* After the Irish for these words the MS. is again defective.

<sup>3</sup> *The one-fifty-fourth part.* The numerals here must be corrupt.



## APPENDIX.

### LAW OF SOCIAL CONNEXIONS—(continued).

The corn is divided into three parts, i.e. one-third for *the owner* of the land, and one-third for *the owner* of the seed, and one-third for the *person who has done the work*. Of the third for the work, if she (*the woman*) has men and oxen, she shall obtain the one-half. She shall obtain one-sixth or one-third of all the corn then.

APPENDIX.  
‘Cain La-  
namhna,’  
or Law of  
Social Con-  
nexions—  
continued.

If she has not men or oxen at all, but has hand-work, she shall obtain<sup>a</sup> by her work as much as one-half; or if she is a great worker, as much as one-third. If she is a small worker, she shall then have the one-sixth or the one-ninth of the *value of the work* of her husband.

If she has not hand-work at all, but if she has property, she gets<sup>b</sup> one-third of *the value of his work and his property*,<sup>c</sup> as far as one-half if she be a great worker, or as far as one-third if she be a small worker, except the property of the gospel or of the church; for she shall obtain nothing thereof, so that it is the sixth or the ninth of the property of the man she shall have then.

But if a woman has the full work of a woman whether it (*the work*) be productive or non-productive, she shall obtain<sup>d</sup> *the value of the full work of the man*. Productive work is increase and clothes; non-productive work is quern-work and kneading and nursing.

If she has not the full work of a woman, whatever she comes short thereof, he (*the man*) has whatever she comes short of it, i.e. of her work, and she does not share in it, and each of them participates in the other's work from that out; or each of them shall have *the value of his own work* without participating in that of the other.

What makes her a small worker is to have feminine implements supplied by him, *that are taken into account*; or she has a mill *supplied to her*. What makes a great worker of her is when she has none of these things *supplied*.

One-sixth is *due* to the great worker, throughout the whole year; two-thirds of it for the spring alone, i.e. one-ninth; one-third for the summer and the autumn; the one-eighth of the two-thirds is what goes in the autumn, the four-and-twentieth of the one-third in the summer, i.e. the one-fifty-fourth part.<sup>e</sup>

## APPENDIX.

‘Cain La-  
namhna,’  
or Law of  
Social Con-  
nexions—  
continued.

Νομιάδ θυν beccdentaird ar in mbliadain uili; a da trian rídeic ar in epiac a aenur; in tfechtmað ranno decc cenmotha in feirreð rann decc na feachtmað raiinne rídet, in fechtmað rann rídet ar in rampað ocuf ar in poðmar; a da trian rídec ar in poðmar; in ceatramað ranno zenmotha in ceatramað ranno na haenmað raiinne oðtmoðat. In aenmað rann oðtmoðat ar in rampað a aenur, ocuf in trian ata do ríuth-ghum, a leat do daiaib a aenur; feirreð in tfeirreð aeile deiraib ocuf deirnuich ocuf do letrud ocuf do éranngail; a leathirde deiraib. Uili decc in aili decc ele, a leathirde deirnuich; in ceatramað rann rídet in ceatramað rann rídet ele do lomancur ocuf do éranngail, gnað in nochtmað ranno ceatracat cuirig ceatar de.

Ceirru mucca ar a mbeir ben feirreð; muc cennairgther do laet feirreð ocuf metar, no ar laet feirreð ocuf metar ar arbur feirreð; no muc cennairgther daibur feirreð, no muc cennairgther dunn daia de ocuf metar ar aeile.

Ceirru mucca ar a mbeir ben noiað; muc cennairgther do laet noiað ocuf metar ar laet nomað, no muc cennairgther daibur noiað ocuf metar ar arbur noiað; ocuf muc cennairgther dunn daia de ocuf metar ar aeile.

Ceirru mucca ar a mbeir ben aili decc; muc do ruidlur ino fir, ocuf metar ar laet feirreð, no muc do ruidlur ino fir, ocuf metar ar arbur feirreð, no muc cennairgther do laet feirreð daibur feirreð ocuf metar for meaf tiri eactran, ocuf ni roic ri ríuthghum.

Ceirru mucca ar a mbeir ben in oðtmað rann decc; muc do ruidlur ino fir ocuf metar far laet nomair; no muc do ruidlur ino fir ocuf metar ar arbur nomair; no muc cennairgther do laet nomair no daibur noiað ocuf metar for meaf tiri eactran, ocuf ni roic ri ríuthghum muicci na muicceda ano fein.

Mucc ar a mbeir ben noiað ocuf in feirreð ranno triac; muc inoia coitcento noiaide, ocuf metar for meaf tiri eactran, na roic ri ríuthghum muicci ocuf muicceda ano; noiað

<sup>1</sup> *The seventeenth.* The numbers here appear to be corrupt.

<sup>2</sup> *The eighty-first part.* The numerals here again are corrupt.

One-ninth is given to the small worker throughout the whole year; two-thirds of that for the spring alone; the seventeenth part<sup>1</sup> minus the one-sixteenth part of the twenty-seventh part, the one-twenty-seventh part for the summer and autumn; the two-thirds of this for the autumn; the one-fourth part minus the fourth of the eighty-first part.<sup>2</sup> The eighty-first part for the summer alone, and of the third which is due to *those who perform the labour*, the one-half is for *the owners of the oxen alone*; the sixth of the other sixth is for *those who supply the men and irons and leather and timber*: the half of this is for men. As to the twelfth of the other twelfth, the half goes to the owners of irons, the twenty-fourth of the other twenty-fourth to the owners of the ropes and the timber, and the share of each is one forty-eighth.

APPENDIX.  
'Cain Laminus,'  
or Law of  
Social Con-  
nexions—  
continued.

There are four pigs, out of the value of which the woman gets one-sixth; a pig which is bought for milk of a sixth, and is fattened, or for milk of a sixth, and is fattened on corn of a sixth; or a pig which is bought for corn of a sixth, or a pig which is bought for the one (milk) and fattened on the other (corn).

There are four pigs, out of the value of which a woman gets one-ninth; a pig which is bought with milk of a ninth and fattened on milk of a ninth; or a pig which is bought with corn of a ninth, and fattened on corn of a ninth; and a pig which is bought with one (milk) and fattened on the other (corn).

There are four kinds of pigs out of the value of which a woman gets the one-twelfth; a pig of the true property of the man, and which is fed on milk of one-sixth, or a pig of the true property of the man, and which is fattened on corn of one-sixth, or a pig which is purchased for milk of one-sixth, or for corn of one-sixth, and which is fattened on masts of an external land, and got no attendance (i.e. the woman did not feed it).

There are four pigs out of the value of which a woman gets the one-eighteenth; a pig of the true property of the man, and which is fed upon milk of one-ninth; or a pig of the true property of the man, and which is fattened upon corn of one-ninth; or a pig which is purchased for milk of one-ninth, or for corn of one-ninth, and which is fattened upon masts of an external land, and did not receive the attendance a pig usually does, or that of a swineherd in this case.

There is a pig out of the value of which a woman gets the ninth and the one thirty-sixth; a pig of general increase of one-ninth, and which is fattened upon the masts of an external land, where it (the pig) required the usual care of a pig, and a swine-herd;

APPENDIX. na muici fein raba le ac dul fo accaill, leat nomad meth  
 'Cain La-  
 namhna,'  
 or Law of  
 Social Con-  
 nexions—  
 continued. eirtheicc, let don colaino rosubbaltaiz an; nomad in let fein  
 ir leir .i. leth nomad; comlan eirde in oetmad rann decc in  
 leirthe eile berar; in ceathraimti meara fir tiru deir; in cet-  
 raimiti eile du roino i tri itir fear ocuf muccadaib ocuf mnai,  
 conad aili decc na roic du cae duine dib. In aili decc no roic  
 tiru, a da trian rtheis, in oetmad rann decc, let nomad eirde;  
 tabair in let nomad fein fir in let nomad o eianab, conad  
 nomad comlan. Trian na haili decc in treireb rann triat;  
 gunu nomad aicir annfein ocuf in treireb rann triat; ocuf  
 damad let cuiriz ugaru uili no bad nomad aicir ocuf aili  
 decc ocuf in feireb rann triat. Damad da trian bad le,  
 robad nomad ocuf in toetmad rann decc ocuf in feireb rann  
 triat acci. Damad le a leat corac buacaili, rabad nomad  
 aicir ocuf ceathraimti rann fidec ocuf in feireb rann triat.

Can ar a ngabar in ceathraimti meara fir tpe. Ir ar gabar;  
 ragabar leath dun colaino rogabaltai; ann; in leat aile nucun  
 nuil ac tir ocuf fuitgnum uimri; ocuf cae baili i ragabar iat  
 araein im comhaino, ir roino ar do bir eturpo.

Cro fodeira loz ar metad na muicci, uair nucu moiti a loz  
 du fein olizir? Ir e rat fo deira, ata curuma nomad na  
 laini oir dargut, no curuma aili decc na palac oir dargut ar  
 a denum, ocuf nucu moiti a loz du fein olizir; ac ferrioi  
 ne fer na haici a bith urplum, ocuf cona deirao raetar cerda  
 duinain; ir amlaio rin ir ferrioi ne fer na mucc a metad, ocuf  
 cona deirao mear fir in fearaino i noinain.

In tetac no in olann; ac mara ann na rcarat in lamainain  
 inaimfer lomara, mar iat cairiz in fir, trian bunad ocuf  
 trian tiru aicirum. Trian fuitgnum; trian doirum ar liar-  
 rad, a trian tiru ar eirad, a trian uigairib air imcomet;  
 guna nomad olla in fir aicir ann fein.

Mairir rcarat ann fein itir, iat noinad na holla tirri ar  
 lomrad, ocuf fuil ann ririr noinad curab feireb ann ar belad

<sup>1</sup> *The wood.* The text of the original is here defective.

<sup>2</sup> *Is given.* Text defective here also.

<sup>3</sup> *Half one-ninth.* Text defective again.

the ninth of *the value* of that pig was hers when going into the wood,<sup>1</sup> that is half-ninth for the fattening ; half to the body that is in good condition ; one-ninth of that half is his ; i.e. half one-ninth ; that is the one-eighteenth part of the other half is given ;<sup>2</sup> the fourth of the masts of the owner of the land goes to her ; the other fourth is divided into three *equal parts* between the owner of the land, the swine-herds, and the woman, which makes one-twelfth for each one of them. Of the one-twelfth which comes to her, the two-thirds, i.e. the one-eighteenth which is equal to half one-ninth ;<sup>3</sup> add the half of this one-ninth to the half-ninth just mentioned, and they make a full ninth. The third of the twelfth is the one thirty-sixth ; so that she has one-ninth and one-thirty-sixth ; and if the whole of the swine-herd's share were hers she would have one-ninth and one-twelfth and the one-thirty-sixth part. If the two-thirds of *the swine-herd's share* were hers, she would have one-ninth and one-eighteenth and one-thirty-sixth part. If half the swine-herd's share were hers, she would have one-ninth and the one-twenty-fourth and the one-thirty-sixth.

Whence is derived the fourth of the masts of the owner of the land ? It is derived from this : one-half is got for the good-conditioned body ; for the other half only land and attendance is concerned ; and wherever both are found together, in case of division, it (*the half*) is equally divided between them.

What is the reason that there is payment for the fattening of the pig, as it does not increase the price according to law ? The reason of it is, that the equivalent of one-ninth of the head-band of gold is *paid* in silver, or the equivalent of the one-twelfth of the gold ring is *paid* in silver for the making of it, and *still* its value is not the more according to law ; but the owner of the article is better pleased that it should be ready, and that the labour of the goldsmith might not go for nothing ; it is thus that the owner of the pigs is better pleased that they should be fattened, so that the masts of the owner of the land might not go for nothing.

As to the cloth or the wool ; if the wedded pair separate at the time of the shearing of *the sheep*, if the sheep be the man's *property* he shall have one-third for the stock, and one-third for the land. Of the third *due* for service, one-third goes to him for folding, one-third to her for littering, and one-third to the shepherd for minding ; so that it is one-ninth of the man's wool she shall have in this case.

If they did not separate at all on this occasion, she (*the woman*) shall have one-ninth of the wool after it is shorn, and the one-

APPENDIX.  
—  
'Cain La-  
namhna,'  
or Law of  
Social Con-  
nexions—  
continued.

APPENDIX. ocuf ar cumarc; fuil ann reirín feireb guna trian ar cirta  
 'Cain La- aobulam; fuil rir in trian gurub leat o bial na innuc no na  
 namhna,' etuch urlum. leth ocuf let nomad aicciri ann fein, gen oul  
 or Law of oíir iná gnóirad rí, ocuf let genmotá let nomad aigiriun.  
 Social Con- Ocuf teit fer iná gnóiradri gu mbeirrenn leat in leiti uaitiri,  
 nexions— cona teorá ceatramhata aicciriun genmotá teorá ceatramhata  
 continued. in let nomad, ceatramhiti ocuf leiti nomad aicciri.

Mar iat cairig na mna iat, mar a naimirí lomairé na  
 fearat, trian bunad ocuf trian tiri aiciriun; trian  
 fuitgnumá, a trian doirun ar liarrad, a trian oiri ar earrad,  
 a trian duíairub ar incoimé. Mar etairru aráen atat buadaili,  
 trian fuitgnumá do roinno ar do eturro, guna leat ollá na  
 mna aigiriun anhirin. Cibe oib ága tat buadaili a cuir do  
 bpié do.

Mairir fearat anhirin itir, nomad na holla oiri ar a  
 lomrad; fuilleb rirín nomad gurub feireb ar bealad ocuf  
 ar cumarc; fuileb rirín feireb gurub trian ar cirta aobulam;  
 fuilluib rirín trian gurub let o bial inna innuc no na etuc  
 urlum, guna teorá ceatramhata aicciri anhirin, ocuf ce-  
 ramhiti aigiriun, gen oul oíir na ngóirad. Ocuf teit fer iná  
 gnóirad gu mbeirrenn ceatramhiti a cobach uaiti, guna roinno  
 ar do in etair eturro ann fein; ocuf ben fein tainic o dá  
 lomrait cairig, gu noeirnad etac dá olainó na ar orro o fein  
 inmaé. Ocuf damad in aimirí lomairé na baro earbadac cuirig  
 earartha uaiti.

Mar a naimirí luad tainic, trian innec dá roirmaé a luad  
 do mnai aille, no leth dá mnai fein. Ocuf aradu ocuf  
 fuitgnum in luad uil aicciri ann rin. Mara nectar de, mara  
 aradu, ir trian in lete dá mnai fein, no trian in tiri do mnai  
 comitig. Mara fuitgnum, dá trian in lete dá mnai fein, no

<sup>1</sup> *Innuc-thread*. 'Innuc' is probably the old form of 'inneach,' the modern  
 Irish word for wool or weft.

ninth is added unto, until it becomes one-sixth after its being greased and teased; the one-sixth is added to until it becomes one-third after its being rough-combed; the one-third is added to until it becomes one-half when it is in the state of 'innuc'-thread,<sup>1</sup> or ready-made cloth. She shall then have one-half and half one-ninth when the man takes no share in her work, and he shall have one-half minus one-ninth. And *when* the man takes a share in the work he bears off half of the one-half from her, in such a way that he has three-fourths, minus three-fourths of the half-ninth, and she has one-fourth and one-half of the one-ninth.

APPENDIX.  
 'Cain Ia-  
 namhna,'  
 or Law of  
 Social Con-  
 nexions—  
 continued.

If they be the sheep of the woman, and if they (*the couple*) separate in the time of shearing, she gets one-third for the stock and one-third for the land; of the third for attendance, he gets a third for folding, she gets a third for littering, a third goes to the shepherds for minding. If the servants belong to them both, the third due to service is to be divided into two parts between them, so that he (*the man*) has one-half of the wool belonging to the woman in this case. To whomsoever of them the servants belong to that person their share is given.

If they did not separate at all on this occasion, she shall have one-ninth of the wool after it is shorn; and the one-ninth is added to until it becomes one-sixth after its being greased and mixed; the one-sixth is added to until it becomes one-third after its being rough-combed; the one-third is added to until it becomes one-half when it is in the state of 'innuc'-thread or ready-made cloth, so that she has three-fourths then, and he one-fourth, *i.e.* when the man does not participate in her work. But if the man participates in her work, he bears away the one-fourth of her share from her, so that the cloth is then divided into two *equal parts* between them; and this is the case of a woman who came to live with the man after the sheep had been shorn so that she made cloth of the wool which grew on them, from that out. And if it was at the time of the shearing she came she would be deprived of the share for littering.

If it was in the time of tucking the cloth she came, one-third of what the tucking would add to the value of the cloth is given to another woman, or the half to his (*the man's*) own wife. And she has implements and the attendance required for tucking the cloth in this case. If she has either of them—if she has the implements alone and not the workmen, it is one-third of one-half that is due to his own wife, or one-third of the third to a strange woman. If it

APPENDIX. ԾԱ ԵՐԻԱՆ ԾՈ ՄՈՒԱԻ ԿՈՒՄԻՇԻՃ; ՕՍՄԻ ԾԱ ԵՐԻԱՆ ԻՆՆԵՔ ԲԻԱՐ ԱՐ ԱՐԱԾԱԻՆ  
 'Cain La- օՍՄԻ ԱՐ ՔՐԻՇՅՈՒՄԻ, ՕՍՄԻ Ա ԾԱ ԵՐԻԱՆ ԱՐ ՔՐԻՇՅՈՒՄԻ, ՕՍՄԻ Ա ԱԵՆ  
 nambna,' ԵՐԻԱՆ ԱՐ ԱՐԱԾԱԻՆ.  
 or Law of  
 Social Con-  
 nexions—  
 continued.

*Sic.*

ՃԵՐՔԵԾ ԾՈ ՄՈՒԱԻ Ա ՃԼԱԻՐԱՆ, ՄԱՐԱԻ ՃԼԻՐԱՆ ԻՆ ՔԻՐ ԽԻ, ՄԱՐ ԱՆՈ  
 ՂԱ ՔԵԱՐՔԱՏ 1 ՈԱՒՄԻՐ ԲՍԱՆԱ ՆԱ ՃԼԱԻՐՈՒ, ԵՐԻԱՆ ԲՍԱՆԻՔ ՕՍՄԻ  
 ԵՐԻԱՆ ԵՐԻԱՆ ԱՅՑՑԻՐՄԻ ՕՍՄԻ ԵՐԻԱՆ ՔՐԻՇՅՈՒՄԻԱ; ՇՈՒՆ ՇԻՐԻ ԻՆՈ  
 ՃՍՐԻՃԻ Ա ԼԵՔ ՄԱՐԱ ՄԱՐԾԵՆԵԱՐԻՔ, ՈՐ ՃՍՐԻՍԻՃԻ Ա ԵՐԻԱՆ ՄԱՐԱ  
 BECCDENTARԻՔ, ԿՈՆԱՔ ՔԵՐԵՔ ՈՐ ՈՒՄԱՔ ՆԱ ՃԼԱԻՐՈՒ ՍԻԼԻ ԱՅՑՑԻՐԻ  
 ԱՆՆՔԵԻՆ.

ՄԱՒԻՐ ՔԵԱՐՔԱՏ ԱՆՆՔԻՆ ԻՏԻՐ, ՈՒՄԱՔ ՆԱ ՃԼԱԻՐՈՒ ՇԻՐԻ ԱՐ Ա ԲՍԱՆ,  
 ՕՍՄԻ ՔԱՒԼԵՔ ԻՆ ՈՒՄԱՔ ՃՍՐԱՐ ՔԵՐԵՔ ԱՐ ԵՐԻԱՆ ԾՈ ԾԵՆՈՒՄԻ ՇԵ.  
 ՔԱՒԼԵՔ ՔԻՐԻՆ ՔԵՐԵՔ ՃՍՐԱՐ ԵՐԻԱՆ ԱՐ ԻՆ ՇԵՐ ԷՐԱ. ՔԱՒԼԵՔ ՔԻՐ ԻՆ  
 ԵՐԻԱՆ ՃՍՐԱՐ ԼԵՔ ԱՐ ԻՆ ԷՐԱ ԵՆԱԻՐԻ, ՈՐ ՄԱՐԱՔ ԱՐԼՍՈՒ ՃՍՐԱՐ ԼԵՔ  
 ՕՍՄԻ ԱՒԼԻ ԾԵՑՑ ԱՅՑՑԻՐԻ, ՈՐ ԼԵՔ ԱՍՄԻ ՕՇՄԱՔ ՔԱՆՆ ԾԵՑՑ. ԿԵՆ ՇՈՒՆ  
 ՇԻՐԻ ԻՆՆԱ ՃՈՒՄԻՐԱԾՐԻ, ՕՍՄԻ ԵՐԻԱՆ ԻՆՆԱ ՃՈՒՄԻՐԱԾՐԻ ՃՍ ԲԵՐԵՆՆ  
 ԵՔՐԱՅԻՄԻՇԻ ՍԱԻՇԻ, ԿՈՆԱ ԵՐԻԱՆ ԵՔՐԱՅԻՄԻՇԻԱՆ ԱՅՑՑԻՐՄԻ ԿԵՆՈՒՄԻՇԻ  
 ԻՆ ԱՒԼԻ ԾԵՑՑ ՈՐ ԻՆ ՕՇՄԱՔ ՔԱՆՆ ԾԵՐ; ԵՔՐԱՅԻՄԻՇԻ ԱՅՑՑԻՐԻ ՕՍՄԻ ԱՒԼԻ  
 ԾԵՑՑ ՈՐ ԻՆ ՕՇՄԱՔ ՔԱՆՈ ԾԵՐ.

ՈՒՄԱՔ ԾՈ ՄՈՒԱԻ Ա ԼԻՆ ՄԱՐԱ ԼԻՆ ԻՆ ՔԻՐ, ՄԱՐ Ա ՈԱՒՄԻՐ ԲՍԱՆԱ ԻՆ  
 ԼԻՆ ՂԱ ՔԵԱՐՔԱՏ; ԵՐԻԱՆ ԵՐԻԱՆ ՕՍՄԻ ԵՐԻԱՆ ԲՍԱՆԻՔ ԱՅՑՑԻՐՄԻ. ԵՐԻԱՆ  
 ՔՐԻՇՅՈՒՄԻԱ, ՇՈՒՆ ՇԻՐԻ ԻՆՈ ՃՍՐԻՍԻՃԻ Ա ԼԵՔ ՄԱՐԱ ՄԱՐԾԵՆԵԱՐԻՔ, ՈՐ  
 ՃՍՐԻՍԻՃԻ Ա ԵՐԻԱՆ ՄԱՐԱ BECCDENTARԻՔ, ԿՈՆԱ ՔԵՐԵՔ ՈՐ ՈՒՄԱՔ ԻՆ  
 ԼԻՆ ԱՅՑՑԻՐԻ ԱՆՆՔԵԻՆ.

ՄԱՒԻՐ ՔԵԱՐՔԱՏ ԱՆՆՔԻՆ ԻՏԻՐ, ՈՒՄԱՔ ԻՆ ԼԻՆ ՇԻՐԻ ԱՐ Ա ԲՍԱՆ,  
 ՕՍՄԻ ՔԱՒԼԵՔ ՔԻՐԻՆ ՈՒՄԱՔ ՃՍՐԱՐ ՔԵՐԵՔ ԱՐ ՔԵԱԾԱԻՇ ԵՐԻԱՆ  
 ԾՈ ԾԵՆՈՒՄԻ ՇԵ. ՔԱՒԼԵՔ ՔԻՐԻՆ ՔԵՐԵՔ ՃՍՐԱՐ ԼԵՔ Օ ԲԻԱՐ ԻՆՆԱ  
 ՂԱՐԻՇ ԱՐԼՍՈՒ ՈՐ ՆԱ ԼԵՐԻՐԻՔ, ՃՍՐԱՐ ԼԵՐԻՇ ՕՍՄԻ ԱՒԼԻ ԾԵՑՑ ԱՅՑՑԻՐԻ  
 ԱՆՆՔԵԻՆ, ՈՐ ԼԵՔ ՕՍՄԻ ԻՆ ՕՇՄԱՔ ՔԱՆՆ ԾԵՐ. ԿԵՆ ՇՈՒՆ ՇԻՐԻ ԻՆՆԱ  
 ՃՈՒՄԻՐԱԾՐԻ, ՕՍՄԻ ԵՐԻԱՆ ԻՆՆԱ ՃՈՒՄԻՐԱԾՐԻ ՃՍ ԲԵՐԵՆՆ  
 ԵՔՐԱՅԻՄԻՇԻ ՍԱԻՇԻ, ԿՈՆԱ ԵՐԻԱՆ ԵՔՐԱՅԻՄԻՇԻԱՆ ԱՅՑՑԻՐՄԻ ԿԵՆՈՒՄԻՇԻ ԻՆ



oe the attendance *she has*, two-thirds of the half *are due* to his own wife, or two-thirds of the third to a strange woman; and two-thirds of what is due for the implements are for the attendance i.e. two-thirds for attendance (*workmen*), and one-third for the owners of the implements.

APPENDIX.  
'Cain Lā-nambhna,'  
or Law of  
Social Con-  
nexions—  
continued.

One-sixth is due to the woman out of the 'glaisin'-dye-plant, if it be the 'glaisin,' of the man, *and* if it was at the time of gathering the 'glaisin' *they separate*, he shall have one-third for the original, and one-third of *what belongs* to the land, and one-third of the *sum due* for attendance; she shall obtain<sup>a</sup> as far as one-half, if she be a great worker, or as far as one-third if a small worker, so that she gets the one-sixth or the one-ninth of all the 'glaisin' in this case.

<sup>a</sup> Ir. go into.

If they did not separate then at all, she gets one-ninth of the 'glaisin' after its being gathered, and the one-ninth shall be added to until it becomes one-sixth *due to her*, when it is made into cakes. The one-sixth shall be added to until it becomes one-third *due to her*, out of the first 'cru'-process. The one-third shall be added to until it becomes one-half *due to her* out of the second 'cru'-process, or if it be *completely* prepared at the time of their separation she shall have one-half and one-twelfth, or one-half and one-eighteenth. *This is when* the man does not participate in her work, but if the man participates in her work he shall bear away the one-fourth from her, so that he shall have three-fourths, *minus* the one-twelfth or the one-eighteenth; and she shall have one-fourth and the one-twelfth, or the one-eighteenth.

The one-ninth of the flax is due to the woman if the flax belongs to the man, *and* if it is at the time of pulling the flax they separate; he shall have the one-third for the land, and one-third for the original seed. *As to* the one-third for the service, she shall obtain<sup>b</sup> as far as one-half of it, if she is a great worker, or as far as one-third if she be a small worker, so that she shall have the one-sixth or the one-ninth of the flax in that case.

<sup>b</sup> Ir. go into.

If they did not separate then at all, the one-ninth of the flax is *due* to her after it has been pulled, and the ninth is increased to one-sixth when dry sheaves have been made of it. The sixth is increased to one-half, *which is her share* when it is in the condition of ready manufactured thread or linen, so that she shall then have one-half and one-twelfth, or one-half and one-eighteenth. *This is when* the man does not participate in her work, but if the man partakes in her work, he bears away one-fourth, so that he has three-fourths

APPENDIX. aili decc no in oétmaró rann dec, ceatpaimethi aicciri ocuf aili  
decc no in oétmaró rann decc.

‘Cain La-  
nanchaa,’  
or Law of  
Social Con-  
nexions—  
continued.

Homaró do mnai a roio ocuf caé inio nohiaró na roioi dia ra  
buan. Fuilleó ruirin nomaró gurup feireó ar a tuilliruib du  
denunú oi; fuilleó ruirin feireó gurup trian ar feruplunib do  
denunú de; fuilleó ruirin trian gurup leat o biar ina min no  
na dath uplani; ocuf ir inunh ariadu da berari uirui o fein  
imac ocuf ar in lin, ocuf ar in gliren ina comraimio itir fear  
ocuf mnai; ocuf ir amlaró fein biar in cainnenn.

Sic.

Domna coirc di du níl no fari beaé, matpollae .i. ar feireó  
no ar nomaró; ocuf trian fuitgnunua degaró ac na beccuib amail  
ata ac na necuib aile aca mbi fuitgnunú; ocuf ben duí ino  
gunnuicci a leath, no gurpuigi a trian, no gummaró a bith  
amail na neici éna.

In tinuó, aét maré innuó na mna, trian bunaró aiciri, ocuf  
trian tiri aicciriunú. Trian fuitgnunua, a trian dñir ar liar-  
raó, a trian don mnai ar earraó, a trian ducairuib ar incoimé;  
aét mara leo arian ugarui, ir a cuir do roimio ar do eturrio,  
ocuf ir ann rin ra roic leat ninnuó na mna cu ceir doirunú.  
Mar fe nectar de, ir a cuir do bñit dun ti acca ta. Ocuf buacail  
uile ac buaib rin, o da dairut gu decdar i dairca; ocuf mar o  
ruccrat laegú gu decdar i dairca, nu gu beria aét comraimio  
laéta.

Mar e inuó in fir, ir trian bunaró ocuf trian tiri aigi rinú,  
trian fuitgnunua, a trian doirun ar liarraó, a trian dair  
ar earraó, a trian ducairuib ar imcoimé. Cuirig ugarui do  
bith amail aorubramar roimiamio; ocuf ir ann ata nomaró  
inuó in fir cu ceir do mnai, in tan naé le ni do cuir ugarui  
na cuir uile.

<sup>1</sup> ‘Roid’-dye-plant. ‘Roid’ or ‘Roind,’ was the name of some herb or plant  
used probably in dyeing red, as the ‘glaisin’ was in dyeing blue or green.

minus one-twelfth or one eighteenth, and she shall have one-fourth and one-twelfth, or one-eighteenth. APPENDIX.

One-ninth of the 'roid'-dye-plant' is due to the woman in every case after its being gathered. The ninth is increased to one-sixth when it is made into 'trillsin'-bundles; the sixth shall be increased to one-third when it is made into 'scriplin'-bundles; the third shall be increased to one-half, when it is in the state of meal or prepared colouring stuff; and the same disposal is made of it from that out, as of the flax and the 'glaisin'-dye-plant with respect to its division between the man and the woman; and the same shall be the case with the leeks.

She gets the makings of a hive of honey or of the swarm of bees, if they have swarmed, i.e. to one-third or one-ninth; and the third due for attendance is to be considered respecting the bees as it is in the case of other things which require attendance; and the woman obtains\* as far as one-half, or as far as one-third, or it is to be like the things already mentioned. \* Ir. goes into.

As to the increase, if it be the increase of the cattle of the woman, she shall have the one-third due to the stock, and he the one-third due to the land. Of the third due to attendance, the man shall have one-third for folding, and the woman one-third for littering, the shepherds one-third for minding; but if the shepherds belong to both, their share is to be divided equally between them, and then the exact half of the woman's increase comes to him. If they (*the shepherds*) belong to either of them, their (*the shepherds*) share is obtained by the person to whom they belong. And this is the case of a shepherd who minds the cows from the time at which they have been bulled till they run dry; and if it be from the time at which they had calves until they ran dry, he shall get but the same division of the milk.

If it be the increase of the cattle belonging to the man, he shall have the one-third due to the stock, and the one-third due to the land. Of the third due to attendance he shall have one-third for folding, and she one-third for littering, and the shepherds one-third for minding. The shepherd's share may be, as we have said above; and the time that the exact ninth part of the increase of the cattle of the man is due to the woman is, when she does not own any part of the shepherd's share, or any other share.



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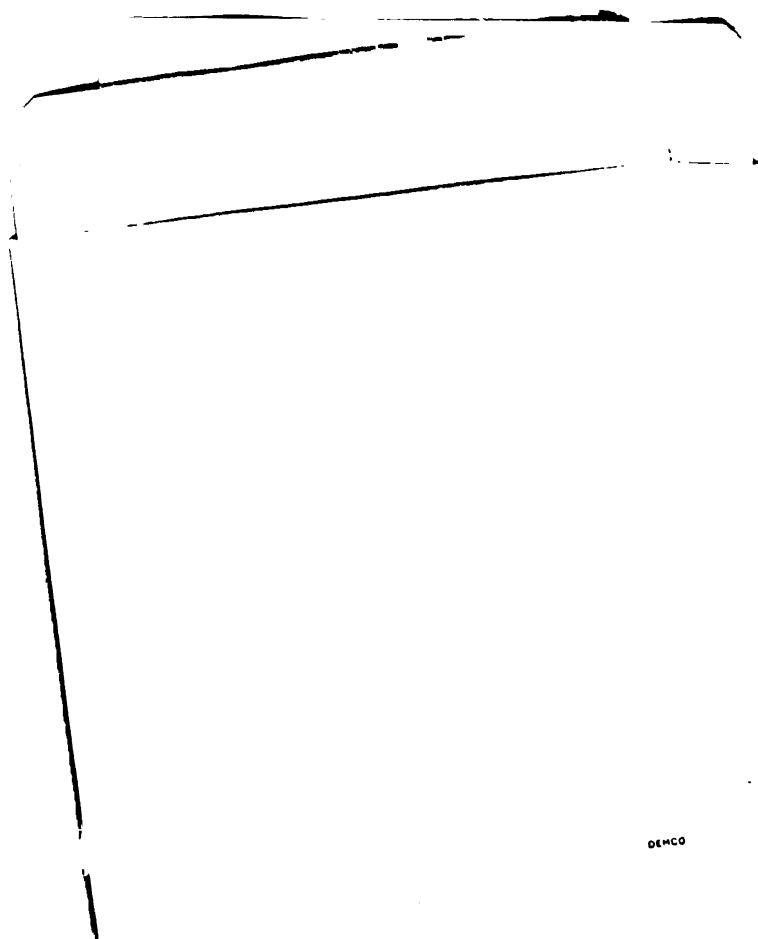


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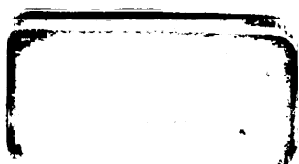


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