

MANNERS AND CUSTOMS
OF
THE ANCIENT IRISH.
VOL. I.

ON THE
MANNERS AND CUSTOMS
OF
THE ANCIENT IRISH.

A SERIES OF LECTURES

DELIVERED BY THE LATE

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EDITED, WITH

AN INTRODUCTION, APPENDIXES, ETC.,

BY

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VOL. I.

INTRODUCTION.

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TO
JOHN HENRY NEWMAN, D.D.,
OF THE ORATORY,
THESE VOLUMES ARE INSCRIBED,
IN ACKNOWLEDGMENT OF WHAT HE DID
FOR THE ADVANCEMENT OF LEARNING AND THE
ENCOURAGEMENT OF IRISH ARCHAEOLOGY AND HISTORY,
AS FIRST RECTOR OF THE CATHOLIC UNIVERSITY
OF IRELAND.

P R E F A C E .



THE chair of Archaeology and Irish History which O'Curry held in the Catholic University of Ireland, was established chiefly with a view of promoting historical investigation; and Dr. Newman, the first Rector, intended that all the lectures delivered by O'Curry should be published. One of his last, if not his very last, act as Rector, was to hand me a cheque for three hundred pounds, in order that the printing of the first series of Lectures, those "On the Manuscript Materials of Irish History", might be commenced. The intention of Dr. Newman was not lost sight of by the Catholic Bishops, nor by Dr. Newman's successor, the present Rector, Monsignor Woodlock. For, besides giving a further sum for the completion of the first series of Lectures, they purchased, after the death of O'Curry, his glossaries and manuscripts. One object which the University had in purchasing O'Curry's manuscripts was, to obtain possession of the Lectures now published, with a view to having them printed. This series of lectures comprises several short courses which were delivered from time to time. According to the original design, it should have included at least three other courses—on the internal arrangements and furniture of houses, on food and drink, and on the burial of the dead. Owing to the sudden death of Professor O'Curry immediately after the completion of his Lectures on Music, the intended Lectures were not written, and I have not been able to discover any materials collected towards their preparation.

Being very anxious that the publication of these lectures should take place with as little delay as possible, I offered to edit them. In undertaking this task, so foreign to my ordinary pursuits, I knew that I could rely upon the help of my dear friend, the late John E. Pigot, who, besides being thoroughly acquainted with everything connected with the history, literature, and arts of Ireland, was also intimately acquainted with the special subjects of all O'Curry's Lectures, having aided him in their preparation. I looked upon myself indeed as only the nominal editor, feeling sure from my friend's love of the subject, and his respect for the labours and memory of O'Curry, that he would spare no labour or trouble in this matter, as indeed he never did whenever a patriotic object or an act of friendship was in question.

The manuscript of the Lectures as written out for delivery, contained no references to the pages of the Codices from which O'Curry drew his materials, and in some instances the Codex itself was not even named; and, with the exception of some of the shorter ones given in the first ten or twelve Lectures, he had not copied out the Irish text of the passages of which he gave translations. But although his own collection of manuscripts, bought by the Catholic University, included copies of many of the principal poems and prose tales contained in the more important Irish vellum manuscripts, the task of going over, without any references, nearly the whole of the manuscript literature of Ireland in the Irish language in search of isolated passages, appeared so formidable an undertaking to Mr. Pigot and myself, that we determined to print the lectures as we found them, merely omitting repetitions which were necessary for the connection of the subject when delivered as lectures, but which were unnecessary in a book.

When about two-thirds of the first volume of the Lectures had been printed off, Mr. Pigot went to India, so that I was

unexpectedly obliged to go on with the rest of the work unaided. As the printing progressed, the necessity of supplying references to manuscripts, and the Irish text of the passages translated in the body of the Lectures, impressed itself more and more on my mind, so that at length I determined to make the attempt. This, as the reader will find, has been done in Volume III., and a table is now added at the beginning of Volume II., supplying the references for the passages quoted from Irish manuscripts in that volume.

In performing this task, I found that some of Professor O'Curry's translations were only free renderings of the original text, more or less paraphrased, but always sufficiently close and correct for the purposes for which they were used. However anxious I might be to make some emendations in those translations, such as he would have himself made if he had been spared to prepare his work for the press, I thought it due to O'Curry's memory to give his own words, except in one or two instances, where he gave rather an abstract than a translation. When, for this reason, the text is emended, the part so emended is enclosed in brackets. The nature of the emendations I would suggest in other cases will be seen by comparing the passages quoted in his Lectures from the *Crith Gablach*, the *Brudín Da Derga*, the *Táin Bó Chuailgne*, and the *Fair of Carman*, with the corresponding passages in this Introduction and in the Appendix to the second volume of the Lectures.

In collecting the numerous extracts from the *Táin Bó Chuailgne*, which may be called the Iliad of Irish romance, if I may compare small things with great, it struck me that it would be well to give a translation of some part of it, sufficient to convey an adequate idea of the character of genuine Ancient Irish poetry. With this object I made a literal translation from that romance, of a complete episode recording the combats of *Ferdiad* and *Cuchulaind*, which, together with the original text, I

have printed as one of the Appendixes to Volume III. I have also given the complete text and a new translation of the whole of the poem on the Fair of *Carman*, which O'Curry has made so much use of in his second Lecture, and the value of which, as an illustration of Irish customs, cannot be overrated.

I had originally intended to prefix to the first volume of the present series of Lectures a short introduction chiefly on the subject of the stone, bronze, and iron ages, that being a subject which came more or less within my own proper domain of science. When after the departure of Mr. Pigot, I was obliged to devote more attention to the general subject, the scope of my Introduction enlarged itself. The account of the classes of society given in the second Lecture appeared to me to be incomplete and unsatisfactory. This account was based on a fragment of a law tract called the *Crith Gablach*, which I thought ought to be printed in full in the Appendix. On searching among the papers of O'Curry, I found only a rough draft of a translation of the fragment of the tract which he knew, evidently made for his own use when preparing his Lectures, and in which he consequently left many of the most important terms untranslated, so that it was almost unintelligible to any one else, and evidently not intended for publication. The fragment of this tract, such as it was, appeared to me, however, to be so important that I thought it worth while to institute a search through all our manuscripts in order to ascertain whether a complete copy of the tract, or the missing fragment, might perchance be in them. The task of making such a search was undertaken by Mr. O'Looney, and, as I have fully stated in the preface prefixed to the text and translation of the whole tract in the Appendix (vol. III. p. 465), he was successful in finding two fragments which enabled us to give a complete text and translation.

The thorough study of this law tract occupied me a consider-

able time, but it repaid all my trouble by furnishing me with the key of the whole Irish political system. It was this study which chiefly retarded the publication of the Lectures, and extended my Introduction, from forty or fifty pages, to a thick volume. The results which I have obtained are very different from the current views about the political and social condition of the ancient Irish and their ethnological relationships. They also throw such an unexpected light upon the early institutions of the Anglo-Saxons, and upon the origin of the English representative system, of Gilds, and of the feudal system, as must give to ancient Irish history an importance it never possessed before, and secure for it a high place in early European and Aryan history.

The way in which the Introduction was produced, and especially the widening of its scope according as materials accumulated, account for many of its defects. As I have already said, it was to have consisted of a short dissertation on the ages of stone, bronze, and iron, and a number of notes, illustrative of special points, which seemed to require some further explanation, such as the comparison of the weapons in the museum of the Royal Irish Academy, with the descriptions of the arms of the ancient Irish given in Irish tales, the comparison of the houses of the Irish with those of the Gauls, the nature of *Glaisin*, etc. As it is now before the reader, it contains very little on the subject of the "three ages of human culture", but the notes on the other subjects have been extended into essays, in which I have investigated not only most of the subjects treated by O'Curry, though in a totally different way, but also those which he intended to discuss—namely, the furniture and internal arrangements of houses, food and drink, and the burial of the dead. Until the Introduction had reached nearly four hundred pages, and materials for two hundred more had been accumulated, I did not give up the original intention of pre-

fixing it to the first volume of the Lectures. With the view of carrying out this intention, I endeavoured to save space by compressing my facts into the smallest compass. I hope that "in labouring to be brief I have not become obscure". If I could have re-written the whole when I had ended my investigations, the book would no doubt gain much in form, and be perhaps more readable; but unless I had done it in the way it has been written, it would never have been done at all. As an apology for its shortcomings, I can only say with the Roman orator: "Edidi, quæ potui, non ut volui, sed ut me temporis angustia coegerunt".

One of the most apparent defects is the paging in Roman numerals instead of Arabic ones. This method, though suitable for prefaces and short introductions, is very inconvenient for a volume such as this. But as fully one-half of it had been printed off before I determined to make a separate volume of it, this defect could not be remedied. This is perhaps the best place to say that nearly one-half of this Introduction was already printed off in the year 1869, and that a considerable portion of the remainder has been in type during the last two years. The chapter on Gilds was printed off before the publication of the admirable essay on the subject by Dr. Brentano, prefixed to the work of Mr. Toulmin Smith on English Gilds, published by the English Text Society. The full information which he has gathered together might have been useful to me, but as I did not aim at writing an essay on Gilds, but merely at showing how the political organization of the ancient Irish indicated their true origin, I am rejoiced that I did not see Dr. Brentano's essay before I had worked out my own views on the subject. The results of his inquiry generally coincide, so far as they go, with those obtained by me. My inquiry may be said, however, to have only properly commenced where his ended. His results suggest that the origin of Gilds is to be sought in the family. I believe I have fully proved it.

Although my main object in writing the following Introduction was to bring the subject of Irish Archaeology and History, as treated of by O'Curry, into connection with those of the other countries of Northern and Western Europe, and thus take them out of the state of isolation in which they have hitherto remained, I have endeavoured, as far as possible, to use different Irish materials for my illustrations from those employed by O'Curry, not only because I was anxious to get passages more suitable from my point of view than those given in the Lectures, but chiefly in order to increase the number and diversity of the examples given. At first I intended to give the Irish text of every passage quoted from a manuscript, but the extent to which this would have increased the volume compelled me to give up the idea. This accounts for some of the notes being set in double columns: the Irish text was to have been in one column and the translation in the other. As most of the manuscripts quoted are accessible, and as I have given all the technical terms in the translation, the absence of the Irish text will not be much felt. In the case of those quoted from the *Lebor na h-Uidhri*, there can be now no inconvenience at all, inasmuch as the beautiful lithograph transcript of that MS. published by the Royal Irish Academy, puts a *fac-simile* of the original within the reach of every one. The Academy is now bringing out a similar *fac-simile* of the vellum MS. called the *Lebor Brecc*, and I trust that it will continue to bring out similar *fac-similes* of all the other vellum MSS. in their possession, and thus bring the materials of Irish history, literature, and philology within the reach of scholars.

Names and technical terms are always a difficulty to translators, especially if the original language be very different in sound and genus from that of the translation. There is, however, an additional difficulty in Irish. In the first place, we have to deal not with one language, but with several; for be-

tween the language of some Irish tracts and the present spoken language, there is an interval of from one thousand to twelve hundred years, during which the Irish language has been constantly undergoing changes. In the second place, as there was no great classical period, the orthography has never been fixed, so that there is often considerable difference in the spelling of the same name in different manuscripts even of the same age. Hitherto it has been the custom of translators, almost indeed without exception, to give the Irish proper names in the exact form in which the translators found them. But as these occur usually in oblique cases, especially in the genitive, many of the best known Irish proper names mentioned in English books are genitives, or some other oblique cases. The word *Erin*, which is the genitive of *Eriu*, is a good example of this. In printing the text of the Lectures, I made at first no change in the spelling of the proper names, whether of persons or places, with one or two important exceptions; but in the later Lectures I took somewhat more liberty. I spelled the words generally as they are found in the manuscripts from which they are quoted, and used where I could do so the nominative forms. In the Introduction I was of course entirely free to adopt any course I chose. I accordingly have endeavoured to give the Irish words in the nominative form whenever I was able to do so, and to spell them as they are spelled in the oldest manuscripts, avoiding especially the modern system of corrupt aspiration, which renders Irish so barbarous looking. I have not used *ea* for the Irish long *e*, as is invariably done by most Irish writers, because I believe that any deviation whatever from the original form, is a mistake. Any one who wishes to know the exact value of the different letters in Irish words should learn it from an Irish Grammar. It is needless to say that I have not adopted the absurd method of phonetic spelling which is sometimes adopted to guide the reader to

pronounce the words, as it is said, correctly. This may be well enough for modern Irish, but old Irish was not pronounced like modern Irish.

It is indeed probable that a person pronouncing the old Irish broadly, sounding every letter as he would do in German words, would come nearer to the pronunciation of an Irishman of the sixth century, than by aspirating them and pronouncing them as in modern Irish.

To those who object to the strange hard names in this Introduction and in the Lectures, as well as in other Irish books, I can only answer, that the same objection applies to works on the history of the Anglo-Saxons, Norse, Germans, Greeks—in fact to the history and literature of every people who do not speak English; and that proper names, and law and other technical terms so modified as to suit the rules of English pronunciation, besides giving a wrong idea of the people and of their language, have often led to serious error; while correct names and terms are really more easily pronounced, and are valuable instruments of scientific inquiry into the history and antiquities of nations.

The number of important Irish words which occur throughout the following volumes, and most of which are fully explained for the first time, is so considerable, that I thought it would prove useful to scholars to index them separately. This index, or rather glossary—for I have added the meaning of the words as established in these volumes—will be found at the end of the third volume. In preparing it I have taken advantage of the latest results of my inquiries, and increased knowledge of the subject, to improve the meaning and correct the spelling of several words, and of adding the nominative form in many cases where the word occurs in the text or notes in an oblique case. This I have done chiefly in the case of words in the *Crith Gablach* and other parts of

the Appendix, which were printed four years ago, and in the early part of the Introduction which was printed more than two years ago.

In comparing Irish law and other terms with those of the Teutonic and other languages, the reader will perceive that I have confined myself to words which differ very little in form, and are either identical or closely related in meaning, as I was anxious to avoid basing any conclusions upon purely theoretical data.

Professor O'Curry's object in the following Lectures being to give pictures of Irish manners and customs, as they are exhibited in the ancient laws, and described in the poems and prose tales contained in Irish manuscripts, a task which no one else had ever before attempted, he has rarely referred to any of the published works on Irish history and antiquities. My object, when I went over the same ground, was to compare the results of O'Curry's labours with those of similar inquiries into the manners and customs of other ancient and mediæval peoples of North Europe. Where I went over new ground, I combined the two objects. In either case I also have made little use of any published works on Irish history or antiquities. Indeed, even had I time and space to go over the printed literature of the last two centuries, I could have gleaned very little that would have been of any use for my special purpose. It would, no doubt, have been different if I were engaged in the compilation of a general work on the subject of Irish history and antiquities.

But while it was unnecessary to glean facts from published Irish works, which I was in a position to get directly from the original sources—Irish manuscripts,—there are many works, especially many recent German works, on the manners, customs, and laws of the other northern nations, which I regret I either heard of too late, or could not get access to.

This much by way of apology, if I should appear to claim as my own, results previously obtained by others.

I have endeavoured in all cases to consult the original works, manuscripts as well as printed books, to which I refer. There are, however, one or two books from which I have obtained information, indirectly as well as directly. The latter I have duly acknowledged in the foot notes; the former I could not always. I have in this way frequently referred to the works of Karl Weinhold, but I think it right that I should also specially acknowledge my obligations to him in respect of the bibliography of old Norse and medieval German customs. With his valuable book *Alt nordisches Leben* as my guide, I was soon able to make my way through the rich stores of Norse literature. Let me also acknowledge here the aid which I have received from the work of Dr. Lorenz Diefenbach, one of the veteran Celtic scholars of Germany. That help was precisely of a kind which could not be acknowledged in foot notes, but it was not the less valuable.

The reader will see that in comparing the Irish political and social system with those of adjacent countries, I have almost invariably referred to Anglo Saxon England, Scandinavia, and Germany, and hardly ever to France, although the latter was the head-quarters of the so-called Celts. This I believe to have been the true course, and the results of my inquiry have justified it. The customs of the ancient Gauls had been either obliterated, modified, or so mixed up with those of their successive conquerors—Romans, Burgundians, Franks—that no certain results would be obtained by comparing Irish customs with those of France or Belgium in the eighth or ninth century. The laws and customs of Ireland had not been directly influenced by Roman law, and should therefore be contrasted with the legal and political institutions of the nations of the north, which had also been directly influenced, only to a very

slight extent, by the civilization of the Mediterranean nations before the historic period.

To complete the picture of the Manners and Customs of the Ancient Irish which these three volumes contain, a fuller account of the classes and organization of the literary orders than has been given in the Lectures would be necessary. But this subject is so intimately wound up with the mythology of the ancient Irish, that it would be a waste of time to attempt to add to what O'Curry has said without a thorough investigation of the gods and religious ideas of the pagan Irish. I made some progress with this, and had collected a good deal of information concerning their rather extensive pantheon, when finding that it would take perhaps a couple of years to finish it, and that the Introduction could not be conveniently enlarged further, or the whole work longer delayed, I relinquished the subject, at least for the present.

In conclusion, I desire to thank my friend, Mr. Brian O'Looney, for the aid he has given me since he became connected with the University. I shall perhaps best express the value I attach to that aid when I say that without it I would not have attempted, and could not have written this Introduction. I am consoled, however for the trouble I have given him by the knowledge that he was undergoing the best training to fit him to be the successor of O'Curry in the chair of Irish History and Archaeology—as he is his successor in profound knowledge of Irish and in work done. I have also to thank my friend and colleague Dr. D. B. Dunne, who, from his acquaintance with the theory of music, and especially of Church music, was able to render me great assistance by carefully reading the proofs of the sheets on music, and making many valuable suggestions. I have also to thank him for correcting many of the proofs of other parts also.

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THE DIFFERENT CLASSES OF SOCIETY IN ANCIENT IRELAND.

The Airés.

The free and unfree classes; the freemen were called *Airés*; there were two classes of *Airés*, the *Flaths* and the *Bó Airés*; relation of the *Airé* to the Anglo-Saxon *Thegn*, c-cii. The Lombard *Arimann*; different opinions as to what he was; etymology of the word, cii-cv. The Irish *Airé* represents the *Arimann*; importance of this identification, cv. *Arimanns* mentioned as freemen; *Arimannen* only could have slaves; *Arimannen* as Scabini, and as burghers of a town, cvi-cvii. *Arimannia* used for the *Arimanni* of a district; mentioned by Marculfus; the same word used in the sense of freehold property, and of rents, etc., cviii-cix.

THE DIFFERENT CLASSES OF SOCIETY IN ANCIENT IRELAND.

The Céiles and rent-paying classes generally.

Airés only enjoyed full political rights; position of freemen in towns and on the land, cix-cx. There were two classes of *Céiles*, free and base; nature of Ceileship; *Taurcrech* and *Rath*; *Bes Tigi* and *Biatad*; duties of *Céiles* on the death of the *Flath* or lord; position of the heirs of *Céiles* in respect to the *Flath* or lord; reversion of the *Taurcrech*; the base *Céiles* represented the Anglo-Saxon *Heorthfastmen*, or householders, and the *Folghers*; the Irish *Amhus* or *Ambus*, cx-cxiii. The free and base classes in Wales, cxiii. *Daer Céiles*, their position, rents, etc.; persons included under the category of free *Céiles*; rights of *Céiles*, cxiv-cxv. *Bothachs*; they corresponded to the *Bordarii* and *Cotarii* of *Domesday Book*; etymology of the word *Cotarius*, cxv-cxvi. *Sencleithes*, cxvi. Foreigners, cxvii. *Fuidirs*; their position; their *Log Enechs* determined by that of their lord; exceptions to this rule; persons included under the category of *Daer Fuidirs*; St. Patrick was a *Daer Fuidir* of the first class; voluntary *Daer Fuidirs*; Irish "law of promotion", cxvii-cxxi. Rights of *Senleithes*; tradition of them still preserved, cxxi. Different categories of free *Fuidirs*, cxxii. A certain class of *Fuidirs* treated like base *Céiles*, cxxiii. Tenures of free *Fuidirs*; *Fuidir* partnerships; *fuidirship* under a strange lord a tenancy from year to year; this explains an error of Spenser, cxxiv-cxxvi. Irish law protected the tenant; preference for Irish law discreditable to English rule, cxxvi-cxxvii. Damages, etc., of large tenants how estimated, cxxvii. The *Saer Fuidir* represented the Welsh *Altud*; the *Daer Fuidirs*, the Welsh *Caethions*, and Anglo-Saxon *Theowas*, etc., cxxvii-cxxviii. Right of *Flaths* to have serfs; the Welsh *Uchelwys*; different categories of *Caethions*; distinction as to servitude between north and south; Wales, cxxviii. *Céiles* only had political rights; *Saer Céiles* were vassals, the *Daer Céiles* were villeins or churls; *Céiles* not necessarily related by blood to the *Flath*; constitution of the clan, cxxix. The classes of society in Ireland were not castes; naturalization of strangers, cxxix-cxxxi.

OWNERSHIP OF LAND IN ANCIENT IRELAND.

Sources of information on ownership of land: Greek and Roman writers; medieval laws, customs, charters, etc.; modern French writers on this subject; M. Guizot's opinion; M. Sismondi's opinion; the state of things pictured by the latter that of nomadic tribes, cxxxi-cxxxiii. Assumed absence of ownership in severalty; individual property in land known to the Germans; *Alod* and cognate words; early homesteads in severalty; these homesteads did not form villages, cxxxiv-cxxxvi. Settlers on common land had at first only the usufruct; the position of such settlers in Scandinavia; Anglo-Saxon "Folc" and "Boc" land; allodial land of Anglo-Saxon *Ethelings*; the latter corresponded to the Irish *Damna Rig*-cxxxvi-cxxxviii. M. Henri Martin's views as to the communism of early Celts; allodial land in Wales; ownership of land the special qualification of the Irish *Flath*, cxxxviii-cxxxix. Duties of tenants of *Flaths*; *Biatad*: *Bes Tigi*; the *Gwes-Twa* or *Bes-Tigi* of the Welsh; commutation of the *Gwes-Twa* into *Tunc*-rent in the reign of Edward the Third; this commutation proves that the *Saer-Céile* had a freehold; such freeholds recognized in Wales, but not in Ireland, cxl-cxliii. Relation of the *Flaths* to the *Rig* or king, cxliii. Amount of the rent of base *Céiles*, cxliii.

INFLUENCE OF LAND-LAWS AND CUSTOMS UPON THE TOPOGRAPHICAL DISTRIBUTION OF THE OCCUPIERS OF LAND.

Four classes of society the result of land-laws: 1, owners of large estates; 2, holders of homesteads as a separate estate, the marshes, mountains, etc., being in common; 3, those cultivating land in common; and 4, those having no land, cxliv-cl. Land system of the Germans in the times of Caesar and of Tacitus, cli. Distribution of population in Ireland; demesne of the *Flath*; comparison with Wales; *Fuidir*-land; number of freeholders, etc.; extent of the holdings of *Céiles*, clii-cliv. Public land; its gradual conversion into allodium; life estates lapsed into estates in fee; tribe land; rights of freemen thereon; establishment of a *Sell*; the *Maigin Digona*, or extent of sanctuary, cliv-clvi. Extent of land in usufruct of freemen not being *Aires*; partnerships or guilds; their advantages; *Fuidir*-partnerships; co-tillage partnership in Wales; in Scotland; and in Friesland, etc.; rundale or runrig, the relics of partnership, clvii-clix. *Brughrecht* or Birlaw; the *Bruighfer*; the *Brugh*-town, a prototype of a borough; different ranks of *Bruighfers*; the *Forus* of a *Brugh* the place of election of a king, etc.; the representation of a borough; the *Bruighfer* the mayor; the *Brugh*-town represented the Saxon Burgh; development of a *Brugh*-town into a city; the towns of lords were governed by their *Maers* or stewards, clx-clxii.

THE FAMILY AND THE CLAN.

Meaning of the word *Fine* or *Finead*; branches of a *Fine*; the council of the *Fine*; remotely related kindred; mode of establishing a claim to the rights of a *Fine*; adoption by a *Fine*; rights of legally adopted members; fees

paid for adoption; kindred of exiles and of emigrants; kindred of murderers, clxii-clxvi. The *Fine Cis Flatha*; the clan; clan names were eponyms; M. Guizot's different view of the clan; his comparison of the clan with the feudal family; they were not, however, very different, clxvi-clxviii.

THE DESCENT OF PROPERTY AMONG THE ANCIENT IRISH.

The ancient course of descent among all the northern nations of Europe was that known as Gavelkind; position of women under Gavelkind custom, clxviii-clxix. Irish custom of inheritance; position of women under it; marriage customs; the marriage portion; the *Coibche* or bridal gift; the *Tindsra*, *Log Lanamnais* or bride price; rights of married women; separation and divorce in Wales; position of women as to inheritance in Wales, clxx-clxxviii. Division of property among heirs; the custom in Wales; the Irish custom, clxxix-clxxxii. Law of Tanistry; estates of *Flaths* could, however, be subdivided; estates of *Bó Aires* might also be subjected to the operation of Tanistry, clxxxiii. Irish customs not recognized in English Law courts in Ireland; injury thus inflicted on the country; comparison of the law of Gavelkind in Kent and in Ireland, clxxxiv.

TENURES OF THE ANCIENT IRISH.

Nature of the estate of a *Flath*; tenures of *Saer-Céiles*, of *Daer Céiles*, and of *Botachs*; the *Daer Céile* represented a copy-holder; *Taurrech* and *Rath* paid to *Céiles*; relation of lord and *Céile*, clxxxv-clxxxix. Land let to freeman of a *Tuath*, clxxxix. Compensation to tenants for improvements, &c. Insolvent members of a copartnership; absent members of copartnerships; insolvent owners, exc-cxcii. Tenure of *Fuidirs*, exciii. The Irish tenures throw light on those of other parts of Europe; contrast between Irish and Continental land systems, exciv-cxcvi.

REPRESENTATION OF THE COMMONS AND FRANKPLEDGE.

Protection one object of ownership and tenancy in common; the *Fine* and the Gild the source of the representation of the commons; political organization of society in England after the Norman Conquest; Irish organization very similar; the *Tuath* a political unit; the responsibility of the clan partly territorial; clan system better preserved among the Irish than among the Anglo-Saxons, excvi-cxcix. Collective Frankpledge; representatives of Frankpledge; the *Aire Fine* was the chief pledge of a *Fine*, and the *Aithech ar a Threba* the chief pledge of a Gild; the *Hindena* of London; the Ferthingman or *Ferdingus*, cc-ccii. Was Collective Frankpledge a political right? ccii. The "four men and the Reeve" of the Anglo-Saxon township; the Gerefa of the Hundred; the *Aire Cosraing* or chief *Aire Fine*; the *Aire Fine* or chief of family; the *Aithech ar a Threba* was an elected *Aire Fine*; the *Cuicer na Fine* or "Council of five of a *Fine*" represented the "four men and the Reeve" of Anglo-Saxon townships; the chief of a family always acted for minors, cciii-ccv. The Anglo-Saxon

Maegth must have also had a family council, which became the "four men and the Reeve", ccv. Palgrave's opinion that Collective Frankpledge was not universal, harmonises with the foregoing view of its origin, ccv. Rise of Collective Frankpledge.

GILDS AND TRADE CORPORATIONS.

Handicrafts in ancient times hereditary; each lord had his own base craftsmen; rise of corporations in towns; the privileges of the Roman ones abused; they were suppressed and re-established several times; the term *Collegium* applied to two kinds of corporations—the colleges and the sodalities; the trade colleges survived the Roman Empire, ccvi-ccix. The medieval Gilds; the Gilds of the Kalenders; confraternities; Gild merchants; craft Gilds; the Gilds of Kalenders and confraternities of Christian origin; trade corporations of Roman origin, ccix-ccxi. Protective or true Gilds; the Frankish *Gildonia*; sworn societies in Flanders, etc.; the Flemish Gilds of great interest; Frisian *Conjurati Sodales*; Anglo-Saxon *Gegildan*; *Frith Gilds*; the term gild extended to different associations, ccxi-ccxiii. Supposed pagan origin of Gilds; hypothesis that they originated in England; no real ground for this supposition; alleged connection between gilds and banquets, ccxii-ccxiv. Etymology of the word Gild; Kemble's suggestion that *Gegildan* embraced the whole population; that view not correct; ancient organization of Friesland; relation between the Ditmarsch or Friesland organization and that of Ireland; the later civic character of Gilds compatible with a rural origin.

ORIGIN OF THE TERM "FEUD", AND RELATION OF THE IRISH LAND SYSTEM TO FEUDALISM.

The neglect of the study of the Celtic languages and laws disadvantageous to the study of Feudalism; erroneous theory of equality among the Germans; hypotheses of the etymology of Feud; Palgrave's objection to them; not more fortunate in his own attempt, ccxx-ccxxii. Essential principle of a Feud; original meaning of a benefice; nature of a "Precarium"; *prestaræ* or *præstitæ*; the lands held by *Fuidirs* were *Precariæ*; lands of *Céiles* were *Loen*-lands; Clients, Leuds, and *Céiles* essentially the same; the German conquests modified the Benefice; the barbarian "sortes"; Palgrave's idea that the *sortes* were allodial; the barbarian Hospites were *Fuidirs*; the Laetic grants; evasion of prescriptive rights in Ireland, ccxxii-ccxxv. Origin of the words *Feodum* and *Feud*; etymology of *Vasseur*, *Vavassor*, and *Vassal*; tribute of food given by the vassal to the lord, and not by the lord to the vassal; military service not the essential characteristic of vassalage, ccxxvi-ccxxviii.

THE EXECUTIVE GOVERNMENT OF ANCIENT IRELAND.

The Kings or Chiefs.

The *Rig* or chief; other names for the chief; corresponding titles among the Norsemen; different ranks of kings; the *Rig Tuatha* corresponded to the Anglo-Saxon Ealdorman of the Hundred; the *Dux*; the Ealdorman of a

Trithing corresponded to the *Rig Mór Tuatha*; the *Ard Rig Erind* or paramount king, ccxxviii-ccxxxi. The office of king elective; but confined to certain families; hence the value of genealogies; the *Rig* elected by the *Aires*; the *Tanaiste* or heir apparent; the election of officials took place at the *Brugh*; the power of the *Rig* limited; extent of the sanctuary of a king; of the freemen; of the nobles or *Flaths*; of provincial kings, etc., ccxxxii-ccxxxiv. The *Folach* or leech fee, etc., of a *Rig Tuatha*, and of a *Rig Mór Tuatha*; a *Rig* not permitted to do servile work; his *Dam* or retinue; its composition; persons entitled to a *Dám*; the *Foleith*; the *Amus* or *Ambus*; they represented the Gaulish *Ambacti*; the *soldarii*, ccxxxiv-ccxxxvii. The king's residence or *Dun*; the *Dún* of a *Rig Rurech*; household of the high king of Eriu; revenue of a king; the maiden's marriage ring formed a portion of it, ccxxviii-ccxl.

THE EXECUTIVE GOVERNMENT OF ANCIENT IRISH.

The Nobility and Officers of State.

Preference of the ancient Irish for certain numbers; this had, perhaps, no political importance; the soc-men of a *Tuath*; the three ranks of *Aires Forgaill*; the *Aire Forgaill* was the representative of the Welsh *Canghellor* or chancellor; the *Aire Tuisi*; the word *Tuisi* cognate with the *tog*, in *Heretog*, and with *Dux*; the *Aire Tuisi* was the *Taoisech* of later times and the equivalent of the Welsh *Twysawg*; the *Aire Ard*; he probably acted as the king's *Maer* or High Steward, the *Maer mór* of the Scottish kings; *Maers* of Charlemagne; the English *Major* and French *Maire*; the *Aire Echtai*; the *Dae*; the *Aire Desa*, ccxlii-ccxlvii. The *Bó Aires*; the *Aire Cosraing*; he represented the Anglo-Saxon *Gerefa*; he did not hold a court; the *Bruighfer*; his functions, duties, and privileges; his court corresponded to the Scottish *Birlaw* court; it was of great antiquity ccxlvii-ccl. The *Aithech Baisidhe*; connection of *Baisidhe* with bachelor, *baccalaria*, and *bacele*; the relieving officer for the poor, ccl-ccli.

POPULAR ASSEMBLIES AND LEGISLATION.

Information on the legislative and judicial systems of the ancient Irish very fragmentary; terms applied to assemblies of the people: the *Sabaid Cuirmtigi* or Council of the Ale House; *Mithal* a general name for an assembly; the *Mithal Flatha* or assembly of the liegemen of the *Flath*; the *Mithal Tuatha* or assembly of the freemen of a *Tuath*; the *Mathluagh* or assembly of the householders of a *Fine*; the *Dál*; the *Tocomrach*; the *Aenach* or fair; it originated in funeral games; its functions; it was an organised assembly; the *Cot* or *Cotha* or enclosure for women at fairs, cclii-cclvii. Manner in which each kind of assembly was convened; the great national fairs were chronological units; persons who had a right to vote at each kind of assembly, cclvii cclviii. The *Dál* and *Tocomrach*, the representatives of the Anglo-Saxon Hundred and Scire *Gemôts*, and of the German *Gauding*—the *Concilium* of Tacitus; the *Mallum* of Charlemagne; this word cognate with *Mathluagh*; character and functions of the *Mallum*; those of the *Mathluagh* were analogous; the general *Placitum* of the Carovingians corresponded to the *Aenach*, cclix-cclxi.

ADMINISTRATION OF JUSTICE

The legislative and judicial functions separated in Ireland at a very early period, cclxii. Irish name for a court; five distinct courts under ancient Irish judicial system; the *Airecht Foleith* or Court-Leet; the *Airecht Urnaidè* or Court of Pleas; the *Neimid* and *Bretha Neimidh*; connection of this word with personal, ethnical, and topographical names, and with the Scandinavian *Nemda*, cclxii-cclxv. The *Airecht Fodeisin* or Court of King's Bench; analysis of the names of the twelve classes forming this court very difficult; composition of the *Airecht Fodeisin*, cclxvi-cclxviii. The *Taeb Airecht* or interterritorial court; meaning of the term *Sic Oc*; it is connected with "sak" and "soke", cclxviii-cclxx. The *Cul-Airecht* or High Court of Appeal, cclxx. General term for law in Irish; *Urrudas*, or common law; *Cairde*, or interterritorial law; *Cáin* or statute law, cclxxi-cclxxii. The judges of the different courts, cclxxii. The attorney; etymology of the word four grades of barristers; etymology of the word barrister; advocates not entitled to *Log Enech* or honour price, cclxxiii-cclxxv. *Aires* only could be suitors; various capacities in which a suitor acted; the *Nadmann* or *Nascaire*; he corresponded to the Welsh Nodman; the *Raith* or *Raithmann*, cclxxv-cclxxvi. Procedure in criminal trials; "worthy" and "unworthy" witnesses; different kinds of criminal information; confirmation of a criminal charge; simple expurgation; the *Tuarastal* or direct positive evidence; the *Fir Dé* or expurgation; the *Crannchur* or lot-casting; complainant might proceed either by criminal indictment or civil process; costs and damages; the leech fee; compurgation; information of an accomplice or accessory; the private information of an accomplice or accessory should be made to three magistrates, or to a "worthy" priest, cclxxvi-cclxxxii. Procedure in civil actions; the *Fasc* or summons; the *Gabhail* or distress; the *Trosca* or fasting; the *Anad* or stay; the pound or *Airlis* of a *Forus*; replevin; immediate distress; the *Re Dithma* or detention in pound; the *Lobad* or sale of the distress; trial in replevin; forfeiting a *Gell* or pledge; the *Athgabhail* or Withernam, cclxxxii-clxxxv. A *Toing* or *Fertonga* or person who gave testimony; *Lucht Fira* or compurgators were kinsmen of the accused; relation of compurgators to juries, cclxxxvi-cclxxxvii. The Irish *Raith* corresponded to the English *Radman*, and *Radechenistres* of Domesday Book, cclxxxvii-cclxxxviii. The *Fiadnaise* or witness; the Irish witness affirmed; oaths of different kinds; *Noillechs* or jurats; a jury of *Noillechs* formed apparently of twelve; fees of oathmen, witnesses, etc.; penalties for false witness, cclxxxviii-cxcxi. The *Aitire* or bail; the *Aitire Nadma* or Roman *Nexus* become "addictus"; the *Aitire Foesma*, cxcii-cxciii. *Esain* or *Essoign*; *Faesam*; *Turthugadh*; *Fonaidm*; *Snadha*; the *Maigin Digona*; explanation of the term *Diguin*; *Sarugh* or *Sarugud*; *Enecland*; *Log Enech*; *Enechrúice*: *Enechgris*, cxciii cxcv.

BUILDINGS OF THE ANCIENT IRISH.

The houses of the Slaves, Germans, and Celts, were built of wood; the use of stone borrowed from the Romans; the earliest stone-built churches belong to the sixth century; *Tuncs* of the old Germans; *Screuna* of the

Franks; English "Pennpits", ccxcvi-ccxcvii. Ancient Irish houses of two forms; the round wicker houses; weather boards on wicker houses; cup-roofs of Irish wicker houses like those of Gaulish ones; the residence of an *Aire* consisted of several houses; the custom of having each room an isolated house existed also in Gaul, Wales, Norway, and Sweden; the German farm buildings were generally under one roof; divisions or rooms in Irish, Anglo-Saxon, etc., farm-steadings; the women's house a separate building; it was cut off from the other houses; Norse and German names of women's houses; the Irish *Grianan* or sunny chamber, ccxcvii-cccii. Windows and shutters mentioned in Irish tales; mortar not used in the earliest stone structures; use of lime for whitewashing known, cccii-ccciii. Fences and trees about Irish homesteads; the *Lis* or *Les*; the *Rath*, the *Caisel*, the *Dun*, the *Cathair*, ccxiv-cccvi. Stone-built *Duns* and *Cathairs* chiefly found in the S.W. and W. of Ireland; ancient stone buildings in the county of Kerry; these buildings are very old, but are probably ecclesiastical; ancient civil organization of the Irish Church not incompatible with this view; the ancient Irish Church an important field of historical inquiry, ccvii-cdcviii. The ancient buildings of Kerry are like those described in Irish tales; three types of them: the *Caisel*, the fort, and the *Dun*; the "Fort of the Wolves" at Fahan; the guard house of this fort corresponds to the "Warder's Seat" of Irish tales; second type of fortress represented by Dunbeg; third type represented by the *Dun* and *Cathair* of Ballyheabought, ccxix-cccxvii. Lawn lights and signals at a *Forus*; spring of water in the house of the *Brughfer*; running stream in *Lios* or *Airless* of *Fer Forais*, and in the house of a leech or doctor; number of doors in a leech's house, ccxviii-cccix.

BURIAL OF THE DEAD IN ERIU.

Reason for writing on the burial of the dead; cremation of the dead practised in Ireland; the Gaulish custom of burning slaves, etc., common to all Aryan nations; one case of sacrificing hostages recorded in Irish MSS.; animals of deceased persons were slain; the mere occurrence of burnt bones not sufficient evidence of cremation, as some criminals were burnt to death; bones from the two sources not distinguishable; no funeral monuments to criminals, ccxix-cccxxiii. The *Cluiche Caentech* not a pyre, though used to express it; the *Guba* and *Cuitech Fuait* or dirges and games; the *Cepóg* or panegyric; manner of chanting the dirges; the *Mná Caoínte* or professional mourning women; instance of a modern *Cepóg*; panegyric of *Rigs* and *Flaths* made by bard of family; prostration and plucking of hair and beard part of the *Guba*; funeral games; the *Nosad*, ccxxiii-cccxxvi. *Aenachs* or fairs always held in cemeteries; the fair of *Tailté*; *Tailté* was a cemetery during pagan times; Irish traditions connected with topography of the country; the ritual of the dead varied with the rank, sex, etc., ccxxvi-cccxxix.

The names of the different monuments of the dead; the *Derc*; the *Fert*; the *Fyhrt* of Anglo-Saxon law; the *Leacht* and *Leacc* or *Liacc*; *Ciarti* or pillar stones; the *Tamleacht*; the *Múr*, ccxxix-cccxxii. Human sacrifice; legend of Gortigern; similar legend of *Conn* and *Becuma*, ccxxiii-

cccxxxiv. The *Cnoc*; the *Carn*; use of *Carn* to ascertain the number of those slain; instances of *Carns* over the corpse of a warrior, and over the heads of those slain in battle; the *Carn* was used to protect the heads of the slain from being carried off as trophies; stones subsequently added to the *Carn*; the *Carn* always connected with the *Fúrbolgs*; warriors buried with their arms, etc.; the *Rochull* or grave cloth, cccxxxv-ccccli.

Writing the name of a deceased person in *Ogam*, part of burial rite; *Ogams* generally cut in wood in pagan times, but sometimes cut on stone; *Ogams* cut on stone, if pagan, probably not older than the Roman occupation of Britain; old Germans cut their runes on rods or tablets of ash; some Ogamic inscriptions may be cryptic, but all are certainly not so; why Ogamic inscriptions may show traces of Latin; the Irish did not borrow the *Ogam* from the Norse runes, ccccli-cccxliv.

INTERIOR ARRANGEMENTS AND FURNITURE OF ANCIENT IRISH HOUSES.

The principal house; it had but one room; number and position of the doors; position of the fire; position of the *Immdai* or couches; number of *Immdai* or couches; decorations of the *Immdai*, cccxlv-cccclix. The *Fochlu* or seat of the chief of household; birth or rank determined the position of the occupants of *Immdai* as regards the *Fochlu*; position of the seats of the members of the household of a *Rig Tuatha*; seats of the *Rigán* or queen, and of the other women, cccclix-ccccli. Feather beds and pillows in the *Immdai*; blankets and coverlets; covering of walls at the back of the *Immdai*, cccliii. The whole family slept in one room; this custom common to Anglo-Saxons, Germans, and other northern nations; marriage customs connected with this habit; early houses had no chimney; and were only one story buildings; introduction of lofts; the common living room contained all the furniture, tools, etc.; the arms of the men were hung on the walls, and also bridles and other horse furniture; drinking vessels; evidence of the use of the compass and lathe in the vessels, etc.; the larger vessels were made of staves, bound by hoops, cccliii-ccccli. Articles for the toilet; leather bottles; other leather bags and book-wallets; boxes chests, etc.; spinning-wheel, etc.; culinary vessels; bread made exclusively of meal; the *Bro*, quern, or handmill; was worked by women, who were slaves among the rich; tools; the forge, cccvii-cccclxii.

FOOD AND DRINK OF THE ANCIENT IRISH.

The ancient Irish a pastoral people more than an agricultural one; eight kinds of corn grown; wheat; barley and oats; *Secul* and *Ruadan*; *Seruan*; *Maelan*, was a leguminous plant; *Fidbach*, probably filberts and acorns; oats the corn most generally grown; barley used for making bread; yeast probably used in making bread; unleavened oat and barley meal-cakes; the *Bocaire* or oatmeal cake; the *Bairgin* or cake; honey sometimes added to dough; meal and milk; *Maothermal* or nut meal, cccclxii-cccclxv. *Bruth* or broth; the kitchen garden; water cress; *Dulesc*; milk and butter; persons entitled to butter and meat; curds and cheese;

flesh-meat used by the Irish; salt meat; bacon and hams; puddings and sausages; game; birds; fish, Eriu rich in cattle, cccxxvi-cccxxxi.

Cuirm or beer the chief drink of the Irish; the name *Cuirm* known to the Greeks as a Celtic word; *ól-na-guala*; meaning of the term; *Gerg's* wort boiler; the oak-vat or *Dabach Cuirm Tigi* of *Conchobar* called *Daradach*; *Lin* a general name for beer; malt; plants infused in beer wort before the use of hops, cccxxxi-cccxxiii. Poem of *Cano* on the celebrated beers of Ireland; Saxon ale "of bitterness" mentioned in this poem, cccxxiv-cccxxvi. Honey added to the wort of beer; brewing of beer a privilege of the *Flaths*, and in Germany of the nobility, cccxxvi. *Mede* or *metheglin*; not the exclusive intoxicating drink of the ancient Irish; *Nenadmim*, or cider of apples and of whorts; "Norse beer"; the "heather beer" supposed to have been made by the Danes, a myth.

DRESS AND ORNAMENT OF THE ANCIENT IRISH.

The *Lena*; its material; its colour; the Roman *Laena*; was perhaps different from the Irish one; the latter like the Greek *Chiton* and the Roman *Tunica*; the *Cris* or girdle; ornamented *Lenas*; dress of an ancient Gaulish figure, cccxxviii-cccxxxi. The *Caimsi* different from the *Lena*; *Caimsi* of the Saxons at the court of *Conaire Mór*; persons by whom the *Caimsi* was worn; derivation of the word; ornamented shirts and *Lenas*; the Scandinavian *Skyrta* or *Serk*, cccxxxi-cccxxiii. The *Berrbrocc*; the Gaulish *Bracae* and German *Bruoch*; the *Truibhas* or trowsers; the *Ocrath* or greaves; the hose or stocking; true nature of the *Ocrath*, cccxxiii-cccxxv. The *Inar* or jacket; it corresponded to the Norse *Kyrtil*; materials and colours of *Inars*; the German *Roch*, the English *Frock* and the Irish *Rucht*, cccxxvi. The *Brat*; the *Brat* called a *Fuan*; colours of the *Brat*; the *Brat* was the *Sagum*; the *Matal*; was the Norse *Möttul*; mutual influence of the Irish and the Norse on each other's dress, etc., cccxxvii-cccxxix. The *Cochal* or *Cucullus*; Gaulish figures with the *Cucullus*; the *Cochlin* or *Cucullio*; use of *Cochal* confined to monks; hooded cloaks of the Norse, ccxc-ccxciii. Dress of Irishwomen; the *Caille* or veil; coverings for the head; the *Culpait*; the *At*; the *Barr*; the *Barréd*; concealment of treasure under water, ccxciv-ccxcvii. Different kinds of shoes: the *Cuaran* or *Brocc*; the *Ass*; the *Ialachrand*, ccxcvii-ccxcviii. Old German costume compared with that of the Irish, ccxcix-cccc.

Art of dyeing among the ancient Irish; lichens used as dye-stuffs; use of moss for dyeing wool; red and yellow dye-stuffs; the yellow bedstraw or *Galium verum*; madder; saffron not used by the Irish; the blue dye-stuff *Glaisin* or woad; was the *Glastum* of the Gauls; legend about St. *Ciarin* and the *Glaisin*; ancient custom of dyeing animals; green dyes, black and brown dyes; mordants used by the ancient Irish, cccc-cccvi. The hair *Buidne*, ccccvii.

THE SOURCES AND COMPOSITION OF THE ANCIENT
BRONZES OF EUROPE.

The three epochs of human time; distrust of the crude views of writers on prehistoric archaeology; the subject of the "three ages" the original object for which this Introduction was undertaken; this subject does not require to be diseussed now, ccccvii-ccccviii; the discovery of metals formed an era in human culture; there is no evidence that bronze was known before iron; Pictet's researches on the metals of the Aryans; iron known to all European Aryans; bronze swords readily made; good iron swords more difficult to make; true use of the term "Bronze Age"; manufacture of bronze known to all European Aryans; error of making all bronze weapons, etc., Celtic; hypotheses of Phœnician origin of bronze; Phœnician trade with Cornwall, a mere assumption; the Egyptians and Phœnicians obtained their tin from Asia; tin abundant in the Caucasus, ccccviii-ccccxii.

Use of analyses of bronzes; early analyses defective; newer ones more complete; present information unsatisfactory; new analyses wanted; no analyses of Spanish bronzes published; copper ores used in making copper; foreign minerals mixed with copper ores, cccccii-ccccxiv.

Composition of crude copper; bronzes may contain lead as an accidental ingredient; ancient coppers; origin of small quantities of tin in coppers; Wibel's opinion that bronze was made by smelting mixed ores; bronze was probably made from "crude" copper and tinstone; the impurities of bronze help to indicate the kind of ores from which it was made; Göbel's classification of the alloys of copper; true bronze, the oldest alloy; European localities of tin ore, cccccxiv-cccccxix.

Composition of ancient bronzes definite; classification of antique bronzes; number and classification of analyses of bronze weapons; per-centage of tin in each type of bronze; difficulty of determining whether lead be accidentally or intentionally present; localities of the lead bronzes which have been analysed; the use of lead indicates a knowledge of silver; silver ornaments mentioned along with gold and bronze ones in Irish MSS.; zinc bronzes of Roman origin, cccccxix-cccccxliii.

Constitution of the bronzes of different countries—Egypt, Assyria, Carthage, Greece, Scythia, Rome, Russia, Scandinavia and Denmark, Bohemia and Eastern Germany, Northern Germany—Baltic region, Northern Germany—North Sea region, Bavaria and Central Germany, Rhine-land, Austria, Switzerland and Savoy, France, England, Scotland, Ireland, cccccxxiii-cccccxvi.

General conclusions deducible from all chemical facts at present known concerning ancient bronzes, cccccxxvii-cccccxix.

WEAPONS OF WAR OF THE ANCIENT IRISH.

Difficulty of determining nature or material of weapons called by certain names; frequent mention of bronze and iron weapons; use of iron weapons of considerable antiquity; evidence of this use; the words *dubh*,

gorm, and *glas* applied to weapons; evidence of the use of bronze in historic times, ccccxix-ccccxxvi.

O'Curry's attempt to refer different types of arms to different times; weapons mentioned in Irish MSS.; the *Craisech*; the *Fiarlann*; the sharp pointed *Craisech*; the *Sleg*; the *Gothmanais*; the *Gae*, *Foga*, or *Fogad*, the Gallo-Roman *Gaesum*; Virgil arms his two Gauls with two *Gaesæ*; Irish warriors also carried two *Gæe*; medieval *Gesa* and old French *Gèse*; the *Guisarma*; the German *Gleeffe*; the Irish *Gæe* was long-handled; the *Lai-gen* or lance; the *Cletin* or feathered javelin; the *Bir* or spit; the *Foga-Fogablagi* or military fork; light javelins, ccccxvii-ccccxviii. Battle axes, cccclix-ccccli. Bows and arrows, cccclii-ccccliii. The *Claidem* or sword; the *Colg*, ccccliv-cccclvi.

Stone weapons; the "champion's handstone"; the war-hammer; stone javelin heads, cccclvi-cccclix. Slings: the *Deil clis*; the *Crann Tabail*; the *Tailm*, cccclx-cccclxi. The *Lurg Fersad*, or "morning star"; the *Suist*, or iron flail, cccclxii-cccclxiii.

Defensive armour: the shield; forms of the shield; wooden shields; rims of shields; sharp and wave-edged shields; bronze shield in museum of Royal Irish Academy; large shield used by the Irish; German and Danish shields; colours of shields; ornamented shields; shields ornamented with precious metals, etc.; shields presented to poets; shields were heirlooms; names of shields, cccclxiv-cccclxxii.

Defensive armour proper; the *Lorica* or cuirass of the Romans; used by the Gauls; not used at first by ancient Germans; subsequently adopted by them; Anglo-Saxon cuirass; the *Broigne* or hauberk; supposed derivation of the word *Broigne*; true derivation—*Bruine*, the breast; Irish defensive armour for the body, cccclxxii-cccclxxiv.

The ancient Irish had wheeled carriages; they used them both in peace and war; Irish names of vehicles: the *Cap*; the *Carr*; the *Fedhan* or *Fén*; the latter was used as a bier or hearse; *Fén* is related to Anglo-Saxon *Wægn*; not related to *Covinus*; the *Carpat*; both the name and vehicle were probably derived from the Romans, cccclxxv-cccclxxviii. Names of the several parts of the *Carpat*; the *Fonnad*; the *Cret*, *Cull*, *Cloin* or body; the wheels; the axle-tree and axle-spindles; the *Sibthe* or pole; the simple yoke or *Mám*; the curved yoke or *Cuing*; the *Pupall* or covering; the *Fortche*; the bird plume: the *All*; this word had two meanings, according to one it was a reins; according to the other, an eye or projection for carrying the reins; a case where it does not mean reins; the scythe *Carpat*, cccclxxviii-cccclxxxiii.

MUSICAL INSTRUMENTS OF THE ANCIENT IRISH.

Introductory observations, cccclxxxiii; Irish musical instruments.

Stringed instruments played with the fingers.—The *Cruit*; history of the harp; the Egyptian harp; the Assyrian harp; Asiatic polychord instruments known to the Greeks, by whom they were looked upon as foreign; the harp found in the hands of one of the muses on an antique vase; absence of polychord instruments from sculpture, etc., not a proof that they were not in extensive use; mention made of a *Sambuke* in the hands of one of the

- muses; the *Trigonon*; Roman musical instruments; the *Trigonon* on a sarcophagus of Volterra, and on an Apuleian vase; the instrument on the latter is represented with a fore-pillar, and is the prototype of modern harps; the *Harpa* of Teutonic peoples; the lyre of the Britons, cccclxxxiv-ccccclxxxix.
- Musical instruments of Ireland, Scotland, and Wales, according to Giraldus Cambrensis; the Welsh name of the harp, *Telyn*, and the chronicle of Caradoc; O'Curry's etymology of *Telyn*; the Irish and Welsh harps called in Latin *Cithara*; some instruments so called, very unlike the harp; the British *Chrotta* of the fifth century; the Irish *Crut*, and the Welsh *Crud*; the English *Crowd*; the Welsh *Crwth*; Sir J. Hawkins' description of the *Crwth*; the *Crud* mentioned only once in the Welsh Laws; not mentioned by Giraldus Cambrensis; supposed *Chrotta* of a MS. of the eleventh century, in the Bibliotheque Nationale, Paris; the *Chrotta* was an instrument of the Franks, according to J. Grimm; M. de Coussemaker also makes it German, and believes that it became the *Rote*; Diefenbach believes the word to be Celtic; both *Rotta* and *Crowd* occur in English, cccxc-ccccxcix. The *Rote* was not the ancient or modern *Vièle*, nor a harp; the *Cithara Teutonica*; the word *Rote* applied in the middle ages to two different instruments; evidence that one kind was played with the fingers; difference between the two kinds of *Rotes*; the German *Rotta* in the ninth and tenth centuries described as a *Psalterium*, d-diii.
- The *Psalterium*; two forms of it in use before the eleventh century; the rectangular *Psalterium* or *Decachordon*; the "*Psalterium in modum Clypei*"; quadrilateral instruments of the harp kind in common use down to the twelfth century; these were ecclesiastical instruments; the harp replaced the *Psalterium* in church music after the twelfth century; the harp on the *Theca* of the Stowe MS. is a *Psalterium*; the Irish must have known the *Psalterium*; the triangular *Psalterium*; it represented the *Kinnor*; the latter was an important instrument of the Phœnicians; it was perhaps the origin of the *Trigonon*; the *Kinnor* and the Assyrian harps; the *Kinnor* incorrectly called a *Cithara*; difference between the lyre and the *Cithara*; the *Nebel-Nassor*, div-dx.
- The *Nubla* or *Nablum*; it was considered a superior instrument by the Greeks; it was also an instrument of the elegant Roman world; may have been used by *Tuotilo*; instruments called *Nabla* in the middle ages; instruments mentioned in Irish MSS., probably of the *Psalterium* or *Nablum* class; disappearance of the four-sided *Psalterium* in the twelfth century, dxiv. The *Salteire* or *Psalterium* of the Trouvères a different instrument from the *Psalterium*; method of playing it; figures of the *Salteire*; the *Quanon*; number of strings in the *Quanon*; transformation of the *Quanon* or *Canon* into the pianoforte; the *Salteire* or *Sautrie* still in use in the seventeenth century; the *Dulcimer* or *Hackbrett*; Mr. F. Graham's statement that the *Quanon* came into Europe as the *Tympanon* must be a mistake, dxiv-dxvii. The oldest figure of the true harp known; the modern harp originated in the British Islands; and was a modification of the *Trigonon*; the *Crut* was a true harp; Irish harpers visited other countries from the eighth to the fourteenth century; improvement of French harps, and introduction of the harp into Italy, due to those visits; number of strings in early harps, dxviii-dxx.
- Stringed Instruments played with a Bow.*—Opinion that bowed instru-

ments came into Europe at the crusades shown to be incorrect; such instruments existed in Ireland in the beginning of the twelfth century; bowed instruments of Arabic origin; not in use in Western Europe before the eighth century; Spain in the eighth, ninth, and tenth centuries a centre of art and knowledge; intercourse between Spanish Moslems and Christians; musical instruments of the east in use in Spain; the Joglars learned the use of the bow from the Spanish Arabs, dxx-dxxii. The *Rebab* or *Rebec*; used in Brittany, in Ireland, and in Wales; the instruments in use when the bow became known were adapted to it; the same kind of instrument was played with the fingers, with a plectrum or with a bow; the *Vidula*, *Viola*, or *Vièle*; the modern *Viol*; Teutonic names for the *Vièle*; origin of the Irish *Fidil*; form of the *Vièle* up to the eleventh century; the *Rote*, *Vièle*, *Rebec*, and *Gigue* were like each other; these instruments changed their form after the eleventh century; the *Gigue*: its origin; the *Vièle* a favourite instrument; it was played by women as well as by men; bowed instruments mentioned in Irish MSS.; the *Fidil* or fiddle, dxxii-dxxvii. The *Timpan*; two kinds of *Timpan*; one was played with a bow, some of the strings being touched with the finger nail or a quill; it is not possible to say whether the *Timpan* was a *Rote* or a *Vièle*; the *Timpan* and the Welsh *Crwth* were borrowed from the continent, dxxviii-dxxix.

Wind Instruments.—The pneumatic organ may have been known in Ireland; the *Oircin* mentioned in the Irish Triads may have been the same as *Organum*; the latter in this case being, however, probably a *Psalterium*, dxxix-dxxx. The Romance *Buisine* was the Roman *Buccina*; the Irish *Buine* was formed from the Romance word; the Anglo-Saxon *Byrne*, dxxx-dxxxii. The *Stuc* and *Sturgan*; relation of these names to the Sanskrit, dxxxii. The Bagpipe; was not originally used by the ancient Irish; Celtic, Romance, and Teutonic names of the bagpipe; occurrence of the word *Pipe* in a Trouvère poem; the Celtic forms are found in the oldest MSS.; the Irish name is nevertheless borrowed from the Romance; the old Irish bagpipe was the same as the modern Scotch one, dxxxii-dxxxiii.

Instruments of Percussion, and Miscellaneous Instruments.—Antiquity of bells; uses made of them by the Greeks and Romans; were probably known before the Christian era in Western Europe; two kinds of bells used—open and closed; *Clocc*, the Irish name of the former, was borrowed from the Lower Latin *Clocca*; the origin of the latter word obscure; used in the eighth and ninth centuries for hand-bells, etc.; afterwards applied to large bells in belfries; *Campana* and *Nola*; origin of these names; the Irish *Cluicine*; early use of bells in Irish churches; they were used as measures of church rights; examples of the use of small, spherical closed bells; pear-shaped closed bells, *Ceolans*; they were called *Crotals* by Ledwich and others; objection of O'Curry; they were, however, really called *Crotals* in the middle ages; nature of Ledwich's and O'Curry's mistakes, dxxxiii-dxxxvi. The *Craebh Ciuil*, *Crann Ciuil*, or Musical Branch; it was used in other countries also; the *Circulus tintinnabulis instructus*, a kind of Musical Branch; the medieval *Cymbalum*; the Irish Musical Branch was a lay instrument; similar instruments may have been used elsewhere in churches; the *Bombulum* was a Musical Branch;

description of the *Bombulum* in the "Epistle to Dardanus"; Musical Branch of Porsenna, King of Etruria, dxxxvii-dxxxix.

The *Fer-Cengail* not a musician, but a dancer; the name is cognate with the old French *ginguer*; is represented by the modern *Fer Gigaoila*, dxl.

IRISH MUSIC IN CONNECTION WITH THE HISTORY OF MUSICAL DEVELOPEMENT.

Necessity of discussing Irish music here; justification of this course; the discussion will be confined to the scale and tonality of Irish music; reasons for omitting time or rhythm from the discussion; the subject to be treated from a scientific point of view; it must be prefaced by a sketch of the history of music, dxli. Three epochs in musical development; homophonous music; existence of many musical scales; origin of the notes of a musical scale; mode in which the quinquegrade scale was obtained; extent of the tunes of savage nations; relations of the tones of the quinquegrade scale to each other; no natural tonic among them; probable way in which the diatonic scale was completed; the scale thus obtained not identical with the modern one; every tone of a scale used as a tonic in homophonous music, dxlii.

Polyphonous music. Introduction of music into the service of the Church; homophonous music always combined with poetry; Greek tragedies and epic poems musically recited; the rhythm of this music different from that of metre; the chanting of the liturgy like the Greek recitative; the Christian hymns were rhythmized; state of music before St. Gregory; influence of Celtic and German poetry on Latin verse and Church music; the Greeks used, and still use, harmony only in the form of antiphony; Greek system of choruses ill adapted for Christian congregations; concords used by the Romans in the second century; those mentioned by St. Isidore; his definition of harmony shows that something like the *Organum* was known in his time, but not generally practised, as is shown by the choir of St. Gall in the ninth century, although there were rules for *Organum* in the ninth century, dxlvi-dl.

Hucbald's treatment of harmony; he calls it *Diaphony*; the original or first kind of *Organum*; the second kind of *Organum* or *Diaphony*; first kind disused before the eleventh century; the *Organum* had no independent meaning; according to some writers, *Organum* was not used in secular music; musicians of the twelfth century accompanied their songs in unison; there is, however, some evidence that *Organum* was sometimes used in secular music, dli-dliii. Rise of a new kind of Polyphony—*Discant* or *Dechant*; original mode of making it; different names given to it; its supposed origin; it was a measured harmony; the rules of *Discant* given by Francon of Cologne, refer only to a simple counterpoint; but figured and flowered counterpoint were known in his time, dliii-dlv. No artistic connection between the voices in the early *Discant*; the connection was effected by Canon and Imitation, which were formerly supposed to have first appeared in the fifteenth century; *Discant* with words; this kind gave rise to masses; *Discant* with words and partly without words; this kind was probably practised in Ireland; rhythm and tonality of

popular music; *Discant* first used in ecclesiastical chant; conclusions of M. de Coussemaker as to the harmony in use in the twelfth, thirteenth, and fourteenth centuries, dlv-dlviii.

Action of secular music on *Discant*; rise of Flemish school of music; character of the masses of Flemish composers; French school of polyphonus music; early Florentine school; influence of Flemish school on music in Italy; Palestrina's relation to the Flemish school, dlviii-dlx. Instruments substituted for voices in accompaniment; the lute one of the first instruments so used; instrumental accompaniment in the thirteenth century; the instrumental accompaniment of the dance music of the sixteenth century of the same kind; simple accord accompaniment not as yet discovered; difference between secular song and ecclesiastical chant recognized, dlxi-dlxii.

Revolution in music foreshadowed in works of Palestrina; causes of that revolution; effect of similar causes on the music of Palestrina; influence of the Opera on the change of polyphonus music into harmonic music; invention of figured or fundamental bass; first use of the chord of the seventh; fusion of old Church tones into major and minor modes; change of the minor seventh into the major seventh; development of modern tonality, dlxii-dlxvi.

The artistic music of the Continent known in Ireland; Roman singers sent to England in the seventh century; chanting practised in the west of England in the same century; Irishmen living on the Continent in the ninth century acquainted with artistic music; *Moengal* teacher of the inner school of St. Gall; *Tuotilo* his scholar; nothing known of the origin of the latter; very little known about the distinguished Irishmen who lived on the Continent in the middle ages; *Tuotilo* was probably an Irishman; the Einsiedeln MS., *Liber Hymnorum Notkeri*, was copied by an Irishman; the Irish MSS. now in Ireland contain no example of musical notation, dlxvii-dlxix.

Peculiarities of Irish music; Irish music constructed in a gapped quinquegrade scale, or in one of the Church tones; the sentiment of tonality of modern growth; all the notes of the Irish scale served as tonics; keys of the gapped quinquegrade scale; ancient keys of diatonic scale, omitting those having the notes representing the semitones as tonics; these keys represent the five melodic families of tones; authentic tones of St. Ambrose; extent and tonality of pieces in old Church tones; extension below the tonic; compensated by curtailment above the tonic; peculiarity of the tones thus developed; origin of the term *Plagal* given to those extended tones; original designation of Church tones; no Church tone having *C* or *A* for tonic; Dominants of Church modes not in conformity with those of modern music; the *genus* of the old Church music and of modern music different, dlxx-dlxxvii.

Development of music not according to purely scientific laws, but according to caprice; causes which led to the emancipation of music from the dominating influence of Plain chant; principal defect in modern music due to its mode of development; confusion of musical nomenclature; ratio of the intervals in the typical scales; comparison of those scales; existence of two different diatonic scales; these scales lead to

different systems of music, as shown by the tuning of two violins, *down* from the second or *A* string, or *up* from the *G* string; early Church music constructed on the quinqugrade scale; natural scale now used in Plain chant; Irish music is to be compared with the old Church music; the "Tempered" scale, dlxxvii-dlxxxviii.

The five ancient Irish keys; key of *C*; character of the several scales in the key of *C*; Irish airs composed in the gapped and diatonic quinqugrade scales of *C*, dlxxxix-dxc. The key of *D*; character of the scales in the key of *D*; Irish airs composed in the gapped and diatonic quinqugrade scales of *D*, dxci-dxciv. The key of *E*; character of the quinqugrade scale of *E*; airs in the key of *E*; comparison of the several scales in the key of *E*, dxcv-dxcvi. The key of *G*; character of the quinqugrade scale in the key of *G*; comparison of the several scales in the key of *G*; Irish airs in the key of *G*; use of the flat or minor seventh in Irish music; this peculiarity is, however, not confined to it, dxcvii-dc. The key of *A*; character of the quinqugrade scale of *A*; Irish airs in the scale of *A*; comparison of the several scales in the key of *A*, dei-deii.

Historical position of ancient Irish music; influence of ecclesiastical music; ancient Irish music was homophonous; it was not affected by harmony; the Irish, nevertheless, practised a rude harmony; but to what extent we cannot tell; this was the *Organum* of the Church; the successive developments of harmony became known in Ireland; *Discant* was probably known; *Burdoon* and refrain of songs; called in old Norse *Stef*; the *Vidkvædi* a particular kind of it; a similar kind of refrain occurs in the Irish poem, the "Fight of Ferdiad"; the Irish *Burdoon* was not, however, a kind of refrain, but a species of *Faux Bourdon*; nature of the accompaniment called *Faux Bourdon*; nature of the Irish *Burdoon*, deiiii-devii.

Conditions necessary for the growth of polyphonous music; they did not exist in Ireland; effect of the introduction of Protestantism on Irish music; social and political state of Ireland in the eighteenth century; state of national music; influence of foreign music, as shown in the compositions of Carolan; commencement of the transformation of Irish homophonous music; rise of a school of Irish music impossible; artistic development of Irish music entirely arrested; inevitable death of Irish homophonous music; causes which are hastening this event; disappearance of old Irish music inevitable; uses of old national melodies; the air known as *Eibhlin a rúin*; the Last Rose of Summer; caprice of collectors in dealing with Irish music; sources of error in noting down national music; distinction between the archaeological and artistic use of national airs; duties of the musical archaeologist; rights and duties of the musical artist; Moore and Stevenson judged according to these canons; Bunting, Petrie, etc., judged by them; Irish musicians do nothing for Irish music; duty of Irish Academy of Music, deviii-dcxviii.

Two kinds of Scottish music; Highland Scottish music nearly the same as Irish music; Lowland Scottish music has the same scale and keys as Irish music; examples of airs in the key of *C*; airs in the key of *D*; airs in the key of *E*; airs in the key of *G*; use of the "flat" seventh; this peculiarity originated, (according to Mr. Carl Engel, with the bagpipe; this opinion not correct; its true origin to be found in the old church scale;

Macdonald's rule about flats and sharps in pipe music quite correct; airs in the key of *A*; the conventional style of Scottish music; difference between Highland and Lowland Scottish music; hypothesis to explain the difference; Highland Scottish music not affected by polyphonus music; influence of foreign music on Lowland Scottish music; preservation of Scottish music; growth of a conventional style of Scottish music, dcxviii-dcxxiv.

The Welsh did not derive their music from the Irish; old Welsh music merely restored by *Gruffyd ab Cynan*; it was constructed on a gapped scale; but was more affected by Church music than the Irish music; it was also perhaps affected by polyphonus music; the old Welsh music was extinguished by Protestant hymnology, dcxxiv-dcxxxvi. Modern Welsh music does not differ from English music; the air of "Ruddlan Marsh" an example in support of this view; the Welsh and English dispute concerning the paternity of certain airs; the Welsh are not conscious of the great change which has taken place in the structure and character of their music; the best evidence of the change is to be found in the works of Welsh bards; traces of true Welsh music to be found still in old airs, dcxxvi-dcxxvii. Supposed musical notation of the ancient Britons found in a Welsh musical manuscript; Dr. Burney's opinion of it; he deciphered a little of it; the greater part is said to have been deciphered by Barthelemon; Mr. Parry's pretended *fac-simile* of some of the music; the letters not *Ogam*; Dr. Burney's *fac-simile*; the transcript in the *Myvirian Archaiology* worthless; the five Welsh keys as given by Mr. Thomas; they are all modern keys; the keys mentioned in the Welsh manuscript; as deciphered by Mr. Thomas, and printed in the *Myvirian Archaiology*; they are unintelligible; Mr. Thomas thinks the music of the MS. was written for the *Crwth*; he has deciphered some of it; he thinks the notation was that of St. Gregory; it is the tablature of a stringed instrument, and is not older than the sixteenth century; this instrument may have been the *Crwth*, dcxxviii-dcxxxiii.

English music; it was completely transformed in the fifteenth and sixteenth centuries; rise of harmonic music in England; opinion that the English have no national music, erroneous, dcxxxiii-dcxxxiv.

The musical feats of the *Daghdha* represented different keys; similar keys amongst the early Greeks; esthetic effects of ancient Greek modes, and of the Church modes; similar legends to that of the *Daghdha's* feats in other countries; musical feats of the Norse harper *Bose*, dcxxxiv-dcxxxvi.

ADDENDA.—Sepulchral and other monuments of *Magh Tuired*, dcxxxvii. Sepulchral and other monuments mentioned in the *Dindsenchas* of the Fair of *Tailté*, dcxxxviii. Sepulchral and other monuments mentioned in the *Dindsenchas* of *Brugh na Boine*, dcxxxix.

Passage from the account of the second Battle of *Magh Tuired* concerning a *Derc*, etc., dcxxxix. Passage from the poem in the *Dindsenchas* on the Fair of *Tailté* about human sacrifice, dcxli. Descriptions of the Royal House of *Cruachan*, dcxli. Passage relating to Brewings, dcxlii. Passage relative to the wearing of the *Lena*, *Inar* and *Brat*, dcxlii. Additional references to *Corcur* and *Rud*, dcxliii. Note on the Antiphony of Bangor, dcxliv.

CORRIGENDA.

Page		FOR	READ
xxi,	line 21,	<i>Labraid Loingsceh,</i>	<i>Labrad Loingsceh.</i>
"	xxii, " 26,	<i>Ugainé Mór,</i>	<i>Eogan Mór.</i> Where this name is written <i>Ogan</i> it should also be made <i>Eogan</i> .
"	xxxii, " 31,	<i>Dagdai,</i>	<i>Dagda.</i>
"	xlix, " 37,	Extravagan,	Extravagant.
"	lxxiv, " 10,	A reference to a foot note should come after <i>Maeg</i> .	
"	lxxxii, " 3, from bottom,	<i>Hererietra,</i>	<i>Herireita.</i>
"	lxxxvi, note 104, line 27,	after "and then" insert,	"was extended".
"	lxxxviii, line 6,	after "with water" add	"between them", and every where this gloss on the word <i>Dun</i> occurs.
"	xcix, " 16,	<i>Concoar,</i>	<i>Concoabar.</i>
"	cxxvii, note 345,	I have inadvertently described the manuscript from which this note is quoted as being in the British Museum, whereas it is in the Bodleian Library, Oxford. The reference should therefore be MS., Bibl. Bod. Oxon., Rawlinson, 487. This correction should also be made at pp. cxxvi, note 209; clxxiii, note 288; clxxvii, note 298; clxxxi, note 329; clxxxii, note 330; clxxxiv, note 343; cxci, note 345; ccl, note 456.	
"	cxci, second line of note 346,	There should be no mark of punctuation after "term".	
"	cclii, note 464,	<i>Cuirmtig,</i>	<i>Cuirmtéach,</i>
"	ccclxviii, line 11,	armers,	farmers.
"	ccccxxxviii, " 17,	figure 14,	figure 15.
"	ccccxlii, " 23,	Gillaume,	Guillaume.
"	ccccxxxli, " 23,	<i>udi,</i>	<i>budi.</i>
"	cccclxxxviii, second side note,	<i>Trignon,</i>	<i>Trigonon.</i>
"	ccccxcvii, line 24,	Sir R. P. Stewart has suggested to me, and I think rightly, that the bow of the <i>Cruth</i> was like the bow of a bass fiddle.	
"	ccccxcix, " 30,	Sir Tristam,	Sir Tristrem.
"	dvi, " 3,	twelfth,	twelfth.
"	" " 23,	Petace,	Petau.
"	dxvii, note 975,	{ J. T. Turenne,	J. T. Surenne.
"	" " " " " "	{ pinaoforte,	pianoforte.
"	dxx, line 6,	introduced,	reintroduced.
"	dxxv, note 985, line 3,	fitola,	fitole.
"	dxl, third side note,	<i>Singuer,</i>	<i>ginguer.</i>
"	dli, note 1042, line 5,	Jongleurs,	Jongleurs.
"	dxxii, line 21,	Sir R. P. Stewart suggests that the characteristic air of <i>La Dame Blanche</i> , is the "Bush aboon Traquair".	
"	dxxlii, " 15,	Rev. Mr. Leete,	Rev. Mr. Leeves.

INTRODUCTION.

IMPORTANCE OF IRISH HISTORY AND ARCHAEOLOGY, AND CHARACTER OF EXISTING SOURCES.

SOMEWHAT more than a century ago a new field of scientific research was opened up. Men yearned to know something of the past of the globe we inhabit, and of the beginnings of the early nations who have lived upon its surface. In the course of the last half century this new scientific territory has been well occupied, and the domain of the human intellect pushed far into the shadowy regions of the past. The great stone book, in which are written the annals of the globe, every page of which unfolds to us manifold forms of life, which, like the dynasties of ancient kingdoms, have passed away for ever, has been carefully examined; and from those annals science has enabled us to construct the geography of our globe at the dawn of its time, to people its waters with fish, to clothe its land with vegetation, and people it with birds and beasts. We may, as it were, walk by the shores of its ancient sea, follow the tracks of the marine animals that crawled upon its sands, or of the land animals that came down to its shore, count the ripples left by its receding tide, nay, even note the impressions left upon the dried sand by the rain-drops of the passing summer shower. The vastness and beauty of those annals of the globe diverted attention for a long time from the last though perhaps most important pages, in which are visible the first vestiges of man. Within the last few years, however, the superficial gravel heaps, the alluvions of rivers and lake bottoms, the caverns in the hill side, have been ransacked,

Rise and
growth of
Geology.

Pre-Historic
Archaeology

and such numbers of the works of man, of his bones, and of those of his contemporary animals, have been brought to light, that already attempts are made to rehabilitate primeval man.

Simultaneously with these researches of the geologist, the archaeologist has been busy in excavating the sites of ancient cities and removing the earth of centuries. Adopting the spirit and method of physical science, the sounds of dead languages of which scarce an echo had reached our ears, have been reawakened; we can rebuild the fallen cities, people them anew with their ancient inhabitants, assign to them their various duties, and partake in imagination of their daily life.

As a chip of flint, a fragment of pottery, an inscribed stone, a spear, or a ruined building, helps to realize the physical past of mankind, so a fragment of an ancient poem, a legend, or a myth, helps us to resuscitate the intellectual past.

Just as now, man migrated in ancient times from one region to another, and carried with him his arms, his tools, and his mode of building houses. The comparison of the tools and weapons and ancient buildings found in various countries, like the gravel and boulders of the geologist, enables us to trace the stream of migration, and its probable starting point. But there are also intellectual boulders: stray words of languages, fragments of myths, even nursery rhymes, have become important helps in tracing out the early history of peoples.

Inductive
Method ap-
plied to His-
tory.

The introduction of the inductive method of investigation into historical inquiry has been singularly fertile in results. It is only the other day that Niebuhr applied his keen analysis to the well woven tissue of ancient Roman history handed down to us especially by Livy, and having resolved it into its component elements, began thereout the construction of a real history of Ancient Rome, a labour since continued so well by Arnold, Mommsen, and others. So too the ancient history of Greece is slowly emerging from the Orphic and Hesiodic chaos into a form of life and beauty. Classic mythology, which in the last century only served to explain the allegories of the poet, enable the connoisseur to understand the works of the sculptor and painter, or the poetaster to give a classic air to his verses, has become in our days an important branch of science,

opening up a new poetic world full of beauty and philosophic grandeur. The anthropoid deities of Greece and Rome, and of the other Aryan races, are found to be but manifold metamorphoses of the same primitive ideas, the manifestations of the divinity in the phenomena of nature. Thus the Greek *Zeus*, Roman *Jupiter*, or Jus-Pater, Gothic *Tius*, O. H. German *Zio*, and even the degraded *Deaus* or *Deuce* of modern Irish superstition, all merge into the Sanskrit *Dyaus-Pater*, "the father of light", as we may express the signification of the root of the name *dyu*, to shine. The lovely *Saranyu*, the creeping dawn of the Vedic hymns, those earliest voices of the Aryan race, is represented by the gloomy *Erinyes* of Greek mythology; while *Eros* is the newly risen sun, the Vedic *Arusha*, from the root *ush*, to burn. Again, in *Dahana*, the morning goddess, from the Sanskrit *dhyai*, *dhî*, to see, to understand, we have the Greek *Athena*, and *Daphne*. While *Varunas*, the personification of the ocean, who engirdles the earth and spreads a veil over it, is the Greek *Ouranos*. Even many of the heroic legends which have served as the materials of the primitive songs of the Aryan nations, have a common origin. Thus the Homeric story of *Paris* and *Helen* is related to the Sanskrit one of *Pani* and *Sarama*: the Irish legends of the sons of *Tuireand*, and of *Labraid Loingsech* have a common origin—the former with the Labours of Hercules and the Argonautic Expedition, and the latter with the story of *Midas*. So, too, Beauty and the Beast is the Greek legend of *Eros* and *Psyche*, while the story of *Sigurd* in the Volsung Lay is a cognate form, derived from some primitive germ, of the legends of *Theseus* and *Perseus*, and others. Thus one by one the myths of the Aryan nations are being purified of the dross in which ages have enveloped their primitive poetry.

According as antique weapons, tools, and implements are collected, classified, and compared, ancient ruins examined, inscriptions read, languages comparatively studied, myths traced back to their source, legends analysed and their meaning determined, annals sifted, corrected, and synchronized, the primitive history of man becomes a reality. At the same time a pro-

Scope and
objects of
history.

objects of history. We are no longer content that it should be a rehearsal of the drama of a national life, in which the principal performers alone should appear on the stage in conventional dress, and play their game of political chess. We are only satisfied with the full opera, in which the chorus of the Plebs is heard as well as the solos of the Kings and Nobles; in which the labours, joys, and sufferings of the peasant and artizan receive their meed of attention equally with the heroic deeds, the pageants, the pleasures, and misfortunes of kings; in which the creations of art and the discoveries of science, the conquests of man over nature, receive their share of glory, as well as the victories of man over man.

The Aryan Race.

It is now a recognized fact in science that from the Indus to the Atlantic ocean, and thence across the American continent to the shores of the Pacific, the descendants of one primitive, blue-eyed, fair-haired race, divided into several branches and speaking dialects of what was once a common language, hold sway. To determine the common elements in the languages, mythologies, legends, laws, and customs of the several branches of this great Aryan race, and thence inductively rehabilitate, as it were, the primitive parent race whence they issued, is one of the most interesting, as undoubtedly it is one of the most important, problems of historical science. The solution of this problem requires the union of every possible streamlet of knowledge bearing upon the subject. No tribe of the race can be so obscure, or land so insignificant, that its history may not contribute materials for the purpose. Though it were true, therefore, that in ancient times Ireland was an isolated corner of the earth, whose inhabitants were no better than savages, still the study of the ancient language of the people, and such historical traditions and legends of them as may have survived, would be valuable. But the ancient language, laws, and traditions of Ireland are, in truth, among the most valuable, nay, indispensable materials for the solution of the problem above stated. The Romans, Celts, and Germans have so commingled with each other on the continent of Europe and in Great Britain, that it is almost impossible to say what is peculiar to each and what borrowed. The fully-

Importance of Irish archaeology and history in the comparative history of the Aryan Race;

developed judicial, fiscal, and administrative system of the Romans, as well as their otherwise high physical culture, have, as might have been expected, deeply modified the political and social organization of the Gauls, Britons, and Germans. The only branch of the Celtic race not directly in contact with this highly-developed political organization was the Irish. That Ireland was not unaffected by Roman civilization, and even by the earlier civilization of other Mediterranean nations in pre-Christian times, is undoubtedly true. But that influence was not such as could deeply modify the laws or customs of the people, and hence in them we ought to find a precious mine of information regarding the political and social organization of Europe before the rise of the Roman power. Fortunately, we possess in the remains of the Irish language, poetry, laws, etc., such a mine, and in greater fulness too than is to be found in the other branches of the Aryan race, except the Sanskrit, Greek, and Latin.

The early history of Ireland possesses value from another point of view, which, if more limited in its scope, is of more immediate interest and of far greater practical importance than the prehistoric history of the greatest of the human races, namely, in connection with the rise of the laws and institutions of France, Germany, and especially of England. All French institutions, in the opinion of many, are supposed to have a Roman origin, and to have been subsequently somewhat modified by German influence. That the Gauls had political institutions which survived the Roman and Frankish conquests, and in reality formed the basis of the various customs out of which the later institutions were evolved by a natural process of growth, has only occurred vaguely to a few. That the great principles of English law are the gift of the Anglo-Saxons, who not only borrowed nothing from their predecessors the Britons, but actually exterminated them, has so much the force of an axiom among English writers, that no one, so far as I know, has ever doubted the first part of the statement, and but few the latter part. And yet it may be maintained, that the organization of society in Gaul and in Britain before the dawn of the Christian era, was substantially the same as

their importance for the history of the laws, etc. of England, France, and Germany.

in Germany; that all the fundamental principles of Anglo-Saxon law existed among the Britons and Irish; and that the Saxons of Hengist and Horsa found on their arrival what we call Saxon laws and customs, and only effected territorial changes. This is precisely the conclusion to which a study of ancient Irish history in the broad sense of that word inevitably leads.

Sources of
ancient Irish
history :—

The sources of ancient Irish history are two-fold:—one, the brief and often very vague notices of Greek and Roman writers; the other, the prose and poetic tales and legendary histories, and reliques of the laws of the Irish themselves.

1. Classic
writers;—

With the exception of the geographical notices of Strabo and Ptolemy, which are of some use, the materials afforded by the first source are worthless. They consist of mere hearsay reports, without any sure foundation, and in many cases not in harmony with the results of modern linguistic and archæological investigations. The fuller and more trustworthy accounts of the customs and institutions of Gaul and Germany, left us by Caesar and Tacitus, are no doubt indirectly of use because they relate to peoples closely allied to the ancient Irish.

2. Native
sources:
their value.

I have already said that we do not lack the second category of historic materials, at least as far as quantity is concerned; but the quality requires careful and critical examination. The Irish historical and legal materials which we possess in our vellum manuscripts are in the first place necessarily fragmentary and incomplete. No early writer in the fifth or sixth century attempted to weave into a connected narrative the legendary history of the country, still fresh and full in the memories of the bards. And it was long after before any attempt was made to establish a chronology of Irish historical events, and synchronize them with those of other nations. In the second place, our materials of ancient Irish history, such as they are, have not come down to us in the language which was spoken at the period at which the poems and tales are assumed to have been written. Our oldest historical manuscripts belong to the first half of the twelfth century; while some of the most valuable fragments of our ancient laws are contained in manuscripts written

at the end of the fourteenth or even the beginning of the sixteenth century. It is true, the age of a manuscript does not necessarily fix that of its contents; but before we give them a higher antiquity, we should weigh well the grounds upon which we do so. In some cases the evidence of this higher antiquity is conclusive, because the language of some tracts is so obsolete that it required to be glossed in more modern language when they were being copied into the manuscript. In other cases, too, we find the grammatical endings fuller and more archaic than a number of pieces admittedly contemporary with, or only little anterior in date to, the writing of the manuscript itself.

But even such evidences of antiquity only help us to carry further back the age of a tale or poem or law a few centuries at most than that of the manuscript in which it is contained, and leave us still in face of the difficulty, that all the tales and poems referring to pagan times, or perhaps we might say to the first two centuries after the arrival of Saint Patrick, are written in the language of much later times; and this, too, in cases where we are distinctly told in the manuscript itself that it was compiled from another manuscript written at a certain much earlier period.

The decay and growth of language help us to a certain extent to understand why this is so; for language, like everything else in nature, is ever changing. Like the life from which it emanates, its decay may be said to be the cradle of new growth. Words coalesce, sounds are dropped, or modified to satisfy the feeling for euphony or greater ease of pronunciation, the same word is applied to express distinct ideas, others gradually cease to be used in the original sense, differences of physical nature produce corresponding effects upon the sounds and meaning of words; nay, even the idiosyncrasy of individuals affects their language. Such changes could not take place uniformly over a large area; so that if a country of considerable extent were originally occupied by the same tribe, speaking the same language, in process of time dialects would arise. The number of such dialects would depend, among other things, upon the extent of country occupied and the physical features of the land. In a mountainous country, the villages would be in

Irish MSS.,
written in a
language
much more
modern than
the events
recorded;

decay and
growth of
language ex-
plains how
this happens:

language of
a country
does not
change uni-
formly.

general more isolated than on plains, and hence the decay and growth of the language, being subject to different dynamical agencies of change, would be peculiar to each isolated district; while in a more or less level country, traversed by great rivers, canals, railways, and other means of easy communication, and having great internal commerce, the growth and decay of language would be almost uniform, and few dialects would arise. That is, where a country is formed of broad valleys and plains and easily accessible mountains, or otherwise, where there are no marked differences of physical character and climate, where the religion, occupations, form of government, etc., are similar, dialects are only slowly developed.

the dynamic action of nature greater in language of savages than of civilized men.

The direct action of nature as a dynamic agent, is powerful on the language of savages, but gradually becomes insensible as civilization advances. A good example of the counteracting influence of intercourse, similarity of physical nature, food, and habits, over the natural tendency to decay and growth of languages, is afforded by the Turks, who are more or less mutually intelligible over the vast region from the Bosphorus to the Lena. This is due to the sameness of geographical features over a large portion of the true Turkish area, and to the nomadic life which the nature of the country almost necessarily imposes upon the inhabitants, as well as to the great displacements of tribes due to the same cause, which have from time to time taken place. Under other circumstances a dialect may grow up amidst a single family even in two or three generations, as has been shown by the distinguished investigator of Siberian languages, Castrén, in the case of the Yennissei Oztyaks.

Contact with another language affects the pronunciation.

Contact or intermixture with people speaking a different language affects the pronunciation of the spoken language, even though the latter borrows nothing from the foreign vocabulary. There can be no doubt that the growth of dialects takes place most rapidly in the presence of foreign elements. Indeed this is one of the most important causes of linguistic change.

Languages decay and grow with different degrees of rapidity, according to the dynamic conditions to which they are exposed.

It may therefore happen that of two closely related languages subjected to different dynamic conditions, one may decay so rapidly as to lose all its inflexions, while the other may do so slowly, retaining nearly all of them more or less mutilated. Jacob Grimm has shown, for instance, that the old Frisian of medieval documents, though contemporaneous with the Middle High German, has only reached the same stage of phonetic decay as the Old High German.

The recognition of the true nature of the phonetic decay of language, and its regeneration by the growth of dialects, is due to Prof. Max Müller, and it is one of the most important principles yet established in the science of language. Another principle, the true importance of which was only recognized fully by the scholar just named, and which is indeed a consequence of his doctrine of phonetic decay and regeneration, is that dialects are not corruptions of written language, and consequently, that the modern languages which spring up, as it were, by the decay of an older language, are not necessarily derived from that language, but may have been from dialects which coëxisted with it: that, for example, the Romance languages are not derivatives of the classic Latin, but the descendants of dialects once contemporary with Latin. The literary language of a country is but one of the dialects whose phonetic change is arrested, while the other dialects of the country, spoken by the mass of the people, continue their decay and growth. It is a phonetic crystallization, which may be more or less modified by the growing dialects. But the amount of change is never sufficient to preserve a literary language from becoming dead. In a country having a centralized despotic government, existing for some centuries without many radical changes, and especially if the government were theocratic, and where literature would be the office of a privileged class, the written language would undergo but little change; it would, however, rapidly become a dead language. It is evidently in this way we are to explain hieratic and other sacred and occult writings. Were a revolution to occur in a country circumstanced as just described, the dead language of the literature would be found to be supplanted by a new language. In a

Decay and growth dependent on dynamic influences.

Phonetic decay first recognized by Prof. Max Müller.

Dialects not corruptions of written languages.

A literary language a phonetic crystallization;

becomes necessarily a dead language.

free country, on the other hand, in which literary cultivation would be more or less diffused, the written language would feel almost continuously the dynamic power operating on the spoken language beneath; the action and reaction of the spoken and written languages would retard the growth of the one and the decay of the other.

Literary language sometimes changes with the spoken language;

Again, in a country divided into numerous petty states, subject to internal dissensions and foreign intrusive elements affecting the phonetic system of its language, and where, although many writers may flourish, no great ones could arise whose authority would fix for a time its orthography, the written language would always coincide with the spoken, and, consequently, change almost equally with it. In this case, we should have the example of what may be considered a language living rapidly. In reality, however, it would be merely the want of what may be called a classical period which would have crystallized its phonetic system for some time, leaving the under-current of spoken language to go on developing. In the former case the literature would, as it were, float down the stream of popular language.

this was the case with Irish language.

The last paragraph describes accurately the Irish language and literature: there is no fixed standard of orthography, no classic type. Every bard, as he copied a poem or story, wrote it, not according to the orthography of the text before him, but spelled as it should sound to the ears of the time. Sometimes a piece was literally copied, and then had to be glossed. Now, the pieces thus written are in general not such as would be recited by a bard at a feast or fair, and therefore did not require to have the orthography adapted to existing pronunciation.

Language of poems and prose tales constantly adapted to spoken language.

But there is another reason why ancient bardic poems and tales should not appear in manuscripts of the twelfth century in the archaic language in which they were first composed. Those poems and tales were learned by heart by the bards, and recited by them for the princes, at fairs and assemblies. As the language lost its inflections, and some of its words and expressions became obsolete, and new ones were taken up, the bards naturally adapted more or less those tales to the lan-

guage of their hearers. There can be no doubt that many copies of tales in our existing manuscripts were not taken directly from old books, but written down from memory. This accounts for the different versions of the same tale which may be found in manuscripts of almost the same date—one version being often in very archaic language, retaining considerable relics of the case endings and fuller forms of the personal endings of verbs.

If we had no other means of determining the age of the materials of pre-Christian history we possess, than the language in which they are written, we could not go back farther than, at most, the middle of the ninth century. But many of the pieces bear internal evidence of their real antiquity. The heroic period of Irish history has left as indelible an impression upon the popular mind as that of Grecian history upon the Greeks. The tales relating to the pre-Christian period have in some form or other floated down the stream of tradition, preserving in the midst of a richly developed Christian mythos much of their original pagan character. Of course they did not all preserve this character with equal fidelity. While some have all the characteristics of the legends of a primitive people—unaffected simplicity, truthful description, confiding faith in the marvellous as the result of supernatural agency, and not introduced merely as part of the plot of the tale,—others, on the other hand, show unmistakable evidence of having been recast by later bards. In the pieces thus recast, instead of descriptions which, though often highly coloured by the fancy of the poet, retain always the outlines of reality, we have generally a string of almost synonymous epithets which convey no accurate image to the mind, while they abound in the marvellous, often introduced merely to heighten the effect of the tale. This is the character of the greater part of the bardic literature of the twelfth, thirteenth, and later centuries. The episode from the tale of the *Táin Bó Chuailgne*, which I have printed in the Appendix to these volumes, is, in my opinion, essentially pagan, notwithstanding that the language is not older, at most, than the tenth century. I do not mean that the tale is word for word as the pagan bard composed it,

Internal
evidence of
antiquity in
many tales.

the orthography only being changed, but that Saint Kieran or whoever committed it to writing in the sixth or seventh century, did no more than write in the language of his own time what had hitherto been preserved in the memory of the bards, and transmitted orally from one to another from pagan times.

Many of the tales hitherto published, especially those by the Ossianic Society, afford examples of the bardic literature which has been recast, altered, and amplified at various periods since the Norman invasion. Even here the amount of real change made in the recasting of older legends is often very little. Indeed, many of them have been so little intrinsically altered, that the manners, dress, arms, and ornaments, are often as faithfully represented in the recast tale as in the original.

Localization
of person-
ages and
events a
characteris-
tic of Irish
bardic tales;

One of the most characteristic features of Irish historical legends and poems, is the definite localization of all the person-ages and incidents of the tales. It is possible to determine with great minuteness and accuracy the ancient topography of the country. We can follow the line of march of an army, or of an individual warrior or bard, with nearly as much certainty as we could in our day. This circumstance affords us one of the most valuable tests of the antiquity of a piece. There are several places the names of which are derived from those of persons, or from some particular event, the date of which can be relatively determined with certainty—that is, can be shown to have been contemporary with or posterior to certain other persons or events. These places were previously known by other names, which became obsolete after the introduction of the second names. It is quite clear that if we found those old names used throughout a piece, to the exclusion of the new ones, we should be justified in assuming that it was older than the change of names.

In the recasting of tales and poems this topographical feature is in general well preserved,—a circumstance which would seem to indicate that the tales were either simply abridged or amplified, the chief events and descriptions of the original being, when retained in the new piece, left unchanged. This may be accounted for by two circumstances: first, that no great displacements of people took place from about the

second century after the Christian era, to the twelfth century; second, that the bardic institution existed in unbroken succession during the whole period, while the circumstances of the country which immediately succeeded the introduction of Christianity were more favourable to the transmission of old tales and poems than to the production of new ones. There can be no doubt that if the circumstances of the country had been favourable to the development of literature from the tenth to the thirteenth centuries, we should have had a more complete and more artistic recasting of the old literature, and that accurate localization of the persons and events which characterizes our ancient poems would be replaced in great part by vague or wider geographical limits. This is exactly what has taken place in many of the Welsh poems attributed to Taliesin, Aneurin, and other poets of the sixth century. These poems bear incontestible evidence of having been recast in the twelfth or thirteenth century. Indeed some of them appear to be altogether new poems,—mere imitations of the older ones. So, too, the Niebelungen Lay, Gudrun, and other Middle High German poems, as well as the Trouvere Romances, have only preserved the slenderest topographical connection with the original scenes of the events of the poems and tales; while, from the analogy of most original early poetry, we may assume that the primitive legends, from which in the twelfth century the poems above mentioned were fashioned, fixed the locality of every deed and every adventure.

absence of
it in Welsh
and M. H.
German
poems.

The fragments of Irish laws preserved in our manuscripts belong to every age, from the alleged codification of the ancient laws, in the time of Saint Patrick, to the seventeenth century. Some of them are unquestionably of high antiquity, carrying us, if not into pagan times, at all events to their threshold. These ancient laws do not appear to have been recast in the sense in which I have used that word in respect of poems and tales. The only change which apparently was made consisted in copying the tracts in the current orthography. Where the vocabulary was archaic and obsolete—and this is the case in many instances—even this change was not fully carried out; but a commentary was added, as much to

Date of Irish
law frag-
ments.

serve as a kind of translation of the obsolete text as to explain legal difficulties. Again, the case-endings of nouns, the personal endings of verbs, and other grammatical accidents were rarely written out in full, but were expressed by contractions. A scribe copying these contractions would in most cases read the word as it was pronounced in his own day, or employ a new contraction which would express, not the old ending, but the new modified and crippled forms. Evidence of this may be traced in many of our manuscripts. In dead languages, such as Latin, this could not of course occur, or only to a very limited extent.

Age of law
MSS.

The principal manuscripts containing fragments of ancient Irish laws are not older than the fourteenth century, and some belong even to the beginning of the sixteenth. Yet if we compare the language of some of those fragments with some of the oldest texts of poems or prose tales which remain to us, we shall find that the vocabulary of the law tracts is much more obsolete and the forms in general more archaic. It is true the difficulty of the translation is increased by a number of technical terms and by a peculiar elliptical style, which are characteristic of the later as well as the earlier law tracts. Among the obsolete words which required to be glossed and explained in the fourteenth and fifteenth centuries are numerous terms connected with the social organization of the people and the judicial administration. This implies a corresponding change in both, and thus proves that a sufficient time had elapsed since the manuscript laws were in force to effect a change in the character as well as in the language of the laws in use when the glosses were written. Of the extent of this change we have some very curious and valuable evidence in an entry in a vellum manuscript classed MS. H. 3. 18, in the Library of Trinity College, Dublin, compiled by an industrious legal scribe in the county of Clare, between the years 1509 and 1511. In a fragment of a tract in this book, the various courts held in ancient Ireland, and the officials and different classes of suitors, are mentioned. The compiler attempts to give an explanatory commentary upon each court and the persons connected with it, but at length, abruptly

Glosses on
Irish laws
prove that
many had
become ob-
solete;

ending his commentary, he confesses his inability to do so in these naïve words: "[I am the] laughing-stock of mockery in this anno, and it is in Druim Gall I am, 1509 the age of the Lord".¹ It is clear from what he has written that he, descended of a family of lawyers of considerable repute, did not understand the organization or even the functions of the ancient courts of Ireland.

In 1509 the Irish laws were still in force in the county of Clare, which was indeed the part of Ireland in which the last judgment of a Brehon was delivered, and the poetry, historic tales, and genealogies of olden times still lived in the memory of the people; and yet the representative of one of the chief families of lawyers in that county could but very imperfectly understand the most important part of the legal organization of those times. Here we have decisive evidence of a considerable lapse of time between the period when the courts were held in their full state, and the beginning of the sixteenth century. Perhaps the following considerations may help us to form some opinion as to the extent of that interval.

Except where great displacements of people took place from conquests, or some great social revolution had changed the whole political condition of a nation, the general character of the law courts and the judicial procedure of European nations underwent change very slowly, previous to the full development of the modern parliamentary system. Thus, in England, the Leet Courts did not materially change their general character from Saxon times to the period of the Tudors, notwithstanding the Norman Conquest. Considering the hereditary system of judges, historiographers, and in fact of all professions among the Irish, and the singular tenacity with which they preserved traditions and poetry, there seems no reason to doubt that under similar circumstances the change in the legal institutions of Ireland would not have been more rapid than the corresponding one in England; and consequently that the legal institutions of the seventh and eighth centuries would not

Portions un-
intelligible
in 1509.

Laws and
institutes
of nations
do not
change ra-
pidly.

¹ "ῥοιρεσα αν διεγεοντ ιρην αννορω, οσυρ ανορωιμ γαλλ ατα 1409 αειρ ιν Όμοινη".—Entry at foot of p. 24 b. MS. H. 3. 18. Trinity College, Dublin.

have been so difficult to understand in the beginning of the sixteenth century, as the entry in H. 3. 18, above given, shows they were.

Irish laws incompatible with the state of things in Anglo-Norman times;

The political and social organizations of Ireland revealed by the fragments of laws which are still extant, especially in the MS. just mentioned, are wholly incompatible, as we shall see, with the state of isolation of the numerous small states into which the country was divided, and with the continuous feuds between their chiefs, which existed after the arrival of the Normans. Apart altogether from the fact that the compiler of H. 3. 18, tells us, that he copied his book from another old book, and from the character of the language, no one who knows anything of the history of Ireland, from the twelfth to the sixteenth century, will fail to perceive in the law tract called the *Crith Gablach*, published in the Appendix to this work, sufficient evidence to convince him that it belongs to an earlier time.

and with those during the Viking expeditions;

Again, there can be no doubt that from the commencement of the Viking expeditions to Ireland, at the end of the eighth or beginning of the ninth century, the political and legal organizations of the country began to be broken up, and that with the anarchy resulting from the almost continuous incursions of the North-men, and the weakening of the ties which bound the several clans or territories to each other and to the central power, the higher courts of law fell into desuetude, and the whole judicial organization became irregular and territorial. The political and legal organization indicated by the tract just mentioned, and which I shall presently discuss at some length, is, in my opinion, as incompatible with the state of things which existed during the Danish wars, as with that during the Anglo-Norman times.

compatible with the state of things from the fifth to the eighth century;

Immediately preceding the Danish wars the condition of Ireland was, on the other hand, eminently suited for the development of so elaborate and advanced a social and political organization as we find in the *Crith Gablach* and other ancient tracts. The whole energies of the country, which for three centuries previous to the arrival of St. Patrick, were mainly directed to the conquest of the western shores of Britain and

to piratical expeditions, were turned to religious life and missionary labours. The country abounded in wealth, the results of the pillage of former times and the peaceful labours of the present. It was the fame of this wealth, especially the abundance of gold, which led the first Viking expeditions to the Irish shores. We have no positive data for determining the population of Ireland in the sixth and seventh centuries, but there are many ways in which we may indirectly obtain a rough approximation to the truth. I have no doubt that at the period just named the population was fully equal to that of the last century, that is, about three millions. In those centuries and the following one considerable intercourse was carried on between Ireland, Britain, Gaul, and even Spain. When the authorities of Nantes were desirous of sending Columbanus back to Ireland, they had no difficulty in finding a ship for the purpose just ready to sail "quae Scottorum commercia vexerat", as the life of the saint informs us.² We find repeated mention of wine imported from France, as, for instance, in a life of St. Kieran quoted by Dr. Reeves;³ while the poem on the Fair of Carman fully records the tradition of the customary presence of foreign merchants (there called Greeks) at the Irish fairs.

External peace, a population numerous for that period, wealth, and commerce were not the only circumstances from which we may conclude that the social and political institutions of Ireland, in the period from the mission of St. Patrick to the commencement of the expeditions of the Northmen, were highly organized. The culture of such men as Columbanus, Scotus Erigena, Virgilius, Dicuil, and many others, down even to Marcellus, the founder of the Music School of St. Gall, long after the devastation of the country by the Danes—a culture which they had in great part acquired before setting foot on the Continent, is a still more striking proof of the existence of a very advanced social and political life in Ireland at that period.

If the state of Ireland from the commencement of the Vik-

² Jonas, *Vita S. Columbani*, cap. 22, quoted in Reeve *Adannan*, note, p.

³ *Ibid.*

Irish laws
belong at
latest to
those cen-
turies.

ing expeditions until the fall of the Irish judicial system in the sixteenth century, was incompatible with the growth and full development of the legal and political institutions which the existing fragments of old Irish laws represent, and if it be that the latest period at which those institutions could have attained their full development was the seventh and eighth centuries, we may safely assume that the fundamental principles of those institutions belong to far earlier times. They are, as I shall show presently, based upon the territorial divisions of the country, which, beyond doubt, were of pagan origin.

Irish MSS.
little more
than scrap-
books.

The majority of existing Irish MSS. are little more than mere scrap books, into which the compiler copied whatever he could find, or as I have already remarked, heard sung or narrated. In many instances the poem or tale is only a fragment. This is especially true of the law manuscripts. We nowhere find the whole body of laws in force at any particular period, or under some particular sovereign, although there is mention of such a codification, as for example the *Cáin Fuithrimhe*. Like the old Scandinavian, Anglo-Saxon, and doubtless the laws of all early nations, the old Irish laws were written in verse.⁴ But many of the law fragments which have come down to us consist of a mixture of prose and poetry, such as the law tract published at p. 513 of the Appendix, showing that a recasting of the originals had taken place perhaps with a view of making them more intelligible by prose paraphrases, or commentaries. It is probable that all the early historical tales were originally written in verse, and that where we find a tale told partly or wholly in prose, it may be considered as a recasting of the narrative of the original. The legendary history of the discovery of the *Táin Bó Chuailgne*, the most important in every respect of all the heroic stories of ancient Ireland, fully bears out this view. When we are told that the perfect tale was lost for ever, and that only a fragmentary and broken form of it would go down to posterity, there can be no doubt that the filling up the gaps in the poem by prose narrative is meant. Even some of the older lives of the saints were in verse, and I think that the occurrence of prose in

Irish laws
written in
verse.

⁴ MS. H. 3. 18. p. 360, b.

such a life is either a later addition or a proof of the recasting of the narrative by a later author.

This fragmentary character of Irish MSS. is to be expected from the state of the country, not merely after the Anglo-Norman invasion, but for nearly three centuries preceding that event. The absence of walled towns, or even of stone buildings, except the small early churches, exposed the residences of the nobles and poets to frequent destruction from accidental fires, or the still more frequent burnings and pillage during the almost incessant forays of the stranger, or of native chiefs. There was no safe place where books could be securely preserved, and there can be no doubt that were it not for the duty which was enjoined upon the several classes of learned professors of committing to memory a certain number of pieces, scarcely an echo of the poems, or a vestige of the laws or history of the ancient Irish would have reached us through the medium of written documents. It seems to have been ever the task of one generation of the Irish to gather again the scattered leaves of its predecessor. It is marvellous how much of this fragmentary literature reached the seventeenth century, when a new source of evil arose. During the first part of the eighteenth century, the possession of an Irish book made the owner a suspected person, and was often the cause of his ruin. In some parts of the country the tradition of the danger incurred by having Irish manuscripts lived down to within my own memory, and I have seen Irish MSS. which had been buried until the writing had almost faded, and the margins rotted away, to avoid the danger which their discovery would entail at the visit of the local yeomanry.

Causes that led to this fragmentary character.

THE FOREIGN RELATIONS OF IRELAND IN THE CENTURIES IMMEDIATELY PRECEDING THE INTRODUCTION OF CHRISTIANITY.

An observation which I made, page xvi., that previous to the mission of St. Patrick the energies of the Irish were mainly directed to piratical expeditions and the conquest of the western parts of Britain, demands some further discussion here, for two reasons: First, to see how far the poems and tales relating to that period found in MSS. afford us any means of directly connecting Irish personages and events with

those of other parts of Europe, and thus get as it were a measure of their accuracy; and secondly, to see whether the relations of the Irish with the Romans were of such a kind as to be likely to influence their dress, customs, or laws.

Of the tales relating to events supposed to have occurred in the first four centuries of the Christian era, the most valuable in every point of view refer to what has been very appropriately called the heroic period of queen *Medb* and *Conchobar Mac Nessa*, of *Ferdiad* and *Cuchulaind*, which is considered to have corresponded with the commencement of the Christian era. The prose and poetic tales celebrating the later and very obscure Ossianic period,—which is usually reckoned to correspond to the second century, are of much less value both from a historical and literary point of view. It is from the first class

Tales of the
" Heroic
Period", the
most valua-
able;

these chiefly
used by Prof.
O'Curry.

of tales that Professor O'Curry has drawn his best materials relating to the manners and customs of the ancient Irish. It is necessary, therefore, to determine how far they can be looked upon as trustworthy evidence of the state of Ireland during the later pagan times. I have already expressed an opinion as to the pagan character of the most important of the early tales, the *Táin Bó Chuailgne*. That great romance speaks of a

Gaulish
mercenaries
in the pay of
Medb and
Ailill accord-
ing to tale of
*Sain Bó Chu-
ailgne*.

considerable body of Gaulish mercenaries in the service of *Medb* and her husband *Ailill*. In the story of the *Bruidin Daderga* we find mention of the presence of many foreigners, among others of Saxons, at the court of the monarch of Ireland *Conaire Mór*. *Ingeel*, the leader of the piratical expedition so graphically described in that fine tale, is stated to have been a British prince who had been banished from his own country, but from other accounts he appears to have been the son of a prince of the Connaught Damnonians, *Cuscrach*, by a British princess named *Bera*, daughter of the "king of Britain of *Manand*".⁵ The annals and tales are full of instances of such alliances, not merely with the British, but with the Picts and other races of Great Britain.

Marriage of
Irish with
British,
Pictish, etc,
frequent.

Several
British
tribes had
branches in
Ireland.

Besides the Damnonii, several other British tribes appear to have had branches in Ireland, among others the Brigantes. Perhaps the *Colaisti*, a foreign race against whom *Aengus*

⁵ See Vellum MS. R. I. A. Book of Lecan, f. 228, a.

Olmucadha, a monarch of Ireland considered by some of our annalists to have lived in the fifteenth century B.C., is recorded to have fought a battle, may also have belonged to that tribe, for we find mention of a town of the Brigantes called Calatum, which Horsley places at Appleby, and Baxter at Kirbythore in Westmoreland.

In our annals for the centuries immediately preceding and following the commencement of the Christian era, there is frequent mention of foreigners engaged in the civil wars of the country. The *Annals of the Four Masters* inform us that *Tighernmas* gained battles "over the race of *Emher* and others of the Irish and foreigners beside". The *Aengus* above mentioned is also stated to have fought against the "Longobardai". If these were a tribe of the people known later by the same name, we must either assume that the race made its appearance in the northern struggles before they became known to the Romans, for the earliest mention of them by Roman writers is by Tacitus and Suetonius in the first century; or that the time of the Irish monarch falls within the Christian era; or lastly, that the name was interpolated by a later scribe. Again, in the curious history of *Labraid Loingsech*, who was forced into exile when his grandfather, *Laeghaire Lorc*, was murdered by his own brother, who then usurped the throne, we are told that he came back from the foreign countries in which he lived during his granduncle's reign, accompanied by a body of foreigners armed with a kind of spear, called a *Laigen*, from which it is supposed the name of the province of Leinster is derived. And again, in one of the most celebrated battles in Irish story, that of *Magh Mucreimhe*, near the present Athenry in the county of Galway, fought about A.D. 195, between *Mac Con* and *Art*, son of *Conn* of the Hundred Battles, the former, we are told, had the aid of foreigners, described as Franks, Saxons, Britons, and Albanians. An important observation of Tacitus, to which I shall have occasion to refer later, shows us that at least one Irish prince was in the camp of the Roman general, Agricola, and endeavoured to induce him to invade Ireland.

Frequent
mention of
foreigners
engaged in
wars in Ire-
land.

The interference of neighbouring peoples in Irish struggles

The Irish
engaged in
British and
Pictish
wars.

led naturally to the converse, whenever, from foreign invasion or internecine war, Britain, Alba, or the neighbouring coast of Gaul, offered a weak point of attack or sufficient inducement to plunder. These expeditions began, or at least became more frequent, about the beginning of the Christian era. One of the most romantic tales of the heroic period is connected with a plundering expedition to the Isle of Man, in which *Cuchulaind* and the celebrated West-Munster king *Curoi Mac Daire* took part, and which is described by Professor O'Curry in his lectures. In the ancient tale called the *Tochmore Treblainne*,⁶ which belongs to the same cycle as that just mentioned, *Fraech* induces the hero, *Conall Cernach*, "to go over the sea eastward into Britain, over the *Muir Nicht*, or English channel, over Saxony to the north of Lombardy, until they reached the Alps", in order to recover his plunder. The only value of this legendary journey is the tradition which it preserves of frequent foreign expeditions. The legendary history of *Crimthann Niadhnaid*, in the eighth year of whose reign, according to the Four Masters, Christ was born, contains an account of some wonderful jewels which he brought back from an expedition beyond the sea. Under the year A.D. 240, the Four Masters record the battle of *Magh Techt*, and the exile of *Cormac* across *Magh Rein*,⁷ that is the "Plain of the sea", on which "occasion he obtained the sovereignty of Alba". A previous monarch, whose death is placed in the beginning of the sixth century B.C., *Ugaine Mór*, is described as "king of Ireland and of the whole of the west of Europe as far as the *Muir Toirrian*". The Mediterranean sea, or that part of it called the Tuscan or Tyrrhian sea was certainly known by this name in the 11th and 12th centuries, but it is much more likely that the sea between Cornwall and the coast of Brittany, and perhaps part of the ocean to the mouth of the Loire, is the one referred to under this name in the ancient pagan tales. There can be little doubt that in the period between B.C. 100 to A. D. 400, the Irish shared in the general movements of the people

⁶ O'Curry mistook this tale for part of the *Tain Bò Fraech*.

⁷ Cf. Goth. etc., *Rinnan*, Old Norse *Renna*, to flow. *Magh Rein* would therefore be the "flowing plain". Compare also Sanskrit *ri*, whence Bengali *rina*, flowing, Greek, *ῥέω*.

of northern and western Europe, and that they themselves by their incessant inroads upon the coast of Britain materially assisted in establishing Saxon domination there

The internal struggles of hostile races, and external aggression of the dominant one, naturally led, as it has invariably led everywhere, to tyranny on the one hand, and rebellion on the other. During the first three centuries of the Christian era, the war of races was constant, and one, or as some think two, political revolutions occurred. These revolutions are of very great interest, but unfortunately the accounts of them are not only obscure, but distorted by those who have transmitted them. The latter belonged to the dominant race, and have accordingly taken care not to put their opponents in a favourable light. These revolutions are connected with people called *Aithech Tuatha*, or rent-paying tribes, as Professor O'Curry explained the word. That explanation, though not strictly correct, indirectly gives us the character of the people. They are usually identified with the Atticotti of Roman writers; the period at which the revolutions are supposed to have occurred, and the resemblance of names, no doubt suggesting the notion of their identity. There are, however, no reliable data to confirm the hypothesis, although there is much indirect evidence in its favour. Dr. O'Connor interprets *Aithech Tuatha* as "giganteam gentem"; Dr. Lynch, in his *Cambrensis Eversus*, by "Plebeiorum hominum genus", an explanation which agrees in the main with O'Curry's. Dr. O'Donovan^s looks upon them as descendants of the Firbolgs and other colonists who were treated as a servile and hostile race by the dominant Scoti. This opinion is supported by tradition, for, according to our legendary history, *Breas Mac Elathan*, one of the Tuatha Dé Danand kings, was the first who imposed rents in Ireland, and the rent-payers were chiefly the Firbolgs, and so grievous were the burthens he imposed upon the whole country, that he was deposed. The Scoti or Milesians conquered the Tuatha Dé Danand, and in turn made *Aithechs* or tenants of them, and so it has continued as in most other countries, each succeeding conquering race obliging their conquered

Constant
struggle of
races in first
centuries of
our era.

Aithech Tuatha, or Atticotti.

^s *Annals of the Four Masters*, vol. i. p. 95, note m.

predecessors to pay tributes and rents. The Irish *Aithechs* or tenants of to-day are composed of the descendants of Firbolgs and other British and Belgic races, Umorians, Pomorians, Tuatha Dé Danands, Milesians, Gauls, Norwegians, Anglo-Saxons, Anglo-Normans, and English, each successive dominant race having driven part at least of its predecessors in power into the rent-paying and labouring ranks beneath them, or gradually falling into them themselves, to be there absorbed. This is a fact which should be remembered by those who theorize over the qualities of "pure Celts", whoever these may be.

First revolution of Attiotti.

The first of the *Aithech Tuatha* revolutions, if indeed there were more than one, occurred, according to the *Annals of the Four Masters*, about A. D. 9 or 10. We are told that the monarch, *Crimthann Niadhnaí*, died at his *Dun* on the Hill of Howth, near Dublin, A. D. 9. The entry for the following year is: "The age of Christ 10. The first year of the reign of *Cairpri Cindeait*, after he had killed the nobility, except a few who escaped from the massacre in which the nobles were murdered by the *Aithech Tuatha*". This massacre, we are elsewhere told, took place on *Magh-Cro*, or the Bloody Plain, in the county of Galway, whither they were invited to a feast by the conspirators of the *Aithech Tuatha*, who then elected *Cairpri Cindeait* as king. According to the story as told in nearly all our ancient manuscripts,⁹ the kingly race was preserved by three queens, wives of the lords of Ireland, being at the time pregnant. One of them was *Baine*, the daughter of *Luath Mac Derera*, king of the *Cruithentuath*, or Picts, or, as he is styled in the *Annals of the Four Masters*, king of Alba; the second was *Gruibo*, or, as she is called in the annals just referred to, *Cruife*, daughter of *Gortniat*, king of South Britain; and the third was *Aine*, daughter of *Caindi*,¹⁰ the great king of the South Saxons. *Baine* had a son called *Feradach Findfecht*.

⁹ In the copy of the tract containing this story in the Book of Ballymote (f. 140, a. a.), it is stated that the tract was copied from the Book of Glendaloch.

¹⁰ This name is interesting, for, although it cannot be identified with any of the Saxon kings' names, it betrays a striking family likeness to the names of the kings of Wessex. In the *Annals of the Four Masters* he is absurdly called king of Saxony.

nach, or the Fair Righteous, who is described in the *Annals of the Four Masters* under the year A.D. 36, as the son of *Crimthann Niadhnair*, but in the tract in the Book of Ballymote and other MSS. he is mentioned as the son of *Fiachnadh Finnolaidh*, who was killed A.D. 56, according to the same annals. *Gruibo*, or *Cruife*, who was married to *Fidfech*, the blind king of Munster, bore a son called *Corb Olum*; and *Aine*, who was married to *Breasal Mac Fírb*, king of Ulster, bore a son called *Tiprait Tíreach*.

Cairpri Cindcait, after a reign of five years, died, and his son, *Morand*, surnamed the "Just", refusing the crown, recommended the restoration of the princes so providentially preserved. *Feradach* became monarch of Ireland, and progenitor of *Conn* of the Hundred Battles, from whom are descended the principal families of Ulster and Connaught; *Corb Olum* became king of Munster, and progenitor of the celebrated *Olioll Olum*, from whom are descended the principal families of Munster; *Tiprait Tíreach* became king of Ulster, and was the ancestor of Magennis and other families in the east of Ulster. This was the *Morand* about whom the legend has come down to us, that he had a collar which, when put about the neck of a guilty person, squeezed him to death, but when put about the neck of an innocent person, expanded until it reached the earth.

According to the *Annals of the Four Masters*, a second revolution took place in the year of our Lord 56, when the *Fiacha Finnfolaidh* above mentioned was slain at the slaughter of *Mugh-bolg* (now Moybolgue, in the county of Cavan), by the provincial kings, leaving his wife, *Eithne*, daughter of the king of Alba, pregnant of a son, *Tuathal Teachtmhar*, or the legitimate, who afterwards became monarch of Ireland. The leader of the second insurrection was *Elin*, son of *Conra*, king of Ulster, who like *Cairpri* became monarch, and is said to have reigned for twenty years. In the end, however, he was slain at the battle of *Aichill*, now the Hill of Skreen, near Tara, by the *Tuathal* above mentioned. The latter thereupon succeeded to the monarchy, though not, it would appear, without great opposition, as he is reported to have fought no less

Second revolution.

than one hundred and thirty-three battles against the various tribes of Firbolgs and other non-Scotic peoples in the country.

The accounts
of these re-
volutions
very con-
fused.

These accounts are very confused, and require to be very carefully analyzed. The *Annals of the Four Masters* tell us that *Crimthann* died quietly at his *Dun*; while it is implied in the account in the Book of Invasions that he perished in the revolution of the Atticotti. According to the *Annals*, *Cairpri Cindeait* obtained possession of the throne immediately after the death of *Crimthann*, the usurper succeeding to the legitimate sovereign without any interregnum. In the second revolution the chief actors are provincial kings, who must have been either the immediate legitimate successors of the very men restored by *Morand* after the first; or they must have been themselves usurpers of the party of *Cairpri*. It is important, however, that the plot in both cases is the same—an assembly of the people, a massacre at a feast, by which the whole of the royal line was cut off, save, in the first instance, three unborn children, and in the second, one, who are subsequently restored. There is the further confusion that not only is the mother of *Feradach*, the prince restored by *Morand*, the daughter of *Baine*, daughter of the king of Alba, but the mother of *Feidlimidh Reachtmar*, or the Lawgiver, son of *Tuathal*, is also a *Baine*; this *Feidlimidh* having been, like his father, restored to power after what may be called a third revolution. Again, the son of this *Feidlimidh* the Lawgiver, the celebrated *Conn* of the Hundred Battles, was slain by an Ulster prince of the same name as the restored Ulster prince who escaped so providentially the massacre of the first *Aithech Tuatha* revolution. But the confusion of the narrative of the Four Masters attains a climax when, under the year A.D. 15, it makes *Feradach*, who was not yet born in A.D. 10, king of Ireland! Keating, like the tract in the Book of Ballymote, and in other MSS. which I quoted above, makes *Cairpri* succeed *Fiacha Finolaidh*, A.D. 56, and thus gets rid of the first *Aithech Tuatha* revolution altogether. His account is certainly quite as consistent, notwithstanding the adverse criticism of Dr. Lynch and Dr. O'Donovan,¹¹ as the contradictory and confused narrative of

Keating's
view of Atticottic revolution.

¹¹ *Annals of the Four Masters*, i. p. 97, note.

the Four Masters. The revolution of the *Aithech Tuatha*, so far as we can judge of it by the traditions which have come down to us, and especially by the lists of tribe names of the ruling and of the paying classes,¹² proves that the power of the dominant Scotie or Milesian lords was confined to a por-

Keating's
view of Atti-
cotic revolu-
tion.

¹² "The names of the Rent-tribes and their divisions according to the Book of Glendaloch: The Rent-payers now distributed themselves over Eriu after the extinction of her free children and her free men, namely forty-six tribes, viz.:—*Semrighe, Saithrighe, Benntraighe, Cathraighe, Crothraighe, Brughraide, Scothraighe, Lathraighe, Carrraighe, Gabhraigh, h-Uraighe, Mendraighe, Teocraighe, Rathraighe, Nudhraighe, Calraighe, Bondraighe, Bladhraighe, Ludraighe, Liffraighe, Condraighe, Sedraighe, Granraighe, Curaigh, Glosraighe, Bibrighe, Boecraighe, Corcoige, Corco Ainge, Corco Dega, Corco Maighi, Corco Muich, Corco Soilchend, Corco Bili, Corco Bruidi, Dal Mochon, Dal n-Didail, Dal Mathrach, Dal Maigni, Dal Tidilli, Dal Mochoirp, Dal Mendato, Dal Muide, Dal Muigid, Dal Mecon, Dal-h Uiscide*".

"These are the tribes of the Rent-payers. Their *Tuaths* follow here:—*Gaileoin, Tuath Aithechtha, Tuath Fochmaind, Tuath Fidha, Tuath Firbb, Tuath Breccraighe, Tuath Treithirm, Tuath Semonn, Tuath Biobraighe, Tuath Mac Derbhchon, Tuath Benntraighe, Tuath Maistini, Tuath Cairige, Tuath Bibrighe, Tuath Senmogad, Tuath Sen-Erann, Tuath Fer-Morc, Tuath Gebtine, Tuath Emennighe, Tuath Mac Umoir, Tuath Cathbarr, Tuath Currat, Tuath Fer-Buidi, Tuath Fer-Ninias, Tuath Cathraige, Tuath Sen-Chineoil, Tuath Choncobairni, Tuath Mac Umor, Tuath Resent Umoir, Tuath Dommann, Tuath Cruithnech, Tuath Creraighe, Tuath Ochuinne, Tuath Guaire, Tuath Farduin, Tuath Cruithnech [of the North], Tuath Buain, Tuatha Selli, Tuath,*

n Eibluirg, Tuath Liguine, Tuath, Tregae, Tuath Mauaige, Tuath Airbre, Tuath Glasraighi, Tuath Connraighe, Tuath Luaigne".

"It was after these that rent of base service grew upon the free clans of Eriu, viz., the lands on which they [i.e. the rent-paying clans] served were taken from them by the free clans, and they were subdued, and the free clans multiplied over them, and took their lands from them, so that the base rent followed upon the free clans consequently, as attached to the land. For all the men of Eriu were free, except those we have enumerated".

"The Rent-paying tribes were distributed throughout all Eriu, and the bondage rule of the lords of Eriu was established over them after they had distributed them, ut est hic.

"The *Gaileoin* in the province of Leinster, north of *Gabar*; and three divisions upon them; *Tuath Fidga, Tuath Fochmain, and Tuath Aithechda, Tuatha Fochmann* in *Ui Failgi*⁽²⁾ and on the *Fotharta Airbrech*,⁽³⁾ and on *Almuim*⁽⁴⁾ [and the Martini, D. McFirbis], and what belongs to it of families. *Tuath Aithechda* were upon the east of the Liffey, to the sea. *Tuath Fidga* upon the *Forthuata*⁽⁵⁾ of Leinster, and upon *Ui Cennsellaigh*.⁽⁶⁾ [*Ui Failge, D. McF.*]

"*Tuath Breccraighe* upon Leinster, South of *Gabar*, i.e., upon Ossory.⁽⁷⁾ *Tuath Treithirm* in *Mag Bregun*,⁽⁸⁾ and in the *E'ganacht* of Cashel, etc. *Tuath Semonn* in the Decies of Munster.⁽⁹⁾ *Tuath Curraig* in *Ui Liathan*,⁽¹⁰⁾ and in *Ui Mac Cailli*.⁽¹¹⁾ *Tuath Bibrighe* in *Corcolaighe*.⁽¹²⁾ *Tuatha Mac Derbhchon* in *Feara Mu-*

(1) Probably Loch Gabhon, i.e., Lough Gower or, Logore, near Dunshaughlin, county of Meath. (2) Offaly—the baronies of East and West Offaly in the county of Kildare; Fortnahinch and Tinuahinch in Queen's County, and the part of King's County in the diocese of Kildare and Leighlin. (3) A territory about the Hill of Croghan, in the King's County. (4) The Hill of Allen, county of Kildare. (5) Part of the counties of Wicklow and Carlow. (6) South Leinster. (7) The territory included in the present diocese of Ossory. (8) The baronies of Iffa and Offa East, county of Tipperary. (9) The west part of the county of Waterford. (10) Barony of Barrymore, adjoining Cork Harbour. (11) Barony of Imokilly, county of Cork. (12) Baronies of West Carbery, Beare, and Bantry, county of

This revolution shows the Scotie power to have been recent.

Distribution of conquered tribes throughout the country.

tion of the country at some short time previous to the series of civil wars which ultimately ended in the revolution; and that these wars were caused by their efforts to extend their power over the whole country. It is probable that the foreign expeditions, and the occupation of part of Britain, of which I shall presently speak, had momentarily weakened the Scotie power, and enabled the subjugated races to assert for a time their independence. After the restoration, the Scotie lords, in order to prevent a repetition of the overthrow of their domination, appear to have distributed the subject tribes throughout the country, and so arranged their strongholds or

ghe.⁽¹³⁾ *Tuath Bentraighe* in *Ui Echach* of Munster.⁽¹⁴⁾ *Tuath Mairtini* in *Mus-craighe Miltaine*.⁽¹⁵⁾ and the east of *Femin*.⁽¹⁶⁾ and *Liag Tuill*.⁽¹⁷⁾ and *Tir Aeda*.⁽¹⁸⁾ and *Breguin*.⁽¹⁹⁾ etc., and in *Ui Cairpre*.⁽²⁰⁾

"The seed of the slaves of the sons of *Miledhne*, in West Munster, and in *Corco-Duibhne*.⁽²¹⁾ and in the *Eoganacht* of *Loch Leim*.⁽²²⁾ and of *Raithlinn*.⁽²³⁾ and of *Aine*.⁽²⁴⁾ and of *Glennamhnach*.⁽²⁵⁾ etc. *Tuath Sen Erann* firstly in *Ciarrraighe Luachra*.⁽²⁶⁾ and in *Lauchair Deagaid*.⁽²⁷⁾ *Tuath [Fer] Morc*, and *Tuath Geibhne* in *Ui Chonaill*

[*Gabhra*].⁽²⁸⁾ *Tuath Eminrighe* in *Ormond*.⁽²⁹⁾ and in the *Ellies*.⁽³⁰⁾ *Tuatha Maca n-Umoir* in *Dal Cais*.⁽³¹⁾ and in *Ui Fiachrach Aidni*.⁽³²⁾ The *Tuatha Ua Cathbar* and *Ua Carra* in *Corca Muichi*.⁽³³⁾ and *Corca Bascainn*.⁽³⁴⁾ and of *Duibne*.⁽³⁵⁾ in *Corcomruadh* and *Laighdi*.⁽³⁶⁾ and in the *Ellies*, and in *Uaithni*.⁽³⁷⁾ in *Muscraighe*.⁽³⁸⁾ and of *Oiche*.⁽³⁹⁾ in *Ui Chonaill*.

"*Tuath Ferrudi* in *Corcomodhruadh*.⁽⁴⁰⁾ *Tuath Fer-ninai*s⁽⁴¹⁾ in the *Eoganacht* of *Ros Argai*, and in *Arainn*.⁽⁴²⁾ *Tuath Cathraighe* in Southern *Ui Maine*.⁽⁴³⁾ *Tuath Sen*

Cork. (13) The ancient territory of Fermoy, comprising the present baronies of Fermoy, and Condous, and Clangibbon. (14) The southern Decies, east of the county of Waterford. (15) Baronies of Colslea and Small County in the county of Limerick, and Clanwilliam in the county of Tipperary, a district of which the village of Emly was the centre. (16) Baronies of Ifa and Offa, county of Tipperary, about Slieve na-mBann. (17) The district about Kells, county of Meath. (18) No doubt *Muscraide Luachra*, the country of O'n-Aodha, along the Blackwater, county of Cork, and not the barony of Tir Hugh, county of Donegal. (19) Barony of Clanwilliam, county of Tipperary. (20) Baronies of Carberry, county of Cork. (21) Barony of Corcaguiny, county of Kerry. (22) A district around the Lake of Killarney. (23) Barony of Kinelmeaky, county of Cork. (24) Knockany, county of Limerick. (25) Glanworth, barony of Fermoy, county of Cork. (26) North of Kerry and adjoining part of the county of Limerick. (27) Slieve Longhra, near Castleisland, county of Kerry. (28) Baronies of Upper and Lower Conello, county of Limerick. (29) Barony of Lower Ormond, county of Tipperary. (30) Ely O'Carroll, i.e., the baronies of Clonlisk and Ballybrit, in King's County, and the baronies of Ikerrin and Elyogarty in the county of Tipperary. (31) The county of Clare. (32) The territory included in the diocese of Kilmacduagh, in the south of the county Galway. (33) The *Corca Muiche* were a sept of the *Ui Fidgente* whose chief was *Mac Emerge* (or Mac Ennery). The parish of Castletown where he resided is still called *Corca Muichel*. (34) Baronies of Clonderlaw, Moyarta, and Ibricken, in the west of the county of Clare. (35) Barony of Corcomroe county of Clare. (36) Co-extensive with the present diocese of Ross, in the south-west of the county Cork. (37) Barony of Owney, county of Tipperary. (38) i.e., *Muscraide Breoghain*, part of the barony of Clanwilliam, county Tipperary. (39) A territory in *Ui Chonaill*, see note 28. (40) That part of the territory of ancient Corcomroe, extending westward from *Corra an Ruaid*, now Coranroe, to *Ath an Roide*, now Roadford; it also included the mountain of *Sliabh Eibhline*, and perhaps that part of Tuaheran, or *Tuatha Rama*, called *Mochar Ui Ruaidhin*, i.e., *Fer Ruaid*s in the barony of Corcomroe, county of Clare. (41) The district of the present barony of Galmoy, county of Kilkenny. (42) *Tuatha Fer Ninai*s, probably the *Eoganacht Indassa*, or of the Islands of Aran in the bay of Galway, which included some of the sea-board land of that county, and also of the north-west coast of Clare. It appears to have extended as far as *Leim in Eich* castle, or Horse Leap castle, the well known residence of the kings of Thomond, in the barony of Corcomroe. O'Donovan marks it as a place unknown. See O'Dugan's *Topogr.*, p. 220, n.n. 690, 691, But see *Wanderings of Maiolduin's Boat*, Leabhar na h-Uidhre, p. 22. (43) A district on

Duns as to support each other, and enable them to warn the country of any hostile movement of the people. This distribution is said to have taken place after the restoration of *Feradach Finnfechtnach*, son of *Crimthann Niadhnaí*, according to the Four Masters, but son of *Fiacha Finola*, according to the tract already referred to. Now, this *Fiacha*, according to the Four Masters, was father of *Tuathal Techtmhar*. After this distribution it is not probable that the subjected tribes succeeded in regaining their lands and power, and it is therefore probable that the chief revolution of the *Aithech Tuatha* took

Distribution of conquered tribes throughout the country.

Cheneoil in Northern *Ui Maine*.⁽⁴⁴⁾

The *Tuath Concobarni*, and of the sons of *Umor* upon *Ui Briuin*,⁽⁴⁵⁾ and around *Loch Címe*,⁽⁴⁶⁾ and in *Cluain Fuiche*.⁽⁴⁷⁾ *Tuath Resen* upon the *Conmaicn*,⁽⁴⁸⁾ from *Ath Mogho* to the sea. The *Tuath Mic Umor* in *Umall*.⁽⁴⁹⁾ *Tuath Fer Domnann* in the country of *Ceara*,⁽⁵⁰⁾ and in *Ui Amalgad*,⁽⁵¹⁾ and in *Ui Fiachrach* north,⁽⁵²⁾ from the [river] *Rodb*⁽⁵³⁾ to the [river] *Congnaig*,⁽⁵⁴⁾ in *Carprí*⁽⁵⁵⁾ of *Drom Cliabh*.⁽⁵⁶⁾

"*Tuath Cruithnech* in *Magh Aei*,⁽⁵⁷⁾ and *Magh Luirg*,⁽⁵⁸⁾ from *Loch Cé* to *Brogail* [*Bruigheol*],⁽⁵⁹⁾ and to the Shannon.

"*Tuath Crecraige* in *Luighni*,⁽⁶⁰⁾ of *Connacht* and around *Loch Techad*,⁽⁶¹⁾ and about *Corann*,⁽⁶²⁾ and about *Bernas* of *Tír Oíúlla*,⁽⁶³⁾ as far as *Magh*

Turedh.⁽⁶⁴⁾

"*Tuath Ochainé* [*Fochmuim*, D. McF.] and *Tuath Guaire* from *Ross Guill*,⁽⁶⁵⁾ in *Tír Oíúlla*, [*Chonnail*, D. McF.], to *Magh Cetne*,⁽⁶⁶⁾ and [round, D. McF.] to *Easruaidh*,⁽⁶⁷⁾ *Tuath Tarduis* in *Tír Eogain*,⁽⁶⁸⁾ and in *Ui Neill* of the north, *Tuath Cruithnech* [not given by D. McF.], of the north from the *Sidhan* of *Sliabh an Chairn*,⁽⁶⁹⁾ to *Lough Foyle*, and from *Bernas* of *Tír Hugh*,⁽⁷⁰⁾ to the Bann. *Tuath Cruithnech* in the country of *Uíidia*,⁽⁷¹⁾ and in *Magh Cobha*.⁽⁷²⁾ *Tuath Buaim* of the *Dumbair*, and *Tuath Selle* in *Dal Airaidhe*.⁽⁷³⁾ *Tuath Neblurg* in *Airghilla*,⁽⁷⁴⁾ from *Glen Righe*⁽⁷⁵⁾ to *Lough Erne*, and from *Buairgh* [*Banna*] to *Lough Foyle*. *Tuath Ligmáine* in *Galenga*.⁽⁷⁶⁾ The *Tuath* of the sons

both sides of the river Suck, barony of Clonmacnowen, county of Galway. (14) A district between Lough Ree and the river Suck, in the county of Roscommon, and on the borders of Sligo and Mayo. (45) Barony of Clare, county of Galway. (46) Lough Hackett, barony of Clare. (47) I have not identified this place; it must be, however, in the same district as the two preceding places. (48) Baronies of Kilmaine, county of Mayo, and Dunmore, county of Galway. (49) Baronies of Murrek and Burrishoole, in the west of Mayo. (50) Barony of Carra, county of Mayo. (51) Tirawley in the county Mayo. (52) A territory embracing part or the whole of the baronies of Carra, Erris, and Tirawley, in Mayo, and Tirerragh, and that part of Carbury south of Drumcliff in Sligo. (53) Now the Robe, whence the town name Ballinrobe, county Mayo. (54) A small stream which flows into the sea at Drumcliff, county of Sligo. (55) Barony of Carbury, north of county of Sligo. (56) Drumcliff, county of Sligo. (57) A plain in Roscommon extending from near the town of that name to the barony of Boyle, and from the Shannon to Castlereagh. (58) The present barony of Boyle, county of Roscommon. (59) Briole in the barony of Athlone, county of Roscommon. (60) A territory represented by the diocese of Achonry, and the name of which is preserved in that of the barony of Lagney, in the county of Sligo. (61) Lough Gara, county of Sligo. (62) Barony of Corann, county of Sligo. (63) Barony of Tirerrill, county of Sligo. (64) i.e., *Magh Turedh na bh-Fonorach*, a townland in the parish of Kilmactranny, barony of Tirerrill, and county of Sligo. (65) Ross-gull, a promontory in the barony of Kilmacrennan, county of Donegal. (66) The plain of Moy, between the rivers Erne and Drowes, county of Donegal. (67) The falls of the Erne at Ballyshannon. (68) Tyrone. (69) Probably Carnteel, or *Carn tsadhail*, the cairn of *Síadhail*, barony of Dungannon, county of Tyrone. (70) Gap o' Barnismore, county of Donegal. (71) Counties of Down and Antrim, east of the Bann and Lough Neagh. (72) Baronies of Upper and Lower Iveagh, county of Down. (73) Eastern coast of Down and Antrim, as far north as Slemmish. (74) Oriel, consisting of parts of the counties of Louth, Monaghan, Armagh, and Fermanagh. (75) The vale of Newry. (76) The barony of

place under *Fiacha*, as Keating and the Book of Invasions assumed, and the distribution under his son *Tuathal*. The resistance offered to such forcible displacements of tribes would account for the one hundred and thirty-three battles the latter is said to have fought, as already mentioned, against the various non-Scotic tribes. We may assume that this distribution of the tribute-paying tribes occurred in the first years of *Tuathal's* reign, which ended after over thirty years' duration, in A.D. 106, according to the Four Masters, while, according to other authorities, the *Aithech Tuatha* war was only finally suppressed in the year 130, so that his death may not have occurred before the year 160.¹³

First appearance of Atticotti in Britain caused by this distribution.

If the Atticotti of history be identical with the *Aithech Tuatha*, their first appearance in Britain must have been caused by the forcible displacement of the conquered tribes. Large bodies of them must also have acted as mercenaries to the Irish monarchs on their foreign expeditions. They are not named by Ptolemy among British tribes, which is negative evidence in favour of their Irish origin. The first Roman

of *Tredha* in Westmeath and upon the *Feara Feara*⁽⁷⁷⁾ and in *Cuir-cne*⁽⁷⁸⁾ *Tuath Masraighe* in *Magh Slecht*⁽⁷⁹⁾ in *Ui Briuin* of *Breifne*⁽⁸⁰⁾ *Tuath Airbri* in *Teabtha* [on the south side of, D. McFirbis]. *Tuath Glasraighe* in *Cairpri*⁽⁸¹⁾ and about *Loch Silen*⁽⁸²⁾ *Tuath Connraighe* in *Sliabh Breagh*⁽⁸³⁾ and in *Mughdorna*⁽⁸⁴⁾ and in *Uib Saghain*⁽⁸⁵⁾ and in the *Feara Rois*⁽⁸⁶⁾ and in the *Feara Arda*⁽⁸⁷⁾ and in the *Feara Lurg*⁽⁸⁸⁾ and in the two *Cremthanns*⁽⁸⁹⁾ *Tuath Luaighne* in the *Breagha*⁽⁹⁰⁾ and in the *Laeghaire*⁽⁹¹⁾ and in *Ardgul*⁽⁹²⁾ and in the two *Delvins*⁽⁹³⁾ and *Ui Mac Uais*⁽⁹⁴⁾ and to *Temar*⁽⁹⁵⁾ and from *Inlher Colptha*⁽⁹⁶⁾ to the confluence at Clonard. And in such way were they distributed" [and the rent of Eiriu was imposed upon them. And it is forty-seven *Tuaths* in all that are to be counted of them. D. McFirbis], *Book of Ballymote*, f. 140, a. a., and McFirbis, *Book of Genealogies*, pp 47 to 52.

Mor-Gallion in Meath, and part of Clankea In Cavan. (77) *Teathbha*, or Taffia North, consisted of the greater part of the county of Longford. *Teathbha*, or Taffia South, of the western half of Westmeath, the boundary line being the river Inny (78) The barony of Kilkenny West, county of Westmeath. (79) A district around Ballymagauran, county of Cavan. (80) The counties of Leitrim and Cavan, the *Ui Bruin* being in the latter. (81) *Cairpre Gabhra*, barony of Granard, in the north of the county of Longford. (82) *Loch Sailen*—Lough Shealin, on the borders of Cavan, Longford, and Westmeath. (83) Slieve Breagh, county of Louth. (84) Barony of Cremorne, county of Monaghan. (85) A territory to the north of Ardracean, county of Meath. (86) Part of the barony of Farney, in Monaghan, and the adjoining district in the counties of Louth and Meath. (87) Barony of Ferrard, county of Louth. (88) Barony of Lurg, county of Monaghan. (89) Barony of Slane, county of Meath. (90) The plain along the sea coast in East Meath and Louth, to the river Annaguis, near Dundalk. (91) The district about Trim, corresponding to the greater part of the baronies of Upper and Lower Navan, in the county of Meath. Trim is described in the Book of Armagh, f. 16, b. b. as "infinitus Loiguir Breg". (92) In East Meath, but position not determined. (93) *Dealbhna Beg*, the Barony of Demi Fore in East Meath. *Dealbhna Mor*, the barony of Belvin in the eastern part of Westmeath. (94) Barony of Moyfenrath, East Meath. (95) Tara, county of Meath. (96) The estuary of the Boyne.

¹³ See *A. Four M.*, note 7, vol. i. p. 93.

author who mentions them is Ammianus,¹⁴ and their historic existence was short. St. Jerome mentions them in connection with the Scots, the picture which he paints of both being very unfavourable, and based rather on prejudice than accurate information.¹⁵ Milesian writers themselves have not been very favourable to the *Aithech Tuatha*. *Cairpri Cindcait*, like all other revolutionists, whether in the interest of royalty or republicanism, of oligarchy or democracy, has suffered the penalty of the final unsuccess of the cause. One of the most striking instances of the way in which the Bards distorted history in the interest of the ruling race is afforded by the repulsive colours in which the person as well as the rule of *Cairpri* have been painted. He was called the "Cat-head", and figured by the poets with the ears of a cat, and his face covered with fur. The state of the country during his supposed reign is pictured in the gloomiest colours; nature is said to have pronounced in favour of the legitimate rulers by refusing her accustomed gifts: the grass withered, the corn was blighted, the cattle got murrain. But when the Milesian rule was restored, according to the Four Masters, in *Feradach* the "Just", "good was Ireland during his time. The seasons were right tranquil. The earth brought forth its fruit; fishful its river mouths; milkful the kine". During the supposed reign of the second *Aithech* king, *Elim*, nature again declared against the usurper, and the land was without corn, milk, fruit, or fish.

St. Jerome's account of the Atticotti of no value.

Bardic account of *Cairpri Cindcait*

The translation of *Cindcait* by "Cat-Head" is probably the suggestion of some malignant bard. The Welsh laws applied the term "*caeth*" to the lowest class of serfs or slaves, and *Cindcait* would consequently mean head of the serfs or unfree men. This explanation is rendered the more probable by the

Cindcait did not mean "cat-head".

¹⁴ xxvi. 4; xxvii. 8.

¹⁵ *Scotorum natio uxores proprias non habet, et quasi Platonis politiam legerit et Catonis sectetur exemplum, nulla apud eos conjux propria est sed ut quique libitum fuerit, pecudum more lasciviunt.—Advers. Jovinian.* Scotorum et Atticotorum ritu ac de Republica Platonis promiscuas uxores communes liberos habeant. *Epist. ad Ocean.* Ipse adolescentulus in Gallia vidi Atticotos (*al.* Atticottos), gentem Britannicam, humanis vesci carnibus. *Advers. Jovinian.*

circumstance that the subjected clans appear to have belonged to the same race as many British tribes on the west coast of Britain, and that according to the Book of Invasions, *Cairpri* was himself an *Aithech*. Another explanation may, however, be found in the existence of the name *Cat* among the *Cruithentuath*, who were, as will be seen from the list at p. xxvii., among the defeated rent-payers. One of the seven sons of *Cruithne* who divided Alba between them was called *Cat*.

Morand a doubtful actor in the Atticottic revolution.

There is just as much, if not more, doubt about *Morann* or *Morand*, as about *Cairpri* and the other personages who figured in the *Aithech Tuatha* revolution. According to the Four Masters, *Morand* was the son of *Cairpri*. But the tract already quoted tells us that: "These were the three rent-payers who were the chief advisers of the rent-paying tribes of Eriu at this time, viz., *Morand*, and *Buan*, and *Cairpri Cindeait*; and *Cairpri Cindeait* was the head of them all: and they advised the *Aithech Tuatha* to kill their lords". In the *Táin Bó Chuailgne*, which belongs to an earlier period, *Morand* and *Cairpri* are, however, offered by *Medb* as sureties for the performance of her promises to *Ferdiad*,¹⁶ and are clearly introduced there as gods, or mythical personages. The name of the third adviser, *Buan*, is so like *Buand*, or *Buanand*,—which also occurs in the *Táin Bò Chuailgne*¹⁷—forms of the name of the great goddess *Anand*, that taken in connection with the reference to the others in the "Fight of *Ferdiad*" just alluded to, we may safely conclude that the three advisers of the *Aithech Tuatha* were their gods.¹⁸ If there was a real *Morand* connected with the *Atticotti*, some of the qualities of the mythical personages were attributed to him exactly as the legends of the *Tuatha Dé Danand* goddess *Brigit* daughter of *Dagdai*

Cairpri and *Morand* probably mythical personages or deities.

¹⁶ See *Fight of Ferdiad*, Appendix, vol ii. p. 419.

¹⁸ *Morand* is usually called *Mac Maéin*. See *Cormac's Gloss* v. *Morann*.

¹⁷ See *Fight of Ferdiad*, Appendix, vol ii, p. 455. A *Tuatha Dé Danand* chief named *Samer*, had a daughter also name *Buan*. She gave judgment between the Ultonians as to who was most worthy of the champion's bit at a feast, and is said to have fallen in love with *Cuchulaind*. She too appears to have been a goddess, as she is said to have ruled the spirits of the glens, the *Geiníti Glindí*. Queen *Medb* herself appears to have exercised supreme authority over those spirits. See *Leab. na h-Uidhri*, p 109, col. 1.

Mor, have been confounded with those of St. Brigit. It is more probable, however, that *Cairpre*, *Morand*, and *Feradach* are all mythical personages.

Tuathal Techtmar or "the Legitimate", has all the characteristics of reality about him, and his reign is especially interesting as marking perhaps the epoch of the complete organization of the political system which existed down to the establishment of English power in Ireland. Until the time of this king, Meath consisted of only one principality or *Tuath*, a term which will be fully explained in a subsequent section; he enlarged it to eighteen, in order to provide sufficient mensal land for the king of Eriu. In other words, he was properly speaking the author of the ancient Irish Pentarchy. He celebrated the *Feis Teamhrach*, or great feast of Tara, and established the fairs of *Tlachtga*, *Uisnech*, and *Tailte*, and lastly he imposed the fine upon Leinster, known as the *Boireamh Laighen*, or "Cow-Tribute of Leinster", which continued to be paid during the reigns of forty monarchs of Eriu. The cause of the imposition of this tribute is assigned by legend to the insult offered by a Leinster king to *Tuathal* and his two daughters. The Leinster king having married one of *Tuathal's* daughters, pretended after some time that she had died, and then got her sister in marriage. When the sisters discovered the fraud, they are said to have both died, one of shame and the other of grief. This legend is valuable as showing that the state of morality in pagan Ireland, was very different from that depicted by St. Jerome. The tribute itself affords an example of vassalage as perfect as any offered by France or the German Empire during the medieval times, and proves, I think, beyond doubt, that the principle of the political organization exhibited by the law tract called *Crith Gablach*, published in the appendix, and to which I shall make frequent reference in the sequel, and consequently the laws regulating the occupation of land, date at least from this period.

It is probable that, after the non-Scotic tribes had been successfully reduced, and amalgamated with the dominant one, by being transplanted from different districts, the predatory excursions from Ireland to the coasts of Britain assumed

Tuathal a real personage;

the founder of the political organization of Ireland.

The *Boireamh Laighen*, an example of vassalage.

Scotic conquests on coasts of Britain.

the more steady purpose of permanent conquest. I have already stated that such conquest appears to have preceded the *Aithech Tuatha* revolution, but it must have been confined to parts not easily protected by Roman arms; and the possession of the conquered territory must have been very precarious. Indeed the idea naturally suggests itself that the advent of the Scoti into Ireland, which undoubtedly took place at a much later date than that assumed by the Irish annalists, may have been connected with the conquest of Gaul and Britain by the Romans.

Prosperity
of Britain
under the
Romans;

made it a
prey to war-
like neigh-
bours.

South-east
Britain
Saxon before
the Roman.

The myth of
Hengist and
Horsa.

Britain bar-
barized by
invasions.

The Romans replaced the villages of the Britons by cities and towns, and introducèd much of the material civilization of the Mediterranean nations. South Britain was celebrated for its mineral wealth, and was by the working of its mines made one of the richest and most important provinces of the empire, and the natural prey of its warlike and less civilized, or less materially gifted neighbours—the Irish on the west, the Picts on the north, and the Scandinavians and Germans on the east and south-east. The latter had extended themselves westward along the sea shore from the Elbe to the strait of Dover, at a very early period, and had already colonized the south and south-east of Britain before the invasion of Cæsar. There seems little doubt that the part of the Belgic and French coasts to which the Romans gave the name of the “Saxon Shore”, got this name not because it was exposed to Saxon incursions, but because it was inhabited by Saxons, as has been already conjectured by Palgrave. Identity of race and language no doubt led to frequent intercourse between the more eastern Saxon races, the “Saxon Shore” and south-east Britain; and accordingly when the movement of the German nations on the Roman empire set in, a stream of adventurers flowed into Britain, allured by its wealth and political disorganization. The myth of Hengist and Horsa has no doubt arisen from the arrival of some such body of adventurers, invited over perhaps by some deposed prince or outlaw. Whatever civilization penetrated into this Saxon population from the Roman colonies established in their midst, must have almost disappeared owing to the steady influx of barbaric

Saxons, and the constant war for supremacy which was waged down to the firm establishment of Saxon dominion in England. The same phenomenon was presented by Wales, which, in the level countries at least, must have been more or less Romanized; yet, owing to the continued incursions of the Irish during the later Roman times, and the conquest of North Wales, and ultimately of all the country by the Picts or Strathclyde Britons, was almost completely barbarized during several centuries; to such a degree indeed as to lose almost every tradition of their own past, and adopt in their stead those of a northern tribe.

The common object of attack, Roman-Britain, brought the Irish and Saxons in contact at an early period. And that this intercourse was on the whole of a most friendly character, is shown by the frequent intermarriages which, as I have already stated, took place between them, and their presence at the courts of Irish princes, but, above all, by the number of early Irish missionaries who devoted themselves, not only to the establishment of churches and monasteries in the north-east of England, but curiously enough followed the stream of German population from the strait of Dover through Belgium to the Rhine, that is, from the Ictian sea, of which there is so frequent mention in Irish MSS. relating to very early times, and to which one Irish prince, at least, led an expedition. We have another proof of this alliance against the Romanized Britons in the way in which Saxons were received at the schools of Ireland. The hostility of the two peoples appears to have first arisen in consequence of the quarrels between the Irish and Saxon churches. Political causes helped to develop this hostility as soon as the Saxon dominion extended to the north of England, and the Saxon kings of Northumbria came into direct contact with the Scotie kingdom established in Scotland. The wars carried on by the Saxon kings against the Scots and Picts involved the Irish in the quarrels of their brethren in Scotland, and led to the ravaging of the coasts of Ireland by the Saxons. Venerable Bede records an expedition of this kind sent in the year 684 by Egfrid, king of the Northumbrians, under a commander

Irish and Saxons came into contact at an early period.

Their hostility the result of political relations in north of England.

Saxons first mentioned as enemies in seventh century, and Danes in the end of eighth;

of importance in connection with date of Law Tract.

named Beort, which "miserably wasted that harmless nation, which had always been most friendly to the English, insomuch that in their hostile rage they spared not even the churches or monasteries".¹⁹ It is in the seventh century that we find mention for the first time of the Saxons as enemies. The first notice of the Danes or Norsemen occurs in 790, or more correctly 795. After this date, and until the arrival of the Normans, the Danes alone are mentioned as hostile foreigners. This circumstance is of very great importance in connection with the date of the law tract, the *Crith Gablach*. In describing the rights of a king, it says: "For there are three rights which it is proper for a king to exercise upon his people: one is a right [to raise levies] to drive out foreign races, *i.e.*, Saxons" If the example be not an interpolation of much later times, it shows, taken in connection with other circumstances, that the important document in question belongs to the period anterior to the Viking expeditions, and in all probability to the middle or end of the seventh century.

Whatever may have been the relation between Ireland and Britain before the arrival of the Romans, there can be no doubt that after that event, and before the firm establishment of Roman rule, the state of the western districts offered inducements to the Irish to attack them, even before the movement of the continental Saxons in aid of their British brethren began. That the Irish attacks on Britain were not always mere plundering expeditions, but ultimately led to a more or less permanent conquest of parts of it, is proved by evidence from different sources.

Traces of Irish names in West Britain;

Edward Llwyd was the first who noticed that the names of rivers and other topographical designations in south-west Britain bore traces of an ancient Gaelic occupation. He conjectured that the Gael had occupied Britain before

¹⁹ Lib. iv. c. xxvi. Alcuin also speaks of the same event, and of the friendship of the Irish and the Saxons, in the following lines:

Præfuit Egfridus regno feliciter annis
Ter quinque faciens victricia bella, quousque,
Agminibus missis animo trans æquora sævo,
Precipiens gentes Scotorum caede cruenta
Vastare innocuas, Anglis et semper amicis, etc.

Poema de Pontific. et Sanct. Eccl. Eboracensis, 835.

the Britons; but his hypothesis is wholly inconsistent with our present knowledge of Celtic philology. The Gaedhelic character of the West British topographical nomenclature has, however, been much exaggerated. So far as it goes, it proves that the Gaedhelic occupation was posterior to, and not earlier than, the so called Cymric colonization, unless by that colonization be meant the conquest in the fifth century of Wales by the race of Cunedda, which is extremely probable.

the extent
of these
names ex-
aggerated;

Ritson²⁰ suggested the first, so far as I know, that Wales had been invaded and occupied by the Irish. The Rev. W. B. Jones, who evidently favours Llwyd's theory, has shown, in an essay of great value, that several such invasions are referred to in Welsh traditions, which variously state their duration from 29 to 329 years.²¹

One of the invasions of the Gwyddyl, as the Irish are always called in Welsh manuscripts, is recorded in the Triads.

Among the three people who invaded the Isle of Britain and again quitted it, mentioned in the eighth Triad, is the army which the Gwyddelian or Irishman *Ganfœl* led into the country of Gwynedd or North Wales. This occupation is said to have lasted only twenty-nine years, the Irish having been at length driven into the sea by Caswallawn, son of Beli, son of Manogan. Notwithstanding the state of barbarism into which Wales had sunk for some time after its conquest by the Strathclyde Britons or Cumbrians, under Cunedda and his sons, many historical traditions respecting that period, which are now lost to us, must have come down to the eleventh and twelfth centuries. The Triads belong to these centuries, but no worse vehicle could have been chosen for the transmission of historical materials. The invasion by the Irish mentioned in them, belongs, however, to a period long after the conquest of Wales by the northern Britons. *Ganfœl* would be in Irish *Cennfaeladh*, a name which occurs for the first time in the *Annals of the Four Masters* under A.D. 670. The *Cennfaeladh* there mentioned, was son of

The invasion
mentioned
by Triads
took place
after fifth
century.

²⁰ *Annals of the Caledonians*, i. 13, etc.

²¹ *Vestiges of the Gael in Gwynedd*. Supplement to *Archæologia Cambrensis* for 1850; and separately printed by London and Tenby, 1851, pp. 17 and 28.

Blathmac, and reigned as monarch of Ireland for four years. So far as can be known from the Annals, this king had no relations with Britain. But under the year 680 we are informed that “the battle of *Rath-Mor-Maighe-Line*”²² [was gained] over the Britons”, etc.; and in 683 occurred the Saxon invasion already mentioned. It is likely that those two invasions were connected with *Ganfael* or *Cennfaeladh’s* occupation of North Wales, which probably took place in the first half of the seventh century, and had nothing to do with the earlier occupation of West Britain, with which alone I am here concerned.

There was an earlier occupation.

This earlier occupation was pre-Roman. At the period of the conquest of the island of Mona, or Anglesea, by Paullinus Suetonius, and doubtless for a century or more previous to that event, a large part of Wales, as far at least as a line from the river Clwyd in Denbighshire to Swansea in Glamorganshire, was ruled by chiefs who were not only Irish, but in all probability owed allegiance to Irish kings. The Isle of Man became Irish at the same time, or at some time during the Roman period. Orosius says, that equally with Ireland, it was “inhabited by people of the Scots”. The occupation of Man dates perhaps from the period of the predatory expedition of *Curoi Mac Daire* and *Cuchulaind*, already mentioned. We find, however, through all the oldest legends, references to that island, and to *Mananand Mac Lir*, a mythical personage specially connected with it. Nennius tells us that the sons of *Liathan* obtained the country of the Demetae, and other districts, namely, *Guir* or Gower, and *Cetgueli* or Kidwelly, until they were expelled by Cunedda and his sons from all the regions of Britain.

The Nemedians perhaps connected with this occupation.

It may be that the mythical occupation of the Island of Mona by *Britan Mael*, the grandson of *Nemid*, after the defeat of the Nemedians by the Fomorian, ²³ is founded upon a real occupation which began some time before the commencement of the Christian era. The Nemedians of this legend were the descendants of one of the least noticed early colonies of Ireland,

²² Now Rathmore, in the plain of Moylinny, parish of Donnegore, county of Antrim.

²³ See Lecture ix. vol. i. p. 185.

but which I have no doubt will prove to have been one of those whose history would throw most light on the ethnology of western Europe. According to legendary history, the *Tuatha Dé Danand* and *Firbolgs* were branches of the Nemedians. The latter and the *Tuatha Dé Danand* had druids, and practised druidism, and it is in connection with the conquest of the Isle of Anglesey that we first hear of druids in Britain. The name *Liathan* occurs too in Irish topography, as *Crich Liathain*, a district in the county of Cork, which included *Ard Neimhidh*, or *Nemid's Hill*, now Great Island in Cork Harbour. There *Nemid*, the leader of the first colony of Nemedians, is said to have died of the plague.

That the Irish dominion over West Britain was of sufficient duration to leave its impress in some form on the country, and that it was not confined to the Scotie settlement in Scotland and to North Wales, but extended over South Wales and Cornwall, appears in many ways. In Cormac's Glossary, under the article *Mug Eime*, we are told, in connection with the first introduction of the lap-dog into Ireland, of an Irish envoy sent to collect tribute, which was no doubt chiefly bronze or the materials used for making it—copper and tin—from the people of the south-west of England. In the same article, Glastonbury is called Glastonbury of the Gaedhil, and it is probable that much intercourse continued in early Christian times between Ireland and the religious houses of Glastonbury.

The statement in Cormac respecting the levying of tribute in England, is borne out fully by the celebrated romance of Tristan and Iseult. In that tale Morhault, brother of the queen of Ireland, the mother of Iseult, is sent from Ireland to demand tribute from Marc, king of Cornwall, uncle of Tristan. There can be no doubt that Chrestien de Troyes, or whoever was the author of the prose romance of Tristan and Iseult, from whom the materials of Gotfried of Strasburg's Middle High German poem of "Tristan und Isold" were almost certainly borrowed, obtained directly or indirectly the story from British tales embodying traditions of the early ages to which the Gaedhelic occupation must be referred. Perhaps to the same cycle may be referred the original tale upon which the beau-

Extent of
Irish sway
shown by
story of
Mug Eimhe.

Glastonbury
of the Irish.

Romance of
Tristan and
Iseult sup-
ports the
story of *Mug
Eime*.

Poem of
Gudrun.

tiful Middle High German poem of Gudrun was founded. The scenes of several cantos of that fine poem are laid in Ireland, and the whole character of the poem seems to me to indicate that, though much use may have been made of the later Norse saga, part of the materials belong to a Norse or Germanic period of intercourse with Ireland, earlier than the Viking expeditions of the ninth and tenth centuries. It may be too that the tales of King Arthur belong to the period of the Irish occupation, and that he and his knights fought with the Gaedhil and their British allies, and not with the later Saxons of Wessex. One thing is certain: the traditions that form the basis of Welsh poetry and literature, and many of their laws, are not Welsh, but belong to their earlier conquerors, the Irish, or their later ones, the Strathelyde Britons. Of the proper traditions of the Silures and other races of Wales and the west of England, scarcely a vestige remains; they have died out with the languages which those races spoke. Mr. Basil Jones has also come to the conclusion that the Welsh have no history relating to the time previous to the period of Cunedda, and that the earliest Welsh legends are nearly all connected with South Wales or North Britain.²⁴

Irish do-
minion pre-
carious in
first century.

The Irish dominion must have been very precarious in the first century: indeed under Agricola it must have been practically annihilated. But that the power of the Irish at the time was not as insignificant as the story related by Tacitus²⁵ would lead us at first to suppose, may be gathered from the fact that the Romans never invaded Ireland, although no one could have understood better the importance of the possession of Ireland as a means of preserving Britain, than Agricola, judging by the words put by Tacitus into his mouth.²⁶ The political

²⁴ *Vestiges of the Gael in Gwynedd*, 54.

²⁵ Agricola expulsum seditione domestica unum ex regulis gentis exceperat, ac specie amicitiae in occasionem retinebat. Saepe ex eo audivi legione una et modicis auxiliis debellari obtinerique Hiberniam posse. *Agricola*, c. xxiv.

²⁶ "Si quidem Hibernia, medio inter Britanniam atque Hispaniam sita, et Gallico quoque mari opportuna, valentissimam imperii partem magnis invicem usibus miscuerit. Spatium ejus, si Britanniae compareretur angustius, nostri maris insulas superat. Solum coelumque et ingenia cultusque hominum haud multum a Britannia differunt, nec in melius. Adlitus portusque per com-

organization of Ireland, it should be remembered, was very weak for purposes of defence against an invading enemy; the chief king had no power over the numerous subreguli beyond what he could enforce by arms, and there was no cohesion even among clans the most closely related. Tacitus' statement that two tribes of the Britons could rarely be got together to repel the common danger, and consequently while fighting singly they were always conquered,²⁷ applies with equal force to Ireland,—indeed I might say to ancient Gaul, Germany, and every country formed of a number of small states practically independent of one another. Such countries might however have sent forth very formidable invading armies, in which the principle of military honour, fidelity to the chosen war chief, and a sense of the common danger in the enemy's country, would give that unity of action which could not possibly be attained at home. An army of this kind would readily adopt the policy of those civilized states with which it came in contact, especially of those where a centralized strong government had wholly or in great part obliterated the original tribal government, while the tribes at home would remain impervious to such influence. This explains why the Gauls always remained a loose aggregation of tribes which one by one were subdued by Rome, while the Germans, who were a closely allied people, composed of a similar loose aggregation of states, and having the same laws and customs, succeeded in breaking up the Roman Empire when the tribal distinctions were obliterated, by the whole people being resolved into invading armies. So in like manner the British power fell, and a strong centralized Saxon government arose after the Saxon clanship had been to a great extent broken up by the continuous immigration of Germanic adventurers from the continent into a Saxon population already largely influenced by Roman ideas. Lastly, it explains the history of Ireland subsequent to the

The Irish power weak for defences, but strong for offence;

explains conquest of Gaul by Romans

of Roman Empire by Germans;

mercia et negotiatores cogniti". After mentioning the suggestion of the Irish king above quoted, he adds: "Idque etiam adversus Britanniam profuturum, si Romana ubique arma, et velut a conspectu libertas tolleretur". *Ibid.*

²⁷ *Rarus duabus tribusve civitatibus ad propulsandum commune periculum conventus: ita, dum singuli pugnare universi vincuntur. Agricola, c. 12.*

and of Ire-
land by
Normans.

invasion of the Normans. Prejudice rather than calm philosophic judgment has attributed these events to a superiority of race on the part of the conquerors, and an incapacity on the part of the conquered to adapt themselves to certain forms of government, the conquering and conquered races being in most cases practically the same, and the fundamental principles of their original laws and policy alike. On those grounds we may therefore admit Tacitus' statement of the small force necessary to reduce Ireland, to be quite compatible with the opinion above given, that as an invading power it was not insignificant.

State of
Irish power
in the
time of
Carausius.

Again, in the time of Carausius, who made himself emperor of Britain, A.D. 289, the Irish inroads must have been checked. A Menapian by birth, and therefore probably of Irish extraction, and a pirate by profession before he was employed under Diocletian and Maximian to repress the ravages of the Saxons and of the Franks, whose name first occurs about this time in Roman history, he must have been thoroughly acquainted with the state of Ireland, and with the ability or inability of the Irish to maintain their supremacy along the western and south-western coasts of Britain. Carausius, it is well known, employed large bodies of Frankish mercenaries, whom he settled in Britain. It is important to mention that the Franks are noticed in several early Irish tales relating to events which are attributed in our annals to a somewhat earlier period than the time of Carausius, though some of them may with more certainty be referred to the latter period; but we have already seen that the foreigners of *Mac Con* at the battle of *Magh Mucreimhe* consisted chiefly of Frankish and Saxon adventurers.

Franks
brought into
Britain by
him and be-
came known
to Irish at
this time.

Irish, Picts,
and Saxons,
kept in
check in the
reign of
Constantius
Chlorus and
Constantine
the Great;

During the reign of Constantius Chlorus, who passed the greater part of his life in Britain, and of his son, Constantine the Great, the Roman power and civilization were firmly established in that country, which attained a remarkable degree of prosperity and peace.²⁸ During these reigns the Irish, Picts,

²⁸ Britannia . . . terra tanto frugum ubere, tanto læta munere pastionum, tot metallorum fluens rivis, tot vectigalibus quæstuosa, tot a cuncta portubus". *Eumen. Paneg. Const. Caes.*, c. xi. Cf., also his *Paneg. Const. Aug.* c. ix.

and Saxons appear to have been kept in check; but in the reign of Constantine's successor, Constantius, the rapacity and cruel tyranny of the notary Paulus, and the subsequent rebellion of the Pannonian Valentinus, so weakened the country as to render it an easy prey to the enemies just named, who appear to have formed an offensive alliance. The Irish and Picts are said to have reached London and occupied it. The general commanding the Romano-British troops, Fullofaudes, and the dux, or commander of the maritime district, Nectaridus, opposed to the Saxons, were slain. It required all the skill and ability of Theodosius, the father of the emperor, to save the province from total destruction. The allies were defeated by him in the year 368, but it is questionable whether he was able to drive them within their previous limits, notwithstanding that he is said to have pursued them to the extremity of Britain, until the Orcades were stained with Saxon gore, Thule warmed with the blood of the Picts, and icy Eriu mourned over her heaps of slain, or—as some will have it—the graves, of her slaughtered Scots.²⁹ It is probable that the Roman fleets pursued the Scots into the Irish ports also, and yet it is strange that no attempt was made to occupy any part of Ireland, and thereby stop the stream of adventurers who used their settlements on the British coasts as vantage grounds for pillaging the Roman provinces.

formidable
invasion
made by
them under
Constantine.

Defeated by
Theodosius.

A noble Briton, or as some think a Spaniard, named Maximus, who had acquired great reputation under Theodosius in the war against the Scots, Picts, and Saxons, took advantage of the condition of affairs in the empire, and was proclaimed emperor by the army. Had he been prompted by patriotism to found a British kingdom, rather than by his ambition to establish a western empire at Treves, the destiny of the British Islands might have been very different. As

Acts of
Maximus
assisted in
Germaniz-
ing Britain.

²⁹ Quid rigor aeternus caeli, quid sidera prosunt,
Ignotumque fretum? maderunt Saxone fuso
Orcades: incaluit Pictorum sanguine Thule:
Scotorum cumulos [al tumulos] flevit glacialis Ierne.

—*Cl. Claudiani de Quarto consulatu Honorii Augusti, Panegyris*, 30, 34. See also *Ammianus Marcellinus*, lib. xxvi. c. 8.

it was, his acts greatly assisted in the subsequent Germanizing of the whole of England, a process which had been well begun already by Carausius, and which was aided by the introduction of German legions by the Romans. Maximus drew away all the veteran troops into Gaul and Germany, and thus opened a way for the advance of the Irish, Pictish, and Saxon enemies. It is probable that part of the British troops who accompanied him into Gaul were settled down as *Læti*, or “*Milites limitanei*”, that is, as military colonists, in Brittany, and thus formed a nucleus around which gathered the fugitives from Britain during the desolating wars which occurred in the latter in the fifth and sixth centuries.

British
troops
settled in
Britagne.

Maximus, taken prisoner at Aquileia in the year 387, was put to death by order of the Emperor Theodosius, who died himself in 395, after having appointed his son Honorius emperor of the west, with Stilicho as his guardian and general in chief. That very able general appears to have been in a position, immediately on his accession to power, to send troops into Britain to assist in repelling its old enemies, who made another formidable invasion of it in 396–397. This invasion is of signal importance as a landmark of Irish History, for, on the one hand, according to the Irish annals, a prince ruled at the time in Ireland celebrated for his foreign wars, *Niall* of the Nine Hostages; and on the other hand, we have the positive testimony of a Roman writer that the Scots came from Ireland. The Romans and Britons appear to have been for a time more or less successful in the war. In one of Claudian’s poems, Britain, personified as Britannia, speaks of Stilicho, the Roman general, protecting her from neighbouring nations when the Scot moved all Ierne, and the sea foamed with hostile oars; and adds that, supported by his spears, she should not fear Scotie enterprises, nor tremble at the Picts, or look out along the coast for the coming of the Saxons with inauspicious winds.³⁰ We need no other evidence to show

Scotic,
Pictish, and
Saxon Inva-
sion of 396-
397, an im-
portant land-
mark in Irish
history.

Claudian’s
reference to
Irish Scots
shows that
they were
formidable.

³⁰ *Inde Caledonio velata Britannia monstro,
Ferro Picta genas, cujus vestigia verrit
Coerulus, Oceanique aestum mentitur, amictus :
Me quoque vicinis pereuntem gentibus, inquit,*

that the attacks of the Irish were deemed formidable; and we may thence conclude that Ireland at that time must have had a more or less stable government and an advanced military organization.

The war with the Goths, which commenced in the year 400 and ended with the defeat of Alaric at Polentia in 408, compelled Stilicho to recall all his legions from Britain, and leave it almost wholly unprotected, a circumstance at once taken advantage of by the Scots and other enemies, if it be true, as the Irish annals state, and there seems no reason to doubt the statement, that *Niall* of the Nine Hostages, who began his reign *Niall* of the Nine Hostages, and his connection with the invasion of Britain; A. D. 379, was slain in 405, at *Muir n-Icht*, i. e. the sea between France and England—a name which is connected with, if not derived from, the *Portus Iccius* of Cæsar, which was situated not far from the present Boulogne. It would appear from such authorities as we have, that he was in Gaul at the time, and some specifically state that he was on the banks of the Loire when killed by *Eochad*, son of *Enna Ceinselleach*, king of Leinster. But whether in Gaul or Britain, his being on the shore of the English Channel at all, implies either that he had marched through the whole of England, or that he had sailed from Ireland up the present English Channel. If the first, he must have had a considerable army; if the second, the Irish must have possessed ships of good size. The Britons themselves appear to have been anxious to throw off the Roman yoke, and three emperors were elected in succession, the most celebrated of whom was Constantine, who passed over into Gaul with an army, and fixed his camp at Arles, but being defeated, was put to death by order of Honorius. The first of these emperors, named Marcus, was slain A. D. 406, *Niall* may have been the Emperor Marcus under a Roman name. which coincides so nearly with the death of *Niall*, that one is tempted to look upon Marcus as merely *Niall* under a Roman name.

Munivit Stilichon, totam cum Scotus Iérnen
 Movit, et infesto spumavit remige Tethys.
 Illius effectum curis, ne tela timerem
 Scotica, ne Pictum tremere, ne littore toto
 Prospicerem dubiis venientem Saxona ventis.

In primum Consulatum Fl. Stilichonis, lib. II. 247.

Atticotti in
the Irish
armies;

Niall and the other Irish leaders of military expeditions into Britain must have had large bodies of the subject tribes or *Aithech Tuatha* in their armies. Considering the relations of hostility which existed between these tribes and the ruling Scotie families, they must have formed a very uncertain element of the Scotie army in cases of danger or difficulty; and it seems very probable that many of them either deserted voluntarily to the Romans, or were made prisoners of war, and formed into legions, or incorporated into existing ones. In the *Notitia Imperii*³¹ the Atticotti are frequently mentioned about this period. A body of them appears to have been employed in the Gothic war against Alaric; others were stationed at Rome and other parts of Italy.

are men-
tioned about
this time in
the *Notitia
Imperii*.

Athi the
last invader
of Britain.

The Roman legions appear to have been finally withdrawn from Britain about the year 409 or 410, when the country was left entirely to the mercy of its enemies. The last great invasion of the Irish Scots appears to have been led by the nephew and successor of *Niall, Athi* or *Dathi*, described as "king of Eriu, Alba, Britain, and as far as the mountain of the Alps".³² According to the *Annals of the Four Masters*, he was killed by a flash of lightning. There is a legend of the manner of his death near the Alps, in the *Leabar na h-Uidhre*, which tells us that on his death, his son *Amhalgaidh*, or Awley, took the command of his army, and brought his body back to Ireland, fighting many battles by land and sea on the way. The places where the land battles were fought are given in the MSS. known as the *Book of Lecan* and the *Leabar na h-Uidhri*. In the latter, however, they are given on the margin, and not in the text.³³ With the exception of Lundunn, which is clearly London, none of the others have been identified, namely Corpar, Cinge, or Cime, Colom, Faile, Miscal, Coirte, Moile, Grenius, and Fermir. These

³¹ *Notitia dignitatum et administrationum omnium tam civilium quam militarium in partibus orientis et occidentis*. Ad. codd. MSS. editorumque fidem recensuit commentariisque illustravit Ed. Böcking, Bonn, 1839-53.

³² *The Genealogies, Tribes, and Customs of Hy-Fiachrach*. Edited by John O'Donovan, LL.D. Published by Irish Archaeological Society, 1844, p. 17.

³³ *Ibid.*, note k, p. 24.

may be traditional names of some of the Scotie battles against the Romans, and, if so, are deserving of investigation. It may be that the battle of Lundunn refers to the great invasion in the reign of Constantius above mentioned, and not to a later event. If *Athi* really did reach the Alps, he may have done so as an ally in the pay of the Roman emperor, like many of the German and other barbarian kings. It was probably in one of the expeditions organized in this monarch's reign, that St. Patrick, then a youth, was carried off and sold into slavery in Ireland. Keating and others suppose this event to have taken place in the reign of Niall; but the suggestion just made is more probable. In either case the expeditions must have been on a large scale, if the word "thousands" in the passage in the *Confessions of St. Patrick*, where he says, "I was carried into captivity to Hiberio with many thousands of men", be not a corruption.³⁴ The celebrated Allelujah victory, in which the Gaulish bishop, St. Germain of Auxerre, is said to have led the Christian Britons against their old enemies, was fought in the year 430. The event probably marks the end of the Scotie invasions,³⁵ and the commencement of the Saxon domination in Britain. It is also noteworthy that St. Patrick came to Ireland as a missionary, according to some, two years after that battle, that is, in 432, and to others, in 439 to 442, and that, according to a tradition preserved by the Scholiast on Fiac's Hymn,³⁶ he went into Britain with St. Germain, and may have, consequently, witnessed the battle. Whether this be so or not, it is

St. Pa'rick
carried to
Ireland in
the time of
Athi.

The "Alle-
lujah Vic-
tory" marks
the end of
Scotie inva-
sion and be-
ginning of
Saxon domi-
nation

³⁴ "Deum verum ignorabam; et Hiberione in captivitate adductus sum, cum tot millibus hominum, secundum merita nostra, etc. In the *Book of Armagh* it is "cum tt milia hominum". Ware read the contraction as just given correcting *milia* to *millibus*. Dr. Todd (*St. Patrick, Apostle of Ireland*, etc., Dublin, 1864, p. 362, n. 4) thought the ungrammatical *milia* was probably a confusion of some numeral letters, or that the original was "cum turba vili hominum".

³⁵ The battle is said to have been fought with the Picts and Saxons only. But without supposing with Father Innes that Constantius wrote Saxons instead of Scots, there can be no doubt that the Scots took part in nearly all the Pictish wars of the period.

³⁶ This statement is made on the authority of the late Dr. Todd. See his *St. Patrick, Apostle of Ireland*, p. 318.

probable that that event may have hastened the mission of St Patrick to the Scots.

Invasion of
Wales by
Cunedda.

To the same period must also be assigned, if not the first conquest of North Wales by the Britons of South Scotland under Cunedda, at least the extension of their sway over south-west Wales, where they supplanted the Irish. According to British traditions,³⁷ Cunedda and his sons came from Manau Guotodin in the south-east of Scotland to Gwynedd or North Wales, one hundred and forty-six years before the reign of Maelgwyn, who is said to have died A D 547, that is, in the period from 380 to 401, or during the reign of *Niall* of the Nine Hostages. It is not at all likely that that warlike and most formidable of all the Scotie invaders of Britain, who was able to carry his arms, if not into Gaul, at all events to the opposite shores, would have allowed his power to have been annihilated in the very district which formed his base of operations. It seems more natural to place the conquest of North Wales after the death of *Athi*, when Scotie power undoubtedly declined, and ultimately ceased altogether in South Britain. If the epistle about Coroticus, attributed to St. Patrick, be genuine, or whether or not, if it possesses the antiquity claimed for it, and that Coroticus be Caredig or Ceredig, son of Cunedda, as seems very probable, it would entirely confirm this view, which also accords with the tradition of the collection of tribute in Cornwall by the Irish, in the romance of *Tristan and Iseult*, to which I have above referred.³⁸

THE LANGUAGE OF ANCIENT IRELAND.

Nearly a century and a half ago, Edward Llwyd clearly pointed out an affinity between the Celtic dialects and such European languages as were then generally known. Sir William Jones, at the end of the last century, wrote these important words: "No philologer could examine the Sanskrit, Greek, and Latin, without believing them to have sprung from some common source which perhaps no longer exists. There

Sir William
Jones' opi-
nion as to
connection
of Celtic
with San-
skrit.

³⁷ *Nennius*, c. viii., lxvi. App.

³⁸ The Rev. W. Basil Jones also places the invasion of Cunedda towards the middle of the fifth century (*Op. cit.*, pp. 29-30); Rees (*Welsh Saints*, p. 110) makes it earlier.

is a similar reason, though not quite so forcible, for supposing that both Gothic and Celtic had the same origin with the Sanskrit. The old Persian may be added to the same family". The relationship here suggested was far from being the current opinion among writers. To admit a Celtic peasant's speech to be a co-ordinate member of the same family as the classic Greek and Latin, shocked their prejudices even more than did the opinion that the jargon of the Sepoy was in part at least a lineal descendant of the Sanskrit, the structure of which was more perfect than even that of the Greek. Mr. Pinkerton stated, that "the real Celtic is as remote from the Greek, as the Hottentot from the Lapponic". The Empress Catherine the Second of Russia discovered during her linguistic studies, that the Celtic was like the Ostjackian. Any opinions as to the affinities of a language, expressed before the true foundations of the Science of Language were laid, would of course be of no importance now, were it not for the prejudices which they created, and which acted as a barrier to subsequent investigations.

Prejudices
regarding
the Celtic
languages.

The Celtic dialects having ceased to be the language of an educated class, no longer received literary cultivation; while such works as had any merit lay buried in a fragmentary form in manuscripts inaccessible except to a few. Scholars, consequently, had no such inducements to investigate them as were offered by the literary Romance languages, by the Teutonic dialects, or even by the Slavonian, which are still the spoken languages of independent nations, and are on that account of political importance. Comparative grammar was but very little studied in Great Britain until within the last few years: the purely scientific interest which such a study creates for even the most unimportant language could not therefore have arisen. Hence foreign scholars had no means of knowing anything of Celtic literature except through the works of authors who were either wholly ignorant of the subject, and whose opinions were merely the expression of their prejudices, or ardent but uncritical philo-Celts, who, excited by the sneers and scepticism of their opponents, put forward the most extravagant pretensions on the part of the Celtic language and literature.

Difficulties
in the way
of a scientific
study of
Celtic languages;

hence fell
into the
hands of
uncritical
writers

Such pretensions, it is unnecessary to say, were not peculiar to Irish and Welsh writers, but were characteristic of the uncritical writers of every country not a half a century ago. It was not irrational to attempt to connect the Irish with the Phœnicians, when we consider that there is strong, if not certain, evidence of considerable intercourse between the Mediterranean nations and the South West of Britain, in times anterior to the rise of the Greek republics. The only difference between the extravagant theories of Celtic affinities and the analogous ones indulged in by other peoples, is that they have lasted longer in Ireland and Wales than elsewhere, in consequence of the exceptional position of the Celtic dialects there, the little attention paid to scientific philology, and the political prejudices of the educated classes. It is these exceptional circumstances, rather than the hypotheses themselves, which have helped to bring such contempt upon the Celtic scholarship of some thirty years ago.

Hypotheses of philologists more absurd than those on other languages.

Celtic languages could not be included by Schlegel in his Indo-Germanic family.

Looking then at the state of knowledge of the Celtic languages and literature in 1808, when Fred. von Schlegel published his *Sprache und Weisheit der Indier*, in which he laid down the true idea of genealogical classifications of language, and gave the collective name of Indo-Germanic to a family of languages, we do not see how he could have thought of including Celtic languages in that family; nor should we be surprised that continental scholars should have for a long time believed it to be a peculiar language without European relationships. Sir William Jones had better means of forming an opinion, and so had Dr. Prichard, who, in the first edition of his great work, "Researches into the Physical History of Mankind", published in 1813, still more strongly asserted his belief in the community of origin of the Celtic and other European languages in the following passage:

Prichard's early opinion on the connection of Celtic with other European languages;

"We have remarked above that there is historical proof of the connection of Sclavonian, German, and Pelasgian races with the ancient Asiatic nations. Now the languages of these races and the Celtic although differing much from each other, and constituting the four principal departments of dialects which prevail in Europe, are yet so far allied in their radical

elements, that we may with certainty pronounce them to be branches of the same original stock. The resemblance is remarkable in the general structure of speech and in those parts of the vocabulary which must be supposed to be the most ancient, as in words descriptive of common objects and feelings, for which expressive terms existed in the primitive ages of society. We must infer that the nations to whom those languages belonged emigrated from the same quarter" (p. 534).

To this passage the following note is added: "The author of the review of Wilkins' Sanskrit Grammar, in the thirteenth volume of the *Edinburgh Review* has given a comparative vocabulary of the Sanskrit, Persic, Latin, and German languages, which completely evinces the truth of the position here affirmed, as far as the above languages are concerned. But the proof would have been more striking if he had added the Celtic dialects and the Greek. I have made an attempt to supply the deficiency, which I intend to make public".

The promise here held forth was not redeemed until 1832, when he published *The eastern origin of the Celtic nations*^{his work on the subject.}. In this work he first discusses the permutations of letters, that is, the changes which letters in certain combinations might be supposed to undergo in passing from one language to another, or their mutual action in the same language, that is, the phonetic laws which govern the changes of sound as determined by a comparison of analogous words. He next compares the words expressing names of persons and relations, of the principal elements of nature, of the visible objects in the world, plants, animals, etc. Afterwards he compares the verbal roots, adjectives, pronouns, and particles; and in the next chapter, which is on the personal inflexions of verbs, he first discusses those terminations in Sanskrit, Greek, Latin, Teutonic, Slavonic, and lastly in Celtic. Then comes a chapter on personal pronouns and on the derivations of the personal terminations, which he considered to be pronouns, but without appearing to perceive that they were pronouns in oblique cases, as Mr. Garnett first pointed out. Lastly, he treats of the inflexions of verbs expressive of time and mode. He only incidentally notices the declensions of nouns, in which he evidently

did not see his way, which is not to be wondered at, considering that all his Celtic examples were modern Welsh, in which there is hardly a vestige of the endings preserved. His Slavonic examples were modern Russian, so that here too he is very weak. Taking into account the unworked condition of the Celtic languages, that he had no ancient forms, and the comparative infancy of the whole subject, such a work must necessarily have been superficial. As a first attempt it was undoubtedly a very creditable performance, and marked the commencement of a new era in Celtic philology, or rather the first step in the subject. The book is now, however, of no value, and I cannot therefore understand upon what principle a new edition was published not very long ago, and still less the kind of one which has been given, in which we are told that nothing has been done of any value in Celtic philology since Prichard's time! If there was sufficient demand for a new edition, it speaks well for the interest which exists for the subject, but ill for the standard of our philological knowledge.

M. Ad.
Pictet's
work on the
same
subject.

In 1837 M. Adolphe Pictet of Geneva published his very able work, *De l'affinité des langues Celtiques avec le Sanskrit*. He it was who first saw the great advantage which the Irish or Gaedhelic presented over the other Celtic dialects; and he accordingly almost exclusively used it in his comparisons. Better acquainted than Prichard with the method of analysis which was now being employed by comparative philologists, he was able to throw a considerable amount of light on the phonetic system of the Irish, as is evinced in the success with which he established the radical affinities of that language with the previously recognized members of the Indo-European family. He was unfortunately able to use only the modern corrupt forms of Irish, and consequently his analysis is not as rigorous, and therefore his phonological results not as valuable, as if he had been able to use the old Irish forms. M. Pictet has also used chiefly the modern forms of Irish in his curious and very important work, *Les Origines Indo-Européennes*. Dr. Ebel reproaches him for having done so, now that so many specimens of old Irish have been published, and points out that most of the errors of the first comparative investigations

both of Pictet and Bopp were due to the want of old Irish forms. It should, however, be remembered, that in the last-named work, M. Pictet's object was historical induction, and he used comparative philology as a means to this end. He was obliged to take the words which bore upon his subject, whether their forms were new or old. Had his object been comparative philology itself, he might have chosen his materials and confined himself to the older forms. The objection of Dr. Ebel, however, does apply to some extent even here; and how much more justly in investigations less historical and more philological, when we recollect that to the same cause may be attributed the crude theories and bootless discussions about the primitive language of Britain—as to whether it was Gaedhlic or Kymric, and whether these two dialects also were spoken in ancient Gaul.

In 1839 Professor Bopp published his work, *Die Celtischen Sprachen*. From the skill and profound knowledge of this great scholar, there can be no doubt that, had he been in possession of old Irish materials, Celtic philology would have soon occupied a coördinate position with that of the other members of the family. As it was, he made a discovery which must have created a new era in the subject. I have stated that Pritchard merely alluded to the declension of nouns, but did not attempt an analysis of the declensional forms, which in truth he did not possess in modern Welsh. Even with the modern Irish forms this would have been the most difficult problem which could have been presented to a comparative philologist. The Irish declensional forms have suffered so much decay, and have so far disappeared, as to almost justify the very peculiar opinion that Irish was not a language in process of decay, that is, in process of losing its inflexions, but that it had never attained the inflexional stage at all. Bopp's discovery was, that the aspirations and eclipses, that is, the silencing or changing of certain sounds, which render the study of modern Irish so difficult, which disfigure it, and make the Irish declension so exceptional, are simply the relics of the old case-endings, and the results of the phonetic changes which they have produced.

None of the Celtic manuscripts available to Irish scholars in

Bopp's
work on
the Celtic
languages.

Causes which render Celtic grammar difficult.

Ireland, or to Welsh scholars in Wales, are older than the end of the tenth or beginning of the eleventh century, and as there had not lived any great author whose influence and authority could have arrested for a short time the current of the language, and created a standard of orthography—a classical type—the poems, histories, and other works which existed in the earlier language, were modified, as I have before mentioned, in each transcription, to suit the phonetic changes taking place in the language; so that the full rich verbal forms became crippled, the case-endings dropped off gradually, leaving in Irish only traces of their existence in the aspirations and eclipses above mentioned; while the adoption of an arbitrary mode of spelling at an early period in Welsh, blotted out all traces of inflections. We need not wonder then that the majority of scholars were unable to penetrate the mysteries of Celtic grammar before the old Irish forms were made known. In fact, as Dr. Ebel says, everything true in Celtic philology before that time was the lucky result of a wonderful divinator faculty.³⁹ We have an excellent example of this inability to understand the true affinities of the Celtic languages in the case of so excellent a scholar as Mr. Garnett, who so late as the year 1843, endeavoured to account for the existence of a genitive and dative case in Irish, by supposing that the distinctive portion of the Irish tongue is of comparatively later introduction into the West of Europe, and that the Cymric and Armoric have more faithfully preserved the peculiarities of the ancient Celtic. For instance, the entire want of cases in Welsh, Cornish, and Breton, is a mark of antiquity exhibited by no other European tongue in its original condition!⁴⁰

Mr. Garnett's curious way of accounting for cases in Irish.

Genealogical classification of languages;

This is the place to say a few words by way of digression upon the fruitless discussions which have been carried on as to whether the Celtic languages had the same relative genealogical rank as the Teutonic, the Latin, or other recognised members of the Aryan family of languages,—whether they formed a

³⁹ *Celtic Studies*, translated by the Editor, p. 136.

⁴⁰ On the probable Relations of the Picts and Gael with the other tribes of Great Britain. *Proceedings of the Philological Society*, June 9th, 1843, vol. i., p. 126.

sister group of dialects, or were only first cousins—and consequently whether they could be added without enlarging the family circle and bringing in a number of other cousins. The basis of such a discussion rests upon a complete misconception, first, of the manner of growth and decay of language, the nature of which I have already mentioned; and, secondly, of the true principles of the genealogical classification of languages.

The aim of a classification of languages is obviously to endeavour to represent their genealogical relationships. If we take all the languages now sufficiently known, and classify them according to their roots and the actual condition of their grammatical forms, it must be clear that a group of languages containing the same roots and having the same degree of development or decay of grammatical structure, would contain languages whose true degree of genealogical relationship would be very different, because the several languages of the group not having been submitted to the same dynamic agencies of change, could not have attained the same degree of decay and dialectic growth in the same time. Thus, Lithuanian of to-day might almost be compared with the Greek of two thousand years ago, while modern Irish would belong to a totally different class. It follows, therefore, that a classification founded upon the actual state of their radical and formal elements could not possibly give the relative degrees of relationships of the languages so classified. Many philologists, or perhaps we should rather say ethnologists, seem not to realise the fact that the object of classifying languages is not to bring together into one group languages whose formal elements are equally developed or decayed, but to endeavour to group together languages, no matter how far they may differ in the degree of development or decay, which started from a common parent, and to exhibit as far as possible their relative degrees of relationship.

The decay and dialectic growth of languages are the result of interchange and loss of certain sounds, which are represented by letters, and by the reactions of sounds upon each other. Are these changes arbitrary, or are they governed by definite determinable laws? If the latter alternative be true, we

errors
regarding;

aim of;

degree of
relationship
not given
by com-
parison of
radical and
formal
elements.

Comparative
phonology
the true
basis of the
science of
language.

ought to be able inductively to determine the exact structure of a language at some previous period, to so restore a language which had decayed rapidly as to be able to compare it with another with which at first sight it may appear not to have any affinity. The true science of comparative grammar is based upon that assumption; and in proportion as the true method of investigation of languages has been understood, all the crude and erroneous theories founded upon what may be styled "columnar philology", that is, comparing long lists of words from different languages placed in parallel columns, have been cast aside.

Evidence of case-endings in Irish MSS., but not known to those who wrote on the subject.

But, to return. I have stated that none of the Celtic manuscripts available to the investigator of the science of language in these countries were older than the eleventh or twelfth century; but even these were sealed books to the majority of philologists, who could only use the modern and very corrupt forms and vocabulary of the language. Many of the tracts in the Irish vellum manuscripts of the Royal Irish Academy and Trinity College, Dublin, exhibit abundant evidence of grammatical endings, although in a mutilated condition, and had they been published long ago, there would never have been any question as to whether the ancient Celtic was an inflexional language.

Irish MSS. in foreign libraries.

In the libraries of the Continent many Irish manuscripts are preserved, written there, or carried thither by Irish missionaries from the sixth to the ninth centuries. Among them are especially Latin tracts with Irish glosses explanatory of the Latin texts for the use of Irish students. These works contain invaluable materials for the study of Irish grammatical forms, and in J. Kaspar Zeuss they found an interpreter. One does not know which to admire more in this extraordinary man—his acuteness of mind and great learning, or his unwearied industry. He visits St. Gall, Wurtzburg, Carlsruhe, Milan, Oxford, and other places, examines every Celtic manuscript which he can find, copies the glosses or texts with his own hand, and such was his enthusiasm and application that he caught a fever in Milan which prevented him from completing his labours there. Upon the materials thus laboriously

J. Kaspar Zeuss;

collected from Irish and Welsh manuscripts, and printed Cornish and Armoric books, he constructed a grammar of all the Celtic dialects of which we have any remains. The *Gram-*^{his Gram-}*matica Celtica*, written in Latin, and the result of thirteen ^{*matica*} years of incessant labours, was published in 1853, and took ^{*Celtica*;} European scholars by surprise. Those who had occupied themselves at all with the subject felt that at length the Celtic languages were placed upon a firm basis. Besides the discovery of the relics of a complete system of formal elements, Zeuss determined the outlines of a complete phonetic system of the Celtic dialects. Not the least valuable part of the *Grammatica Celtica* is the large collection of old words which afford us in the first instance an enrichment of the Celtic vocabulary, and in the second a means of comparing old and modern forms, thus affording means of determining accurately the phonetic laws of the various dialects. ^{old forms of words in it ;}

The *Grammatica Celtica*, imperfect as it must necessarily be in many ways, must henceforward be the starting point of all scientific investigations concerning the Celtic languages. ^{importance of the book.}

The works I have named are entirely philological; but there is another class of books which should not be forgotten—those on what may be called philological ethnography. Among them may be mentioned the following:—The excellent book by the author of the *Grammatica Celtica*, *Die Deutschen und die Nachbarstämme*, in which we have an epitome of all the information which can be gathered together upon the various tribes of Germany and Gaul; and the works of Diefenbach, *Celtica*, an examination of the materials of Celtic ethnography, now antiquated and of little value, being superseded by his later work, *Origines Europaeae*, a work of great research and value. ^{Other works bearing on Irish philology.} The same author's comparative lexicon of the Gothic is of considerable value to the Celtic student, as it contains a large number of comparisons with Celtic dialects, especially with the Irish. Many of his comparisons require no doubt revision from the fuller information afforded by Irish glossaries, to which he had not access. But even the errors of such a man are often of value, especially when accompanied by the rational and moderate caution which distinguishes him. The veteran

Other works
bearing on
Irish
philology

Mone, to whose researches among continental libraries we owe a knowledge of many relics of old Irish writers, gives some useful information in his *Celtische Forschungen*, and in his *Die Gallische Sprache und ihre Brauchbarkeit für die Geschichte*. In Glück's invaluable work on the Celtic names mentioned by Cæsar, we have a thorough examination in the light of modern philological science of the Celtic words which are to be found in the writings attributed to Cæsar. In France, M. Roget de Belloguet's two volumes of the *Ethnogénie Gauloise*, the first being a Gaulish glossary, has given a new and healthier impulse to the study of Gaulish history. Another French work which deserves mention as marking the commencement of this new era for Celtic philology is M. Monin's *Monuments des anciens idiomes Gaulois*.

Aryan
character
of Irish
grammar
determined
by Dr.
Ebel.

Although the *Grammatica Celtica* established beyond doubt the inflexional character of all the Celtic languages, and that the modern condition of the languages is the result of decay, there still, however, remained to be determined the important question of the Aryan character of those inflexions, and on that being settled, the rank or position they should be assigned in the family. That question has, in my opinion, been fully solved by Dr. Heinrich Ebel in his various papers contributed under the title of *Celtische Studien* to a German journal for comparative philology, a result, to which a number of papers by Mr. Whitley Stokes in the same periodical also materially contributed.

Disadvan-
tage of
having no
very
ancient
Celtic
text;

Celtic philology labours under the great disadvantage of having no very ancient continuous text which, like the fragment of the Bible of Ulphilas, could give us the full formal elements. Some fragments and glosses were, however, supposed to exist in certain formulæ of incantation in the works of Marcellus Burdigalensis; in the Grammmarian Virgil, and in the glosses known as the Malbergian in a copy of the *Lex Salica*.

the Mar-
cellian
formulæ;

Marcellus, physician to Theodosius the Great, who died at Milan in January, A.D. 395, was called Burdigalensis, because he was from Burdigala or Bourdeaux, and Empiricus, because he was reckoned among the Empiricists. He mentions many

Gaulish plant-names and several popular remedies, the formulæ for which he took down from the mouths of the people. Jacob Grimm, after a careful examination of those formulæ, came to the conclusion that they were Celtic and related to Irish; he even attempted by means of the latter to interpret them. The discovery of a supposed specimen of Celtic speech as old at least as the fourth century, and which from the character of the formulæ is doubtless much older, and further which showed that the language of Aquitania, if not the whole Gaulish speech, approached nearer to Irish than to Welsh or Breton or Armoric, naturally excited considerable attention, but was received with a great deal of scepticism. Herr Mone warned Grimm that the Celtic should not be improperly extended,⁴¹ whereupon Grimm retorted, that he could easily understand how the recognition of the Celtic where it really is, should have escaped a scholar who sees much Celtic where it is not. M. A. de Chevallet was not less unfavourable than Herr Mone to Grimm's view,⁴² though, as the latter remarks, "he appears to plough with a strange ox" (er scheint aber mit fremden Kalbe zu pflügen), or in other words, he is not at home in the subject.⁴³

pronounced
by J.
Grimm to
be Celtic;

controversy
on the
subject;

But the most important verdict against the Celtic character of the formularies of Marcellus is that given by Zeuss at the end of the preface to the *Grammatica Celtica*, in which he says that if any one seeks in his book for words from Marcellus Burdigalensis, the grammarian Virgilius, or the Malberg Glosses, he will not find them, for in all these no one has found or will find a Celtic word.⁴⁴ Grimm himself had however already in 1850, stated that there was not a single word of Celtic in the Malberg Glosses; and he had not discussed or occupied himself with Virgilius. As to Marcellus, as Grimm very

Zeuss' opinion as to non-Celtic character of the Marcellian Formulæ.

⁴¹ *Die Gallische Sprache und ihre Brauchbarkeit für die Geschichte*, 1851, S. 172.

⁴² *Origine et Formation de la Langue Française*, Paris, 1858, pp. 7, 8.

⁴³ *Philologische und historische Abhandlungen der k. Akademie der Wissenschaften zu Berlin*, aus dem Jahre, 1855, S. 53.

⁴⁴ "Quæ apud Marcellum Burdigallensem, Virgilium grammaticum, in Glossa Malbergica leguntur perigrina, inaudita vel incognita, si qui quaesiverit in hoc opere non inveniet, in his omnibus enim equidem nec invenio vocem Celticam nec invenio".

properly observes, he gives no less than ten names of plants and one of a bird, which he expressly states to be Gaulish. Thus: trifolium herbam, quae Gallice dicitur *Uisumurus*; herba quae Graece *Chamaeacte*, Latine *Ebulus*, Gallice, *Odocos* dicitur. He also mentions several which are likewise distinctly referred to as Gaulish by Cicero, Varro, Pliny, Dioscorides, and which Zeuss curiously enough quotes from these writers without making any reference to Marcellus. The only way to reconcile these facts with Zeuss' opinions, is to assume that he did not seriously examine Marcellus at all, for otherwise he would have been sure to quote him also for those words which are referred to in the authors above mentioned.

Reëxamination of the subject by Grimm.

These unfavourable criticisms led Grimm to reëxamine the subject. In 1855 he laid the result of his inquiry before the Academy of Berlin, in a memoir, embodying the results also of M. A. Pictet, in which the Celtic character of the formulae of Marcellus was triumphantly established. I cannot better express the character of those results than in the words of M. A. Pictet: "I do not know whether I am mistaken, but it appears to me that those interpretations, so precise, so rational, obtained like those of Grimm almost without a change of the texts of Marcellus, confirm in a remarkable manner the result brought to light by that scholar, namely, the existence of a dialect of the Gaedhelic branch in Aquitaine in the fourth century,—a result of great importance for the history of the Celtic languages".⁴⁵ Zeuss also before his death fully admitted the Celtic character of the Marcellian formulae in a letter to Jacob Grimm, which the latter laid before the Academy of Berlin.

Pictet's opinion.

Zeuss admits their Celtic character.

The following passage from Grimm's memoir, just referred to, shows how little had been done less than twenty years ago to properly investigate Gaulish history and old Celtic languages, questions of such vital importance for the early history of the whole of Europe.

Grimm on the absence of Gaulish inscriptions;

"If we consider that the discovery of writing, once made, could not easily be again lost, and that it had penetrated

⁴⁵ *Philolog u. hist. Abhand. der k. Akad. d. Wiss. zu Berlin*, aus dem Jahre 1855, S. 67. Monin, in his *Monuments, etc.*, pp. 76, 78, gives a critical account of the analysis of these Formulae by Grimm and Pictet.

deeper in the old world than is usually supposed, it remains to be regretted that even highly endowed races, as, for example, the Celtic and Germanic, neglected to engrave lasting monuments on stone and bronze, and thereby give to posterity certain information of themselves and of their language. To be sure, the favour of the Grecian and Italian skies, under which writing scarcely decays, is necessary for such monuments; but the Gauls, however, possessed the greater part of Upper Italy long before the commencement of our chronology, and neighbours of Etruscan, Umbrian, Roman peoples, they could have learned from them the use and application of writing on stone and bronze. There is, however, no trace of a Gaulish inscription from so ancient times being known, which might have imparted to us the precious explanation of the former condition of the Gaulish language, which exhibited an undoubtedly higher perfection of its forms. We understand almost entirely the Oscan inscriptions, half or two-thirds of the Umbrian; the riddle of the concealed Etruscan will, no doubt, reveal itself one day. But we should have been able to explain the Gaulish from the later Celtic language, just as easily, or more easily, than the Oscan and Umbrian languages have been investigated thoroughly by the help of the Latin and the kindred Sanskrit. For all these languages, possibly even the Etruscan",⁴⁶ come under the law of the Indo-European.

It is evident from this passage that Grimm did not expect many additions to the linguistic remains of the old Celtic languages from such inscriptions. Since then, however, this department of archaeology has made so much progress that we are already in possession of a great many Celtic inscriptions, and there can be no doubt that the Celts of Gaul and Italy were acquainted with the use of writing, the former using Greek letters, as indeed Cæsar expressly informs us,⁴⁷ and also Roman ones, in their inscriptions on stone and bronze, and those of Upper Italy, probably Etruscan letters. The general use of the alphabets just mentioned does not, however, preclude the use also of a peculiar or occult alphabet of their own, akin to that used in the inscriptions on Iberic coins.

⁴⁶ *Loc. cit.*, S. 52.

⁴⁷ *De Bel. Gal.*, vi. 14, cf. i. 29.

several of these discovered many years before their true character was recognized;

reasons why their character was not sooner recognized;

Several of the inscriptions now recognized as Gaulish were discovered long ago, and among them some of the most important. But the disbelief in the existence of any knowledge outside that of the classic nations, the complete indifference to Gaulish archaeology amongst most scholars in repute at the time, the small number of the inscriptions found, their unintelligible, and therefore mostly inaccurately copied, texts, the successive and isolated way in which they were first discovered, the manner in which the inscriptions themselves are dispersed in provincial museums, and lastly, the out-of-the-way books in which they were first noticed—books which are almost unknown out of their places of publication, and which it would be vain to seek for in any libraries, except the great public ones of Paris, London, or Berlin, are sufficient reasons why those precious witnesses of the languages of one of the great branches of the Aryan family, and of one of the principal nations of Europe in olden time, remained so long unnoticed and neglected, or were left to be disfigured by interpreters, who only showed their utter inability to solve such riddles, or brought ridicule on all investigations into Celtic antiquity. But even though none of the obstacles I have enumerated had existed, it is only since the publication of the *Grammatica Celtica*, and the other investigations founded on it, that Celtic philology could attempt a rational solution of Gaulish inscriptions. As no account accessible to the general reader has yet appeared upon this important subject, I shall briefly describe the present position of the subject.⁴⁸

the more important of the older known inscriptions;

Of the inscriptions long known, the following may be specially mentioned:—1. The stone tablet found at the fountain of Nismes, and now preserved in the ruins of the temple of Diana, near the Roman baths in that city; 2. The inscription

⁴⁸ Professor J. Becker, in a series of papers in Kuhn and Schleicher's *Beiträge zur Vergleichenden Sprachforschung*, has given a most elaborate and very valuable account of all that had been done in the subject up to the time of their publication. See vols. iii. pp. 162, 326, 405; iv. 129. I have freely used these papers in drawing up the brief account of the subject in the text. M. Monin, in the work above referred to, has given the texts of all the Gaulish inscriptions known to him, ethnologically or geographically classified, and has added analyses of many of them.

on the Menhir of Vieux Poitiers, which was known to Bouignon de Saintes in 1783. He mentions it in his *Dissertation sur le Vieux-Poitiers*, published in 1786. A figure and fac-simile of this inscription were published in 1804 by M. E. M. Siauve.⁴⁹

3. The fragment of a four-sided Gallo-Roman altar, now in the Musée des Thermes, at the Hotel Cluny in Paris, which was found on the 16th of March, 1711, under the choir of Nôtre Dame. Besides the account published at the time by Baudelot, it forms the subject of a letter of Leibnitz to the Dowager Duchess of Orleans.⁵⁰ Montfaucon, Dom Alexis Lobineau,⁵¹ and a number of other antiquaries also describe it.

I have mentioned these discoveries thus minutely, merely to show the total inability of scholars to deal with such inscriptions, and the prejudices and ignorance of the archaeologists of the last century and of the beginning of this, as to the state of ancient Gaul. It was only in 1851 that the first serious attempt was made of a comparative study of this class of inscriptions by M. Germer Durand in a notice⁵² of an essay of Captain Coulson⁵³ on the inscription of Nismes, and on a Latin inscription in the museum of that city. In his comparison M. Durand also included an inscription on a marble tablet found in 1840 at Vaison, which has been in the Musée Calvet at Avignon since 1841. The Abbé Auber of Poitiers, a zealous and able antiquary, attracted by the enigmatical word IEVRV which occurs on many of these inscriptions, published a memoir⁵⁴ on the signification of that word, and on the sense in which it is to be understood in the votive inscriptions of Vieux Poitiers, Alise, and Nevers. This memoir was illustrated by two plates of fac-similes of the inscriptions found

their first comparative study;

M. G. Durand;

Abbe Auber.

⁴⁹ *Mémoire sur les Antiquités du Poitou*. Paris, 1804, pp. 111, 129.

⁵⁰ Lettre à M^{me}. la Duchesse Douairiere d'Orléans sur les antiquités déterminées dans l'Eglise Cathedrale de Paris. *Leibnitii opera omnia*, 4^{to} Geneva, 1768, t. vi. pl. ii. pp. 88 to 90.

⁵¹ *Dissertation sur les monuments de la Cathédrale de Paris*.

⁵² *Mémoires de l'Académie du Gard*, 1850-51, p. 75, et seq.

⁵³ *Essai sur une inscription Celtique trouvée a la fontaine de Nismes, et sur une inscription Latine de Musée de cette ville*, 1851.

⁵⁴ De la signification du mot IEVRV, et du sens qui lui revient dans les inscriptions votives du Vieux Poitiers, d'Alise, et de Nevers. *Bulletin de la Société des Antiquaires de l'ouest*, iv. trimestre de 1855, pp. 321-335.

in 1839 at Sainte Reine d'Alise, in Burgundy, and now in the Palais des Archives at Dijon; of that found in 1853 at Mont-Afrique, near Dijon, on the handle of a bronze patera, and now in the Musée de la Côte d'Or; the inscription on the menhir of Vieux Poitiers already mentioned, and that found at Nevers in 1727. The inscription of Sainte Reine d'Alise had already been described in the journal *L'Institut*⁵⁵ for 1850. The same journal also gave in 1856⁵⁶ Abbé Auber's explanation of the word just mentioned, as well as those of his colleagues MM. de Longuemar and Cardin.

Taking advantage of all these materials and including the inscription of Vaison above mentioned, and that of Autun, J. mentioned by M. de Fontenay;⁵⁷ Professor J. Becker published a paper on the word IEVRV in Gallo-Roman inscriptions⁵⁸, to which he afterwards added a supplement.⁵⁹ In the mean time appeared M. Roget de Belloguet's work *Ethnogénie Gauloise*,⁶⁰ which not only contained a new inscription, that found at the source of a small stream, La Cave, at Volnay, near Beaune in Burgundy, but gave the texts of the inscriptions of Vaison, Sainte Reine d'Alise, Mont-Afrique, Autun, Volnay, Vieux Poitiers, and Nevers, for the first time critically examined. An attempt to explain them was even made.

Upon this first extended exposition and examination, M. Adolphe Pictet founded in the following year an admirable essay, which showed what progress had, in a short time, been made.⁶¹ This work contains a copy and a linguistic analysis of the seven inscriptions just mentioned. Simultaneously with the appearance of M M. de Belloguet's and Pictet's works, the inscription of the fountain of Nismes, which was only

⁵⁵ II. Sect. 5^{me} Année, No. 52, p. 36.

⁵⁶ Interpretation du mot IEVRV, que portent certaines inscriptions. *Ibid.*, 21 année, Nos. 244-245, 1856, pp. 53, 58.

⁵⁷ *Archéologique*, 1849, p. 96.

⁵⁸ Ueber das Wort IEVRV, in gallo-römischen Inschriften, *Rheinisches Museum*, Bd. xiii. s p 290-296.

⁵⁹ *Ibid.*, Bd. xiv. s. 154-158.

⁶⁰ Paris, 1858.

⁶¹ *Essai sur quelques inscriptions en langue Gauloise*, Genève et Paris. 1859.

Professor J. Becker;

M. de Belloguet;

M. Ad. Pictet

known to provincial archæologists in France, was brought under the notice of Celtic scholars by a paper in the *Revue Archeologique* by M. Boudard.⁶² This enabled Mr. Whitley Stokes to investigate no less than nine Gaulish inscriptions, namely, those examined by M. Pictet, and, in addition, that of Nismes just mentioned, and that of the ancient altar of Nôtre Dame in the Hotel Cluny; and this with especial reference to the labours of both his predecessors.⁶³ In this paper he gives a translation of the Nismes inscription by the late Dr. Siegfried, in which two datives plural were recognised—*Mâtrebo Namausikâbo* = *Matribus Nemausicis*, which are descendants of the Indo-European datives plural in *-bhias*, Sanskrit *-bhyas*, the *i* (*y*) being ejected as in Latin *-bus*. The result of these successive investigations is very important, for as Prof. Lottner⁶⁴ has pointed out, we are made acquainted with forms which in antiquity yield in nothing to classic Latin, and in many respects are on a par with the most archaic forms of old Latin. They establish beyond a doubt that the ancient Celtic languages, as well as the old Germanic ones, were as highly inflected as the Greek and Latin. Another result has likewise been gained from these investigations which affords a most valuable verification of the inductive method of research of modern comparative philology, namely, they give us in part the very forms which Dr. Ebel had previously inductively anticipated from the phonetic laws of the Irish language.

Mr W Stokes.

Important results of these investigations.

All the inscriptions I have been discussing belonged to Transalpine Gaul; but Mr. Whitley Stokes, believing the bilingual inscription found at Todi, in North Italy, to be Celtic, attempted an analysis of it,⁶⁵ and thus widened the basis of the investigation. Herr Theodor Mommsen has published a collection of the monuments of Upper Italy, written in the

Celtic inscriptions of Italy.

⁶² Recherches sur l'histoire et la géographie du sud-est de la Gaule avant la domination Romaine, xv^me. Année, Avril, 1858, p. 40 *et seq.*

⁶³ *Beiträge zur vergleichenden Sprachforschung*, Bd. ii. (1859) S. 100.

⁶⁴ *Ibid.*, Bd. ii, S. 309.

⁶⁵ *Ibid.*, Bd. iii. S. 65 (1860). At the end of this paper the author gives a reading by Dr. Siegfried and himself of the curious inscription on a silver plate found in 1858 at Poitiers. A fac-simile of the inscription

North Etruscan alphabet,⁶⁶ some of which are undoubtedly in a Celtic language. Herr Mommsen himself has expressly stated that the question of the language of the North Italian monuments is perfectly independent of the alphabet in which they are written. Here, then, a wide field is opening up for future investigation, rich in the promise of results, important not merely for the Celtic languages and history, but also for the ethnology and early history of Europe.

Old Irish
inscriptions.

Two classes of Lapidary inscriptions have been found in Ireland: first, those in the Runic-like writing called *Ogham*; and second, those written in the ordinary Irish letters. The latter are all Christian, and belong to the period of the sixth and subsequent centuries.⁶⁷ Many of the *Oghamic* ones belong to pagan times, and are therefore of far greater value. Some of them have been from time to time described, and attempts have been made to translate them. Unfortunately many of these attempts were made by persons who knew little about the subject, or, what was still worse, were filled with the absurd ideas about the ancient Irish current about thirty years ago. The first rational attempt to investigate them was made by Dr. Graves, the present Protestant Bishop of Limerick, whose book on the subject, containing a translation of the tract on *Ogham* in the vellum manuscript known as the *Book of Ballymote*,

was published at the time by M. de Longuemar,¹ and M. Ad. Pictet² attempted a translation. M. Monin also gave a reading and translation of it.³ A paper containing an analysis and translation of this inscription, drawn up from the notes of the late Dr. Siegfried, was read in 1863 before the Royal Irish Academy by Dr. C. Lottner. Though leaving much room for further investigation, this paper is an interesting contribution, not only to the subject of Gaulish inscriptions, but also to Celtic mythology. See *Proceedings of the R. I. A.*, vol. viii., p. 308.

¹ Rapport sur une inscription tracée sur une lame d'argent. *Bulletin de la Société des Antiq. de l'Ouest*, prem. trim. de 1859, p. 7—21.

² Lettre à M. de Longuemar au sujet de l'Inscription Gauloise sur une plaque d'argent *Ibid.*, deux trim. de 1859, p. 29—41.

³ *Op. cit.* p. 88 (1861).

⁶⁶ Nord-Etruskischen Alphabeten auf Inschriften und Münzen. *Mittheilungen der Antiquarischen Gesellschaft in Zürich*, VII., 1853.

⁶⁷ The late Dr. Petrie devoted much attention to the latter class of inscriptions. Miss M. Stokes is about to publish his collection, enriched by considerable additions.

made for him by Professor O'Curry, has long been anxiously expected by all interested not only in Irish, but in European archaeology.

Examples of bilingual inscriptions have also been discovered within the last few years, both in Ireland and in Wales, and are of the highest importance, both philologically and historically, especially in connection with the history of Oghamic writing; for the Celtic part of the inscriptions is written in the latter, and the Latin in the usual Roman letters. One was discovered at St. Dogmaal in Cardiganshire in Wales, and a fac-simile was published by Mr. Westwood in the *Archæologia Cambrensis* for April, 1860. It has also been given, with some observations by Mr. Whitley Stokes, in the preface to his *Three Irish Glossaries*. Another was discovered by the Rev. John F. Shearman, C.C., in an old graveyard at Killeen Cormac, near Dunlavin, in the county of Kildare, and fully described by him in a paper read before the Royal Irish Academy.⁶⁸ Mr. Whitley Stokes has given an analysis of both inscriptions in a paper published in Kuhn and Schleicher's *Beiträge*.⁶⁹

Old British and Irish bilingual inscriptions.

Valuable and extensive collections of Gaulish, British, and Iberic coins have been formed, and illustrations of a number of them have, from time to time, been published; but as yet very little real progress has been made in deciphering them and identifying them with historical personages. The subject is still in its infancy; but with our increasing knowledge of the Celtic languages, manners, and customs, Celtic numismatics is destined to add to our list of old forms of personal and tribe names, and throw light upon the dress, arms, and personal ornaments of the people. I had intended to give a brief account of the present position of the subject, but as this introduction has gradually grown too big, I must reserve my available space for the discussion of matters more fruitful at the moment in results bearing on the subjects of these Lectures.

Celtic Numismatics.

I do not propose to mention here what has been done towards the publication of the contents of Irish manuscripts, as I am not now concerned so much with the Irish language

Special objects of this Introduction

⁶⁸ *Proceedings R. I. A.*, vol. ix. p. 293.

⁶⁹ 5^{ter} Bd. S. 363.

itself, or the historic and other documents written in it, which remain to us, but rather with its position as regards comparative philology, and more especially with the successive steps by which the Celtic languages have been proven to be inflexional languages of coördinate rank with the Germanic and Latin languages, as members of the great Aryan family; a fact now universally admitted by comparative philologists, and which disposes for ever of the Phœnician origin of the Irish on the one hand, and the crude linguistic theories so long current in England, on the other.⁷⁰

ETHNOLOGY OF ANCIENT IRELAND.

Effect of
mixture of
races on
their
languages.

Identity of language does not necessarily imply identity of race. Races fuse, but languages do not. One language may borrow from the vocabulary of another, but it subjects its loans to its own phonetic laws and its own grammatical forms. When the loans from a foreign vocabulary are considerable, the phonetic laws undoubtedly are modified, and the grammatical forms crippled, and ultimately dropped altogether. When two races mix, one language must therefore ultimately suppress the other; sometimes it is that of the dominant race, but not necessarily that of the most numerous one; on the contrary we know that a very small minority may impose its language upon the great majority. When this happens, the original conquering race continues to keep up its connection with the parent country, for otherwise the minority would be gradually absorbed into the mass, and their language gradually disappear, adding however many words to the language of the people, crippling its grammatical forms, and modifying its phonetic system. Thus the old Norse gradually died out of Normandy when the Viking expeditions ceased. In England, the Saxon English of the people finally drove out the Norman-French of the nobility the moment England began to lose her hold of the French provinces, and that her nobles ceased to look upon themselves as Normans. But during the struggle, the French inserted such

⁷⁰ For the same reason I do not mention what has been done in Wales or Scotland in a similar direction, or allude to the labours of M. de Villemarqué and others in making known Celtic legends and songs to the French reading public.

a number of words into the English vocabulary, as to give it a new character and different phonetic laws.

When a struggle of languages takes place after a conquest, and that the language of the subject race wins, the effect of the language of the dominant race upon that of the subject race during the struggle for mastery, is far greater than that of the subject race upon that of the dominant one, when the language of the latter wins. The case of the Norman-French and English, just cited, is an example of the first, while the gradual suppression of the Irish language by the English, is an example of the second. These effects are such as we might anticipate *a priori*, and have nothing, or at least very little, to do one way or another with the original superiority of one language over another. The use of such words as "beef", "mutton", "pork", "veal", etc., which are only Anglicised forms of the French names of the animals that yield them—*boeuf*, *mouton*, *porc*, *veau*, instead of the corresponding Saxon terms, "ox", "sheep", "hog", "calf", does not imply any original superiority of the Norman language over the Saxon, nor is it of itself a proof of the higher civilization of the Norman people over the English, but only that the Normans were those who made the laws, and consequently enforced the legal nomenclature of the several articles of commerce, besides which they were those who chiefly constituted the classes who lead the fashion in language as well as in dress.

The Aryan character then of a language does not necessarily imply community of origin of all the people who speak it. Every one who speaks English, even in England, is not necessarily an Anglo-Saxon, neither were all those who spoke a so-called Celtic dialect, Celts. The opposite is, however, the conventional opinion of most persons who at all discuss the question of race. I have already mentioned that the people of the south-east of England were Saxon, or more properly speaking Germanic, from pre-Roman times. Beyond this Saxon region, which, at most, did not extend westwards and northwards farther than a line drawn from Dorsetshire to the Wash or Tees, the basis of the population, whatever it was under the Romans, remained the same through the whole

Effect of language of dominant race on that of the conquered.

An Aryan language not a proof of unity of race.

English people not all Anglo-Saxon.

Saxon and Norman times, except in so far as it was modified by the intermixture of soldiers of the Roman legions, many of whom were Gauls or Germans, like the Franks of Carausius. A slow intermixture and fusion of the two populations must have taken place along their frontiers. The gradual rise of the supremacy of the Saxon Bretwalda, or chief kings, and the conquest of British principalities by Saxon adventurers, ultimately transferred the possession of the land, to a large extent, but by no means entirely, into Saxon hands. This Saxon supremacy, which arose upon the fall of the Roman power, and which was no doubt materially aided by continuous immigrations from the shores of the English Channel and of the North Sea, gradually imposed the Saxon tongue upon the British-speaking population. The language of the latter was as we now know a member of the Aryan family, coördinate with the Saxon; nay more, the two languages must have been so very closely related to each other a few centuries before the Christian era, that they must have been practically but marked dialects of a common stem. The great difference that now exists between the Low German and Welsh, is apt to make us forget how different the two would look with their full inflexional forms, and that as we have them now, they are the result of the action of different and ever-diverging phonetic laws during two thousand years.

Some at least of those who spoke the ancient British language must have been of the Aryan family, and the same remark applies, and with much greater force, as we shall presently see, to those who spoke the ancient Irish; but it does not thence necessarily follow that they all originally belonged to some branch of that family. The Irish and Welsh traditions assert indeed the contrary, and fully admit that Great Britain and Ireland were successively peopled by different races, which in the case of Ireland, we are further told, were related to each other. Professor O'Curry has given a summary of the traditions about the early Irish races, which form the basis of all the early history of Ireland. He used these traditions as a convenient mode of classifying personages, legends, and events, which for centuries have been referred to peo-

Saxon
supremacy
imposed the
Saxon
languages
Britons.

British and
Saxon
language on
closely
allied in
early times.

Some of
the Britons
were
Aryan.

Ireland
peopled by
different
races;

Irish
traditions
on this
subject

ples of different origin. Had he lived to complete the whole of the series of lectures designed to illustrate the social life of ancient Ireland, he would have discussed the historic value of those traditions. At one time I purposed doing so in this introduction, and to discuss at some length the question of Irish ethnology. But the better I became acquainted with the laws, institutions, and life of the ancient Irish, the more difficult the subject appeared to me. The traditions themselves have not been yet gathered together from all sources; each writer in recounting them, selected what suited him, or what appeared to him to form a consistent whole. Until they are all brought together, no attempt can be made to critically analyse them, and consequently any speculations founded upon them in their present chaotic state would be wholly profitless, and might be injurious to science. The results at which I have arrived regarding the political organization of ancient Ireland, and which are given in the following pages of this Introduction, appear to me to be wholly irreconcilable with the mode in which those traditions have hitherto been interpreted.

use made
of them
by Prof.
O'Curry.

these
traditions
not fully
made
known yet;

interpre-
tation of
them
hitherto
given not
correct.

In any case the time has scarcely come for dissecting and analysing the curious tissue of legends of Umorians, Fomorians, Ne-medians, Firbolgs, Tuatha Dé Danands, Milesians, and others, which constitutes the mythical part of Irish history. As in the case of the other nations of middle and north Europe, true chronological history began in Ireland either by contact with the Romans, or with the introduction of Christianity. And like the medieval chronicles of every where else, the early Irish Christian chroniclers and genealogists tacked on the pedigrees of Irish kings and chieftains to those of Genesis. This union in the eyes of many discredits the whole of the data based upon those pedigrees. But this is unjust, for the junction of the two is easily distinguishable, and the union has had in reality no serious influence upon the character of the Irish portion of them. Scepticism regarding ancient traditions may be carried too far, as well as a too credulous faith in their truth, and is often more dangerous to science. Every legend, every myth contains a kernel of truth, if we could only remove the husk of fable which envelops it.

Time not
yet come
for their
proper
analysis.

Chrono-
logical
history not
older than
Christianity
in Ireland.
Irish
genealogies
joined to
Biblical
ones.

The junction
has not
really
affected
their
value.

Existence
of two
types of
people in
Ireland.

There are, however, a few broad facts regarding the ethnology of ancient Ireland, which may be considered as certainly established. In the first place, there were two distinct types of people—one a high statured, golden coloured, or red haired, fair skinned, and blue, or gray-blue eyed race; the other, a dark haired, dark eyed, pale skinned, small or medium statured, lithe limbed race. The two types may still be traced in the country, and are curiously contrasted in their blushes: the fair-haired type has a pinkish tinge, the other a full red, with scarcely a trace of pink in their blush. The same or an analogous type forms the basis of the Welsh population, and to a varying but often considerable extent of that part of England west and north-west of a line from Dorsetshire to the Tees, which I have already mentioned as being the non-Saxon part of England. So far as the early ancient tales, such as the *Táin Bó Chuailgne*, the *Tochmarc Eimire*, and the *Brudin Daderga* enable us to judge, the Firbolgs, Tuatha Dé Danand, and Milesians belonged alike to the first type. The Damonian Firbolg Ferdiad, as well as the Milesian Cuchulaind, had golden hair, blue eyes, and noble stature. *Cuchulaind* mourning over the fallen *Ferdiad*, thus soliloquises:

All the
early
conquering
races of
Ireland were
of the
fair-haired
type.

“ Dear to me was thy beautiful ruddiness,
Dear to me thy comely, perfect form,
Dear to me thy gray, clear blue eye,
Dear to me thy wisdom and thy eloquence”.⁷¹

Continuing his lamentation in another poem, he speaks of the dead warrior's hair in language which might be equally well applied to a long-haired Frankish chief:

“ Thy yellow flowing hair,
The curled, the beauteous jewel”.

That the colour of the hair of the ancient nobles of Ireland was golden rather than flaxen, is proved by numerous allusions scattered throughout the older poems and tales: thus *Erc*, the brother of the celebrated *Athi* or *Dathi*, was called “ *Culbuidhe*, because the smelted gold was not yellower than his hair”.⁷² In the

⁷¹ See the whole of the beautiful episode of the Fight of *Ferdiad* and *Cuchulaind* in the Appendix, vol. ii. p. 413.

⁷² *The Genealogies, Tribes, and Customs of Hy-Fiachrach*. Edited by

curious poem addressed by *Midir*, a mythical personage of the *Tuatha Dé Danand*, to *Edain*, the queen of *Eochad Fedlech*, a king of Ireland who is considered to have lived before the Christian era, she is thus addressed as *Befind*, or fair woman :

“ O *Befind*, wilt thou come with me
To a wonderful land that is mine,
The hair is there like unto the blossom of the *Sobarche*,
Of the colour of snow is the fair body”.⁷³

Edain's own hair is said to have been like red gold after receiving its colouring, or like the blossom of the *Ailéstér*, or yellow Iris.⁸³ *Torna Eigas* thus describes the hair of *Niall* of the Nine Hostages in the first stanza of the lament for that warrior :

“ When we used to go the *Dál*
With the son of *Eochad Muídhmean*,
Yellow as the *Sobarche* was the yellow hair,
Which was upon the head of the son of *Cairen*”.⁷⁴

These comparisons of the colour of the hair to that of the St. John's wort, or of yellow Iris, clearly prove that the colour admired most was a rich golden, passing almost to a red hue.

All the ruling races in Britain appear to have had similar physical characteristics. The description given by Dion Cas-

Comparison
of queens
Boudicea
and Medb.

sius⁷⁵ of Boudicea, queen of the Iceni, a people who occupied the country north of the Stour in Suffolk and in Norfolk, Cambridgeshire, and Huntingdonshire, when the Romans first invaded Britain, is almost identical with that given of Medb, queen of Connacht, in the *Táin Bó Chuailgne*, save only in aspect, a difference easily accounted for by the different sources of the descriptions.

John O'Donovan, LL.D. Published by the Irish Archaeological Society, 1844, p. 5.

⁷³ Professor O'Curry has given a translation of this poem in his ninth lecture (vol. i. p. 192), and I have added a somewhat different one in a note to the twenty-eighth lecture (vol. ii. p. 191). In the former “the blossom of the *Sobarche*”, or St. John's wort, is translated by golden hue.

⁷⁴ “ ἰν ταν πο θεϊσμου τον δάλ
λε mac eochad murómēadatan
buiri sobaríce ηγλέ
ροτβαι πορ εινσ mac cairne”. MS. H. 2. 16. col. 785.

⁷⁵ Ap. *Xiphilinus*, lxii. 1, seq.

Comparison
of queens
Boudicea
and Medb.

Boudicea is described as of large size, terrible of aspect, savage of countenance, harsh of voice, and having a profusion of flowing yellow hair, which fell down to her hips, a large golden collar on her neck, a variegated flowing vest drawn close about her bosom, and a thick mantle fastened by a clasp or brooch, and a spear in her hand. Here is Medb's portrait as given in the *Táin Bó Chuailgne*: "A beautiful, pale, long faced woman, with long flowing golden yellow hair upon her, a crimson cloak, fastened with a brooch of gold over her breast; a straight ridged *slegh* or light spear blazing red in her hand".⁷⁶ Medb is not here described as having a vest or a golden collar like Boudicea; these, it is needless to say, are only accidental omissions; in this passage she is described as she appeared on one occasion only. Such a vest was worn by all queens and women of noble birth in Ireland, and is described very fully in the Lectures. Irish queens always wore a golden *Muinche* or torque, as well as a diadem or *Mind*, which in other parts of the *Táin* Medb is described as wearing, but which is not mentioned as part of the dress of Boudicea. If the Icení were a Germanic people, which there is every reason to believe was so, the resemblance between the two heroines is of greater interest.

Governing
classes
fair-haired;
menial
classes
black-
haired.

While the king of Eriu, Conaire Mor, is described in the tale of the *Brudin Daderga* as a tall illustrious chief, with cheeks dazzling white, and with a tinge like that of the dawn upon stainless snow, sparkling black pupils in blue eyes glancing, and curling yellow locks, his swine herds are *Dub*, *Dond*, and *Dorcha*, "black", "brown", and "dark". Judging from the ancient tales, the ruling classes in ancient Eriu appear to have had the same prejudices against black hair that the Norsemen had. All who claimed to be of noble birth should have fair or rather golden coloured, or at least brown hair, blue eyes,* and a fair skin—three characteristics which are especially dwelt upon in describing a warrior or king. The Norse and Germans had the same prejudices regarding black eyes and dark skin, that they had about black hair. In one of the Norse saga,⁷⁷ Hrolf Sturlungsson says to the prostrate Hrafn,

Prejudices
of Norse-
men
against
black
hair.

⁷⁶ *Lect. xxiii. vol. ii. p. 98, note 57*

⁷⁷ *Gönguhrolfs saga, c. 9.*

who under a plebeian name has been the winter guest of the Jarl Thorgnyr of Jutland, "thou hast a noble man's eyes". There is another curious story in the Norse saga which strikingly indicates the prejudice against dark skin and hair. Hagny, the wife of king Hior Halfson, bare black and ugly twins, which she concealed from her husband, and exchanged with the new born babes of a maid, and the dark royal children grew up in serfdom. The cowardice of the slave soon broke out, we are told, in the white adopted children, while the black youths showed the qualities of their noble origin. Seeing this, Hagny could not bear the deception she had practised any longer, and discovered the cheat to her husband. But Hior, the king, would not have the "hellskins";⁷⁸ and they were allowed to grow up in bondage.

The more we investigate the origin of the Gaedhil, Britons, Gauls, Germans, and Scandinavians, all fair-haired, blue-eyed peoples, the more we are led to regard them as essentially the same race, speaking a common language, which, owing to the different dynamic influences, especially contact with other peoples, to which it was subject in different countries, gradually developed marked dialects, which in process of time have become essentially distinct languages. This identity of race and language between the so-called Celts and Saxons, at a not very remote period, explains how words which appear to be Celtic to one are good German to another. Thus Herr Holtzmann and Professor Moke are able to explain most personal and geographical names, and many terms for arms, dress, etc., of the Gauls and Belgians by means of German. The latter is severe upon the so-called "Celtist's" inability to give rational explanations of a great many words of the classes just referred to, his so-called "Celtists" being, however, in most cases persons whose knowledge of Celtic languages consists in the possession of a few dictionaries of the modern dialects. If Professor Moke had been aware of the resources of Old Irish, he would, no doubt, have expressed a very different opinion on the power of the Celtic languages to explain Gaulish names and

Identity of the fair haired people of North-west Europe;

explains why some words are German to one, and Celtic to another;

⁷⁸ Eigi sá ek sliik heljarskinn. *Hálfs saga*, c. 17. *Landnámabok*, II., 19.

terms. Both Irish and German do, and should explain them, for they must have been nearly identical a few centuries before the Christian era. This also affords an explanation of an observation of Dr. Ebel, who, in describing the affinities of conjugation of the Celtic with the Teutonic and Slavonian languages, says that the analogy "points to a most special connection of these [*i.e.* Irish and Germanic] languages, the result either of long continued unity or of a very special relationship of the mind of the peoples".⁷⁹

this relationship borne out by Irish traditions.

This relationship is fully borne out by the Irish traditions which connect most of the successive colonies with Germany and Scythia. That the tribes included under the general name of Firbolgs were identical with many tribes in Great Britain, and along the Belgic and Frisian coast, there seems no reason any longer to doubt. The mysterious people of the deities *Dé* and *Anand*, and commonly called the *Tuatha Dé Danand*, were, so far as our legends tell us anything certain of them, a Germanic people. Another people who, according to our traditions, preceded both the Firbolgs and *Tuatha Dé Danand*, and from whom legend derives both, the Nemidians, are connected in a remarkable manner with Gaul, Germany, and Scandinavia, and have left traces of themselves in our laws. As to the Milesians, or Scots, the whole current of our legends and chronicles bring them from Spain, or, perhaps, more strictly speaking, from the shores of the Bay of Biscay, between the mouth of the Loire and Galicia. We are not, however, yet in a position to positively accept or reject the legendary history of this colonization. That they were a fair race is beyond doubt, and judging by the oldest and most characteristic of the historical tales belonging to the heroic period of Cuchulaind, their relations were chiefly with the northern peoples, and not with the south of Europe. On the other hand, the discovery by Grimm of the Gaedhelic character of the language of Aquitaine, affords an important support to the Irish traditions.

The existence of a brown type in Western Europe before

⁷⁹ *Celtic Studies*, translated by the Editor, p. 127

the arrival of the Aryans, and which has been gradually fused with the latter, is a fact which will be generally admitted. The ancient Iberians and Ligurians are assumed to have been the representatives of this brown type in the ancient world. The type itself is best seen among existing British populations in Wales, that is, in the country of the Silures, who, according to Dionysius⁸⁰ and Tacitus,⁸¹ were an Iberic population. What the value of this testimony may be it is not easy to say, but it certainly seems to harmonize with the results of modern investigations. In Ireland this type exists in a much smaller proportion than in the West of England, inasmuch as the people belonging to it being one of the earliest, if not the earliest race that occupied the country, were dispossessed of the land at a very early period, and being the poorest, fell victims in a larger proportion than other races to the successive famines that have desolated the country. It is curious, however, that we should find this type more marked in Kerry than anywhere else in Ireland, where, according to tradition, the slaves of the Milesians were planted after the suppression of the *Aithech Tuatha* revolution. If the Milesians really came from Spain, their retainers and common soldiers should undoubtedly have been Iberians.

The existence of a pre-Aryan brown type in Europe generally admitted;

less numerous in Ireland than in England.

ANCIENT TERRITORIAL DIVISIONS OF IRELAND.

Niebuhr has well observed, that "wherever mention is made of tribes in the early part of ancient history, before the period when an irresistible change in the condition of society led to democratic institutions, if any difference of rights prevailed among them, and anything can be discerned of their nature, it is manifest that they were either distinct castes or of different origin; and even the distinction of castes, where it can be accounted for, always arose from immigration or from conquest, even in Egypt and India".⁸² That the state of things in Ire-

Differences of rights among tribes and castes due to difference of race;

⁸⁰ *Dionysii orbis Descriptio*, 561, Oxford edition of 1710. See also Friscian's translation,—*Prisciani Periëgesis e Dionysio*, 574.

⁸¹ *Silurum colorate vultus et torti plerumque crines, et posita contra Hispania, Iberos veteres trajecisse easque sedes, occupasse fidem faciunt. Agricola*, c. xi.

⁸² *History of Rome*, vol. i. p. 294.

Ireland no
exception.

land was no exception to what conquest has always produced among nations—privileged classes, and serfs or slaves—may be inferred not only from the number of distinct immigrations which our legendary history records, but also from the complete development of a tribal system aristocratically organized.

Tribes
composed
of houses.

Tribes in antiquity were made up of Houses, which at first must have had a genealogical origin, that is, comprised persons related by blood, but which afterwards merged into local associations wherever any considerable development of population occurred in course of time. Nomadic peoples retain with purity for long periods the genealogical character of their families; pastoral peoples, who have fixed domiciles and practise husbandry, gradually introduce foreign elements amongst them; but in countries occupied by mixed races, and where a systematic division of the country had been made for the purposes of government, and especially where towns and cities grew up, families were mere local associations. Hence we may expect much confusion in the meaning of terms applied to Houses, Tribes, etc., in the later stage of political development, some being genealogical, and others geographical.

Cinél and
Cland.

The Irish terms *Cinél* or *Cinéal*, and *Cland* or *Clann*, expressed, at least originally, genealogical relationship. *Cinél*, the *Cenedl* of the Welsh, comprised the several Houses deriving from a common ancestor or head. *Cland* or Clan, that is “the children”, embraced not only the families or houses who were connected by blood, that is the *Cinél*, but also all their clients and retainers. The Greek Genos is probably the representative of the *Cinél*,⁸³ while in some respects we may consider the Phratry as the equivalent of the *Cland*. We know at all events that the Houses and Phratrys were genealogical, and had nothing whatever to do with the tribes into which Clisthenes divided the people of Attica.⁸⁴ The Gennetes of the same Houses might belong to different Demes; hence the taunt of Aristophanes to new citizens, that they had no Phratrys, or

The Greek
Genos.

⁸³ *Cinél* is usually translated “Genus”, by the compiler of the *Annals of Ulster*.

⁸⁴ Niebuhr's *History of Rome*, i. 312.

only barbarous ones.⁸⁵ The Latin Gens represented the *Cland* The Latin Gens. rather than the *Cinél*, for we know that the Gentes did not consist of Patricians alone, that is, that it comprised persons not of the same family, though originally it must have been strictly genealogical. Properly speaking, it was only the noble families Nobles only were of the Cland. that were of the *Clands*, the tenants and retainers, when not related by blood to the chief, only *belonged* to it. The Anglo-Saxons in very early times had the clan-ship quite as fully developed as among the Irish or Scotch. The Anglo-Saxon *Maegth*, from *Maeg*, a son or kinsman, represented the Irish *Fine* or House, rather than the clan, which comprised several *Fines*. The responsibility of the family for the acts of the members, was called the *Mæg-burh*.⁸⁷ Tacitus, when he tells us that the armies of the Germans were organised according to families and relations, no doubt had in view such a *Maegsceaft* or mate-ship.⁸⁸

The term *Tuath*⁸⁹ was at the same time genealogical and The Tuath; geographical, having been applied to the people occupying a district which had a complete political and legal administration, a chief or *Rig*, and could bring into the field a battalion of

⁸⁵ *Frogs*, 419; *Birds*, 765. There is an Irish popular saying which expresses the same idea.

⁸⁶ Cf. Irish *Mac*, gen. *Maicc*, old form *Macqui*.

⁸⁷ That the Mægð or family was responsible for the acts of the members, is evident from the following passage in *Beowulf*, where Wiglaf, looking on the cowards who desert their lord while engaged in a fatal combat with the Fire-Drake, pronounces a malediction in which among others things he says :

lond-rihtes môt	of land right must
þoére maég-burge	of the Tribe
monna aeghwyle	every man
idel hweorfan	wander void

Beowulf, 5766, Thorp's Edition.

See also Kemble's *Saxons in England*, i. 235, who adds the following comment: "Not each of you individually, but each and every man of your kin, cognation, or maégschaft, shall be deprived of his rights of citizenship: from which we must infer that the misconduct of one person might compromise his relatives, who are held responsible for his actions".

⁸⁸ Quodque præcipuum fortitudinis incitamentum est, non casus, nec fortuita conglobatio turmam aut cuneum facit, sed familiae et propinquitates. *Germania*, c. vii. Caesar's term is *cognationes*.

⁸⁹ The term *Trebh* occurs also in Irish, and means a family, in the sense of a complete legal household establishment.

the *Mór Tuath*;

similar to Gothic *Thiuda*.

Formed of three or four *Tuatha*;

The *Fylk*.

The *Gavi* or *Gau*.

seven hundred men. The word was also applied however to a larger division, consisting of three or four, or even more *Tuaths*, called a *Mór Tuath*, or great *Tuath*, which were associated together for certain legal and legislative purposes, and the troops of which were united together in war under one commander. This great *Tuath* represented Gothic, *Thiuda*; Old Norse, *Thjoth*; Old High German, *Diut*.⁹⁰ All these words signify "people", that is, a number of families associated together partly by the bond of blood relationship originally, at least of the heads of family, but which gradually became a political association of tribes. In the same way that the *Mór Tuath* was an aggregation of *Tuaths*, the Scandinavian *Thjoth* was an aggregation of *Fylks*. This word is derived from *Folk*,⁹¹ a number of persons, and corresponds to the Slavonic *Pulk*, and the Greek *Phyle*—in which we have perhaps the cognate root. *Fylk* appears to have originally meant a number—doubtless a fixed number, of armed men organized for battle. In this sense it was like the Irish *Tuath*, a political division, but of genealogical origin. The Gothic *Gavi* or *Gau*, was perhaps the German

⁹⁰ *Tuath*. Old Celtic *tout*, from a root *tu*, to grow, to bring forth young, to multiply, to be strong; stem, *tut*, people or district. In Old British it was *tüt*, now *tud*; and represented the Lithuanian *tauta*, the Umbrian *tuta*, *tota*, Oscan *tovt*. It occurs in several compounds found upon Gaulish, or Gallo-Roman inscriptions, e.g., *Toutillus* (Muratori, 1281, 6); *Toutela* (Gruter, 858, 2), *Toutio-rix*, a Gaulish name of Apollo (Orelli, 2059). The words ΤΟΥΤΙΟΥΣ ΝΑΜΑΥΣΑΤΙΣ in the inscription on a marble tablet found in 1840 at Vaion have been translated "Citizen of Nemausus" by Dr. Siegfried, but Prof. J. Becker suggests, and with good reason, that it should be "publicus", that is, magistrate of Nemausus, or Nismes,—a fact of some importance, as it would show that the cantons of ancient Gaul were called by a name corresponding to the Irish *Tuath*. The Irish name *Tuathal* and the Gothic *Totilo* are perhaps related.

⁹¹ N. H. G. *Volk*. Cf. Lat. *vulg*-us. The tribe names *Volcae*, *Volcae-Tectosages*, *Belgae*, Irish *Fir-Bolg*, etc. contain the same root. *Volcae* in *Volcae-Tectosages* corresponds to *Tuath* in Irish tribe names, e. g. *Tuath-Mairtini*. The *Volcae-Tectosages* according to Ausonius (*Clarae Urbes*, xiii. 9.) were originally called *Volcas* or *Bolgas*. The name of the chief of the Gauls who invaded Macedonia was called *Belgius* or *Bolgids*. This, like the *Brennus* of the Gauls who besieged Rome, must have been a title and not a proper name; it probably corresponded to the Gaulish *Tooutious*, or magistrate, mentioned in the preceding note.

representative of the *Fylk* and *Tuath*. If this be really so,⁹² it affords a strong proof of the geographical and political character, as distinguished from the genealogical, of those divisions⁹³ Among the Anglo-Saxons the *Laths* (*Laethe*) of Kent, the *Rapes* of Sussex, and the *Tridings* or *Trithings*⁹⁴ of other parts of England, were the representatives of the *Mór-Tuath* of Ireland, although in many cases the *Laths* or *Letas* were Hundreds;⁹⁵ there is, however, much obscurity about those divisions. Here it may be proper to remark that the same regular subordination of divisions which we possess in modern times, need not be expected among the ancient populations of northern and western Europe, and that divisions of different countries which have the same name, or have their names formed from the same root, do not always hold the same relative grade.

Laths,
Rapes, etc.

The Greek *Phyle*, the Latin *Tribus*, the German *Gavi* or *Gau*, and the Scandinavian *Fylk*, were each subdivided into smaller divisions. The *Phyle* comprised ten Demes, the Spartan tribe, ten *Obai*. Each of the three ancient Romulian tribes, the Ramnes, Titics, and Luceres, were subdivided into ten *Curia*, the *Fylk* into *Heraths*.⁹⁶ The latter word appears

Subdi-
visions of
the *Phyle*,
Fylk, etc.;

Herað.

⁹² Munch, *Die nordische germanischen Völker*, p. 131. This work is a German translation of the two first sections of Prof. Munch's *Det Norske Folks Historie*.

⁹³ It may be objected that Jornandes translates *Fylk* by "gens"; but it should be borne in mind that well informed modern writers frequently confound local and personal designations in descriptions of new or little known countries; besides which, *Fylk*, like the Irish *Tuath*, had always more or less of a genealogical character. The pure geographical character of divisions only arises with the growth of cities.

⁹⁴ Of which the modern "Riding" is a corruption.

⁹⁵ See Spelman *On the Ancient Government of England*, p. 52. Blackstone considers the Rapes of Sussex and the Laths of Kent as an intermediate division between the Shire and the Hundred, each of them containing three or four Hundreds, just as the *Mór Tuath* contained three or four *Tuaths* (see *Crith Gablach*, vol. ii. App. p. 502). Each Rape and Lathe had formerly its Gerefa or Reeve, acting in subordination to the Shire Gerefa or sheriff. The Trithing, which was a subdivision corresponding to the two just named, and supposed to have been formed by dividing a shire into three parts, had also a Gerefa.

⁹⁶ *Herað*, from *herr*, Gothic *harjis*, O. H. German *hari*, a body of troops. The Irish *Er*, *Err*, and *Erad*, a champion, and *Erad Criche*, the captain who

from its derivation to have been applied to a district of variable size, bound to bring a certain number of men into the field, that is, some subdivision of the battalion which the *Fylk* represented. We cannot be certain whether the number of *Heraths* in a *Fylk* varied or was always a definite number. Munch states, however, that there are large and small ones in Norway, but he remarks that, considering that the Anglo-Saxons divided the Hundred into ten parts or Tithings, the more general division must have been into ten.

Swedish
Hundari.

The German
Centena.

The English
Hundred.

The Latin
Pagus;

We find mention in Gothland of a division called a *Hundari*, and among the Anglo-Saxons one of the best-known divisions was the *Hundred*, which still subsists. In name at least they correspond to a division among the Old Germans, known to us by its Latin name the *Centena*, from whence has come the modern *Canton*. It is uncertain whether the *Centena* was a subdivision of the *Gavi* or the *Gavi* itself. In some instances, at least, they were, I believe, the same. The English Hundred might at first sight appear to correspond with the *Herath* rather than with the *Fylk*, but on closer comparison there can, I think, be no doubt that the Hundred represented the *Fylk*. In ancient times the former had its "Môt" or assembly, and the latter its "Thing", and in heathen days its own temple. This being so, the Irish *Tuath* may be looked upon as the analogue of the English Hundred as well as of the Scandinavian *Fylk*, though there were some points in which they differed.

The word "Pagus" was used by the Romans not only to express subdivisions of their native territory, but generally of other countries; and was also used by medieval writers. On this account it deserves special consideration here. *Pagi* were fortified places raised for the protection of the country people in case of forays and hostile excursions, and are said to have been first organized by Servius Tullius,⁹⁷ though the division of

commanded the troops of a *Crich* or district in time of war, are certainly related to *Herr* and *Herað*. The relationship is the more interesting from the *Crich* being a subdivision of a *Tuath*. The Bavarian *Hererietra* consisted of forty-two shields, who were perhaps horsemen.

⁹⁷ Dionys. Halicarn., iv. 15. The word *Pagus* appears to contain the same

the country people into Pagi is as old as the time of Numa. The name was perhaps given in the first instance to the fort and the village which grew around it, and was subsequently applied to the adjoining district cultivated or pastured by the dwellers in the Pagus. The inhabitants of each Pagus formed a regular political society, raising taxes, holding assemblies, having a magistrate, and observing sacred rites in common—the festival of the Paganalia. The two words “pagan” and “peasant”, which are traceable to the Pagus, preserve to us its two-fold character.

In the obscure passage in the first chapter of the fourth book of Cæsar’s *Gallie War*, in which he gives an account of the number of Pagi which the Suevi had,⁹⁸ there can be no doubt that he uses that word in the sense of Centena or *Gau*, and therefore as the equivalent of an English Hundred and an Irish *Tuath*. Tacitus also, in speaking of the German foot soldiers, tells us that they were selected from all the young men, an hundred from each Pagus,⁹⁹ a number which may be connected with the name Centena. In another passage, moreover, he tells us that each of the elected judges, when dispensing justice in the Pagi and villages, was accompanied by one hundred men, of the people, who acted at the same time as his council; and in order better to signify the extent of the authority enjoyed by the judges,¹⁰⁰ he appears to speak of Pagus as a subdivision of some larger territory. It is probable, indeed, that the Germans had a three-fold subdivision of each *Ric* or kingdom—the *Thuida* or *Diut*; the *Gavi*, *Gau*, Centena or

its political
organiza-
tion.

Used by
Cæsar as the
equivalent
of some
German
subdivision;

and by
Tacitus.

Three-fold
subdivision
of the
ancient
kingdoms.

root as the Irish *baga*, to threaten, to ward off. This word was used to express the limit or boundary beyond which it was deemed unlawful aggression to go and at which it was lawful to insult and slay those who attempted to cross by force.

⁹⁸ Hi [Suevi] centum pagos habere dicuntur, ex quibus quotannis singula millia armatorum, bellandi causa, suis ex finibus educunt.

⁹⁹ Quos [pedites] ex omni juventute delectos ante aciem locant. Definitur et numerus: centeni ex singulis pagis sunt: idque ipsum inter suos vocantur: et quod primò numerus fuit, jam nomen et honor est. *Germania*, c. vi.

¹⁰⁰ Eliguntur in iisdem conciliis et principes, qui jura per pagos vicosque reddunt, Centeni singulis ex plebe comites, consilium simul et auctoritas adsunt. *Ibid.*, c. xii

Hundred; and a division corresponding to the English Tithing; and to this last the term Pagus may have been applied. These would correspond to the Anglo-Saxon *Rice* or kingdoms, *Lathes* or Rapes, Hundreds (called in Yorkshire, etc., Wapentakes), and Tithings; to the Norse *Riki* or kingdom, *Thjoths*, *Fylks*, and *Heraths*. The Irish subdivisions of the provincial kingdom or *Cuicidh*, were the *Mór Tuatha*, the *Tuath*, and the third, a division of considerable interest, the *Baile* or Bally. The term *Ricce*, or *Rige*, was also used by the Irish for a provincial kingdom.

The Irish
Baile.

The Irish *Baile*, in its most extensive signification—for, as we shall see presently, it had two—probably represented the Latin Pagus.¹⁰¹

Like the latter, it probably had its fort for protection against sudden attacks. If the fort belonged to a *Rig* or king, it was a *Dun*, for the laws expressly state that “he is not a king who has not a *Dun*, and it is not a *Dun* without a king”. The word *Baile* itself is cognate with the Sanskrit *Palli*, a village or place, the Greek *πολις*, and the Norse *Boi*¹⁰² or *Boeli*, which meant a farm or manor, and hence in time a village, the residence of a *Boendr* or *Buendr*,¹⁰³ equivalent to the Anglo-Saxon *Bonde*, German *Bauer* or peasant. There is also a Middle Latin “*Ballium*”, which is certainly connected with

The M. Latin
Ballium.

¹⁰¹ O’Flaherty translates *Baile* by Pagus; speaking of a Carrucate, which he confounds with the Carrow or *Ceathramhadh*, he says: “*quæ ex nominis notione est quarta pars pagi*”. *Ogygia*, p. 24.

¹⁰² *Ból*=Byr, *praedium* (*Magnus saga hins berfætta*, 5), byr, *m. oppidum* (*ibid.*) *gen.* Byss and Byjar, *pl.* Byir, *oppida* (*Olaf’s saga Tryggvasonar*, c. 131, 3), hatt *ból*, a high place or abode, a fort or castle (*Olaf’s saga, hins helga* 15); solar *ból*, the abode of the sun, heaven (*Geisli—Vattardrápa*, Christiania, 1859, stanzas, 38,–64); dreka *ból*, the serpent’s bed or nest (*ibid.* 38); dag *ból*, sedes diei, heaven; dagbóls konungr, God, the king of Heaven (*ibid.* 5); *ból ela*, the abode of storms (the atmosphere) *Arngrimi Historia, Biskupa Sögur* t. ii.

¹⁰³ *Búöndr*, *Coloni*; *Búandmenn*, *rustici coloni* (*Snorra, Edda*. Ed. a Magn. Hafn, 1848), *Bóandmaðr*, a husbandman (*Grágas*, I. 479–480). Cf. *Búa* (by, bjo, bjuggu), *habitare*, *incoluere*: er þessi bjo, where Thjassi lived (*Grimnismál*, 11); *búa þeir Höðr Hropts sigtoptir*, they dwell under the dome of Hropts (i.e. Odin’s) martial ball, i.e. valhalla (*Völuspá*, 55), cf. Lat. *fundus*, an estate.

Baile, notwithstanding the double *l*, which has made some philologists hesitate to connect them. The second *l* is inorganic, as in "Bally", the modern representative of the Old Irish word, and to me there appears to be no doubt that the Latin came from the Celtic form of the word rather than from the Norse.¹⁰⁴

The peasant holdings constituting the ancient villages and hamlets of Wales, were called either *Gwellys* or *Gavaels*, or, as they are written in Latin documents, *Wele* and *Gabellæ*,^{The Gwelly or Wele of Wales} or *Gavellæ*. These words are not exactly synonymous; they

¹⁰⁴ Stokes (*Irish Glosses*, 110, p. 48) says: "If notwithstanding the singleness of its *l*, we connect it with the Med. Latin *Ballium*, we are only led from one difficulty to another: for who shall explain *ballium*? The earliest instance I have met of the occurrence of *baile* is in the *Tripartite Life of St. Patrick*, iii. 12: *tanic victor do ingabail* (leg. *ingabail*?) *patricie asin port corraboi immuinu draigin boi i toeb in baile*. "To avoid Patrick, Victor went from the house till he was in the brake of thorns at the side of the *baile*". At p. 156, he notices an earlier occurrence of the word in the *Book of Armagh*, f. ii. a 2 (top margin) "*is baile inso sis as incertus*", "there is a place here below that is *incertus*". Dr. Reeves (*Proc. of Royal Irish Academy*, vol. vii., p. 484) is of opinion that this marginal note is contemporary with the *Book of Armagh* itself. He also considers the meaning implied in this passage—viz., "place", to be opposed to its connection with "*ballium*", and adds (p. 485) "meanwhile we have unfortunately no certain instance at an early date of a proper name into the composition of which this term enters".

The word in the text of the *Tripartite Life*, *ingabail*, is better than the suggested reading of *ingabail*. The former means to remove, to watch, guard, or take care of, and expresses the meaning of the passage better: "Victor came to meet (to watch or guard) Patrick to the port (place), until he was in the brake of thorns at the side of the *Baile*, and out of this brake he spoke to Patrick, and commanded him to go back to the *Sabail*".

Many passages may be given where *Baile* has the meaning of place, thus in the vellum MS. in the Brit. Museum known as Egerton 88, we have: "in cnairsecé da corin déz, itin a hiarann, ocu an baile a nezaréar a hódarc fuirre". The *cnairsec* twelve fists is its length from the iron to the place where its horn is fastened upon it (53, b.b.).

In the same MS. the words *mbi Baile* are used for an ever boiling pot. In the *MS. H. 3. 18. T.C.D.* the words are *Bith Baile*, which is probably the more correct form. The ever boiling pot is only a figurative way of expressing an ever open house. The passage in which the word occurs is about the *Dire* of the *mbi Baile* or *Bith Baile*, and the stay upon the distress levied for its restitution. The following commentary upon the original passage contains several meanings for *Baile*.

"Why is it that it is called *Caire*? Because it always keeps a violent boiling steam over it on the fire; or it is the name for a pantry or shrine [*i.e.* a

The *Gwelly*
or *Wele* of
Wales.

could both be applied to holdings in the same villa; and it appears each of them could be occupied by freemen or serfs.¹⁰⁵ The word *Gavael* or *Gabella* represented the Irish *Gabal* or *Gauael*, pl. *Gabla* or *Gaballa Fine*, or the branches of a *Fine* or family, who were liable, like the Saxon *Mægth*, for the penalties of the crimes, etc., of the members, and entitled to a share of the inheritance according to the law of Gavelkind.¹⁰⁶ So, that *Gabella* meant all the members of a family having an interest in a certain holding, and sometimes meant the holding

cupboard or meat vessel], which is kept behind the *colba* [or partition]; it is in it that sweet seasoned meats are preserved to save the *Enechrui* [*i.e.* the blushes of the master and mistress of the house]. Or *Baile* is the name of kings, and also for the house in which their food is made, and it is their *Dire* that is upon it while the food is being prepared, and until it is finished and consumed. Or *Baile* is the name of a *Brod muc Feneada* [a cooked crisped pig], *i.e.* a slice or flitch of pork cooked and browned; or it is a name for an *anrath Tuathail* [*i.e.* a house where people are entertained], and it is their *Dire* that is upon it until they go away out of it". *MS H.3.18. T.C.D.* 348. b.; and *MS. Brit. Mus. Egerton*, 88, f. 57. b.b.

From this interesting passage it would appear that there was a public refectory in every *Baile*, or at all events in each *Baile Biatach*. In the *Annals of the Four Masters* (O'Donovan's ed. vol. v. p. 1578) at the year 1560, the word *Baile* occurs for castle. All the meanings given in the foregoing passages agree fully with the meanings given in the preceding notes for the Norse *Ból*, *Boeli*, which originally meant a homestead or place occupied, and then the demesne attached to the house, and ultimately the village or town that grew about it, and then to any place in general, or to place in the abstract. The general use of the word to designate a house and its demesne or farm would explain why it would not be used as a topographical name; just as now we do not use the word "townland", its modern representative, as the name of any special one. The names which are compounded of *Bally* now in use, are the result of the change of language, and would not have been employed, at least in the same way, if the Irish people had continued to speak Irish. The word *Baly* occurs in Old English for the jurisdiction of a bailiff, who in olden time was of very different rank from the officers now called by that name, as the following passage from Robert of Brunne shows:

" Sir Jon of Warenne he is chef justice
Sir Henry Percy kepes Galwaye
These two had *baly* of these londes tueye".

¹⁰⁵ A *Wele* or *Gabella* occupied by the former was called a *Wele* or *Gabella libera*; and by the latter, a *Wele* or *Gabella nativa*. The *Liberi* and *Nativa* corresponded, as we shall see hereafter, to the Irish *Saer* and *Daer Ceili*.

¹⁰⁶ See on the *Fine*, post, p. clxii.

itself. This view is borne out by the use of the word as the name of a measure of land in the Venedotian code, containing sixty-four erwes or acres, so that it appears to have represented the Irish Ballyboe. *Gwely*, on the other hand, meant, in its most limited sense, a couch or bed, and is often so translated in Latin documents.¹⁰⁷ In the ancient laws of Wales it meant a settlement for a family¹⁰⁸ or household, and *Gwelygordd*, a subdivision of the *Cenedl* or *Cinél*, that is a number of *Gwellys*, perhaps united for legal and administrative purposes analogous to the Irish *Baile-Biatach*, to be described presently. A *Wele* or *Gwelly*, then, represented a whole, or parcel of land indicated by a special topographical name, often derived from that of the possessors, as *Wele Kefwrth ap Cador*; while a *Gabella* represented, properly speaking, rather the family itself. The word *Tir Gwelyawg* applied to freehold land which could be inherited,¹⁰⁹ seems to indicate that *Wele* or *Gwelly* was applied to parcels of land, or holdings of which the possessor had socage tenure. *Wele* and *Gwelly* are the exact equivalents of the Irish *Baile* and *Bally*, the initial Welsh *gw* representing the Irish *b*, as is proved by the Irish *Bes-tigi* being the equivalent of the Welsh *Gwes-tva*. The existence of the two forms, one containing a single *l*, and the other a double *ll* as in Irish, is also of great interest. *Gwelly* was used as a topographical designation exactly in the same way that *Bally* was used in Ireland, but did not get fixed as part of the permanent names of localities to the same extent as the latter. In *Gwelly* as a bed or couch, we have the exact equivalent of *Ból* in *dreka ból*, the serpent's bed,—an interesting confirmation of the relationship of the words.

The word *Dun* above mentioned represents the old Norse *Tun*, German *Zaun*, which now as well as anciently signified an enclosed place of residence. In England, however, the

¹⁰⁷ *Tota villata de Penman tenetur in quatuor lectis et omnes inde tenentes sunt Nativi, videlicet Gwele Ithyk, Gwele Ostroyth, Gwele Llanraynt, Gwele Gwayssane. The Record of Cuernarvon*, published by the Record Commission in 1838, p. 90.

¹⁰⁸ *Ancient Laws*, 109, 12; 111, 20 *infra*.

¹⁰⁹ *Ancient Laws of Wales*, 82, 5, 6.

Anglo-Saxon "Tún", whence the modern "town", signified even in the oldest Anglo-Saxon a real town. Cæsar tells us the Britons called a place surrounded by ramparts and fosses in the thick of the forest a town.¹¹⁰ The old gloss quoted by Professor O'Curry, which explains a *Dun* to be two walls with water, agrees with Cæsar's account of a British town, and we may read his "oppidum" as Gaulish *Dun*, the centre of the Pagus, and as Scandinavian *Tun*. Hence the Gaulish *Segodunum*, now Rhodéz, would correspond to Odin's *Sigtun*. There can be no doubt that wherever a *Dun* or *Tun* was erected, a village grew up about it; just as alongside the mediaeval castle the village of the retainers and serfs was built.

Baile used
in two senses

The word *Baile* or *Bally* as an Irish topographical term was employed in two senses, the *Ballyboe* and the *Baile-Biatach*. *Boe* means a habitation or house, and is equivalent to the Norse *By*, which exists in so many English town-names, as Appleby, etc. The Norse *Ból* and *By* appear to be synonymous; at least there is no doubt that *By* originally was a mansion or principal farm house, including of course sufficient land to keep a family in independence.¹¹¹ In Ireland this appears

The
Ballyboe,
equivalent
to English
By.

¹¹⁰ Oppidum autem Britanni vocant, quum Silvas impeditas vallo atque fossa munierunt, quo incursionis hostium vitandae causa convenire consuerunt. *Bel. Gal.*, Bk. v. c. xxi.—cf. Strabo, Lib. iv.

¹¹¹ Thus, átján bú, eighteen manors (*Rígsnál*, st. 35); bú er betra þott litit sè, haer er heima hværr, look upon thy own house as better, however small, each is master at home (*Hávamál*, 36 and 37); heima (skal) hest feita, en hunda á bú, the horse should be fattened at home, the dog at the *bu* (i.e. the manor of a vassal), this line (*Hávamál*, 83) is translated: "domi equus saginandis, canis in domo aliena" in Egilsson's *Lexicon Poeticum antiquæ Linguae septentrionalis*; and by Karl Simrock, zieh den Hengst daheim, den Hund im Vorwerk (*Die Edda*, str. 82, s. 107). The explanation I have given accords with the practice of the feudal lords, who always sent their young hounds to be reared at the houses of their farmers, and practically agrees with Egilsson's. In the *Rígsnál*, where *Rígr* recounts the labours of *Karl*, we have the words *gjörra bu*, "and built a house" (strophe 20), that is, established a homestead. See also the note on *Buöndr*, ante, p. lxxxiv. Perhaps *Ból* and *By* being applied to the same thing may explain why the Bye-Laws of the Goths, that is, laws of the *By* or manor, are rendered by Jornandes as *Bellagines*. "Nam ethicam eos erudiens, barbaricos mores conspescuit; physicam tradens, naturaliter propriis legibus vivere fecit, quas usque nunc conscriptas *Belagines nuncupant*"; etc. *Jordanis de Getarum sive Gothorum origine et rebus gestis*. Recognovit, etc. Carol. Aug. Closs. Stuttgartia, 1861, cap. xi. p. 51.

of great
antiquity.

connected or not with the English terms mentioned by Dr. Reeves, there can be no doubt that the term *Teti* modernized to Tate is of great antiquity in Ireland. Its application to a division analogous to the *Ballyboe* strongly confirms the explanation of the origin of that word which I have given.

Occurrence
of the Norse
Ból
and Irish
Baile in
topo-
graphical
names.

Irish topographical names afford us numerous examples of combinations of the Irish form *Baile* or *Bally*, and of the Norse form *Ból*. The latter always occur along the coast, and in districts once occupied by the Norsemen. Thus in the Dan-English territory of the north of the county of Dublin, we have *Bal-briggan*, *Balrothery*, *Baldungan*, etc.; at Howth and in the immediate vicinity there are *Balscaddan*, *Balglais*, *Baldoyle*, etc. A comparison of the places the names of which are formed from Norse, *Ból*, with those formed from Irish, *Baile*, shows that in the case of the former the primitive meaning of the word,—a house or mansion, is more or less preserved; while in the case of the latter the meaning is extended to the demesne.

Names
formed
from *Ból*
preserve
the primi-
tive mean-
ing better
than those
in "Bally";

This circumstance, and especially the existence of the two forms of topographical names, are of great importance, for they prove that the term *Baile* and the topographical nomenclature in which it is used, were not introduced by the Vikings. Dr. Reeves has drawn attention to the geographical distribution of the two forms of names in Scotland. On the west *Bally* predominates, and generally as we proceed east the *Bal* gains ground, and ultimately excludes the other. Thus in Aberdeen there are many *Bals*, but no *Bally*; in Elgin, Fife, Forfar, Kincardine, Kirkcudbright, Stirling, and Wigton, *Bal* is almost exclusively used; in Argyleshire many *ballys*, and only five *bals*; in Inverness, Perth, Ross, and Carmarty, both forms occur; in Ayr and Dumbarton, both forms also occur, but the *Bals* predominate. Dr. Reeves suggests that, as the form *Bal* predominates in the region of the Picts, whose language, he says, is referred with reason to the British family of the Celtic, that language "predisposed the tongue to

occurrence
of both
forms in
Scottish
names.

Coinculaind, or the Sick Bed of *Cuchulaind*, in the manuscript called the *Leabar na h-Uidhri*, and published by Professor O'Curry in the *Atlantis*, vol. i., see pp. 376-377. One explanation of the use of the term speckled will be found in Lecture xv. vol. i. p. 332.

despatch the word with that brevity which the genius of the British language encouraged".¹¹⁷ The Norse origin of the form *Bal* explains, however, the phenomenon completely. But here too the coëxistence of the two forms, and their geographical distribution is a stronger proof of the antiquity of both, than even their coëxistence in Ireland. It is evident that the introduction of the form *Baile* into the topographical nomenclature of Scotland was the result of the settlement of the Irish Scots on the west coast of that country. According to Irish tradition, the first colony established themselves there about the middle of the third century. There can be little doubt, however, that the event occurred not later than the fourth century. At whatever period, however, the Scots first settled in Western Scotland, the coëxistence of the two forms *Bal* and *Baile* in that country dates from an earlier period than the Viking expeditions.

important
conclusion
drawn from
the distri-
bution of
the *Bal*
and *Bally* in
Scotland.

The second application of the word *Baile* was in the *Baile Biatach*, or Bally of the victualler or steward. The *Baile Biatach* comprised several *Ballyboes*, in south and west Munster as many as twenty-four, and was a true political subdivision of the *Tuath*, corresponding to the Latin Pagus. It had some kind of judicial court and popular assembly, and was probably bound to furnish its fixed proportion of armed men and provisions to the battalion of the *Tuath*, though, as we shall presently see, the number of men in a battalion was not a multiple of the number of *Baile Biatachs* in a *Tuath*. It is probable, however, that each *Baile Biatach* did not furnish an equal number of men, because, as we shall hereafter see, they did not contain an equal number of freeholders.

The *Baile-
Biatach*.

Between the *Ballyboe* and the *Baile Biatach* were several other denominations of subdivisions, namely: the *Seisreach* or ploughland, consisting, in the parts of Munster just mentioned, of two *Ballyboes*; the *Ceathramadh Bhaile*, or quarter bally, a term still preserved in the topographical names "carrow" and quarterland, consisting of three ploughlands. The name *Ceathramadh Bhaile* is derived from the fact of the *Baile Biatach*, which contained twelve *Seisreachs*, being divided into

Other topo-
graphical
denomina-
tions;

¹¹⁷ *Op. cit.*, p. 485.

number of
Baile Biatachs in a
Tuath.

*Triucha Céd*s or
Cantreds
other names
for *Tuath*.

Comparison
of Irish
and Welsh
divisions.

Duodenary
system in
use in
Ireland;

and prob-
ably also
in Gaul and
Germany.

four such quarter lands, each containing three *Seisreachs*,¹¹⁸ or ploughlands. Each *Tuath* consisted of thirty *Baile Biatachs*, one hundred and twenty quarters, and three hundred and sixty ploughlands. On this account it was also called a *Triucha Céd*, that is, a “thirty hundred”, a term that would seem to indicate that the *Baile Biatach* was the analogue originally of the Saxon Hundred.¹¹⁹ Colgan¹²⁰ translates *Triucha Céd* by *Canteredus* or *centivillaria regis*, as if each quarter or *Ceathramhadh* constituted a villa.¹²¹ The quarter would therefore represent the *Tref* of North Wales, and the *Randir* of the Gwentian and Dimetian codes; and *Triucha Céd* would be the *Cantref* of Wales and the Centena of the Franks, as I have already pointed out. The *Baile Biatach* corresponded to the “free *Tref*” of the Gwentian code, and to the *Maynau* of North Wales; and the quarter, to the Welsh *Tref* of the Venedotian code.

As the Irish *Tuath* or *Cantred* contained one hundred and twenty quarters, it is evident that the Irish used the duodenary system, or long hundred. The Norsemen used both the long and the short hundred,¹²² and it is probable that the Centena of the Germans and Gauls contained one hundred and twenty subdivisions also. The existence of an ancient duodenary division of the Saxon Hundred parallel with the division of the *Baile Biatach* into twelve *Seisreachs*, may be traced in East Anglia in the division of the Hundred into

¹¹⁸ Dr. O'Donovan (*Ann. of Four Mast.*, vol. iii. p. 27, n. 9.) makes *Seisreach* and quarter the same, and gives the number of the former in a *Bally Biatach* as four, containing 120 acres each.

¹¹⁹ Dr. Reeves, *op. cit.*, thinks the *Triucha Céd* savours of foreign extraction, and has its origin in the Saxon Hundred. There was analogy, but no more.

¹²⁰ *Trias Thaum.*, 19, n. 5.

¹²¹ *Cantredus autem, id est Cantref, a Cant, quod centum, et Tref, villa, composito vocabulo tam Britannica quam Hibernica lingua dicitur tanta terræ portio, quanta centum villas continere solet. Girald. Cambriæ, Descr.*, c. 4.

¹²² *Hundrade usurpatur pro numero cxx; scilicet observandum, veteres tam per decadas quam duodecadas numerasse, atque ad centenarium pervenientes, illum lill hundrad vel hundrad-tirad; alterum vero seu cxx stor hundrade, vel hundrad tolfæd appellasse. Similiter lilla tusend mille erat, sed stor tusend aut tusend tolfæd erat mcc. (Ihre, Gloss.).*

twelve Leets, or rather into four principal Leets, each of which contained three subordinate ones.¹²³

The twelve ploughlands in a *Baile Biatach* and the thirty *Bailes* in a *Tuath* or *Triucha Céd*, are examples of the occurrence of the numbers twelve and thirty in the early topographical divisions of the European nations. Thus each of the four tribes of ancient Attica was divided into three Phratries, or in all twelve; and each Phratry comprised thirty Houses, or in all three hundred and sixty. The Spartan Obe in Greece; contained ten Triakades, or communities, each containing thirty families. The division into twelve Phratries and thirty Houses is more ancient, as I have already indicated, than the decenary division into Phyles and Demes. The Romans also had the number thirty or three tens in their divisions. Dionysius¹²⁴ quotes a statement from Fabius, that Servius had divided the Roman territory into twenty-six regions; so that with the four civic ones there were thirty, and therefore the same number of tribes. Niebuhr, who has amended this passage very happily,¹²⁵ says that it is borne out by a passage of Varro from Nonnius Marcellus. This division of the Plebs corresponded with the thirty tribes of the Patricians, and the thirty Latin tribes forming ancient Rome. Among the Germans too the number thirty appears to have characterized the earliest divisions, as is shown by the thirty Houses of Ditmarsh, the district which has best preserved the ancient Germanic customs. We also find the number twelve occurring frequently in confederations of ancient cities and states, showing that some sort of duodenary territorial division pre-existed. Thus, perhaps, the oldest of all such leagues, the Amphictyonic, the establishment of which was attributed to a son of Deucalion, or to Acrisius, king of Argos, was originally

Occurrence of the numbers twelve and thirty in topographical divisions:

among the Romans;

among the Germans.

Occurrence of twelve in confederations.

¹²³ The twelve kings of the *Eoganacht of Loch Lein* appear to afford traces of an ancient duodenary system of a still higher order than the divisions of the *Baile Biatach*. We have an example of perhaps an intermediate order in the division of *Brentir*, now locally known as *Breintre* in the barony of Inchiquin in the county of Clare, into twelve divisions known as the *dá ceathramhadh degna Breintire* or the twelve quarters of *Breintire*.

¹²⁴ iv. 15.

¹²⁵ *History of Rome*, vol. i p. 417.

Occurrence
of twelve in
confederations.

composed of twelve states, each of which elected a judge styled a Pylagoras or Amphictyon, who acted as the representative of his state. The Panionian synod formed under the sons of Codrus, and of which Ephesus was the leading city, consisted of twelve cities of the Ionic tribes of Asia Minor. Again under Cecrops, Attica really consisted of twelve distinct states or municipalities, which had been incorporated into one state by the policy of Theseus. It is probable, however, that he merely increased the central authority of one state over a loosely united confederation of a much older date. Another example of a similar union of twelve dependent lordships, each under a prince, is afforded by the confederacy of which Alcinous was supreme ruler. And again, the supposed Gaulish tribes, the Tecto-Sagi, Trocmi, and Tolisto Bogii, who settled in Bithynia, Phrygia, and Cappadocia, B.C. 241, were each divided into four Tetrarchies, or in all twelve governed by Tetrarchs. And lastly we have the case of the twelve associated cities of Etruria, the chiefs or princes of which formed a council of twelve, who in case of war elected a leader or imperator.

The
Seisreach,
or plough-
land;

The Irish *Seisreach* was the extent of land which occupied one plough,¹²⁶ and represented the ploughland or carrucate of England, and the Saxon hide of land. Bede calls the latter "familiam", and says it was as much as would maintain a family. It was known also by other names, as mansum, etc. According to some ancient records, the hyde contained one hundred and twenty acres. Crompton, however, makes it one hundred acres, eight of which made a knight's fee. But Sir Edward Coke is of opinion that a knight's fee, a hyde or ploughland, a yard-land, or an ox-gang of land, did not contain any certain number of acres. This opinion is borne out by the fact that in some parts of the country it had sixty, and in others eighty, one hundred, one hundred and twelve, one hundred and twenty, and even one hundred and fifty. In Ireland the extent of the plough-

¹²⁶ Dr. Reeves (*loc. cit.*) derives *Seisreach* from *seisr*, six, and *each*, a horse, and says it was understood to denote the extent of ground a six horse plough would turn up in a year at so much per day. This derivation requires consideration.

land must have also varied, though in general it was one hundred and twenty acres.¹²⁷ This variation in the size of the ploughland or *Seisreach*, and also in the size of the *Ballyboe*, may help to explain that of the *Baile-Biatach*, which sometimes, as in Monaghan, Tyrone, and some other counties, appears to have contained only sixteen *Ballyboes*, or an English knight's fee.

varied in extent.

Baile Biatach also variable in extent.

The land in Ireland, as among all early nations, was ad-measured more by quality than by area. A denomination or division of land in a poor country was of larger extent than in a rich one. Hence arose the custom of estimating the quantity of land by the amount of seed required to sow it. Thus in Spain the quantity of land which could be sown with a Fanega of wheat was termed a Fanegada, and varied as the soil was rich, or poor and arid. It is in some such way we may explain the curious measures of land formerly used in the county of Cavan. These were a "pint" of about six and a quarter acres, a "pottle" of twelve and a half acres, a "gallon" of twenty-five acres, and a "polle" of fifty acres. The substitution of a geometrical standard for one based upon the relative produce of the soil has always been productive of great hardship to the occupiers of land. But in no country did this change press harder upon the peasantry than in Ireland, owing to a concurrence of circumstances that existed nowhere else.¹²⁸

Land first admeasured by quality and not by area.

Curious land-measures in the county Cavan.

¹²⁷ According to the *Carew Papers*, No. 614, p. 197, the *Ballyboe* was of three different extents in the county of Armagh: in Orior one hundred and twenty acres; in Clanbrassil and Clanca sixty; and in all other parts two hundred acres.

¹²⁸ There were several other subdenominations of land in Ireland besides the *Ballyboe* or *Tate*, the *Seisreach* or ploughland, the *Ceathramhadh*, carrow or quarter, and the *Baile Biatach* or true townland. The *Ballyboe* was divided generally into three *Sessighs*, the *Sessigh* into two *Gneeves*, a *Gneeve* being ten acres. The value of the acre itself also appears to have varied. Thus in Tipperary and Leix, now the Queen's county, etc., there was a greater and a lesser acre. In the former the greater was equal to about twenty English acres, not including bog, mountain, and wood. In some districts, again, the land was estimated in *Mart* or cowlands, and in *Capell* or horse lands. In O'Byrne's country, in the county of Wicklow, the former contained thirty great acres, which, if the acre was of the same extent as in Tipperary, would be about 600 acres. In Tipperary a *Capell* of land contained twenty great acres or 400 English acres. They were divided into quarter meeres or *Ceath-*

Number of
Triucha
Céds, etc., in
Ireland.

According to a curious poem, attributed to the antediluvian Fintan, but which belongs in substance, though not in language, to about the sixth or seventh century, and which has been published by Professor O'Curry in his tract on the battle of Moylena, there were in Ireland 184 *Triucha Céds*,¹²⁹ 5,520 *Baile Biatachs*, 22,080 *Caethramhadhs* or quarters, and 66,240 *Seisreachs* or ploughlands, which would be equal to 132,480 Ballyboes or habitations of freeholders, or 7,948,800 Irish acres. If every ploughland in the country had two *Teti* or habitations in it, each *Triucha Céd* or *Tuath* would have had 720 families of freeholders, which at five to a family would give 3,600, or in all Ireland 662,400, exclusive of *Bothachs*, *Fuidirs*, *Sencléithe*, and other poorer and mercenary classes, who lived, as we shall see, upon the personal lands of the chiefs and nobles, and the commonage of each territory. The 7,948,800 acres above mentioned is somewhat less than two-thirds the actual area of Ireland—the remainder nearly 5,000,000 Irish acres represented the commonage, moor, bog, and mountain, or uncultivated part.

Number of
freeholders
in ancient
Ireland

The *Bally-*
boe or *Teti*,
the type of a
Freehold.

That the *Ballyboe* or *Teti* originally represented the holding of a freeholder, appears to be borne out in a curious way by the number of them in a *Tuath* being almost identical with that of the armed men in the battalion which a *Tuath* was bound to raise. Indeed, if we allow for the *Sabaid*, or councillors of the *Tuath*, and the other *Aires*, or civil officers, whose number would be about twenty, they are the same. According to the *Crith Gablach*, a perfect ploughing apparatus

ramhadh Maoir, of which more hereafter. See memorandum of Capt., now General, Sir Thomas Larcom "On the Territorial Divisions of Ireland", in *Correspondence from July 1846 to January 1847, relating to the measures adopted for the relief of the distress in Ireland. Board of Works series*, first part, p. 1; and *Carew Papers*, in Lambeth Library, No. 614, p. 197, copied in 1846 by Dr. John O'Donovan. and published in the Memorandum just referred to. Also "The sundry denominations of the measuring of land in Ireland"; the MS. Report of the Pleadings during the law-suit between Teige O'Doyne, chief of O'Regan (now Tinnehinch barony, Queen's county), and his brother, Dr. Charles Dunne, which contains much curious information on this subject, Marshe's Library, v. 3, tab. ii. No. 20; and Dr. Reeves' paper in the *Proceedings of the Royal Irish Academy*, already referred to.

¹²⁹ Giraldus Cambrensis (*Top. Hib.*, iii. 5, p. 737) gives the number in his time as 176.

was the joint property of two or four of the lower grades of freemen, so that assuming that each ploughland should possess one plough, this would give from two to four families on many ploughlands. I do not mean that every ploughland continued to have two such free families upon it; on the contrary, we know that the distribution of land among the upper and middle classes became, as in modern times, unequal. But this inequality was counterbalanced by the system of *Céiles* or clients, who, while holding the land in perpetuity, paid rent of various kinds to the landlords. These rents were fixed, as we shall see, in the case of one class of tenants, but were more or less arbitrary in the case of another. I think, therefore, that we would not be wrong in assuming that before the Danish wars there were as many as two families to every *Seisreach* or ploughland of arable land in Ireland, whose houses might be described as "habitations", and who possessed an interest in the soil, the nature and extent of which I shall discuss in a subsequent section.

Originally the *Mór Tuath* consisted of three or four *Tuaths*,^{The *Mór Tuath*.} but at a very early period, owing to political changes due to civil wars, invasions, etc., the system of *Mór Tuaths* was greatly altered, and many principalities were formed out of as many as ten or more *Tuaths*. Thus as early as the time of *Cormac Mac Airt*, who was paramount King of Ireland from A.D. 227 to 266, the territory of *Feara Muighe*, or Fermoy, was formed by the union of ten *Tuaths* under one sovereignty; and this in turn has been divided into two baronies. Again, some of the most important principalities were formed either immediately before or consequent upon the English invasion. Many of these large principalities were made into counties, sometimes by dividing them, as when the kingdom of Meath was divided into the two counties of Meath in 1543; and sometimes without making much change in their extent or boundaries. But in other instances the counties were arbitrarily formed by the dismemberment of two or more territories. The English counties were also formed in this way; thus Kent, Sussex, Norfolk, Lindesse or Lincoln, etc., were formed out of ancient principalities, while Yorkshire was

Formation of counties.

formed out of part of Deira, and Gloucestershire is the union of an ancient shire of that name with Winchelcombeshire in A.D. 1017. In like manner the present county of Tipperary was formed in 1715 by the union of a county of that name with the county of Cross Tipperary. While, therefore, many Irish counties represent Irish principalities, none of them perhaps represent the original *Mór Tuaths*, which belonged to a much earlier period.

Baronies
represent
ancient
Tuaths.

The baronies, on the other hand, in general represent the *Tuaths*,¹³⁰ and did so to a greater extent two centuries ago than they do now. Since then, however, great changes have been made in the number and boundaries of many of them. At present there are no less than 325, or counting as one such new baronies as were formed by subdividing an old one, 271. In one sense, therefore, Dr. Reeves is right in saying that the modern baronies do not represent the ancient *Triucha Ceds*. On the other hand, the earliest baronies formed were made out of *Tuaths*, and as a whole the Irish baronies represent the general distribution of the ancient tribes immediately before and subsequent to the Norman invasion.

The modern
townlands
represent
many
different
denomina-
tions of land.

The modern townland may be looked upon as the representative of all the parcels of land of whatever denomination from the *Baile Biatach* down, which had separate designations. Some of those parcels were *Gorts* or gardens, others *Gneeves*, *Sessighs*, *Tates*, or *Ballyboes*, *Seisreachs*, quarters or carrows, and a few *Baile Biatachs*. It is probable that very few of the divisions contain now the same extent as the original parcel of land of the same designation; nevertheless, they exhibit a variation in extent quite as great as what would have existed in

¹³⁰ Dr. Reeves, *op. cit.*, says: "It (i. e. the *Triucha Céd*) is sometimes, but incorrectly, identified with the barony, because occupying the second place in the scale", p. 475. Dr. O'Donovan on the other hand says that "*Triucha Céd*, was the Irish name for a barony or hundred (*The Genealogies, Tribes, and Customs of Hy-Fiachrach*). This is also the opinion of Mr. W. H. Hardinge, who says: "And these cantreds [i. e. *Tuaths*], being subject to some changes, were Anglicised into baronies or hundreds, and are now represented by the increased Ordnance Survey number of 267, which includes cities, counties or cities, and towns". On Manuscript Mapped Townland Surveys in Ireland of a Public Character, from their Introduction to 23rd October, 1641. *Proceedings R.I.A.*, vol. viii. p. 41.

ancient times between a *Gort*, the smallest plot of land held in severalty, and a *Baile Biatach*. The smallest modern townland in Ireland, Mill Tenement, in the parish of Ardclinis, county of Antrim, contains only 1a. 1r. 1p.;¹³¹ while Sheskin, in the barony of Erris, county of Mayo, contains 7,012 acres.

Ireland was divided in ancient times into five sub-kingdoms: Meath, Connacht, Ulster, Leinster, and Munster. Meath originally consisted of one *Tuath* only, but, as I have already mentioned, *Tuathal Teachthmar* enlarged it to eighteen *Triucha Céd*s, or *Tuaths*, of which thirteen belonged to Meath proper, and five to the plain of Bregia, along the sea shore from Dublin to the Boyne. Connacht had thirty *Tuaths*, Ulster thirty-five.¹³² Leinster had thirty-one *Tuaths*, and Munster seventy *Tuaths*. Ulster originally had only thirty-two *Tuaths*, but *Cairpri Nia-Fear*, king of Leinster, gave three *Tuaths* of that province to Ulster, as a bride-price for the daughter of *Concoar Mac Nessa*, whom he took to wife. The relative size of the five provinces may be judged by the following table:¹³³

¹³¹ This extent of land constituted the *Maigin Digona* or sanctuary of the mill.

¹³² Dr. Reeves (*loc. cit.*, p. 474) gives 36 *Triucha Céd*s to Ulster, which raises the number of *Baile Biatachs* to 1,080, the *Seisreachs* to 12,960. This makes for all Ireland 185 *Triucha Céd*s, 5,550 *Baile Biatachs*, and 66,600 *Seisreachs*. Dr. Reeves gives the number of modern townlands now defined, named, and laid down on the Ordnance Maps, as 62,205, which would give an average acreage of 324.6. Sir T. Larcom, in the Memorandum above referred to, estimates the number at 66,700, and the average extent at 330 acres.

¹³³ Mr. W. H. Hardinge (*loc. cit.*, p. 43) gives a somewhat different table of the number of *Triucha Céd*s, or Cantreds, and *Baile Biatachs* in Ireland, from a manuscript in the British Museum entitled "An abbreviate of the getting of Ireland and of the decaye of the same", compiled by Laurence Nowel, Dean of Lichfield, who died in 1576. The following is the summary:

" In Leinster, ...	31	Cantreds,	equivalent to	930	Bailebetaghs.
In Ulster, ...	33	"	"	1050	"
In Desmond, ...	35	"	"	1050	"
In Thomond, ...	35	"	"	1050	"
In Midth, ...	18	"	"	540	"
In Connaught,	35	"	"	900	"
In the Brennies,	13	"	"	400	"
Total,				202	5920

The M.S. states that these divisions were made before the Conquest in 1172. It also states the number of acres in a *Baile Biatach* to be 960,

Provinces.	No. of <i>Tuaths</i> , or <i>Triucha Ceds</i>	No. of <i>Baile</i> or <i>Biathachs</i> .	No. of Ploughlands, or <i>Seisreachs</i> .	No. of acres.
Meath, inclusive of } Bregia, }	18	540	6,480	777,600
Connacht,	30	900	10,800	1,296,000
Ulster,	35	1,050	12,600	1,512,000
Leinster,	31	930	11,160	1,339,200
Munster,	70	2,100	25,200	3,024,000
Total, ...	184	5,520	66,240	7,948,800

Sub king-
doms and
number of
Triucha
Ceds,
etc., in each.

THE DIFFERENT CLASSES OF SOCIETY IN ANCIENT IRELAND.

The Aires.

Free and
unfree
classes.

In Ireland, as in every other part of Europe, we can trace the existence, at the earliest period of which we have any tradition, of two great classes—the free and the unfree. As among the Gauls and Germans, the free were not all equal; there were, besides the families, which in pagan times were considered to have had a divine origin, and from among whom exclusively the chiefs were elected, also privileged classes.

Freemen, or
Aires;

These privileged classes were called *Aires*, a word which may be connected with so many words in the Aryan languages, that it is difficult to determine its true affinities. In a note to this word in the *Crith Gablach*,¹³⁴ I have brought together the most important of those words, without deciding absolutely in favour of any.

Two classes:
Fluths
and *Bd-*
Aires.

There were two classes of *Aires*:—1. those who possessed property in land or *Deis*, originally corresponding no doubt to the Athelings or¹³⁵ Clitones of the Anglo-Saxons; which would give only eight ploughlands instead of twelve to each—that is the amount of a knight's fee. I have already mentioned that this was the case in Tyrone and Monaghan.

¹³⁴ Vol. ii. App. p. 467.

¹³⁵ Cf. Irish *Cleith* or *Cleithe*, a chief: literally the best, or the highest chief of the tribe. See note on the *Crith Gablach*, vol. ii. App. 494.

and 2. those who possessed cows and other chattels, and hence called *Bó-Aires*, or cow-*Aires*. The first class were the true lords or *Flaths*, the *Hlaford* of the Anglo-Saxons, and the *Wlad* of the Slavonians. The *Bó-Aires* grazed their kine upon part of the common land, and upon land held from a *Flath*. The *Flaths* corresponded to the Eorls, ^{*Flaths.*} Eorlcundmen, or Twelf-hændmen of later Anglo-Saxon times. The *Bó-Aires*, like the Saxon *Gesiths*,¹²⁶ Sixhaendmen, or ^{*Bó-Aires.*} Thegns,¹³⁷ were not originally noble of birth, but were freemen. The dignity of Thegn was connected with a certain possession in land, the lowest having five hides; the dignity of *Bó-Aire*, on the other hand, was measured by his cattle.

But as Thegn-land was simply a portion of the Folc-land allotted to the Thegn, his original right consisted in

¹²⁶ *Sith* is from *siðian*, to journey, and *Gesith* would therefore mean a companion or suitor of the chief or *Flath* when he held a court. The word *Sithar* (= suitor?) companion of a judge, occurs in old Frisian law books. It is curious to find this word in the spoken Irish of the present day. Thus in Munster *Sutaire an Tiaghearna* is the pet or follower of the landlord; and *Sutaire a mathar*, his mother's pet. In a note on the word *Sai* in the *Crith Gablach* (see note 567, vol. ii. p. 510), I have considered that word as identical with *Suad*, the latter being perhaps the former in an oblique case,—and have connected it with Gothic word *Saio*. It may be, however, that *Suad* is connected rather with the Irish *suihi*. Indeed in a passage on the *Cnairsech* which will be found further on in a note on p. cliv., the word *Suith* is used apparently for *Sai*. The Welsh *Swydd*, an office, and *Swyddog*, an officer, give us almost the form of the Irish *Suad*. *Sith* is almost identical with the Anglo Saxon *Gesith*; the latter represented the O.H.G. *Gisindo*, a term used as the equivalent of Comes or Count, and of the *Gasindu* of the Lombards, among whom it implied a "trusty vassal".

¹³⁷ Thegn, i.e. sword, corresponding to the German *Degen*. Some derive *Thegn* from *thigan*, to take or receive; others from *thegegnian*, to serve. It may, however, be connected with another term used for lord or chief, and which is preserved in the spoken Irish as in the example in the preceding note, *Tighearna*, Welsh *Teyrn*. In Brittany, the term *Mac Tiern* was used in much the same sense as *Aire* in Ireland. Many proper names are compounded of it, as *Tighernach*, *Kentigern*, etc. *Tighearna* is obviously related to O. Norse, *Tignarmathr*, a nobleman, *Tignar Konur*, a woman of rank, from *tign*=Lat. *dign*-us. The Irish law term, *diguin*, gen. *digona*, dignity, so intimately connected with the social life of the ancient Irish, gives almost the Latin form. There is also an O.N. *Tyggi* or *Tiggi*, a king, but like the Greek *τύραννος* it is probably not connected. The Irish *Tegin*, an ollamh's cloak, is, however, evidently related to the Norse *Tign* and to the Irish *Digun*.

Relation of *Aire* and A. S. Thegn. its usufruct, like the *Bó-Aire*, who, in right of his cattle, enjoyed the usufruct of a certain portion of the common land proportionate to his rank. The Irish custom obviously represents the original basis of the privileges of the Anglo-Saxon Thegn. This view is borne out by the fact that all the *Gesiths*, the oldest word for the middle-class, and which was afterwards supplanted by the word Thegn, did not possess land.

The Lombard *Arimann*:

The Lombards employed the word *Arimann* to denote a freeman of a similar class. This word offers such striking similarity to the Irish term, that I have come to the conclusion they have had a common origin. The first part of the Lombard word is almost the same as the Irish *Aire*; nor are combinations with the suffix *man* foreign to Irish, as we find them in our oldest manuscripts, as well as in the spoken Irish language of the present day.¹³⁸ We have even the word itself *Aireman*, a term now applied to a ploughman; but this meaning, as we shall see hereafter, is probably a secondary one.

different opinions on ;

A good deal has been written on the subject of the *Arimani*, and much difference of opinion exists among the writers who have discussed the subject. Ducange¹³⁹ appears undecided whether they were some unimportant persons, or vassals. Muratori¹⁴⁰ in one place looks upon them as freemen, and derives the word from the German *Ehre*; but afterwards he seems in doubt whether they were vassals or possessors of some peculiar kind of peasant holdings; elsewhere he seems to consider them as noblemen; and again as magnates of the empire. Sismondi¹⁴¹ considered them to have been free peasants, who, in addition to their own lands, farmed land belonging to magnates. He believed that they were the only persons besides the nobles

¹³⁸ Thus *aireman* and *erereman*, a ploughman; *caireaman*, a shoemaker; *daileman*, a cup bearer; *fireman*, a witness; *glinoman*, a culprit, etc.

¹³⁹ Ducange, v. Herimanni, t. iii. p. 1119.

¹⁴⁰ *Antiquitates Italicae mediæ ævi*, Mediolani, 1738-1742, 6 tomi fol. The Italian translation, "*Dissertazioni sopra le antichità Italiane*", does not contain the documents which are important for this inquiry. See t. i. Diss 13, pp. 715, 716, 748, 749, etc.

¹⁴¹ *Histoire des Républiques Italiennes du Moyen Age*, t. i. c. 2. p. 95 (Zürich, 1807).

who were bound to attend the Placitum, or assembly of the Comes or counts. Liruti¹⁴² in one place makes *Arimenni* a different opinions on Arimanni. kind of intermediate class between the freemen and slaves; in another¹⁴³ he appears to consider them as ordinary vassals who held their fiefs by the tenure of defending their towns or castles. Again,¹⁴⁴ he says they were not themselves judges, but the armed body-guard of the justiciary or lord having jurisdiction in the district. Liruti makes the very interesting statement that the *Arimanni* still existed in his time in Friuli.¹⁴⁵ Klüber¹⁴⁶ derives *Arimanni* from German *Heer*, but he thinks they were a special Lombard military organization, not connected with the *Heerbann* of the Franks,—a kind of association formed in each district for mutual defence, especially against the Romans driven out in Italy by them. Von Savigny looks upon this view as devoid of historical foundation, nor does he accept Klüber's statement that the neighbouring magnates subjected the *Arimanni* to all kinds of taxation. According to v. Savigny¹⁴⁷ all such taxes represent the original ones payable by them to the king. Johann von Müller¹⁴⁸ makes *Arimann* the same as the *Heermann*, or captain, in the law book of king Rotharit; the Minister vallis of the imperial letters, or *Ataman* of the Cossacks. Jacob Grimm thinks that the proper meaning of *Arimann* or *Hariman* is "homo popularis, plebejus", that is, a freeman who is from the most numerous class, a Folc-man

¹⁴² Jo. Jos. Liruti, *de Villafrredda de servis mediæ ævi in Foro Julii*, Rom. 1752, cap. iv. p. 35.

¹⁴³ *Ibid.*, p. 39.

¹⁴⁴ *Ibid.*, p. 39.

¹⁴⁵ *Ibid.*, p. 48. "Ubi adhuc Armanniæ quaedam vigent". He is still more definite on this point in his "*Notizie delle cose del Friuli*", tomo 4, in Udine, 1777, p. 110–112, where he has the following passage: "Giacchè in questa provincia vi rimane anchora in qualche luogo questo nome in certa corrispondenza di Formento, vino, ed altro . . . noi nel nostro Dialectto li chiamiamo *Ermann*, e nul numero di de' più *Ermanns*". See also F. C. von Savigny's *Geschichte des Römischen Rechts im Mittelalter*, Bd. I. 211 et seq.

¹⁴⁶ Jo. Ludw. Klüber, *de Arimannia Comment.*, 1 et 2, Erlangæ, 1785, 4to, p. 5 and p. 37.

¹⁴⁷ *Geschichte des Römischen Rechts*, Bd. I. p. 213.

¹⁴⁸ *Der Geschichten Schweizerischer Eidgenossenschaft*, Bd. I. note 30, p. 424.

different
opinions on
Arimann.

corresponding to the Folc-land.¹⁴⁹ Von Savigny agrees to this meaning of the word; but he and others considered that these freemen were the descendants exclusively of the German conquerors of the country. From this he was led to make the bold suggestion that the name became extended to the whole race, and that the national names of Germanen, Allemannen, are but modifications of Arimannen, and that these are equivalents to a number of other words such as Rachimbürgen, Frilingi, Freomen, Friborgi, Goths and Franks, all of which simply mean freemen.¹⁵⁰

M. Guizot¹⁵¹ thinks that the term *Arimann* was applied to freemen in general—to the acting citizens without distinction of race, and combats the view that the ancient German social organization continued in the new country which they occupied. He is also of opinion that the word did not mean magistrates or persons invested with special functions, judicial or otherwise, and distinct by this title from the rest of the citizens. Neither did the quality of *Arimann* exclude that of antrustio, leude, or vassal. In the subsequent sections “On the executive Government”, and “On the Administration of Justice”, we shall see how far the Irish laws enable us to settle these important questions.

Etymology
of *Arimann*.

Von Savigny derived *Arimann* in the first instance from Old High German *Era*, New High German *Ehre*, not, however, in the sense of personal honour, but in that of legal capacity, that is, of the fully qualified freeman. Afterwards, however, he adopted the views of J. Grimm on this subject. The latter¹⁵² derives the word, as Klüber did, from *Hari*, *Heri*, New High German *Heer*, and hence considers that the true form should be *Harimanus*, which he says also appears in all documents emanating from persons acquainted with German. The Lombard dialect under the influence of the Italian would have dropped the aspirate; hence the Lombards would have said Ariulfus for Hariulfus, Aripartus for Haripartus; the Franks

¹⁴⁹ *Deutsche Rechtsalterthümer*, pp. 291-293.

¹⁵⁰ *Op. cit.*, Bd. I. 232.

¹⁵¹ *Essais sur l'histoire de France*, p. 237-241.

¹⁵² *Op. cit.* p. 291-293.

would have made the latter Charibertus, as they would have made *Arimannus Charimanus*. According to Grimm, the Old High German *Herimann*, *Hariman* (Anglo-Saxon, *Heremann*, Old Norse, *Hermar*), means a soldier,—miles. He, however, considers that this was not the only, or even the oldest meaning, for the Gothic *Harjis* means a number of persons, “exactly what our word *Volk*” does. The Anglo-Saxon *Here*, he says, numbered thirty-six, and the Bavarian *Herireita*, forty-two shields. Now the latter term is almost the same as the Norse *Herath*, which I have shown at page lxxxii. to be a subdivision of the *Fylk*, the representative of the German *Volk*, so that the *Here* or *Heer* was at first a company of the battalion, and being composed of all those able and entitled to bear arms, consisted of freemen who in ordinary times formed the suitors of the local courts. If Grimm’s derivation be correct, and no doubt much may be said in its favour, the affinities of *Aire* which I indicated in a note to that word in the *Crith Gablach*,¹⁵³ could not, perhaps, be admitted. The Irish evidence shows that the views of Grimm, v. Savigny, Guizot, and others, that *Arimann* meant simply a freeman, and not a special or privileged class of persons, are not strictly correct, as we shall see hereafter. The *Aire* was a privileged person, and formed a species of aristocracy entitled to honour. The word *Aire* might, therefore, so far as the functions of the persons so called are concerned, be connected with *Ehre*, unless there be philological reasons of a very strong kind to the contrary.

But whatever may be the derivation of the word, I have no doubt that the Lombard *Arimann* and the Irish *Aire* meant the same thing, and that all the several functions ascribed to the former are compatible with the more complete information which the Irish laws give us of the latter. The very great importance, historically, of the parallel which I have instituted between the Lombard *Arimann* and the Irish *Aire*, induces me to give here a few of the passages from ancient documents which have been made known by Muratori, Du-

Etymology
of *Arimann*.

The Irish
Aire repre-
sented the
Arimann.

Importance
of this
parallel.

¹⁵³ Vol. ii. App. p. 467, note 454. The Irish *Er*, a champion or captain, which I have already connected with *Heer* (*ante*, p. lxxxii. n. 96), is very interesting in connection with this subject.

cange, Liruti, and others, especially by the first mentioned, and which have been so carefully gathered together by von Savigny.

Arimanns
mentioned
as freemen.

Among those which refer to the *Arimanns* as freemen, without indicating whether all freemen were so called, or only a certain class, I shall mention two. In the year 967 the emperor Otto III. grants to a monastery a castle "Castellum, quod vocatur Romanianum cum liberis hominibus qui vulgo *Herrimanni* vocantur".¹⁵⁴ In an ancient document of Verona, Henry IV. in 1084, says: "Donamus insuper . . . monasterio . . . liberos homines, quos vulgo *Arimannos* vocant, habitantes in castello S. Viti".¹⁵⁵ That every freeman was not an *Arimann* is proved by a very important passage which occurs in a diploma of Charlemagne of the year 808. In this he grants to the bishop of Piacenza: "Omnem judiciariam vel omne teloneum de curte Gusiano, tam de *Arimannis*, quam et de aliis liberis hominibus".¹⁵⁶ V. Savigny thinks the other freemen referred to were Romans and foreign Germans, such as Franks, and free vassals, and that the term *Arimannen* was only applied to the free Lombards; but he gives no proofs that this was so. In the Lombard laws the *Arimannen* are mentioned in such a way as to show that they stood in the same relationship to the Comes or Graf, as the Irish *Aires* to the *Rig Tuath*, who was the representative in the Irish system of the Comes. Thus, in the laws of Guido we have:

"Nemo Comes, neque loco ejus positus, neque Sculdasius ab *Arimannis* suis aliquid per vim exigat, praeter quod constitutum legibus est"—*L. Long. Guidonis*, 3.¹⁵⁷

"Si . . . Comes loci ad defensionem loci patriae suos *Arimannos* hostiliter praeparare monuerit", etc. *Ibid.*, 4.

In the Lombard laws of Rachis (6) and Liutprand (v. 15), in which the duties of a Comes or Graf in respect to fugitive slaves are indicated, we have evidence that it was only the *Ari-*

¹⁵⁴ Muratori, *op. cit.*, p. 735; v. Savigny, *op. cit.* i. 193.

¹⁵⁵ *Ibid.*, p. 739; v. Savigny, *op. cit.*, i. 194.

¹⁵⁶ *Ibid.*, p. 741; v. Savigny, *op. cit.*, i. 194.

¹⁵⁷ Upon which Eccardus writes: "arimannis, Erbmänner, qui bona hæreditaria possident, domini minores". Ducange, vol. iii. p. 659; Didot's Ed. of 1824, V. Herrimanni.

mannen who could hold slaves; in Ireland it was only the higher grades, that is, the nobles or *Flaths*, who could have ^{*Arimannen*} only could have slaves. *Fuidirs*, or slaves, on their lands. The Graf or Comes was bound, for instance, either to cause the slave who had fled into a neighbouring territory to be sent back, or information to be given of the whereabouts of the fugitive, *Arimanno suo*.

As in Ireland, certain of the *Aires* had sac and soke, or the right of holding trials, or keeping a court within their own jurisdictions, and of sitting in judgment with the chief or *Ri*; so the Lombard *Arimannen* are sometimes mentioned as Scabini, the German Schöffen and French Echevins, as in a judgment of a Placitum at Lucca, in 785: "Dum in Jesu Christi nomine resedentem Allonem ducem una cum . . . *Haremannos*, id est Tasso Presbiter, Alio Presbiter etc . . . Et . . . justum nobis paruit esse una cum suprascriptos sacerdotes et *Haremannos* ita judicavimus".¹⁵⁸

The term *Arimannen* also appears to have been applied to the burghers of a town who formed part of the civic council, and as such concurred with the bishops in certain ecclesiastical preferments, as is shown by a record of the appointment of a parish priest by the Bishop of Lucca in 819: "Una cum consensu sacerdotum et *Aremannos* hujus Lucane civitatis".¹⁵⁹ If we were to admit with v. Savigny, that *Germanus* is merely a different mode of writing *Arimannus* or *Errimanus*, we could multiply the foregoing examples. The notice quoted by him of a Placitum in the Mantuan territory in 898, in which a great number of Scabini or Echevins are mentioned, appears to support this view. Among the Scabini mentioned are: "dagipertus et teccelinus germanis, et leo de meruda et recuino germanis . . . totile et eribertus germanis . . . Lederado filio raguerio Warnerio filio . . . Adelperto . . . germanis . . . johane . . . adeperto germanis de parma, Ado et Johannes germani de budrio, Benno et Azo germani denandre, . . . Berno et Eberardo germanis de remo . . .

¹⁵⁸ Muratori, *Ant It.*, t. i. p. 745; v. Savigny, *Geschichte des Römischen Rechts*, i. 196.

¹⁵⁹ Muratori, *op. cit.*, p. 747; v. Savigny, *loc. cit.*, p. 201.

et reliquorum bonorum hominum circum adstantibus". Among the names subscribed occurs: "Sign. ma. Lederado de regione genus *Arimannorum* qui ibi fuit".¹⁶⁰ The word *Germanus* is often used for brother, but, as v. Savigny observes, such a number of brothers present as Scabini at a Placitum is very unlikely, especially as a common father is never mentioned, but on the other hand, the residence is often given. In the case of Lederado we have the distinct statement that a person styled in one place *Germanus* is elsewhere an *Arimannus*.

Arimannia
used for the
Arimanni
of a district.

We also meet with the word *Arimannia*, which is employed in three senses. In the first it is used for the whole of the *Arimanni* of a district, or, as Eichhorn thinks, those in the service of an Antrustio;¹⁶¹ or, as we should say in respect of the ancient Irish, the *Aires* of a *Rig Tuatha* in *Ceilsini* to the *Rig Mór Tuatha*. The passage which supports this use of the words occurs in the Formularies of Marculfus,¹⁶² and is perhaps the

Arimannia
mentioned
in Marculfus

¹⁶⁰ *Storia dell' Augusta Badia di S. Silvestro di Nonantola*,—Opera del cav. ab. Girol. Tiraboschi, t. ii. N. 56, pp. 74-77; v. Savigny, *Geschichte des Römischen Rechts*, i. p. 198.

¹⁶¹ M. Fauriel considers the *Antrustiones* to have been identical with the *Leudes*. Herr Eichhorn believed that the *Leudes*, who formed the suite of princes, had the right of determining the succession to the crown, and that the higher class of them were called *Antrustiones*. These in turn had, according to him, the right of having a suite of their own composed of freemen,—the *Arimannia*—and certain immunities. These *Antrustiones* received several names—*proceres*, *optimates*, *seniores populi*, *meliores natu* or *meliores Franci*; he further adds that they formed the class which might be called the Frankish nobility. *Deutsche Staats- und Rechtsgeschichte*, 5te Aufl. § 26, s. 190. See also Löbell's *Gregor. von Tours*, S. 160. Herr Walter considers the views of Fauriel, Eichhorn, and Löbell erroneous. *Deutsche Rechtsgeschichte*, S. 60. I shall have something to say on this subject hereafter, when describing the *Foleith* of Irish princes. Here I shall only remark that the *Foleith* corresponded to the *Leudes*.

¹⁶² The following is the chapter of the Formulae in which the word *Arimannia* occurs: *De Regis Antrustione*. Rectum est ut qui nobis fidem pollicentur inlæsam, nostro tueantur auxilio. Et quia ille fidelis Deo pro proprio noster veniens ibi in palatio nostro, una cum arimannia sua [*al. M.S. cum arma sua,*] in manu nostra trustem et fidelitatem nobis visus est coniurasse; propterea per præsentem præceptum decernimus ac iubemus ut deinceps memoratus ille in numero antrustionum computetur. Et si quis fortasse eum interficere præsumperit, noverit se wirgildo suo sol sexcentis esse culpabilem iudicetur. *Marculfi monachi Formularum, libri duo* l. c. xviii. *Corpus Juris Germanici Antiqui*, ed. Ferd. Walter, t. iii. p. 299.

only place where mention is made of *Arimanni* outside the Lombard kingdom. There has been much discussion about the words in the passage just referred to, "una cum arimannia sua". In the codex used by Bignon in his edition of Marculfus, the words were, "cum arma sua", but he amended the passage on the authority of Pithou, because it does not make good sense. J. Grimm thinks that the word *Arimannia* could not occur in Frankish, nor has it been observed in contemporaneous writing. But Eichhorn appears to think that the reading "cum Arimannia sua" is more natural as long as it has not been proved that in every edition of the *Formulae* in which that reading occurs, it is based on the authority of Pithou, and that it was a mere conjecture of the latter.

The second sense in which *Arimannia* occurs is that of freehold property as distinguished from property held by feudal tenure, etc., exactly as the Roman property was called *ex jure Quiritium*, with the same reference, as v. Savigny remarks, to the personal position of the Quirites, who alone in early times were entitled to this right. And lastly, *Arimannia* occurs in the sense of certain dues or rents payable by freemen to the state, as distinguished from what may be called the base rents of feudal tenants. These dues or rents were treated like private property, granted, sold, given in tenure, etc. Churches and convents were often relieved of the payment of *Arimannia*. The term occurs very frequently in the sense just indicated in the *Liber Censuum Ecclesiae Romanae* of the twelfth century.¹⁶³

Arimannia
used for
freehold
property ;

Arimannia
used for
rents, etc.

THE DIFFERENT CLASSES OF SOCIETY IN ANCIENT IRELAND.

The Céiles and rent paying classes generally.

Every free native was eligible, when he possessed wealth, to become a *Bó-Aire*, and the descendants of the latter might in like manner, when they possessed land for three generations, aspire to become *Flaths*. It was only the *Aires* as a class, however, who possessed the full political rights of freemen,—of being jurors, witnesses, bails, etc. In ancient times the posi-

Aires only
had full
political
rights.

¹⁶³ Cenni, *Monum. Dominat. Pontificiae*, t. 2, p. xxxvi.; v. Savigny, op. cit. i. p. 207.

Position of
freemen in
towns and in
the country.

tion of freemen who did not own lands was different according as they lived in cities and towns or in the country. In the former, freemen could obtain a livelihood by trade, and, as among civic populations, the greater number possessed no land, they were sufficiently powerful to maintain their common freedom. In the country, he who did not own land was forced to become a dependant in one way or another of the man who did. As there were few or no cities having municipal government in Ireland in olden time, all freemen, not excepting even the craftsmen of privileged crafts such as goldsmiths, blacksmiths, and some others, as well as the professional classes and *Bó-Aires*, were retainers of *Flaths* or lords. Theoretically speaking, no freeman need become the dependant of another; the law, indeed, expressly stated that a freeman owed allegiance to no man except the *Rig Tuath*, or king of his territory, unless he wished to give it himself;¹⁶⁴ but the condition of dependence was imposed upon him by the circumstances of his position.

Céiles, free
and base.

The freeman who placed himself under the protection of a *Flath* was called a *Céile*,—a word which seems cognate with the Roman “client”. There were two categories of *Céiles*: the *Saer* or free *Céiles*, that is, persons who were able to enter into a relationship which left them comparatively independent of the lord; and the *Daer* or base *Céiles*, who, as the laws say, had the second bond of servitude upon them. The act of becoming a *Céile* consisted in the man commending himself to the *Flath*, who thereupon presented him with a gift called a *Taurcrech*, the amount of which depended upon the rank of the *Flath* who bestowed the gift, the recipient of it, and the extent of the services to be rendered. This gift or wages, for it was also called *Rath* (wages), generally, if not always, implied a benefice in land. The *Céile* in return was bound to make certain fixed payments in kind, called in the case of the

Nature of
Céileship:

Taurcrech
and *Rath*.

¹⁶⁴ “It is competent for a man never to accept base wages from any man, unless it be his own will to do so. And it is competent for him not to receive *Saerrath* (free wages) from any one but from a king; but he is not entitled to refuse the free wages of his king. Every man in the *Tuath* is bound to receive the wages of a *Rig Tuatha*”. *MS. H. 3. 18. T.C.D.*, p. 119.

free *Céiles*, *Bes Tigi* or house tribute, and in the case of the base *Céiles*, *Biatad*. The former had also to give extraordinary supplies on certain occasions, which were, however, more of the character of public taxes than of rent. They were also bound to attend at *Dáls* or assemblies, at armed levies for defence or retaliation, and to chase and kill foxes.

If a *Flath* exacted more *Biatad*, etc., than he was legally entitled to, he was bound to recompense his *Céile* by additional wages in proportion to the excess.¹⁶⁵ When a *Céile* fulfilled all his obligations during a period of not less than seven years, he was entitled to the perpetual possession of the *Taurcrech* on the death of his *Flath*. When that event took place, he paid a renewal fine called the *Cumal Dé*, which represented in Christian times the old pagan custom of the *Céiles* contributing to the expenses of the funeral games of the dead chief.¹⁶⁶ When

Bes Tigi and
Biatad.

Duties of
Céile on
death of
Flath.

¹⁶⁵ "*Taurcrech* of a cow with her *Tintach* (accompaniments), thirty *Seds*, together with the *Seoid Taurclaide*, is the amount of *Bés* [*Tigi*] which a *Bó Aire* is then bound to pay".

On this the commentator remarks: "The thirty *Seds*, i.e. twenty-eight cows i.e. eighteen cows, and twelve *Samaiscs*, are the *Bés*, i.e. the amount of *Bia uas* (noble food) which a *Bó Aire* has then to pay, and if a grade of these [the *Flaths*] receives an excess above those things which we have stated above, he is called upon to give redress for it, as for any other injustice [injury or trespass]; in like manner, should it be the lowest grade of them [the *Bó Aires*] which has exacted the highest *Rath* (wages), he is not to be called upon to give redress for it, but it is bound upon him, for it is *Rath* (wages) in proportion to *Folad* (supplies, contributions) the law has laid down in it [i.e. in such a case]". *MS. H. 2. 15, p. 42, col. a.*

"*Taurcrech* of the *Biatad* of eight persons, two cows together with the *Seoid Taurclaide*. *Céiles* and their *Comarbs* are entitled to get *Seoid Taurclaide*, and *Rath ar Ardaig* [i.e. wages for excesses of *Biatad*], provided they have responded fairly to the legal claims of the *Flath*; that they shall not wound him; that they shall not betray him; that they shall not disgrace him by receiving the *Daer*

Rath (base wages) of an outside *Flath*; that they shall not do the deed which brings death upon their *Flath*, namely, to violate the wife of a strange *Flath*".

Upon this the commentator remarks:

"This now is the *Crech Torretnach* (free wages) which is given in return for the *Biatad* of eight persons. The *Rath* upon an *Ardaig*, i.e. for that which is above what is due, i.e. the excess which is given above the lawful rightful amount, provided that they shall have faithfully responded to the legal claims of their *Flath*, i.e. in *Biatad* (victuals), and in his *Manchainne techta* (lawful services and supplies), *Nacha Ruba*, i.e. they shall not wound him, the *Flath*; that they shall not betray him; that they shall not disgrace him by receiving the *Daer Rath* of another *Flath*; that they shall not do that deed which brings death upon their *Flath*, i.e. go to the wife of an outside *Flath*". *MS. H. 2. 15. p. 42. col. a.*

¹⁶⁶ "Every *Taurcrech* becomes the perpetual property of him who receives it, after having given lawful service, without failing, without wounding, without malice, without deceit or fraud for a period of seven years, [i.e.] if it is the *Flath* who dies. Not so if it is the *Céile* who dies. [In this case] the *Flath* is entitled to get *Ceil-sine* (service) from the *Comarbs* (heirs)

Relation of heirs of Céile to Flath.

of the *Céile* died, the *Flath* was entitled to get *Ceilsini* or submission from the co-heirs within one month after the death of the *Céile*. The co-heirs of the direct male issue of the deceased also paid *Manchaine*, corresponding for the higher classes to the heriot, and for the inferior classes to the "best head of cattle" of English law, the *Beste Houbet* of the Old German and *Ebediw* of the Welsh. This amounted in some cases to a *Samaisc* or a heifer in her third year. If the *Céile* died without children, his property passed to collateral heirs in a way which I shall more fully describe hereafter; and the new possessors paid investiture fees, the *Gobyr-estyn* of the Welsh.¹⁶⁷ In the case of the death of the *Flath* before the *Céile* had given any of his legal services, such as paying *Biatad*, if the case were one of a *Daer*

Reversion of Taurcrech.

or base *Céile*, two-thirds of the *Taurcrech* reverted to the heirs of the *Flath*, unless he paid three *Biatads*. In the case of the reversion of two-thirds, the *Céile* was entitled to retain one-third, provided he had not evaded paying his legal dues, or otherwise acted badly.¹⁶⁸

of the *Céile* at the end of one month [after the death of the latter] for *Manchaine* (heriot), *Furiud* (entertainment) *Gells* (pledges), *Dáils* (assemblies), *Digails* (revenges), *Fuba* (killing foxes, etc), and *Ruba* (warding off attacks").

This passage is thus explained by the commentator:

"It is perpetual, *i.e.* every free gift which is given as *Rath* (wages) becomes perpetual when due service has been rendered for it by the *Céile* in *Biatad* (supplies of food). *Taurcrech*, *i.e.* *Rath* (wages), and *Seoid Turclaide* (revertible *Seds* or chattels) given by the *Flath* [become the perpetual property of the *Céile*] after seven years, faithful service, provided he fails not in supplying the food for the sake of God, *i.e.* the *Cumal Dé* (God's *Cumal*) [at the death of the *Flath*]. Without default, *i.e.* without curtailment of *Manchaine* (heriot), or the *Enecland*, (honour price), without wounding, *i.e.* without doing anything hurtful to the honour or interests of the *Flath*, without deceit, *i.e.* without betrayal of trust, the whole of this becomes the perpetual property of the *Céile*; it is

when he has received *Seoid Taurclaide* that he is thus bound. Not so if it be the *Céile* that dies, it is not in that way, it is for them [*i.e.* the *Comarbs*,] to give *Manchaine*, *i.e.* as *Comaitheachs* (co-partners) *i.e.* a *Samaisc* from each man, *Furririud*, etc. *MS. H. 2. 15. p 42 a.*

¹⁶⁷ The parallelism of the Irish and Welsh law is shown by the following commutation made in the reign of Edward III.—"Et debent V. Sol. pro herietto cum occiderit quilibet eorum. Et si aliquis eorum decesserit sine herede de corpore suo propinquior heres de sanguine tenetur in *Gobyr-estyn* videlicet V Sol."—*Record of Caernarvon*, p. 104.

¹⁶⁸ "If the *Flath* has not refused *Seoid Taurclaide* [before his death] the *Céile* is entitled to one-third of the *Seds* after the death of the *Flath*: unless the *Céile* has failed to give him any *Biatad* at all. If he has given him *Biatad* once, he is entitled to one half of the *Seds* (chattels); if he has given him *Biatad* twice, he is entitled to two-thirds of the *Seds*; if he has given him *Biatad* three times, he is entitled to them all (*i.e.* all the

The *Daer Céiles* who received benefices of land, represented among the Saxons the class of ceorls or villeins, called *Heorthfastmen* or householders. The *Céiles* who did not receive benefices of land, corresponded to the Anglo-Saxon *Folghers*, and formed part of the military retinue of the chief. Persons of this class were not usually included among the *Céiles*, but formed the body of mercenaries which most chiefs endeavoured to keep in their pay. This body guard was sometimes called his *Amhus* or *Ambus*, and represented the *Ambacti*¹⁶⁹ or military retinue of the Gaulish noblemen or equites, whose dignity and consequence, Caesar tells us,¹⁷⁰ depended upon the number of clients and persons of this class which each had. In like manner each grade of lord or *Flath* was distinguished by the number of *Céiles* of each class which he had.

The same distinction into free and base also existed in Wales. The villeins of the free *Trefs*, which, after the subjection of Wales by the Normans, were called "villae liberae" in the registers of Welsh lands, corresponded to the Irish *Saer Céiles*. They paid the lord *Gwestva*, which, as I have elsewhere pointed out,¹⁷¹ is the exact equivalent of the Irish *Bes Tigi*. The posi-

Seds), unless he has failed to give him his *Fognam* (attendance or supplies.")

Thus explained by the commentators.

"Unless he refuses, *i.e.* unless he has evaded paying *Biatad* to his *Flath* proportionate to his *Seoid Taurclaide*, until the time of the death of the *Flath*, his title becomes good after that, *i.e.* the *Céile* is entitled to one-third of the *Rath* (wages) after the death of the *Flath* in right of the *Enech* (honour) of his *Trebaire* (homestead), and the non-giving of *Seoid Taurclaide*, *i.e.* unless he had failed, *i.e.* unless he has evaded payment upon, or that he has absconded with, the *Seoid Taurclaide*, without having given any *Biatad*, and even if he has given the *Biatad*, unless the time for the *Fognam* had come" [that is, it does not avail him to have paid *Biatad* if he

did not do so at the proper time].

"Then the *Céile* is entitled to one-third of the *Taurcrech* after the death of the *Flath*. In case that he has never given any *Biatad*, provided that the *Céile* is a lawful *Céile*, he must return two-thirds of the *Taurcrech*, or pay three *Biatads*. He shall give four *Biatads* to the *Comarbs* of the *Flath* in case that he has never given any *Biatad* to the *Flath* when he gets *Seoid Taurclaide* and *Taurcrech*; and this is also the case with the *Comarbs* of the *Bó-Aire* and the *Comarbs* of the *Aire Desa* [*i.e.* the *Comarbs* of a *Bó-Aire* must pay in the same way to the *Comarbs* of the *Aire Desa*] in proportion to his *Rath* (wages). In case they have not given any *Biatad* to their *Flath* they must return [part of] the *Seoid Taurclaide*, as we have said before". *MS. H. 2. 15, p. 42, col. b.*

¹⁶⁹ See note on this word in a subsequent section on "The Executive Government,—The Kings or Chiefs".

¹⁷⁰ *Bello Gall.*, vi. 15.

¹⁷¹ See *Crith Gablach*, App. Vol. II. p. 272, note 478.

tion of the British freemen under the Anglo-Saxon lords, who paid *Wylisc gafol-gilda*,¹⁷² seems to have been exactly similar.

Daer Céiles

The *Daer Céiles* corresponded to the class of persons called in the ancient laws of Wales *Teogs*,¹⁷³ and who occupied the lands and villages called in the mediaeval Latin registers of Welsh lands, “*villae nativæ*”. Their position with regard to the lord appears to have been analogous to that of the Russian serf to his lord before the emancipation, except that they were not ascribed to the glebe, like the latter. No one was ascribed to the glebe in Ireland except certain categories of the class known as *Daer Fuidirs*, of whom I shall have much to say presently, and who strictly speaking were convicts. *Adscriptio glebæ* only gradually grew up in Europe from the difficulty the lords experienced in keeping tenants. The Irish liberty is therefore older than the bondage of the feudal system. The *Daer Céile*, or base tenant, was subject to a variety of imposts, the chief of which was what may be called his rent, namely, the victuals or *Biataid*, already mentioned, given at two periods of the year. The corresponding rent of the Welsh *Teog* was called *Dawnbwyd*, or donative food, in the latter part of which we have the exact equivalent of the Irish term.

their position,

rents, etc.

Persons included under the term free *Céiles*.

The free *Céiles* not only included the class of persons who constituted the villeins of feudal law, but also others of a higher class, belonging perhaps properly to the class of vavassors. For instance, the *Bó-Aires* were all high *Céiles* of the great *Flaths* or kings. Persons in the position of the Roman “*possessores*” among the Salic Franks, such as some of the *Firbolg* chiefs, and many of the original proprietors of districts which had been made sword-land of, and who still remained as *Biatachs* or vassals of the conqueror, belonged to this category. Though the free *Céiles* were all freemen, and consequently possessed some political rights, it is evident that the extent of those rights differed. In some cases they must have been confined to bearing arms and obtaining a share of the common land.

All *Céiles*, whether free or base, had certain definite rights

¹⁷² Cf. Irish *Gabal Gialda*.

¹⁷³ Cf. Irish *Toiteog*.

in the territory, such as the right to have a habitation, and the usufruct of land; but besides these were several other classes, who possessed either very few rights, or occupied so low a position in the social scale as to have been practically in a state of complete servitude: these were the *Bothachs*, *Sen-Cleithes*, and *Fuidirs*. Rights of
Céiles.

The *Bothach* was a cottier, the name being derived from *Bothachs*; *Both*, a cabin, or shed, a word still preserved in the *Bothan* or cabin, and in the "Bothy" of Scotland.¹⁷⁴ There were two classes of *Bothachs*, distinguished like the *Céiles* by the terms free and base. The *Saer Bothachs* appear to have been a certain class of free men, possessed of no other property than the cabins which they occupied on the lands of a *Flath*, and earning a livelihood by service to him. The *Daer Bothachs* were the permanent farm-labourers of the lord. The hangers-on of this class, horse-boys and other idlers, of whom there were generally too many, were included under the collective name of *Daer Accinti* or *Daer Aicillne*.

The Irish *Bothachs* appear to have corresponded in part to the Anglo-Saxon "Bordarii" and "Cotarii" of the Domesday. The Bordarii were so called because they lived in a tenement called a "bord". This term, if Anglo-Saxon at all, is closely related to the Irish *Borth* or *Beart*, a cover or shelter, as in the words *Cennbeart*, a hat or helmet, *Coisbeart*, a word signifying any covering for the feet, but usually applied to shoes. correspon-
ded to
Bor larit
and
Cotarii.

The word *Cotarius* is represented by the modern English word "Cottier", German "Kotter", or as in Hanover "Kothsass", which is the exact equivalent of another ancient English term for this class of occupiers, "*Cotsetlas*". *Cotarius* is de-

¹⁷⁴ O.H.G. *boda*, M.H.G. *buode*, a hut, N.H.G. *bude*, Eng. *booth*, *abode* O.N. *búdh*, *búd*, a tavern, Danish and Swedish *bod*; Lettish, *búda*, a hut Litth. *buttas*, Polish *buda*, a shop, Russian *budka*, *butka*, a little shop; Cornish *bód* (a dwelling), in the names of places, as in Bodmin, Bodwen; and also in Welsh names of mansions as in Bodridris; of parishes, as Bodedern and Bodwrog in Anglesea; also Welsh *bwth*, Cf. Italian *bottega*, French *boutique*, Cf. also Sanskrit root *bhú*, *existere*, Irish root *bú*, *esse*; Goth. verb. *bauan*, to inhabit, O.H.G. *buwen*, M.H.G. *búwen*, N.H.G. *bauen*; *bau-er*, *buwman*, a peasant; O.N. *búa*. *habitare* = Swed. *bo*, Danish *boe*; O.N. *bú*, a peasant's holding = Irish *boe* in Ballyboe; O. Sax. *bú*, *domicilium*.

Etymology
of
Cotarius.

rived from *Cot*, an enclosure, as in *cottage*, *dove-cot*. This word occurs also in Irish. In the poem on the Fair of Carman,¹⁷⁵ it is used for an enclosure or separate place for the women at the fair, and is the origin of the French *coterie*. There were two kinds of *Cotarii*, the *Cotarius* proper, and the *Cotarellus*, corresponding probably to the *Erb Kotter* and *Mark Kotter* of the Germans, and the *Saer* and *Daer Bothach* of the Irish. The *Cotarius*, *Erbkotter*, and *Saer Bothach* may have been poor freemen who occupied their share of the common land, and who were in part also inheritors of subdivided estates. The tenure of this class was certainly different, as we shall see hereafter, from that of the *Cotarellus*, *Mark Kotter*, and *Daer Bothach*, who were mere squatters on waste lands. Another word used on the Continent for persons of the class of cottiers was *Casati*, from *casa*, a thatched or straw covered hut or cabin.

The Anglo-Saxon "Bordarii" and "Cotarii" may be safely reckoned as descendants in great part of non-Saxons,—an opinion rendered the more probable by the fact of their being mentioned in connection with the boundary lands of England towards Wales.

Sencléithes.

Sencléithes were the poor adherents of a *Flath*, who lived in his house as servants, or upon his demesne as herds and labourers. The name implies that they were old adherents of the *Flath*, who had acquired the right of settlement upon the estate. They were the descendants of strangers, mercenaries, prisoners of war, *Bothachs*, and many of the poorer members of free families were no doubt also included under the term. Among the Norse many of the *Hús Karlar* or *Verkmenn*, or workmen on farms, were poor free men, and while in that position were treated in the same way as those who were slaves. The *Sencléithes*, like the *Bothachs* or cottiers, did not possess the political rights of freemen, but they formed part of the affiliated family or clan, known in the laws as the *Fine Flatha*,¹⁷⁶ and were thus secure of shelter

¹⁷⁵ Vol. ii. Appendix, p. 538.

¹⁷⁶ *MS. H.* 2. 15. pp. 13 b. and 14 a. In a subsequent section will be found an explanation of the several applications of the important word *Fine*—*Post*, p. clxii.

and relief, and were irremovable from the estate of the lord. The *Fuidir*, on the other hand, possessed no rights beyond his contract, and no public responsibilities, and did not belong to the clan; he was a stranger, but as such was protected by special laws and customs.

In all ancient nations the foreigner was suspected, and ran Foreigners. the danger of being denied the commonest rights of hospitality unless he placed himself under the protection of some citizen of the country. Thus among the Greeks a sojourner chose his *προστάτης* or guardian; among the Anglo-Saxons and other Germans he had his *Mundbora*, or as he was called in medieval Latin, his *Mundiburdus*. In Wales foreigners admitted to the privilege of domicile, placed themselves under the protection of the king, or of a *Breyer* or *Uchelwyr*, that is, of some lord. In Ireland the immigrant stranger who from choice or necessity came into a territory with a view of remaining in it, was a *Fuidir*,—a name applied to all persons who did not belong to the clan, whether born in the territory or not.

The word *Fuidir*, and the classes of persons included under the term, are alike deserving of special study. Here I shall *Fuidirs*:
their
position: only discuss the position in the community of the persons so designated, reserving for a subsequent section on the Feudal System the consideration of the word itself. The *Saer* or free *Fuidir* was simply a free man who entered into a contract upon certain terms with a *Flath* outside his own territory, or, as we shall presently see, he might be the grandson of a *Daer Fuidir*. The position of this class will be better understood when I have described the *Daer* or base *Fuidirs*. The old laws speak of the position of the latter as the inheritance of bondage and of hardship.¹⁷⁷ The *Fuidirs*, except in certain cases which shall be mentioned presently, were not liable for the fines, mulcts, or damages due of them, or of their children or grandchildren, in any civil or criminal action. All these liabilities fell upon the *Flath*, or lord, upon whose lands they were. If his chattels were stolen, he was not entitled to receive the *Díre*, corresponding to the Anglo-Saxon *Wergild*; he was only entitled

¹⁷⁷ MSS. H. 2. 15. T.C.D., p. 11, and H. 3. 18. T.C.D., p. 122.

Fuidirs:
their
position;

to obtain their restitution, or to damages for the injury done. So, in like manner, he did not recover *Dire* for the murder of his son, daughter, or mother, nor *Eraic*, nor could he inherit the property of his father or other relatives: all these went to the lord.¹⁷⁸ If a man became a *Daer Fuidir*, and that he reserved the freedom of his family, namely wife, son, and daughter, he was entitled to get in his own right *Enecland*¹⁷⁹ for four things: for their satire or defamation, for wounding them, for stealing their property, or for the ravishing of his wife or virgin daughter. The son whose freedom was so reserved was entitled to the *Corpdir*¹⁸⁰ or special damages for bodily injury, of a free *Muirchuirthe*, that is, the son of a foreigner by a free-born woman.¹⁸¹ The wife and the virgin daughter of such a

¹⁷⁸ "Every *Fuidir* with his lawful rights: they do not pay the liabilities (crimes) of their sons, or their grandsons, or their great-grandchildren, or their relatives in the *Fine*, or their own liabilities (crimes). It is the *Flath* upon whom they feed that pays their liabilities (crimes) for them. The *Dire* of his chattels does not belong to him, except only when it goes to a restitution. He does not get the *Dire* of his son or of his daughter, or of his mother, or the body of a *Dibad* [that is, an inheritance from his deceased father or relatives], or of an *Eraic*. It is the *Flath* upon whom they feed that is entitled to receive them, and that must pay their fines, and that must suffer for their crimes".

¹⁷⁹ "Every *Fuidir*, *i.e.* every *Fodaer*, *i.e.* the *Daer Aicinta* (base-born man), with his lawful rights, *i.e.*, he is the son of a *Fuidir* and the grandson of a *Fuidir*, and he is a *Fuidir* himself. His lawful inheritance—namely, his bondage—*i.e.* the worst inheritance in history it is—namely, the inheritance of bondage and of hardship. He will not pay—that is, unless he himself has their freedom [that is, has reserved it] for his immediate family, *i.e.*, his brother [and father's brother, etc.]

"*Cinaid Fodeisin*, *i.e.*, unless he has chattels of his own. It is the *Flath* who feeds him that pays his liabilities when he has got no chat-

tels of his own, because he is not entitled to any fines for the stealing of his chattels, but restitution only for the stealing of his chattels and for bodily injury. His *Dire* is the right of his lord. He receives no *Dire*, *i.e.* he is not entitled to get any *Enecland* for injury done to his son, or any *Dibad*. It is the *Flath* who feeds him that gets all these fines and erics, *i.e.* *Corp Dire*, the restitution of his own chattels alone excepted".—*MS. H.* 2. 15, *T.C.D.*, p. 11, col. b.

¹⁸⁰ An explanation of this as well as of many other technical terms which occur through this and the next section, will be found in note 473, App. vol. ii. p. 471, and also in subsequent sections of this Introduction "On Legislation", and "On the Administration of Justice".

¹⁸¹ "The *Daer* [*Fuidir*] is not entitled to [recover] anything [in his own right] for the killing of his son, or of his daughter, or for any injury done to them, unless he has reserved their freedom in his own right; if he has reserved their freedom, he is entitled to get *Enecland* for the killing of them, and he is entitled to the *Corp Dire* of a *Muirchuirthe*".

"It is in four things the *Daer* [*Fuidir*] is entitled to *Enecland*, *i.e.* in his satire, and in his wound, and in the stealing of his chattels, and in the ravishing of his wife".—*MS. H.* 2. 15, *T.C.D.*, p. 12 a.

Fuidir were entitled to one-half the highest honour price of the tribe if violated; and the fine for attempting the seduction of the daughter was the same. These provisions were evidently intended to save the families of *Fuidirs* from lawless violence.

The *Log Enechs* or honour prices of *Daer Fuidirs* were in proportion to the rank of their lord: thus the *Dire* of the *Fuidir* himself was one-fourth of that of the lord; and that of his wife half that of her husband. There were special categories of *Fuidirs* whose honour prices were not determined by those of their lords. These were the following: a man who possessed no property in his own right, but who had married a co-heiress; 2. a man who had married a wife belonging to another territory, and left his own territory to follow his wife into hers; and 3. the *Cuglass* or "water hound", or foreigner from beyond the sea, who married an Irish woman. The honour prices of these three categories of *Fuidirs* were determined by those of their wives.¹⁸² The laws give a curious account of the state of legal dependence in which such men stood to their wives; for instance, they could not buy or sell in their absence. If such a *Fuidir* forfeited the affection of his wife, he lost his right to *Enecland*; but his misdeeds did not affect her right to receive an *Enecland* equal to one-half that of the highest member of her *Fine* or family. In like manner the misdeeds of the wife did not take away the husband's right to an *Enecland* equal to that of his wife.

The *Daer Fuidirs* included: persons carried off from a conquered country; prisoners of war to whom quarter was

¹⁸² "The *Log-Enechs* of *Fuidirs*. If he be a *Daer-Fuidir*, his *Log Enech* is reckoned in proportion to the rank of his *Flath*, one-fourth of his [the *Flath's*] *Dire* is the regular fine of his *Fuidir*, and one-half of that for his wife, upon the various grades of the *Fine*, there are three classes only whose *Log-Enechs* are reckoned [in right of] their wives; a man without a *Selb* (homestead) or property, whose wife is a *Bean Comarba* (a co-heiress)—it is in right of the honour of his wife his *Log Enech* is reckoned; a man who follows his wife outside the territory, his *Log Enech* is reckoned in proportion to the honour (rank) of his wife; and the *Cuglass* (water-hound), his *Log Enech* is reckoned in proportion to the honour of his wife; and she shall pay his debts, if it be after their marriage, or when he is acknowledged by her *Fine*".—*M.S. H.* 2. 15. *T. C. D.*, p. 12 b.

Persons included among *Daer Fuidirs*.

given on the battle field;¹⁸³ convicts convicted of a capital crime, and who, having failed to find a surety or *Urradh*, were condemned to death by being sent adrift on the sea, and succeeded in getting on land again. A convict who escaped drowning under these circumstances was taken up by the tribe on the shore of whose territory he was cast by the tide, and kept in a state of bondage for life.¹⁸⁴ This kind of punishment was evidently a mode of giving persons guilty of death, but whose case presented some extenuating circumstances, a chance of life, and could only be practised on the sea coast. Another class consisted of convicts of the worst class, who, for one cause or another, were not executed; they were the *Fuidir Crai F'indgal*. The persons included in this class were generally of a superior class, who fled from their own territory when outlawed, and received sanctuary from another territory. Such persons having once accepted the protection of a *Flath*, could not leave his estate without his sanction.

St. Patrick a *Daer Fuidir* of the first class.

The first category of *Daer Fuidirs* must have been very numerous during the period immediately preceding the introduction of Christianity, from the frequency of the inroads upon the coast of Britain, and perhaps of Gaul. It was as a *Fuidir* of this class that St. Patrick was first brought to Ireland. The second category of *Daer Fuidirs*, or persons taken on the battle field, were kept in fetters until redeemed. Persons convicted of crimes not considered capital, debtors unable to pay their debts or find a security, and such a security when himself unable to pay, that is, when he became a *Cimbid* or "victim", or as the Roman law said, "addictus", and could find no one to pay the legal price of a victim, or twenty-one cows for him, appear to have also formed categories of *Fuidirs*, but differing from the others above mentioned in being redeemable.

Voluntary *Daer Fuidirs*.

From the fact already mentioned, that a man could reserve the right of his wife and children, it appears that he could voluntarily enter into base *Fuidirship*. Persons of this class formed a distinct category from what may be called the con-

¹⁸³ These were included in the class of *Daer Fuidirs* known as *Fuidir Goibhle*, or *Fuidirs* saved from the gallows, that is from death.

¹⁸⁴ This was the *Fuidir Cinnad O Muir*. *MS. II. 2. 15. p. 13. col. a.*

vict *Fuidirs*. They appear to have been generally poor wanderers, who possessed no property of any kind, and who were obliged to accept this kind of servitude on the estate of a lord. They were, in fact, squatters. There is reason for supposing, however, that these squatters did not become *Fuidirs* for life, but sometimes entered into a contract for a term of years.

The *Daer* or base *Fuidir* or his family could attain to the freedom of a *Saer Fuidir* when he had served under two *Flaths* in succession. That is, the bondage of *Daer Fuidirship* of a man did not extend to his grandchildren. So favourable indeed were the laws to the abolition of this kind of servitude, that the family of the *Daer Fuidir* acquired the rights of a *Daer Bothach* when his family had served under three lords; and those of a *Senleith*, when they had served under four. The immigrant *Saer Fuidir* who came into the territory free from crime, might become a *Senleith* when his family had served under three lords.¹⁸⁵ From a passage in the *Crith Gablach*¹⁸⁶ it would appear that *Fuidirs* could only acquire fully the rights of free citizens of the territory, after the ninth generation, except when adopted by the whole tribe, by public proclamation.

The *Senleithes*, as I have already remarked, possessed certain rights on the land of a *Flath*, so that a *Fuidir* family in the fourth generation, indeed in the third, for the *Daer Bothach* had also right of settlement, could not be ejected from the land. This circumstance explains the expression so often heard among the Irish peasantry when they complain of being evicted by their landlords: "My father and grandfather were there before me"; or, "My grandfather was a tenant of his grandfather; we were free from crime and paid our rent—where is his right to evict me?"¹⁸⁷

¹⁸⁵ He is a *Saer Fuidir* in the term of two *Flaths*, a *Daer Bothach* in the term of three *Flaths*, a *Senleithe* in the term of the fourth *Flath*. After the settling down of *Deoriadh*s (wanderers) in *Fuidirship*, and when they have spent for the term of three *Flaths* in *Fuidirship*, they have a

legal right from that forth".—*MS. H.* 2.15 *T.C.D.*, p. 6.

¹⁸⁶ See vol. ii. App. p. 494.

¹⁸⁷ Or as the Irish saying expresses it: *na fad ir bi mo rinneair fuḡat, ní b-fuair tu cin coiré na láina orno na ornn réin: aḡt mar áncealóna?* "Long as my ancestors

Irish law of "promotion".

Rights of *Senleithes*;

tradition of them still preserved.

Different
categories
of free
Fuidirs.

A man who voluntarily left his own tribe and went into another territory, was called a *Fuidir Focsail a aithreab*.¹⁸⁸ A person might become a *Fuidir* even in his own territory, when through any cause he separated from his *Fine* or family, or handed over his property to pay his debts. Such a man was called a *Fuidir Dedla Fri Fine*.¹⁸⁹ A free man who hired land and cattle from a *Flath* was called a *Fuidir Grian*. Sometimes there was a contract for a specified time, but it was usually a grazing contract tacitly understood to be for one year and a day. The *Fuidir* might surrender the land at the expiration of his contract, or at any time if there was no specific contract as to time, on condition, first, that he left no liabilities "of foot or hand", that is no liabilities for trespass or theft, etc., on his *Flath*, and that he showed the *Flath* the land and chattels, and everything he received from him, namely, the residence, the tilled land, and the madder field. The chattels were divided between them in the proportion of two-thirds to the *Flath*, and one-third to the tenant. Of the landlord's share, one part, that is one-third of the whole, was considered to be

were under your fathers, they found neither crime of foot or hand upon them, nor can you find it upon myself: what then is your right to turn me off?"

¹⁸⁸ "The *Fuidir Focsail a aithreab*, i.e. a man who has abandoned his home and tribe, and has passed outside of his territory, or gone away from his own land in upon the lands of the *Flath*". *MS. H. 2. 15. T. C. D.* p. 13 a.

¹⁸⁹ "The *Fuidir Dedla fri Fine*, i.e. the *Fuidir* who has separated from his *Fine*, but who continues in the same *Crich* (territory), or who has transmitted [his property] to his family or relatives, and who continues to live upon his own land". *MS. H. 2. 15. T. C. D.*, p. 13 a.

"It is competent in the *Fuidir Grian* to depart from his *Flath*, but he shall show up [his lands] to the *Flath*; but he does not carry or take guilt from the *Flath*. He shows him [the *Flath*] everything he got from him, great and small, of all that he possesses, both the land and the *Gnaim* [crops of tilled land], and he takes

away one-third and leaves two-thirds".

Upon which the commentator observes:

"*Fuidir Grian*, i.e. a man who gets land proportionate to his wealth. It is competent, i.e. the *Fuidir*, who gets the land, has the power to leave the *Flath* whenever he likes, but he must show (surrender) his land to the *Flath*. He shall not leave crime of foot or hand upon his *Flath*. He shows to the *Flath* everything he received from him, both land and chattels, great and small, everything he got from him, both the *Tod*, i.e. the residence and lands, the *Gnaim*, i.e. the corn and the madder; he takes, i.e. because it is beyond [i.e. from the landlord] he got chattels, i.e. he leaves one-third of wealth [for chattels], and one-third for the land which he got beyond, i.e. from his landlord [i.e. on account of the land, or as rent for it], and one-third for attendance he takes away with him"
—*MS. H. 2. 15. T. C. D.*, p. 13 a.

rent, and the other third the equivalent of the working capital given to the tenant¹⁹⁰ by his landlord. The tenant's share of one-third was the price of his labour and skill. The name *Fuidir Grian* is still preserved in the translated term in use in Munster, of "sky farmer". This term is now, however, applied to small corn brokers, who act as agents for the large factors. The *Fuidir Grian* represents to a certain extent the old *colonus partiaris*, the *medietarius* of mediæval documents, the metayer of France, and the *mezzajuolo* of Italy. Indeed the proportion in which the division took place between the proprietor and tenant is that which even yet is practised where the *mezzeria* system is followed out in Lucca.¹⁹¹

A certain class of *Fuidirs* appear to have obtained a more permanent tenancy, and to have almost attained the tenure of *Céiles*. The *Fuidir* of this class was called the *Fuidir auca set*, and was selected specially by the landlord, and received from him land and cattle. He paid *Biatad* like a *Daer Céile*, and, like the latter, received *Rath* or wages. But while the *Céiles* became, after paying *Biatad* during seven years, owner of the *Rath*, or, as it was called in the case of *Céiles*, *Taurcrech*, the *Fuidir* always remained liable to return an amount equal to what he received.¹⁹²

¹⁹⁰ G. Capponi, *Cinque lettere di economia Toscana*, 1845. In other parts of North Italy it is generally one-half (Sismondi, *Tableau de l'Agriculture Toscane*, p. 193). In Sologne the metayers give one-third of the corn and one-third of the increase of the cattle, and one-half the wool of the sheep (*Journal des Economistes*, Juill., 1854). The métayage contracts in France are usually for three years; in Lombardy and Tuscany for one year. Something like a trace of the ancient customs which the Irish laws reveal, appears in the practice which existed about Ravenna in the times of the Hohenstaufen emperors. When a *mezzajuolo* held a farm for ten years, he could not be sent away without cause, nor could his rent be raised. v. Raumer, *Geschichte der Hohenstaufen*, v. 118.

¹⁹¹ "*Fuidir auca set*, i.e. the man who gets *Seds* (cows) and land, after hav-

ing been selected in preference to others".

¹⁹² "*Fuidir auca set*, he gives *Biatad* to his *Flath*, and the *Flath* gives him *Seds* in return, but however much he gives [of *Biatad*], it does not diminish the liability for returning the *Rath* (wages). The [fine of] default of every *Fuidir* is settled upon five *Seds*, and that is also what is given to him [by the *Flath*] when he has chosen him [as tenant], for his *Cain*, for his *Cairde*, for his *Rechtge*, for *Díre* of his cattle [quadrupeds], and for his *Dond* [honour] and for his drunkenness. Every *Fuidir* but the *Daer Fuidir* has the power to separate from his *Flath*, but he shall leave neither liabilities or crimes upon them".

The commentary is as follows:

"*Fuidir auca set*, i.e. the man who gets *Seds* after having been chosen. He has to show up, i.e. when he is

Different categories of free *Fuidirs*.

A certain class of *Fuidirs* treated like base *Cé.les*.

Tenures of
free *Céiles*

Fuidir
partnerships.

Although the *Fuidirs* were, strictly speaking, the only tenants at will in a *Tuath*, many of them must have acquired a certain permanency of tenure either by specific agreements or by custom, which developed in their descendants into fixity of tenure. This must have been especially the case with the class of *Fuidirs* last described. When a *Fuidir*, even a base one, was wealthy enough to possess of his own, and not lent him by the lord, five *Trebas* or what constituted a complete farmstead, namely, a residence, a cow house, a pig sty, a sheepfold, and a calf shed, he was liable for his own fines and costs, and entitled to *Dire* and damages. They were, in fact, in nearly the same position as *Céiles*. They were entitled to the *Dire* of a stranger, one-third of which went to the *Flath*. Of this class were evidently those persons who possessed more cattle than they could graze upon the land they held in their own territory, and who accordingly hired land as *Fuidirs* from a neighbouring *Flath*.¹⁹³ In order

about to leave, all his substance, for whatever amount of *Biatad* he gave to the *Flath*, it does not diminish or go into counting against the *Rath* (wages), for he must return it when parting, even though he consumed it as supplies. It is arranged that this shall be the amount of the liability of the *Fuidir* in case of his default of his services [dues] to his *Flath* at the time of parting, namely, five *Seds*, that is the *Rath* (wages) itself; because it is only the *Aithgin* (restitution) of the amount of the default itself until he is allowed to abscond; and once he absconds he has to pay double the amount of everything which he has allowed to abscond [fail] of the substance (property) which he received at first after having been chosen. For his [part of *Cain* law] he has to pay one-third of the *Eraic* of his *Cain*; for his *Cairde*, *i.e.* one-third of the *Eraic* of his *Cairdi*; for his *Rechtge* (rights), *i.e.* one-third of his *Enecland* (honour price); for his *Dire*, *i.e.* one-third of the *Dire* of his *Dula* (legal property-qualifications, cattle); for his *Dond*, *i.e.* one-third of the amount due to his *Dond* (honour) of his state, *i.e.* one-third of the *Enecland* to which he is entitled in case he has *Céiles*, or these

are the things which qualify his chieftainship for him, namely, those things which we have mentioned above. For his *Meisce*, *i.e.* one-third of the *Corp-dire* of the wound which is inflicted on him when he is drunk. All but the *Daer Fuidir*, of whom I am not speaking, are competent to separate from the *Flath* when they think well to do so. They do not, however, leave him to suffer any losses in their cases,—they do not leave the fostering of their children, or anything of their lawful duties or crimes of foot or hand". *MS. H. 2. 15. T.C.D.*, p. 13, col. a.

¹⁹³ "The *Fuidir* who has the five *Trebas* for his own family, he is competent for the payment of their liabilities and for giving *Biatad* to his *Flath*. He is entitled to the *Dire* of his chattels, but one-third of it goes to his *Flath*. This *Fuidir* is not liable for the fines of his immediate relatives unless he has the five qualifying *Trebas*. If he has the five *Trebas* in fulness, he co-responds [*i.e.* is in this respect equal] with the tribes [*i.e.* with the men who have legal rights in the tribe]".

"Five *Trebas*, *i.e.* the *Cuig-Rath-cedach*, *i.e.* an hundred in each. He receives the fines of his sons, [*i.e.* for

to enjoy this advantage, five men might form a partnership, each having "an hundred of chattels" of all kinds, hence, the term *Cuig Rath Cedach*, or five guarantors of one hundred.¹⁹⁴ In the next section I shall briefly describe the system of partnership, which held so important a position in the land system of ancient Europe. A free man belonging to a recognised *Fine*, that is, having recognised legal rights as a member of a family in a *Tuath*, could enter into Fuidirship only from year to year; if he entered into longer engagements than one year with another than his own *Flath*, he lost his rights, and became permanently a *Fuidir*. The latter circumstance, and the position generally of *Fuidirs*, enables us to understand and correct a statement of Edmund Spenser, in which he says that the landlords did not let their land for a term of years, but only from year to year, and some during pleasure, and that the Irish tenant would not take his land on any other terms.¹⁹⁵

Fuidirship under a strange lord a tenancy from year to year ;

this explains an error of Spenser.

their injury, and their benefit (i.e., property), but one-third of it goes to his *Flath*, and he is entitled to the *Dire* of a *Deoraidh* [a stranger or wanderer] for himself, for his family; for he is competent himself to pay his liabilities when he is so circumstanced. His *Flath*, i.e. it is competent in him to give *Biatad* to his *Flath*, and he is entitled to receive the *Dire* of his chattels, but one-third of it goes to his *Flath*, i.e. the *Flath* has to get one-fourth of the fine bail liability in right of his bail".

Fuidir, i.e. the *Daer Aicinta*, is not a *Fodaer* (base bondsman), when he holds the five and the liabilities of his immediate relatives. Unless he has the five *Trebads* to qualify his independence, i.e., the *Cuig Rath Cedach*, and provided they do not belong to his *Flath*. But if he has the five *Trebads* in fulness, each of them (i.e. the *Fuidir* and his *Flath*) will attend (meet) to (the liabilities of) the land of his own family (*Fine*), i.e. the *Trebads* are, namely, a big house (residence), a *Bó-teach* (cow-house), a *Foil muc* (a pig-stye), a *Lias caerach* (sheep fold), and a *Lias laegh* (calf-shed)".—*MS. H. 2. 15, T.C.D. p. 12. a.*

¹⁹⁴ "*Fuidir*, he does not bear the liabilities of his relations, unless he has the five qualifying possessions; if he has the five possessions in fulness, he participates with his people like the *Fines*". The commentary on this is as follows: "i.e. the *Fodaer*, i.e. the *Daer Agenta*, he does not bear the liabilities of his relatives, i.e. unless he has the five qualifying possessions in fulness, i.e. the *Cuig Rath Cedach*, and unless it be with one *Flath* he has them [that is holds under one lord]; i.e. if they have the five possessions of every *Daer*, i.e. the *Cuig Rath Cedach*, i.e. if there be five men of them, and that each man of them has one hundred of chattels (*Inille*), each of them is entitled to receive the *Dibad* and liable for the charges of the other, just like every *Urrad*. When they have the *Cuig Rath Cedach*, and that it is with the one *Flath* they are, and that a fourth of the liabilities falls on them, and when they pay one-fourth of the *Dire* of the *Dúl* of the *Flath* to him for his *Dúl*, i.e. it is then every man of them follows in the succession of the lands of the families of the other, and their *Dibad*, and their liabilities". *MS. H. 2. 15. T.C.D. p. 12. a.*

¹⁹⁵ "Now we will proceed to other like Defects, amongst which there is one

Spenser's
error:

The first part of the statement, so far as it applied to *Fuidirs*, is perfectly true; and the second part, so far as it refers to persons having, or hoping to have, any tribal rights, is also true. Spenser's error consists in not understanding the constitution of the *Fine*, or the difference between *Céiles* and *Fuidirs*. In the time of Spenser, however, the number of *Fuidirs* must have been very large, owing to the continual civil wars and confiscations. In the part of Munster in which he resided, this must have been especially the case, for very many of the original chieftains had been dispossessed, and the new foreign landlords found it more to their interest, as we shall see hereafter, to ignore the Irish customary tenure, and treat all the occupiers of their estates as *Fuidirs*. As long as these tenants had the slightest hope of regaining their rights, they would naturally refuse to accept a tenure by which according to Irish law they would forfeit all claim to those rights. Spenser's statement, that the Irish landlords did "most shamefully rack their tenants" besides exacting their covenants, was doubtless true enough in his time of the majority of Englishmen who owned land in Ireland. That many Irish lords also imitated them and disregarded the rights of their clansmen when there was no longer any means available to the tenants to compel their *Flaths* to do them justice, is doubtless equally true. But the Irish law, at least as it prevailed at an earlier period, specially provided against such injustice. One of the seven things forbidden by the law was to give service or rent to a *Flath* who demanded an excess of

Irish law
protected
the tenant;

general Inconvenience, which reigneth almost throughout all *Ireland*: that is, the Lords of Land, and Freeholders, do not there use to set out their Land in Farm, or for term of years, to their Tenants, but only from year to year, and some during Pleasure; neither indeed will the *Irish* Tenant or Husbandman otherwise take his Land, than so long as he list himself. The Reason hereof in the Tenant is, for that the Landlords there use most shamefully to rack their Tenants, laying upon them *Coigny* and *Livery* at Pleasure, and exacting of them (besides his Covenants) what he pleaseth. So that the poor Husbandman either dare not bind himself to him for longer Term, or thinketh by his continual Liberty of Change, to keep his Landlord the rather in Awe from wronging him. And the reason why the Landlord will no longer covenant with him, is, for that he daily looketh after Change and Alteration, and Hovereth in Expectation of new Worlds".—*A View of the State of Ireland*.

rent or services from his *Céiles* or *Cleithes*, that is from any of his tenants, until he had paid the fine to which he was liable for such an illegal demand.¹⁹⁶ But that notwithstanding the oppression which the Irish *Flaths* sometimes exercised, especially after the establishment of English power and the consequent breaking of the Irish legal authority, the Irish tenants espoused their cause rather than that of the English government in Ireland, is perhaps the strongest proof which could be given of the oppression and rapacity of the latter.

preference for Irish law discreditable to English rule.

The *Log Enech*, or honour prices of the larger tenants, described above, were estimated in a peculiar way: one portion was dependent on the land each held, and the other upon the amount of his property; one-half of what he was entitled to in right of the land went to the *Flath*, as a protection fee, the landlord not being, however, liable for any of the costs, fines, or damages which his tenants might have become liable to.

Damages, etc., of large tenants, how estimated.

The foreigner who settled in Wales under the same circumstances as the Irish *Saer-Fuidir*, was called an *Aillt* (pl. *Eilltion*) or *Altud*¹⁹⁷ (pl. *Altudion*) that is, other folk, or other people. His family could only obtain the right to bear arms after three generations; and he could only acquire the rights of a free *Kymri* from the fourth to the ninth generation. The various categories of *Daer Fuidirs* corresponded to the Welsh *Caethion*, and to the *Theowas* and *Esnas* or unfree classes of the Anglo-Saxons. The convict cast ashore, and others condemned for

The *Saer Fuidir* represented the Welsh *Altud*.

¹⁹⁶ "Allegiance to a lord who has made a false charge, namely, a false testimony [demand], for excess, or for additional service. *For excess*, i.e. it is not lawful to render service [to him] until he has paid the fine of the false charge [judgment], namely, to render *Ceilsine* (service) to the *Flath* who has made a false judgment [charge] upon his *Céile*; i.e. it is not lawful to give

service to him, but in proportion to his deeds, until he returns deed for deed [justice for justice]; that is, they are not bound to render the service until they receive their lawful right", i.e. until the *Flath* has made restitution for the injustice done them. *MS. Brit. Mus. Rawlinson*, 487, fol. 58, p. 1. col. a.

¹⁹⁷ Cf. Irish *Al-Tuath*, another territory, i.e. a man from another *Tuath*. Cf. also Anglo-Saxon *elpeódig* (from *þeód*, people).

Ne seah ic elpeódige	Never saw I stranger
Thus manige men	Men thus many
Modiglicran	Prouder

Beowulf, 678.

The *Daer Fuidirs* the *W. Caethions* and A. S. *Theowas*, etc.

crimes, and debtors and their sureties who were unable to pay, represented the different categories of *Wite Theowas* or judgment *Theowas* of the Anglo-Saxons, that is, free men reduced to slavery by sentence of the law for crime or debt. The *Caethion* also was not entitled to *Galanas*, which corresponded to the Irish *Dire* and the Anglo-Saxon *Wergild*; nor to *Saraad*, which corresponded to the Irish *Sarugud*, which was another name for *Enecland* or honour-price, that is the special damages due to a person's rank or position. They had only a legal value like an animal, depending upon beauty and age. They did not therefore stand under the protection of the law, but in the possession of the lord.

Right of *Flaths*, etc. to have serfs; *Uchelwyr*s

It was only a *Flath* who could have *Bothachs* and *Fuidirs* of any class on his lands;⁹⁸ so in North Wales it was only the persons called *Uchelwyr*s who could have had possession of *Caethions*. *Uchelwyr* is literally nobleman, from *uchel*,¹⁹⁹ noble, which corresponds with Irish *uasal*, German *edel*; and *gwr*, man, corresponding with Irish *fer*. As in Ireland the *Daer Fuidirs*, so in Wales the *Caethions*, belonged to different categories; some were held for sale, others were domestic or farm servants, and had a higher value; some again were allotted lands, and had then the value and the *Galanas* (Irish *Corpdire*, A.S. *Wergild*) of a *Teog*, who corresponded to the Irish *Daer Céile*. An important distinction appears to have existed between north and south Wales in respect to the servitude of the *Caethion*; in the former it was hereditary, while in the latter, in many instances at least, it was merely a contract, as we have seen was the case in Ireland. This difference was probably the result of the conquest of North Wales by the Strathclyde Britons. The *Altud* or foreigner, representing

Different categories of *Caethions*

Distinction as to servitude between N. and S. Wales.

¹⁹⁸ "*Fuidir* land it must be the real property of the *Flath*; and to the *Flath* also belongs the *Enecland* derivable from it, if he be a wanderer or a foreigner, and if he has no chattels of his own; or whosoever pays his liabilities; i.e. a *File* or poet, or an *Eclais* or church, is entitled to one-eighth of the amount of *Enecland* which he gets in right of the land, or the proportion which one of them bears to the other, and his *Marbdile* or chattels also". *MS. H. 2. 15. T.C.D.*, p. 8.

¹⁹⁹ This word occurs as an Irish proper name, *Uchel* or *Ochal*, the *Rigflath* or royal chief of the *Tuath De Danand* of *Rath Cruchain*.

the Irish *Saer Fuidir*, appears to have been entitled to *Galanas* or *Dire*, and *Saraad* or honour-price. The *Altud* of the king was indeed placed on the same footing in this respect as a free *Kymri*; while if under the protection or in the service of a lord, he had only half as much.

Of all these various classes of persons under the protection of a lord, above enumerated, the *Céiles* only could be said to have political rights, that is, a definite position in the tribe or *Tuath*. *Céiles* only had political rights.

The free or *Saer Céiles* were antrustions, leuds, or vassals,²⁰⁰ who held their lands of their lords in lieu of suit and service rendered, and the payment of certain fixed rents. As free men they were entitled according to wealth and rank to a portion of the common land, which gradually, like the *Boc-land* or register land of the Anglo-Saxons, became an inheritance. The *Saer Céiles* were vassals, etc.

Daer Céiles were the manentes, villeins, or churls of other countries, and like the latter were not "landagend", that is, did not own land; but although devoid of political power, their tenure as we shall see hereafter was secure. The free *Céiles* of a *Tuath* may

have been related by blood to the *Flaths*. The *Sencléithes*, *Bothachs*, and *Fuidirs*, and there can be no doubt the *Daer Céiles* also, were a heterogeneous body, in part at least, belonging to other tribes, descendants of conquered earlier races, prisoners of war, purchased slaves, immigrant foreigners, and the descendants of the latter classes. The The *Daer Céiles* were villeins or churls.

Flaths, *Bó Aires*, and other free *Céiles*, the *Daer Céiles*, *Sencléithes*, and *Bothachs*, constituted the clan in its territorial or general sense, and all bore in common the name of the *Flath* or chief of the tribes forming the clan. *Céiles* not necessarily related by blood to *Flath*.

The constitution of the clan will be better understood when I shall have described in a subsequent section the nature of the *Fines* or Houses, and tribes composing it. Constitution of clan.

The different classes of ancient Irish society, though originally possessing, to a certain extent, an ethnic character, were not castes. In process of time a family could progress from the lowest to the highest rank. We have seen that the *Fuidir* could become a *Bothach*; and that both could become

Classes of society not castes.

²⁰⁰ The term vassal is here used in a general sense; strictly speaking, *Saer Céiles* were vassors.

Classes of
society not
castes.

Sencléithes, that is, from being a foreigner be admitted to certain rights of the territory. In like manner, those once admitted to membership of a clan could ascend in the scale by time and the accumulation of wealth. Thus one of the lower class of *Aithechs* or tenants became entitled to be a *Bó Aire* when he possessed twice the wealth of one; and the *Bó Aire* in turn could become an *Aire Désa* or *Flath* of the lowest degree, when he possessed twice the wealth of one, and had inherited land for three generations. The aspirant for the rank of *Flath* was called a *Fer Fothlai*, or man of wealth, and corresponded to the Greek *πλούσιος* or rich member of the commonalty, who did not belong to a house, but nevertheless was a person of influence in the cities. This gradual promotion from one grade or rank to another appears to have been frequent enough, and to have materially contributed to mingle the different races which successively entered the country. This power of ascending in the social scale corresponds to the old English law of "promotion"; it is probable that originally the Irish and Saxon customs were alike, not only in the principle, but also in detail. We know at all events that among the Anglo-Saxons, though personal rank might be gained by crossing the sea three times at one's own risk,²⁰¹ hereditary nobility could only be obtained, as in Ireland, by the possession of property held by the family for three generations.²⁰² The *Oc Aire*, one of the lowest grades of *Bó Aires*,²⁰³ was considered a "new man", although he inherited property from his grandfather. If a ceorl inherited from his grandfather, through his father, a sufficient quantity of land, he was admitted into the rank of a *Sithcundman* or

²⁰¹ *Anc. LL. and Inst.*, tit. Ranks, vi. p. 185, fol. ed. The *Fergnio* who performed the three deeds of championship which entitled him to make the food of a king as described in the *Crith Gablach* (vol. ii. App., p. 607), appears to represent the Saxon of three voyages.

²⁰² This was the case at least in the North of England. In other places the bare possession of five hydes of land for the king's "utware" may have been sufficient to entitle a ceorl to become a thane. *Ancient Laws and Institutes*, tit. Wergilds, ix., Ranks, p. 185, fol. ed., and Lappenberg's *History of England*, Thorpe's translation, vol. ii. p. 316.

²⁰³ See *Crith Gablach*, vol. ii. App. p. 479.

Thegn.²⁰⁴ The Irish law recognized the principle of naturalization of a stranger, whether living as a guest in a territory, or already domiciled as a *Fuidir*. In the case of the guest whom a chief wished to honour by giving him lands, the adoption took place by public proclamation after it had been approved of by the *Sabaid* or councillors of the *Tuath*, of which he had become an adopted citizen. In the case of a *Fuidir* who had already dwelt in the territory, his term of Fuidirship, family, and wealth were testified to by his *Flath*, who became guarantee for him, unless he possessed wealth enough to become pledge for himself. His adoption was then approved of by the *Sabaid*, and proclaimed as in the case of the guest.

Naturalization of strangers.

OWNERSHIP OF LAND IN ANCIENT IRELAND.

Roman and Greek writers give us little real information on the laws and customs regulating the occupation of the land among the Celtic or German nations with which they came into contact. Cæsar, the writer from whom we might naturally expect most information, was too intent on his own self-glorification, to devote much attention to the manners, laws, or customs of the vanquished. Tacitus' sketch of Germany is, indeed, the only Roman source from which we can gather any real information on the subject, and that is so brief that it is obscure. The object of the *Germania* was not, perhaps, so much to give the Romans information concerning the German people, as to contrast barbaric virtue with Roman corruption. Tacitus, accordingly, brings into relief only those points which he thinks favourable to his design, however insignificant they may be otherwise. Hence, there is very little information on precisely those subjects which are of greatest interest to the historian—the occupation and ownership of land. The mediæval sources from which we may glean some information on the subject are of three kinds: First, the laws of the Salic and Ripuarian Francs, the Burgundians, and other Germanic peo-

Sources of information on ownership of land: Greek and Roman;

mediæval;

²⁰⁴ "And if a churl throve so that he had fully five hydes of his own land, a church, and a kitchen, a bell-house, and a seat at the burgh-gate, and a special duty in the king's-hall, he was thenceforth a *Thegn* right worthy"—*LL. Merc.*, c. 2.

medieval
sources of
information
on owner-
ship of land;

ples; secondly, the various Customals of France and Germany; thirdly, the laws of the Scandinavians, Anglo-Saxons, Welsh, and Irish. The first category of materials is well known; but the laws have been studied too much under the influence of Roman or Feudal law. Although the Customals of France have issued in a great measure from feudal times, as is shown by the matters embraced by them, and although the legal maxims are not always in conformity with the ancient Germanic laws above mentioned, there are, nevertheless, unmistakable traces of Gaulish and Germanic customs to be found in them. However feudal the Customals of Germany may be in much of their matter, and in other respects also, no one can deny that their character is fundamentally Germanic. The Anglo-Saxon and Scandinavian laws have been of great service in helping to determine what is German in the Latin-Germanic codes and in the Customals. The Welsh laws possess great value, but they stand in need of critical analysis, illustrated by comparison with other Celtic codes and Customals. With the exception of a number of fragments alleged to have belonged to an ancient code called the *Seanchas Mór*, such of the Irish laws and Customals as still survive are unpublished.

modern
French
writers on
the subject;

Notwithstanding the extensive and valuable literature which exists on the subject of the legal antiquities and the development of the institutions of France, we have not found any satisfactory attempt to determine the nature of ownership in land among the Gauls. Their special historian, M. Amadée Thierry, has not even proposed the question. M. Guizot has given us his opinion on this important question in his brilliant lectures on the *History of Civilization in Europe*. Incorrectly assuming, as I shall show hereafter, that the members of a clan were descendants of the same family, he says: "They inhabited the lands of the chief of the clan, without any regular rights of property, but hereditarily enjoying the privilege of cultivating them in consideration of a rent, and always ready to rally round the chief whose origin and destiny were the same as theirs. Such was the condition in which the agricultural population appeared wherever

M. Guizot's
opinion;

that social organization is found which bears the name of *tribe, clan, sept, etc.*, and which evidently results from the progressive development of the family. Now, there is reason to believe that before the Roman invasion a portion of the agricultural population of Gaul was in this condition. I cannot go here into detail, but everything indicates that anterior to the conquests of Cæsar, two forms of society, two influences, disputed for Gaul. Towns, cities, were formed therein, powerful mistresses of a considerable territory around their walls, and organized municipally upon a system analogous to the Roman *municipia*, if not exactly upon that system. The country parts were inhabited by the chiefs of tribe, of clan, each surrounded by a population which lived upon his domain, and followed him to war".²⁰⁵

Another widely accepted view that has been assumed rather than attempted to be proved, is, that, among the ancient Gauls, and among all the so-called Celtic peoples, the territory of the clan was common property, to which no member had any special individual right; that the chief was merely the supreme administrator of the property, and only reserved around his house an extensive domain which he cultivated by means of payments in kind, by those of the tribe who pretended to belong to him by blood; that he distributed the remainder of the arable land in a manner as equable as possible between all the families: or rather, that he made every year an allotment of land which had remained sufficiently long fallow to promise a fruitful return. As to the forests, natural pasturage, and the unoccupied land, the usufruct of them remained undivided, each having the right to take what suited him, and to feed as many cattle as he could rear and keep during the winter. Such in general terms appear to have been the views of M. de Sismondi among others.

This, no doubt, is the state of nomadic tribes, and even in some cases of tribes that have become more or less fixed within certain districts. But it is questionable whether the Aryan race had not passed beyond that stage before the dispersion of

²⁰⁵ *History of Civilization*, translated by Wm. Hazlitt, Esq. London, 1846, iii. p. 132.

M. Guizot's
opinion;

M. Sismon-
di's opinion;

this the
state of
nomadic
tribes.

Assumed
absence of
ownership
in severalty
among the
Germans.

any of the European branches. The old Romans had private landed property, which they inherited and disposed of at will, independent of the "ager publicus", or common land. It is sometimes assumed that in ancient Germany, permanent property in any distinct portion or parcel of the soil could not be acquired by any one, that is, that no German could claim individually, or hold a certain definite allotment of land, and that the absolute ownership was vested in the state, the rights of the individual occupier being merely usufructuary and that from year to year, a fresh division being made annually by the chiefs or magistrates of the land.²⁰⁶ This allotment was not in equal shares, rank and quality being taken into account in the sharing. This circumstance alone would show that there existed a class of persons who had privileges—a nobility, and is so far an answer to those who assert that the early Germans had no nobility.²⁰⁷ The most important privilege which such a class could possess would be perpetual possession, if not absolute ownership of some distinct portion of the soil.

Individual
property in
land known
to the Ger-
mans.

Whether or not the German Aryans had advanced so far as the individual ownership or usufruct of part of the soil in severalty before their arrival in Europe, we find the Ripuarian Franks very soon after their first contact with the Romans in that stage; and moreover having a specific name, not borrowed from the Latin, for such property. This term, in the form in which it has come to us through medieval Latin documents, is *Alod*, and is considered by some to be cognate with the Anglo-Saxon *ethel*, Saxon *odil*, M. High German *uodal*, Old Norse *othal*, words which are very nearly the same in form as the Irish *nasal* and Welsh *ichel*, and which are used in exactly the same sense as the German *edel*, that is, noble or gentle. Whatever

Alod and
cognate
words.

²⁰⁶ See Palgrave—*Commonwealth*, p. 71.

²⁰⁷ Sismondi asserts this of the Franks. See his *Histoire de France*, t. ii. p. 87. It is difficult to understand how such an opinion could ever have been entertained of any Germanic people, after what Tacitus tells us, and still more when the earliest traditions of the north, as they are preserved in the Poetic Edda, plainly indicate three distinct classes of society. The curious poem of the *Atgismál*, which recounts the successive births of *frœll*, *karl*, and *jarl*, places beyond doubt that social inequality was not new to the Germanic races.

may have been the nature of the tenure of land among the Germans, there can be no doubt that the use of such a word indicated that all did not occupy it upon the same terms.

When the tribes conquered their present country, we may admit that the whole land became common property, and that each freeman could appropriate a certain portion of it in severalty. This right was acquired by the erection of a homestead — Irish *Selb*,²⁰⁸ Danish *Toft*, Swedish *Tompt*,—and by fixing the mere stones which marked the *Garda* or garden.²⁰⁹ The amount of arable and meadow land which could be thus acquired

²⁰⁸ The word *Selb* occurs in the Book of Armagh (see note 112 p. lxxxix.). It is evidently connected with the Gothic *salihva* (f. pl. *Salihvos* = *καταλύμα*, an inn), O.H.G. *selida*, *selda*; O. Sax. *selidha*, a residence, *domicilium*; M.H.G. *selde*, *seld*, a palace, and also a hut or cabin; Anglo-Saxon *sel'dh*, f., *seld*, *sealc*, n. a palace. There is a medieval Latin *selda*, f. *taberna mercatoria*. There is also a medieval Latin *sella*, which Ducange explains as “*domus coloni in singulis mansis*”; and Schilter as “*praedium emphyteuticum hubarii*”. The med. Lat. *sala*, whence has come French *salle*, is probably the same word. The latter form is connected with O.H.G. *sal*, Ang.-Sax. *sele*, O. Norse *salr*, O. Sax. *seli*, a house, palace, or hall, especially the latter, in Anglo-Saxon, and in O.H.G. a temple also. The O.H.G. *gisello*, *gasello*, and the Middle and New H. German *geselle*, Anglo-Sax. and Dutch *gesel*, a comrade, and O.H.G. *giselliscraft*, and N.H.G. *gesellschaft*, a society or partnership, are connected with the med. Lat. form *sella*. The Anglo Saxon *geselda*, a guest or one sitting on the same seat, on the other hand is connected with *selda*. The whole relations of *Selb* seem to indicate a permanent freehold possession.

Toft, *Toftum*, was also used anciently in English law for a messuage dwelling house; in modern times it usually means a piece of ground where a house had stood, or is decayed or casually burnt. It often occurs in documents in connection with *Croft*,—“*cum toftis et croftis*”. A *Croft* is an enclosed space for pasture or arable land, or orchard, and corresponded to the Irish *Faithche* or lawn, and was perhaps originally the extent of land which each person was entitled to in severalty. The phrase “*cum toftis et croftis*” corresponds to the Irish one, *ṁṁṁ ṁṁṁṁ ṁṁṁṁ*, “both land and pasture land”, that is the extent of freehold which a man of rank was entitled to enclose around his chief residence.

²⁰⁹ Fixing the mere-stones of the Gothic *Garda* or garden, corresponds to the *cur cuailne Guirt*, or planting stakes to mark the extent of the Irish *Gort*. The latter word occurs frequently in topographical names, and meant a small enclosed piece of land near a house. *Faithche* and *Gort* are explained in the laws as follows: “The *Faithche* consists of the four *Gorts* (fields) which are nearest to the *Baile* (residence), namely a *Gort* at each side of the *Baile* all around it; even if the mountain was the nearest [land] to the *Baile* it would belong to the *Faithche*. The *Sechter Faithche*, or outer farm, embraced as far as the distance to which the pasture land of his farm extended beyond the

appears to have been in proportion to the character of the building and the extent of its enclosure, which in turn were probably determined, as in Ireland, by the rank of the person. These settlements, as Tacitus informs us, were not so made as to form connected villages or towns,²¹⁰ but more or less disconnected, as a well, a field, or a wood happened to suit. They were, however, so placed as to be surrounded by the waste or unoccupied land, which served as a kind of protection. The Gauls did exactly the same, as Cæsar expressly informs us.²¹¹ This waste land was the common property of the inhabitants of the district, and was used as pasture for cattle or as forest.

Settlers on commons land had at first only usufruct ;

their position in Scandinavia.

The original common land settled upon by the peasant, and brought into cultivation, did not at once become his in fee. He had only its usufruct as a tenant; the absolute ownership was still vested in the state, and was still under its jurisdiction. In Scandinavia, which affords us the same archaic examples of customs for the Germanic peoples as Ireland does for the Gaulish and other so-called Celtic races, this jurisdiction was exercised by a court of twelve men, called a *Nemda*, in whom the power of the community was vested. The state could resume possession of the land, if the peasant was too poor to maintain his position, or was idle, or allowed his holding to lie waste, just as an English copyholder forfeits his holding if he allows his buildings to fall into decay.²¹² Land held in this way could not

Fuiche. MS. Brit. Mus. Rawlinson, 487, fol. 62., p. 2., col b. The Irish *Gort* is the Welsh *Garth*, pl. *Gerzi*, which are mentioned in the *Extentæ Commotarum* of Anglesey, or records of the inquests made in 1353, by order of Edward the Third, under the name of "Gardina de terra nativa", while their owners, who were a class of cottiers, are mentioned as "gardynemen".* In the north of England the term *Garth* is applied to a little backside or close. The primitive meaning of *Gort*, *Garth*, *Garda*, etc., as an enclosure, is also illustrated by the word *Fishgarth*, applied in the same district to a species of weir for taking fish.

²¹⁰ *Germania*, c. xvi.

²¹¹ "Civitatibus maxima laus est, quam latissimas circum se vastatis finibus solitudines habere". *De Bello Gall.*, vi. 23.

²¹² The *Bretha Comaithes* or judgments regulating co-occupation of land, of which more hereafter, contained a similar provision. If a member of such a copartnership allowed his tenement or buildings to go to ruin, he was liable to be expelled unless he put them in repair. *MS. H. 3. 18. T.C.D.*, 224, b. 238.

* *The Record of Caernarvon*, pp. 49, 50, 53, 54, 55.

be alienated, but when one family had so enjoyed an undisturbed possession of it during sixty years, or when it was successively held by father and son to the fourth generation, the holder acquired an absolute property in it, and could alienate or transmit it to his heirs. This was also the custom in Ireland.

In England the common land of the community was called "Folc Land", that is the people's land. The occupier of such land had only the usufruct, and could not alienate it in perpetuity by bequest or sale; it reverted to the community, and might be regranted by the authority of the *Folc-Gemôt*, or court of the district. Here, as in Norway, we can follow the conversion of this Folc-land into allodial property. One way in which it occurred was that land was set apart for specific purposes, such as the appanages of certain offices, or as mensal lands for the royal table. As these offices became in most cases hereditary, the land forming the appanage became a freehold. As the authority of the Bretwalda, or chief king of the Anglo-Saxons, increased, and the subreguli sank into mere nobles, large portions of the Folc-land passed into their hands, or became the special appanage of the crown, forming what is called in Domesday Book "terra regis". The conversion of Folc-land was an act of the king, done with the advice, consent, and license of his Witan or counsellors.²¹³ Folc-land was also given to reward great public services, and in this way no doubt a good deal of it became allodium. Grants of this kind, as Kemble has suggested, were analogous to the *τεμενος* or cut off portion of the Greek.²¹⁴ Land thus alienated for special purposes was registered, hence the name of *Bôc*-land given to it. Of the old *Folc*-land nothing has remained but the common lands of modern English manors and ancient towns and boroughs. These common lands are the joint property of the lord of the manor, or of the corporation of the town, and of the tenants—the former having the dominion and the usufruct, and the tenants the usufruct only. The lord or

²¹³ *The Saxons in England*, i. 305.

²¹⁴ *Ibid.*, i. 289-90. Kemble suggested that the "hundred thousand of land" given as a reward to Eofer, and to Wulf, for slaying Ongendēowa, was taken out of the Folc-land. See *Beowulf*, 5931.

corporation represent in this partnership the ancient authority of the *Folc-Gemôt*, and are consequently only trustees.

Alodial
land of
Ethelings.

But beside this Folc-land, which became gradually alienated, and converted into Bôc-land or freehold land, the Anglo-Saxon kings and Ethelings, or members of those families eligible to become kings, corresponding to the Irish *Damna Rig*, undoubtedly possessed private property independent of the Folc-land, which was devisable by will, disposable of by gift or sale, did not merge in the crown land, but was transmissible by inheritance. As in very early Anglo-Saxon times, the number of independent chieftains was very considerable, and as all their families once ranked as Athelings, many Thegns or nobles descended from them must have inherited freehold land from them.

M. Henri
Martin on
alleged
communism
of early
Celts.

M. Henri Martin, in his *History of France*,²¹⁵ tells us that at first the tribe was the only proprietor among the Celtic nations; and he adds, that traces of this early communism are very evident in the Irish Brehon Laws. As, with the exception of the collection of fragments on the Law of Distress, alleged, as already mentioned, to have formed part of a supposed ancient code, the Brehon Laws are still unpublished, and to a great extent unknown, M. Martin could only have obtained his information from very unreliable statements respecting them, published some years ago. Whether their thorough investigation would give us the evidence stated by M. Martin, and enable us to solve the very important problem of the notions regarding property in the soil of the Aryans, before their contact with Semitic and other early Mediterranean nations, I know not. But I believe that the right of individuals among the Irish and so-called Celtic inhabitants of Britain, to the absolute possession of part of the soil, rests upon as certain, perhaps more certain, evidence than among the Anglo-Saxon and other Germanic peoples; and further, that, as might have been anticipated among so closely allied branches of the Aryans, the general principles of the laws regulating the occupation of the land were practically the same among all the early northern nations, whether called Celts or Germans.

²¹⁵ Vol. i. p. 43.

At the commencement of the Norman period the right to have armorial bearings, and of voting in assemblies in Wales, was connected with the possession of land. And that this possession was not that of the mere usufruct for the time of a portion of the common land, but ownership of some kind in perpetuity, is clearly proved by its having been transmissible to heirs. It may be objected that this ownership was a recent usurpation; but, considering the tenacity with which the Welsh adhered to all their ancient usages, and how slowly the influence of the Saxons or Normans penetrated among them, except where the ancient proprietors were wholly dispossessed, it is not likely that, engaged as they were in a perpetual struggle against English encroachments, they would have usurped rights over the lands of their retainers, which would be entirely foreign to the assumed spirit of the Welsh laws.

In Ireland the ownership of land constituted, as it does now, the special characteristic of the *Flath* or lord. But the whole soil was not thus owned. The territory or land of a *Tuath*, which constituted the true political unit, was owned in part by *Flaths*, one of whom was *Rig* or chief, and in part was the property of the *Tuath*. The chief had the dominion of this common land, but had no right of possession save only of that part which was set apart as the mensal land of his office. This portion, and all land similarly set apart as appanages of the officers of the state, was not, properly speaking, common land, as it was in reality alienated to offices which were at first elective, but which afterwards became hereditary in certain families, the succession being regulated by the custom of Tanistry. Land so held corresponded in some respects to the *Tyr Cyfrif* of the Welsh, and the *Bôc-land* or Register Land of the Anglo-Saxons. Each chief had his own individual estate, which did not necessarily merge in the royal mensal lands. Their own estate and their mensal land was in part occupied by *Saer Céiles*, and in part by *Daer Céiles*, and was thus to a certain extent alienated; the chief held the remainder in his own hands, or let it from year to year to *Fuidirs*.

The other *Flaths* of a territory lived upon their own estates, and kept as much of the land in their own hand as was neces-

Allodial land
in Wales.

The Irish
Flath and
the land.

Duties of
tenants of
Flath:

Biatad;

Bés-Tigi.

sary for the dignity of their rank and their legal responsibilities.²¹⁶ This portion they worked by means of *Sen-Cleithes*, *Bothachs*, and *Daer Fuidirs*, base adherents, who had no property in the soil and no political rights, as we have seen. As in the case of the chieftain, they disposed of the rest among their free and base clients, the former giving them allegiance and service and annual tributes of food, etc., and helping them to bear the burthens and pay the mulcts and fines of the tribe, and to ransom themselves or any of their family who might be taken as hostages: in fact, performing the same duties as the Roman client did to his patron. The base *Céiles* also performed military service, but, except in not being ascribed to the glebe, they were more or less in the position of serfs; they were in an especial manner the purveyors of their lords. Their chief rent consisted of *Biatad*, or victuals given at two periods of the year; *Forgab*, or contributions at certain festivals; *Cai*, or “coshering”, that is, entertainment given when on the visitation of the territory, and many other charges exclusively levied upon them. They were also liable, as well as the *Saer* or free *Céiles*, to contribute for the entertainment of kings, *Aires*, judges, *Fíles*, etc., when journeying on the business of the state, or making a judicial eyre. This entertainment had different names according to the character and objects of the guests, such as *Fecht-Fele*, *Folach*, *Faesam*, etc.

The *Bés-Tigi*, or house tribute, paid by the free *Céiles* of several grades of officials, is given in the law tract called the *Crith Gablach*.²¹⁷ Thus a three-year old ox and its food for one year were paid by a *Bó Aire Febsa*, one of the middle class of free men, who corresponded to the Anglo-Saxon *Sith-*

²¹⁶ This portion corresponded to the “*hoba dominicalis*” of the Continent in mediæval times, the “*terra salica*”, that is what was managed from the *sala* or *curtis*, “*mansus indomnicatus*”, or “*mansus dominicus*”, in contradistinction to the “*mansi serviles*”, “*litiles*” or “*ingenuiles*”; according as they belonged to serfs or free peasants, and the more modern “*Frohnhof*” of the Germans. See Waitz, *Deutsche Verfassungsgeschichte*, II. 190; also his *Altdeutsche Hufe*, 48 et seq. The Anglo-Saxons called it “*inland*”; in Norman times it was the “*manerium*” or “*manor*” or demesne lands, as contradistinguished from the “*tenemental*” lands. See Kemble, *Saxons in England*, i. p. 320.

²¹⁷ See Vol. ii. App. p. 465.

cundmen or *Thegns*, and whose property qualification consisted in land for forty-two cows, with a house of twenty-seven feet, and a back house or kitchen of fifteen feet, and out-offices consisting of a kiln, a share in a mill, a barn, a sheep-house, a calf-house, a pig-stye, and half the requisites for ploughing, twelve cows, a working horse, and a working steed.²¹⁸

The *Bés-Tigi* did not always consist of cattle only: thus the *Bés Tigi*; *Oc-Aire* who paid a *Bés-Tigi* of a heifer in her third year at Shrove-tide and her food for a year, appears to have received from his own *Céiles* a belly-piece of fat pork, a hog in bacon, a slaughtered cow or pig with flesh an inch high, three bags of malt, and a half bag of wheat. Some tenants paid in furniture, iron work, vessels, etc. These were hereditary workers in metal, wood, etc., who paid their *Bés Tigi* in the productions of their respective professions.

In South Wales (Gwent) the *Tref*, which represented the ^{Welsh} Irish *Baile-Biatach*, though it did not contain as large an ^{Gwes-Tva;} area, paid a *Gwes-Tva* consisting of a horse-load of the finest meal, a slaughtered cow or ox, a vessel nine palms wide and nine palms deep full of mead, seven double dozen bundles of oats for fodder, a three-year-old swine, a flitch of bacon three fingers thick, a pot of butter three palms deep and broad. If the mead could not be given, then twice as much *Bragant*,²¹⁹ or four times as much beer, should be given in lieu of it.²²⁰ In the twenty-eighth year of the reign of Edward

²¹⁸ *Ibid.*, p. 483.

²¹⁹ This has been described as a kind of ale sweetened with honey, whence the English *Braket*, or *Bragget*. The Russians make a kind of white, or unhopped beer from wheat, which is called *Braga*. Cf. Irish *Brath* or *Brach*, malt; and also the Gaulish *Brace*, the Spelt-Wheat: "Galliæ quoque suum genus farris dedere, quod illic bracem (*al.* bracum, brance) vocant, apud nos sandalam (*al.* scandalam, -um, etc.) nitidissimi grani". Pliny, *Hist. Nat.*, xviii. c. 7. The Russian *Braga* was probably generally made with spelt-wheat. This wheat, there is reason to believe, was formerly cultivated in Ireland. A particular kind of Wallon beer was also made from the spelt wheat.

²²⁰ *Ancient Laws and Institutes of Wales*, p. 96-1; p. 260-2, 3, 4; p. 375-1, 2, 7. The settled burthens on the usufruct of Fôlc-land appear to have represented the charges on the Irish *Saer Céiles*. Among the former may be mentioned: military service, repair of roads, bridges and fortifications, dues to the king and gerefá, watch and ward, aid to the royal hunting, convoy of messengers, harbouring of the king and his messengers and huntsmen, and pay-

Commuta
tion of
Gwes-Tva

the Third, when the "Extentæ Commotorum", already several times referred to, were taken under the Earl of Arundel, justiciary of North Wales, for the purpose of determining the legal claims of the Black Prince, the tenures, rents, and services of all tenants, whether free or base, were ascertained upon oath of each, and then examined by a jury of twelve free men empannelled from each Commot. The "Extentæ" are the inquisitions of these juries: each *Tref* or township being entered in them under a distinct head, and the tenures, rents, and services described by their Welsh names.²²¹

into "Tunc"
rent.

Those freeholders who wished to commute the *Gwes-Tva* due into "Tunc" from them into a money payment, were allowed to do so. This sum of money was called a *Punt Twng* or *Twng* pound,²²² and still continues to be paid as a crown rent under the name of "tunc rent" in the north of Wales. In this transaction the Black Prince merely claimed the same dues that had hitherto been paid to the Welsh prince of Gwynedd, and did not usurp any rights over the freeholders. The commutation of the *Gwes-Tva* into a perpetual rent to the crown, shows clearly the nature of the Welsh tenure; and as the Irish *Bés-Tigi* was the exact

This proves
that the
Saer Céile
had a
freehold;

ments in kind to be delivered at the royal vill or cyninges-feorm, or firme-regis. The ancient royal *Gafol* was apparently the equivalent of *Bés-Tigi*. I have already suggested that the British freemen who paid *Wylisc Gafolgilda* corresponded to free *Céiles*, and consequently that the *Gafol* was equivalent to *Gwes Tva* or *Bés Tigi*. The payments of this kind reserved upon twenty hides of land at Titchbourn, which had been granted between 901 and 909 by Eádward to Denewulf of Winchester for three lives, and were transferred to the church as *double-commons* for founder's day, amounted to twelve sexters of beer, twelve of sweetened Welsh ale, twenty ambers of bright ale, two hundred large and one hundred small loaves, two oxen fresh or salted, six wethers, four swine, four fitches, and twenty cheeses; but if the day of payment should fall in Lent, an equivalent of fish might be paid instead of flesh. Kemble, *The Saxons in England*, i. 296. The large and small loaves remind us of the *Bairgin Indriuc* or *Ferfuine*, or full sized cake sufficient for one man's meal, and the *Bairgin Banfuine*, or cake for one woman's meal, which formed part of the *Biatad* of the *Oc-aire*. See *Crith Gablach*, vol. ii. App. p. 481. This sweetened Welsh ale was probably *Bragaut*.

²²¹ Palgrave, *op. cit.*, p. cccliii.

²²² *Twng* probably represents the Irish *toing*, an oath; that is the sworn pound, because the value in money of the commuted *Gwes-Tva* was determined by sworn testimony.

equivalent of the Welsh *Gwes-Tva*, there can be no doubt that the tenures by which the *Bó-Aires* and other *Saer Céiles* held their land in Ireland would have been treated as freeholds by the Norman Law. But while such freeholds were universally acknowledged in Wales, it would be difficult to find a dozen instances in which this occurred throughout the whole period of the English occupation of Ireland. I expect, of course, those cases where Norman lords became Irish *Flaths*, and adopted Irish customs and laws. But their successors, when they did not share the general fate of the Irish lords, readopted English customs, and gradually confiscated the rights of all this class of freeholders.

Such freeholds recognised in Wales but not in Ireland.

The *Flaths* or lords, who possessed *Deis* or an ancient right to the soil, which entitled them to have *Bothachs* and *Fuidirs* on their estate, also received *Taurcrech* from the chief, and paid him *Bés-Tigi*, thus acknowledging that he possessed the dominion of the territory,²²³ and indicating that the origin of this inherited land called by the Welsh, as I have before mentioned, *Tir Gwelyawg*, was the same among the Irish, Welsh, and Anglo-Saxons. This payment of *Bés-Tigi* by the landowners is of considerable importance in connection with the origin of feudal tenures, and I shall therefore have to refer to this subject hereafter.

Relation of *Flaths* to *Rig*.

The amount of rent paid by the base *Céiles* may be judged by that paid by the five *Céiles* of the *Aire Desa*, the lowest of the *Flaths*, namely: a cow with a three-year old ox, and three two-year-old heifers bulled, and their feeding for a year. The ten base *Céiles* of the *Aire Ard*, one of the higher grades of *Flaths*, gave him two cows, three three-year old oxen, and five two-year-old heifers just bulled, and their food for a year. In this case the rent paid has increased in exactly the same proportion as the number of *Céiles*, and the same rule applies to the other *Flaths*, from which it would appear that the rents of the *Céiles* of *Flaths* or lords of the different classes were fixed by law,²²⁴ as were the number of their retinue, the number entitled to free maintenance on a judicial eyre, etc.

Amount of rent of base *Céiles*

²²³ MS. H. 3 18. T.C.D., 119.

²²⁴ Food, that is the food which is given to the man who gives wages

INFLUENCE OF LAND-LAWS AND CUSTOMS UPON THE TOPOGRAPHICAL DISTRIBUTION OF THE OCCUPIERS OF LAND.

Having shown the existence in Ireland of what may be considered as the ownership of land in severalty, and pointed out the general relations of the occupiers of land towards the landlords, we have next to inquire, more fully than we have yet done, by what tenure those who did not possess allodium, or what we may for the present consider its equivalent, held the land they occupied. Before I can enter upon the discussion of this branch of the inquiry, there are, however, some preliminary questions which demand investigation, namely, the distribution of the agricultural population on the land in different parts of Europe, as compared with Ireland, the organization of the family, and the succession to property.

Four classes
of society
the result of
land laws:

The laws and customs regulating the occupation of land determine, even yet, to a considerable extent the distribution of the population; but in olden times these influences were still stronger. In most European countries we can trace four distinct types of society, resulting from the action just referred to, occupying the land to a certain extent apart, namely: 1. owners of large estates; 2. those who held portions of land as separate estate, but held the forests, bog, and mountain in common; 3. those who held all kinds of land in common; and 4. those who held no land, or enjoyed only its temporary usufruct. Each type represented a number of classes of very different origins, and whose tenures were nearly as various. I shall con-

for wages, *i.e.* *Ceilsine*, *i.e.* the *Flath Forgiarna*; *i.e.* gave his plains [lands] to the *Fines* [that is *Céiles*], because he is not entitled to his own judgment (valuation), though he should desire it, but the valuation of the other man". *M.S. H. 2. 15. T.C.D.*, p. 16 a.

The following passage shows that if a *Céle* held land subject to certain head rents, the lord could not rackrent him by giving him *Rath* or wages of cattle: "The man who gives land as wages, it is he who is entitled to receive the seven *Fobiadas* (food-rents). The man who gives cows as wages is entitled to two *Fobiadas*, but this must be upon the lands which are not liable to *Dams* [*i.e.* liable to maintain companies, to furnish entertainment for kings, etc., on their eyres] or to pay *Biatad*; and if it contributes anything in this way, he is not entitled to it" [*i.e.* the *Fobiad*]. *M.S. H. 3. 18. p. 24.*

sider each type in succession in the order I have just given them.

The large estates were held by inheritors of allodial land from ancestors who had made sword-land of it, or had acquired it by gift on account of services, or who had either with the express or tacit consent of the people, or by their own act sustained by force, appropriated an estate to themselves from waste or unoccupied land. The names by which the latter classes were known are expressive of their origin, "proprisi", "aprisiones", "bifänge",²²⁵ "Septa",²²⁶ in Danish "Ornum". The residences erected on those large properties were the "Curtes" or "Hufe" already mentioned.²²⁷ Once an estate was formed in any of those ways, it could be increased by consolidation with others, acquired by inheritance, purchase, etc. A considerable part of the Danish nobility raised themselves from the condition of peasants in this way.²²⁸ The possession of property created privileges. For instance, it enabled the possessor to herd his cattle apart, and thus place himself in the most favourable economical conditions to increase his wealth.²²⁹

²²⁵ From Gothic *bifahan*, to enclose. Cf. Irish *fathan* or *fahan*, shelter, enclosure. These words occur in Irish topographical nomenclature. See the section on buildings, for some observations on the townland names of *Fahan* and *Glenfahan*, in the Co. Kerry.

²²⁶ That is, enclosures,—the first mark in ancient times of property in severalty. The enclosing fence was called by the Middle Latin name *Falda*, and the right of erecting it, *Faldagium*. Ducange, speaking of *Faldsoc*, or the liberty of erecting a *Falda*, says "Nulli quippe olim licuit vel in terris propriis *Faldam* erigere, aut gregem alere, nisi domino feudali, seu manerii hoc ex jure publico gaudenti. Est igitur libertas *Faldae* seu *Faldagium*, prerogativa dominicalis, tenente plebeis non competens". Ducange says it is derived either from the Saxon *fald* or the Welsh *ffald*. There is an old Scottish *fald*. The English *fold*, as in sheepfold, is evidently the same word. Both may be borrowed, as the word *Falda* was generally used in the English laws for a sheepfold, and the word *Faldfeſ* or *Fald-feſ* for the rent paid to a lord by certain customary tenants for liberty to fold their sheep upon their own land. The Irish *Fal* is used not only in the sense of a fence, but in a legal sense of prescriptive right. This word is of considerable importance in connection with tenures. See note p. clxxvii. for the manner of legally establishing a *Fal* in Ireland.

²²⁷ See Maurer, *Geschichte der Markenverfassung*, S. 181 et seq.

²²⁸ Dahlmann, *Dänische Geschichte*, I. 139.

²²⁹ According to *Sachsenspiegel*, II. 54, and *Schwabenspiegel*, 213 (Lassbergs

homesteads
with
marches in
common;

The large proprietor had his castle, about, or in the neighbourhood of which, grew up a village or town, in which dwelt his various classes of tenants and adherents.

The second type is represented by the German "Markgenossenschaft". Each member of the community held a portion of land as an estate in severalty, the forest and waste that formed the wild, untilled boundary land between the various settlements being held in common—hence, the name mark or march. This class of occupiers sometimes lived apart, sometimes in villages. The community of forest and waste could equally exist between the isolated proprietors, living on their respective holdings, as between the villages, occupied by the proprietors whose estates lay around the village. In Westphalia the former was more frequently the case than the latter.²³⁰ We have an illustration of this mode of settlement in Anglo-Saxon topographical nomenclature: names of places ending in *den*, *holt*, *wood*, *falt*, *hurst*, which indicate clearances of woods or original mark-land, are generally found forming a regular circuit about some place ending in *ham*, indicating a home, or individual settlement; or *stede*, which originally implied a group of buildings of a superior class, as in the word Farmstead—a meaning also preserved in the Irish *Stadeir*, a family seat or homestead, but which has been expanded in the modern German *Stadt*; or lastly *tun*, our modern word town, where a number of landholders settled.²³¹ In Sweden the same thing occurs, the common grazing lands of the older villages being the mark or boundary land. When those common lands were extensive, new settlements took place in them. In the marks of villages each independent householder, that is every one who had "smoke, or fire, or flame",²³² was entitled to share in the

edition), no one could have a herd of his own in Germany except he possessed at least three mauses.

²³⁰ Waitz, *Deutsche Verfassungsgeschichte*, I. 30. Lodtmann (*Act. Osnabr.*, t. i. 15 *et seq.*), gives a list of 118 such marks or marches in the district of Osnabrück.

²³¹ Kemble, *The Saxons in England*, I. 42 *et seq.*

²³² *Weisthümer gesammelt* von J. Grimm, II. 174, III. 291, 413, 491. Maurer, *Geschichte der Markenverfassung*, 79.

mark. Such marks had communal organization, elected or hereditary officers, who had charge of them, called "Markvögten", and special tribunals called "Märkergerichten".

homesteads
with
marches in
common;

Some of those mark villages represent the original settlers who had obtained each a lot of the folc-land,—a Hyde, Hufe, Mansus, or Bol. Hyde and Hufe refer more to the land, Mansus and Bol to the residence. The Hufe is said to have been thirty Prussian acres. According to Kemble,²³³ it was thirty-three acres among the Anglo-Saxons. We cannot from these numbers determine what was the size of the original allotments, as they must have varied with the character of the country and the number of settlers. We may, however, assume that the general idea of such a settlement was the land that occupied a plough and supported a family. We also know that the farther back we go among the Germans, and indeed among most European peoples, the more landowners will be found in a village or district.²³⁴ The earliest records of the kingdom of Saxony show an inequality in the extent of the holdings of the peasants in the same village.²³⁵ Inequality, even when not a characteristic of the original settlement, must necessarily have arisen almost immediately after its formation, owing to greater thrift, failure of heirs, and other causes. Sub-division also took place. Thus cases are mentioned of a Mansus having been divided into three parts in the year 808;²³⁶ into six parts in 797;²³⁷ into sixteen parts in 1141.²³⁸ In the *Polypticon of Irminon*, containing a census of the manses, serfs, and revenues of the abbey of St. Germain des Près in the reign of Charlemagne,²³⁹ we find sixteen hearths to six manses, and even twelve hearths to one manse. This accounts for the frequent occurrence in documents of the term "hoba integra", corresponding to the modern German "Vollerben" and the

²³³ *Op. cit.*, i. 114.

²³⁴ Maurer, *Geschichte der Frohnhöfe*, iii. 97.

²³⁵ Gersdorf, *Cod. Dipl. Sax.*, ii. xxxvi.

²³⁶ Zeuss, *Tradit. Wizenberg*, Nr. 19.

²³⁷ Lacombet, *Urkundenbuch zur Geschichte des Niederrheins*, i. 6.

²³⁸ Guden, *Cod. Dipl.*, i. 26.

²³⁹ Guérard, *Polyptique de l'abbé Irminon, etc.*, i. 595.

Westphalian Howelinge. This early subdivision is no doubt to be attributed to the operation of the law of descent of property by gavelkind.

partnership
tenure;

Among the third type of society, the whole of the land, both arable and waste, was held in common by all the people of a village who had a house, the possession of which was the source of all other rights.²⁴⁰ The tillage and meadow land were first divided into as many divisions as there were qualities of land, classified according to quality of soil, position, inclination of the ground, liability to flooding, and other circumstances influencing the value of land. Each of these divisions was then divided into as many strips (English *Oxgangs*, Danish *Deele*) as there were possessors of houses in the community; so that each householder obtained an equal quantity of each quality of land. All undivided land remained common property. The ploughing of the land, the selection of the crop to be grown, sowing, harvesting, cutting of wood, grazing, maintenance of fences and roads, use of water, of the common mill and baking oven, etc., were all necessarily managed by common arrangement. The distribution of the strips took place by lot. The lots once drawn remained in general in possession of the same persons until a new distribution took place. According to old Norse rights such a redistribution might be made at any time that it was thought necessary to restore the original equality of the strips. In some parts of Norway this right continued in force down to the year 1821, when the custom had to be put an end to by a threat to double the land tax on all land held in this way.²⁴¹ In the Highlands of Scotland, and the border counties, such as Roxburgh, where this system, under the name of runrig or partnership tenure, existed down to the eighteenth century, and until very lately even in some parts of Argyle, there was a redistribution annually.²⁴²

²⁴⁰ "Der tompst ist des ackers mutter; nach ihm wird der acker abgetheilt; der ackertheil bestimmt den wiestheil, der wiestheil den waldtheil, der waldtheil den rohrtheil; der rohrtheil scheidet das wasser nach den netzen".—J. Grimm, *Rechtsalterthümer*, 539 et seq.

²⁴¹ Blom, *Statistik von Norwegen*, 143.

²⁴² Macculloch, *Statis.*, i. p. 295 et seq., 523 et seq.; Smallholm, *Survey of Roxburgh*.

The system in Russia is almost pure communism. Down to the time of Peter the Great, the feudal estates were, strictly speaking, the property of the state; and even in the so-called allodial estates the idea of real ownership in the modern sense was not fully developed. The learned Jesuit Antoine Possevin, who was ambassador of Pope Gregory the Thirteenth in Russia in the latter part of the sixteenth century, says that no one could truly say that he possessed property.²⁴³ On private estates as well as on the crown domains, this system of cultivation is fully developed, or at all events had been before the emancipation of the serfs. Each male member of the community is entitled to an equal share of arable land, divided into stripes and put up to lottery; when a possessor dies, his share goes back to the community, so that there is no family inheritance of real property. Wood, grazing, and fishing remain in common.²⁴⁴ The crown peasants redistribute every ten to fifteen years, but many private communities do so every year. It has occurred before the emancipation, that peasants who had purchased their land from their lord who had become insolvent, continued to cultivate in common with an annual redistribution of the fallow land.²⁴⁵ This community appears to have extended to all kinds of landed property among the Slavonic nations. Each community is a family according to Russian ideas; hence, Palacky²⁴⁶ and Schafarik²⁴⁷ look upon the Slavonian villages as having arisen out of extended Manses or Bols. The best example of cultivation in common on a large scale is afforded by the Cossacks of the Ural.²⁴⁸ In Servia, Croatia, and other southern Slavonic countries the preparation of the land, the sowing, etc., are made in common, and the crops are divided under the superintendence of the elders.²⁴⁹ The tenure *en bor-*

Cultivation
in common.

²⁴³ "Nemo vere dicere possit, sibi quidquam esse proprii,—Possevini' *Moscovia, seu de rebus Muscovicis, etc.*, p. 291.

²⁴⁴ V. Haxthausen, *Studien*, i. 124 et seq.

²⁴⁵ *Ibid.*, ii. 34.

²⁴⁶ *Geschichte von Böhmen*, i. 169.

²⁴⁷ *Slavische Alterthümer*, i. 537.

²⁴⁸ V. Haxthausen, *op. cit.*, iii. 153, et seq.

²⁴⁹ C. Robert, *Slaven der Turkei*, i. 54 et seq.

Cultivation
in common.

delage which existed in France in the Nivernois down to comparatively modern times, resembled in many respects the state of things in Servia. The land was cultivated in common and the produce was equally divided between the families forming the community. The term *bordelage* is probably derived from the name of the cottage or *bord* in which the peasantry lived. In the County of Clare and other remote parts of Ireland a somewhat similar system existed here and there down to the beginning of the present century.

In Bohemia traces of real estate being held in common existed down to the seventeenth century.²⁵⁰ Among the southern Slaves community of real estate exists even still. The Starossina directs all the works and transactions of the house, keeps the cash, pays the taxes, etc.; he need not necessarily be the eldest member of the family, as the word implies, and may be deposed by the family. This community only extends to the land; the personal property acquired by each member in trade or industry is not included. On the Austrian Military Frontier families numbering from twenty to fifty, and even one hundred individuals, live in common.²⁵¹ The same system occurs among the Servians. It was also the law of the old Russians.²⁵² The laws of Jaroslaw, who reigned about 1,020, ordained that estates should not be divided, and should descend by the younger son.²⁵³ In Lowicz there existed no individual property in land at the beginning of the nineteenth century; there was an annual redistribution of the lots.²⁵⁴

In the hill country about Treves on the Moselle, the runrig or rundale system is said to be only now fully dying out. One of the best existing examples of the ancient community of agriculture is to be found in the associations in the neighbourhood of Siegen, in Westphalia, which carry on the preparation of wood charcoal and tanners' bark from the coppice wood

²⁵⁰ Palacky, *op. cit.*, i. 169, et seq.

²⁵¹ V. Csaplovics, *Slavonien und Croatien*, i. 105 et seq.

²⁵² Fwers, *Aeltestes Recht der Russen*, 17 et seq.

²⁵³ Karamsin, *Russ. Geschichte*, ii. 49.

²⁵⁴ Krug, *Geschichte der Staatswirthschaftliche Gesetzgebung Preussens*, i. 187.

which covers the declivities of the hills, and the cultivation of the land. These associations have in turn led to others for the irrigation of the valley lands.²⁵⁵ Relics of cultivation in common are still to be found in other parts of Germany, Friesland, and Denmark,²⁵⁶ while the ancient laws of Friesland²⁵⁷ and of Scandinavia and Denmark,²⁵⁸ show that those nations which contributed so largely to the population of Great Britain, knew both community as well as family possession of land.

It was the German "Feldgemeinschaft", runrig, or co-partner system, rather than the Slavic communism which appears to be contemplated in Cæsar's reference to the Suevi and to the Germans in general, where he says: no one among them has bounded fields, or lands which belong personally to himself; but every year the magistrates and the chiefs assign the lands in such quantity and in such place as they judge suitable to each family living in the common society, and the following year they oblige them to go elsewhere.²⁵⁹ The obscure passage in the twenty-sixth chapter of the *Germania* of Tacitus,²⁶⁰ appears to me to be in harmony with the organization of society and the occupation of the land which I have just sketched, and

Land system
in time of
Cæsar and
Tacitus.

²⁵⁵ Achenbach, *Haubergsgenossenschaften des Siegerlandes*, 1863.

²⁵⁶ Thus in the Altmark, there are villages where the heads of families, under the presidency of their *Schülzen*, or magistrates, determine every evening the part to be tilled on the following morning (V. Haxthausen, *Landliche Verfassung*, i. 237). The same thing takes place here and there on the Jutic Moor (Hanssen in the *Archiv. der Polit. Ökon.*, iv. 48), in the Danish island of Sylt (Hanssen, Falck's *Schleswig-Holstein. Archiv.*, iv. 351), in Lolland (Dahlmann, *Dänische Geschichte*, iii. 82), and in Thuringia (Langethal, *Geschichte der deutschen Landwirthschaft*, i. 12).

²⁵⁷ Wiarda, *Asegabuch*, ii.

²⁵⁸ Olussen in Falck's *Neue Staatsbürgerliche Magazin*, iii. 77 et seq.; Hanssen, *ditto*, vi. i. 60.

²⁵⁹ "Sed privati ac separati agri apud eos nihil est, neque longius anno remanere uno in loco incolendi causa licet"—*De Bell. Gall.*, iv. c. i. "Neque quisquam agri modum certum aut fines habet proprios; sed magistratus ac principes in annis singulos gentibus cognationibusque hominum qui una coierunt, quantum, et quo loco visum est, agri attribuunt, atque anno post alio transire cogunt"—*ibid.*, vi. c. 22.

²⁶⁰ "Agri pro numero cultorum, ab universis per vices occupantur, quos mox inter se secundum dignationem partiuntur: facilitatem partiendi camperum spatia præstant. Arva per annos mutant; et superest ager".

which there is every reason to believe prevailed during every period of German history. At any rate we have evidence in the Salic Law of the existence of private property in the occurrence of "pratum alienum",²⁶¹ "campus alienus":²⁶²

Distribution
of popu-
lation in
Ireland:

The distribution of the inhabitants in ancient Ireland was essentially the same as that above described; but it offers a few interesting peculiarities which help to throw considerable light upon some obscure points in the development of the European land system.

demesne of
Flath;

Each *Flath* had his *Les*, or if a *Rig* or king, his *Dun*, which, as I have before mentioned, appears to have been so placed in connection with other *Lesses* and *Duns*, as to suggest that they formed part of a military system capable of giving mutual support. This disposition may have been connected, as I have before suggested, with the distribution of the conquered tribes after the suppression of the *Aithech Tuatha* revolution. Close to these *Duns*, the *Senleithes*, *Bothachs*, and other base dependents of the lord, erected their wicker houses and formed a village. The *Céiles* appear to have lived on isolated farms of the better or older land as now, forming a succession of marks. We have reason to believe that the free *Céiles* and the base *Céiles* were located on different parts of the estate.

comparison
with Wales

Such a distinction existed in Wales also. Thus, of the fifty *Trefs*²⁶³ or townships comprising a Commot, or half Cantref, in North Wales, twenty-four were occupied by freeholders, sixteen by *Teogs* and *Aillts*, eight were *Terra Dominica* or demesne lands of lords, and the remaining two belonged to the king. So that nearly one-half was occupied by freeholders corresponding to the Irish *Saer Céiles*; and nearly one-third by *Teogs* and *Aillts* corresponding to the Irish *Daer Céiles* and free *Fuidirs*. One of the king's *Trefs* was called the *Maer Tref*, being that

²⁶¹ *L. Sal.*, 27, 10.

²⁶² *Ibid.*, 27-8, 24, 25.

²⁶³ There is an Anglo-Saxon *Træf*, a tent, a pavilion, corresponding to the Old French *Tref*, which is probably related to this word, and perhaps indicates its original application—a portion of land upon which was built a good class of house. In *Beowulf* there is the combination *hearg trafum*, translated by Thorpe "temples". The Irish *Trebh* preserves the original meaning of the Welsh *Tref*, a homestead or settlement.

in which his *Maer* or steward resided,²⁶⁴ and the other was for the summer pasture of his cattle.

The term *Faeran Fuidri*, or *Fuidirs'* land, shows that the *Fuidir* land; land occupied by that class was set apart from the personal domain of the lord on the one hand, and from that occupied by *Céiles* on the other. It consisted, no doubt, of the uncultivated border lands or "mark" of the estates, and generally the poorer and more inaccessible parts. In some cases, however, the richer class of free *Fuidirs* appear to have had the use of good land, for which they paid a heavy rent,—for it was chiefly this class that could be rack-rented. The interest of the lord was to have as much *Fuidir*-land as possible, "in order", as the *Crith Gablach* says, "that his wealth may be the greater";²⁶⁵ but the law, by making his rank and privileges depend upon the number of his *Céiles*, and holding him responsible to his tribe and to the king for all the legal liabilities of the strangers he may bring upon his lands, limited his power to convert the whole of his land into *Fuidir*-land. We have no means of determining accurately the number of the two classes number of freeholders, etc. ; of *Céiles* or tenants in a *Tuath* having either freeholds, or holding by customary tenure. According to the *Crith Gablach*, the six grades of *Flaths* in a *Tuath*, below the *Rig* or chief, should have seventy-two freehold *Céiles* and eighty base *Céiles*, or in all one hundred and fifty-two. The number of *Céiles* which each grade was required to have in order to be duly qualified, was different in different places, or varied both ways, that is in different places and at different times; for according to a passage in another MS.,²⁶⁶ the *Aire Desa* had twelve *Céiles* instead of ten as in the *Crith Gablach*; the *Aire Ard* had sixteen instead of twenty, as in the latter, and so on. There can be no doubt, however, that the number of *Céiles* must have been very

²⁶⁴ The *Maer Tref* appears to have had its representative in Ireland in the *Baile Maoir* or Stewards' Town or place, and *Ceathramhadh Maoir* or *Maer* quarter. The latter word is still preserved in the "quarter meares" of the county of Tipperary, which were not apparently full quarters of *Baile Bia-tachs*, or three ploughlands, but quarters of *Capell*-lands or horse-lands, which were about the same extent as a true "quarter".

²⁶⁵ App., vol. ii. p. 494.

²⁶⁶ H. 4. 22. T.C.D., 64, a.

considerable, as they must have formed the principal part of the battalion of seven hundred men which each *Tuath* in ancient times was bound to bring into the field, inasmuch as *Fuidirs*, like the Welsh *Aillts*, did not form part of the military array. Judging by the analogy of the Welsh *Commôt*, we may safely conclude that more than half the occupiers of the land held by some kind of tenure which gave them a fixed property in the soil.

extent of
holdings
of *Céiles*;

Except in the case of the different *Bó-Aires*, whose qualifications in land are given in the *Crith Gablach*, and estimated in "cows' grass", we have no means of determining the general extent of the holdings of the free *Céiles*. The denomination of land used in several counties of Ireland of *Mart-land*, or in its English form of "cow-lands", may represent some of those freeholds for which the *Bes-Tigi* was a cow, the amount for instance paid by the *Bruighfer*, one of the higher ranks of *Bó-Aires*. In like manner the *Capell-lands* may have been freeholds, which paid a rent of a horse. They may, however, have been also the mensal land of the *Aire Fchtai* or high constable of a *Crioch* or territory. In Tipperary, and parts of the present Queen's and King's counties, anciently forming the territories of the O'Carrolls, O'Dempseys, and O'Doynes or Dunne, the *Capell-land* contained about four hundred English acres. In Kilkenny a *Capell-land* was only about one-third of a ploughland. In the mountainous parts of Wicklow the cow or *Mart-land* contained thirty great acres, the precise value of which I do not know. If of the same extent as in Tipperary, namely about twenty English acres, the *Mart-land* would contain six hundred English acres.

Public land

Those parts of the lands of a *Tuath* which were not ancient allodium, or which had not become so by lapsing into prescription, or from other causes, in other words, those parts which did not form the estates of *Flaths*, were public land, the usufruct of part of which belonged of right to every free man in the territory, under certain laws and customs administered by the *Rig* and his council. In process of time estates were carved out of this public land, as appanages of offices, as rewards for public services, or by lapsing into prescription. The holders

gradually
converted
into allo-
dium;

of such estates were the *Aires*, and as such were in an especial manner the *Céiles* of the *Rig*. The king with the consent of his council might, however, grant a portion of it as allodium at once. It is probable that *Magh Aié*, now the plain of Boyle in Roscommon, was public land. If so, one of the earliest authorities we have for such grants of allodium out of the public domain is the offer of *Medb* to the champion *Ferdiad* of "the extent of his own territory of the level plain of *Ai* free of tribute, without purchase, and without courts or legions, without peril to his son and to his grandson and to their descendants, to the end of time and life", etc.

The lands granted for life in the first instance generally remained in the possession of the family of the grantees and life estates
lapsed into
estates in
fee ; lapsed into perpetuity land. Thus the family of a wealthy *Bó-Aire* might pass in process of time into the grade of *Flath*. The holders of the limited estates carved out of the public land, resided on their holdings, which were scattered over a certain part of the country like the middle sized farms in certain districts of Ireland at present. The undivided public land constituted the common land properly so called, the *Fearan Fine* Tribe land, or tribe land. Every free man had a right to the usufruct rights of
freemen on
it ; of a portion of this land, but was bound to pay a certain tribute according to his share. Thus the *Oc-Aire* was entitled to feed seven cows throughout the year on it, and left one of them as tribute. All *Aires* had similar rights according to their rank. The part of the common land set apart for the common grazing establishment of a
Selb ; was the *Fearan Bó le Fine* or land of the tribe cows. All citizens by birth or adoption who possessed no land of their own were entitled to establish a *Selb* corresponding to the Danish *Toft* upon the common land. The amount of land constituting a *Selb* depended upon the rank of the occupant. The original measure of the land occupied in severalty in this way appears to have been at first, that is in very early times, only the extent of the *Faitche* or lawn of *Airés*. That this Maigin
Digona ; was so is confirmed by the fact that the *Maigin Digona*, or field of sanctuary, was coëxtensive with the lawn. Naturally the right of protection of a man could extend on the common property only as far as his individual domain. The limit of

*Maigin
Digona;*

sanctuary was in proportion to the dignity or *Diguin* of each rank (cf. Lat. *dignitas*, Irish *diguin*, gen. *digon-a*), and was determined by throwing an instrument called the *Cnairsech*, which was probably a sledge hammer.²⁶⁷

²⁶⁷ The following passage describes the *Cnairsech*, and the manner in which it was employed to measure the extent of sanctuary.

"There was an assembly of the states of the men of Eriu, held on *Sliabh Fuait* [i.e. *Colt* or *Cuilt*] in *Magh Bregh*, namely, their bishops, and their *Ollamhs*, and their *Flaths*, and their *Filidhs*, and their *Suiths*, and their *Seanoirs*, and the *Maigin Set* of every grade was determined in that *Dál* (meeting), both of the grades of the Church and of the *Tuath* (i.e. of the laity); and that was written by the men of Eriu in the *Cas Mór na Sean*, and here it is : i.e. a *Bó Aire*, a full man, the measure of his *Diguin*, i.e. the *Maigin Digona* is measured according to it.

"The *Cnairsech*, twelve fists is its length, from the iron to the place where its horn is fastened upon it,—its *Fochair*, i.e. its haft; the distance which the *Bó Aire* could cast this from him while sitting at the door of his house, was the extent of the *Bó Aire's Maigin Digona* around [or for] his *Seds*; and twice this for the *Aire Desa*; and double that for each grade from that up to the *Rig Tuatha*, i.e. four throws and three score for a *Rig Tuatha*; and it is on the *Faithche* these casts are reckoned for every *Maigin Digona*; and it is where they are cast from [namely], the place where it was always usual for them to sit".

"*Ri Ruirechs*: it is these who have kings, i.e. the *Ri Cucuidh* and the *R Erind*,—their *Maigin Digona* extends as far on either side as [that] of the *Comarb* of Patrick, and that is their *Maigin Digona*; and so it is also with the [*Gradh*] *Ecaisi* [church grades] and *Ecna*, and *Filidh*; but the *Eclais Glain* owe double both of *Pemait* and of *Eiric*, although not having double *Maigin*".

"Or thus:—one thousand paces is the *Maigin* of a saint or bishop, or of an *Aibilteor*, or of a *Deoraidh Dé* (a pilgrim), even though it should be in the middle of a field that he is; and two thousand paces for every *Cathair Ataig* (bishop's seat), because the *Diguin* of the grades of the Church is greater when they become entitled to have a *Cain* of seven *Cumals* claimed for them; i.e. the difference of *Enecland* which exists between the bishop and the grades of the Church under him, in the same proportion must be the [difference] of their *Maigin*". *MS. Brit. Mus. Egerton*, 88, 53 bb. and 54 aa.

A *flesc*, that is, a wand or pointless spear, was used for similar purposes, such as the trespass of cattle. The person who threw it was called the *Flescach*, a word which is glossed in the law *MS. H. 3 18*, as the son of a slave of a *Flath*, that is the person who threw the *flesc* in case of trespass, was selected from among the strongest of the retainers of the lord. The measure of sanctuary should, however, be made by the *Aire* himself.

In a note to the *Crih Gablach* (vol. ii. Appendix, p. 488, note 537), I have described the *Cnairsech* as a kind of crooked staff shod with iron, but the description given above shows that it was probably a sledge. Perhaps the custom of throwing the sledge in Scotland may have been connected with this

I have not been able to determine what amount of land a freeman below the rank of an *Aire* was entitled to the usufruct of. The *Oc-Aire* being entitled to the grazing of two cumals or six cows, exclusive of the grass of the seventh cow left as tribute, the simple freeman was perhaps entitled to the grazing of one *Cumal* of three cows. In Wales it was five *Erws* or acres, which would be, in the then state of agriculture, about as much as in Ireland.²⁶⁸ A person holding this amount of land

extent of
land in
usufruct of
freemen not
Aires.

custom. Jacob Grimm gives numerous examples of a similar custom in Germany. The following passage shows that a citizen could give protection to another citizen who had committed a homicide during a period of six weeks and three days within the town, and could even accompany him, his sanctuary extending on such occasions as far as he could throw a farrier's hammer.

“Welcher burger also verr fresneti, dass er einen andern burger oder gast liblos tete und machte derselb burger, in welchs hus er ze liechtensteig entrinnen ald kommen möchte, sollte da vor herren, fründen und vor meniglichen sicher sin und ufenthalt haben sechs wuchen und dri tag, und nach dem zil und tagen sond in die burger uf die rinkmur derselben statt, wohin er will, beleiten, und war er werfen mag, oder mit seiner linken hand mit einem beschlaghammer wirft, dahinnen sind sie in ouch sicher von meniglichen beleiten und mit füro”. Liechtenstein. *Stat.* (A.D. 1400) Tscudi, *Chron. Helv.* i. 607^a, quoted in Grimm's *Deutsche Rechts-Alterthümer*, S. 55.

In the following example the coulter of a plough is used:

“Die ensall mit verder hebbun up der weide, dan een man, so binnen de hofstad ist, die den kerkenpost (Thürpfosten) in seinem arm helt und werpen mag mist einem plugkolter”. *Luttinger Hofrecht*, quoted in Grimm's *Rechts-Alterthümer*, S. 61.

The extent of jurisdiction was also marked in many places in Germany by throwing a javelin, and a similar practice prevails down to the present time in the city of Cork.

The tradition of this right of sanctuary which legally belonged to every *Aire*, and which was looked upon as a sacred duty, is the true cause of the harbouring of criminals by the peasantry of Ireland, and not a sympathy for crime. The injustice inflicted by the English laws as they were applied in Ireland has made the Irish peasant cling with more tenacity to traditions of the ancient laws of his own country than the peasants of any other part of Europe.

²⁶⁸ The *Kote-Setlan* or cotsetlers mentioned in Domesday Book are generally described as poor free men suffered to settle on the lord's estate, but they were more probably freemen who had settled on their share of the common land, of which the lord had legally the dominion, but under the feudal system in many cases claimed to have the fee. According to the *Rectitudines Singularum Personarum*, “he ought to have five acres; more if it be the custom”. *Ancient Laws and Institutes of England*, p. 185; see also Kemble, *The Saxons in England*, i. 323.

Partnerships
or Gilds;

did not enjoy the full rights of citizenship; he could not be bail or witness, and unless he had among his own *Fine* or family an *Aire* who could legally represent him, he was obliged to seek the protection of some *Flath* or form a gild or partnership with others in a similar position with himself. Such a gild or partnership consisted of from four to eight, or perhaps more, freemen, who, with the consent of the *Rig* and his council, appear to have been permitted to appropriate and fence off a portion of the common land equivalent to the sum of their individual rights. From the use of the terms *Fearan Commaitches*, *Fearan com-aide crithe*, and *Fearan Congilta Fine*, it would appear that certain parts of the common land were set apart for this purpose. A partnership of this kind was regarded as a solemn act, and was entered into in the presence of three *Aires*, one of whom was generally a functionary called the *Aire Cosraing*, and with solemn formalities, pledges being given for the fulfilment of mutual engagements.²⁶⁹ The final establishment of the fences by which the enclosure of the common land was completed, was fully effected in the tenth year. Partnerships of this kind were, as I shall show in a subsequent section, the origin of the medieval gilds; and the solemn formalities above alluded to may have been accompanied by religious ceremonies in pagan times.

their advan-
tages;

The chief advantage of such a partnership was that the joint possession qualified one of them to be an *Aire*, and consequently to be eligible to act as pledge, witness, and representative generally on all legal and public occasions. As *Díre* or "Wergild", honour price, etc., were in proportion to the rank of the family of the person killed, wounded, or otherwise injured in person or property, such a partnership enabled the poorer freemen to maintain their privileges. In a subsequent section I shall endeavour to show the connection between this custom and frankpledge, and the representation of the commons.

Fuidir
partnerships

Free *Fuidirs* could also enter into such partnerships for the purpose of obtaining some of the privileges of *Céiles*, as we have already seen in the case of the representative *Fuidir* of the

²⁶⁹ See note, *post*, p. clxxx.

Cuig Rath Cedach.²⁷⁰ Where a co-tenancy or *Commaitches* was established, a small village grew up; this also took place on the estates of *Flaths* where *Fuidir* co-tenancies existed.

Analogous partnerships existed in Wales under the name of *Cyvar*.²⁷¹ The tillage land of such a partnership usually consisted of twelve *Erws*, and was called a *Magl*, or *Magyl*, that is, a bond or knot, obviously because it was the tilled land and not the pasturage or wood land that constituted the bond of union. Each copartner had his share of the land, so that the crops were not in common, but the labour was; one ploughed, another provided the iron for the implements, a third the oxen, and so on. Weeding and repairing of fences, as in Ireland, were done by each co-partner on his own share. The partnership was entered into apparently with certain formalities, pledges were given for the fulfilment of the contract, and breaches of it were punishable by fines. As in Ireland, there seems little doubt that these copartnerships had considerable political importance. Traces of such partnerships in Scotland, similar to the Irish *Fuidir* co-tenancies, came down to our own time, in the case of land hired for grazing by three or four persons. In Friesland and the polder lands of Holland and Belgium, similar partnerships also existed in medieval times, as I shall mention hereafter in connection with the origin of guilds. In Lombardy also there were formerly many partnerships of several peasant families, who cultivated land under the direction of one of the heads of the families.²⁷²

We may assume that wherever in Ireland the land was cultivated in modern times according to the rundale or runrig system, the custom arose from the previous existence of co-partnerships, either of *Fuidirs*, of free men, or of another kind, of which I shall have much to say presently, namely, *Comorbs* of small estates. It is probable that where the land is culti-

²⁷⁰ *Ante*, p. cxxv.

²⁷¹ See *Ancient Laws and Institutes of Wales*, p. 153, c. xxiv. § 1-29; p. 388, xl. §. 24; p. 440, bk. vi. § 29; p. 354, xix, §. 2.

²⁷² Jacini, *La proprietà fondiaria e le popolazione agricole in Lombardia*. Milano, 1854, i. 199.

vated in this way on the continent, the custom had a similar origin, and that the German "Feldgemeinschaft" arose originally as in Ireland from the three sources just mentioned. When tillage increased among joint occupiers of either class, the arable and meadow land would be divided into strips as I have before described; the bog and mountain remaining undivided and common to all.²⁷³

rughrecht
or *Birlaw*;

the *Bruigh-*
fer;

the *Brugh*
town;

prototype of
a borough;

The relations of co-partners on the public lands with one another, and with their neighbours, such as cases of trespass, and generally the use of the public woods, bogs, etc., were regulated by special laws called *Brughrecht*, administered by an *Aire*, called the *Bruighfer*, who in many of his functions corresponded to the "Markvogt" of the Germans. He was also public hospitaller; the public functionaries were entertained at his house when engaged in judicial and other eyres. The *Brugh* or house of the *Bruighfer*, would also be naturally the centre about, or in the neighbourhood of which, a village would grow up. But there would be an important difference between the persons who would gather round such a residence and that of a *Flath* or lord. The inhabitants of the latter village would be *Bothachs*, *Fuidirs*, and other persons without political rights in the state; those in the former, freemen holding common land, workers in metals, and others who owed allegiance to no lord except the *Rig*, to whom all alike owed it. This class of persons, by forming partnerships, could elect a representative *Aire*, and thus enjoy full rights of citizenship by deputation. The *Brugh*²⁷⁴ village consequently possessed a political importance not enjoyed by the manorial ones. It was in fact

²⁷³ "There are three Selbs [*i.e.* kinds of possessions in land] that do not feed [*i.e.* contribute], cows under those kinds of trespasses [*i.e.* in which cows are not subject to those various kinds of trespass-fines], namely, the *Ru* (or wood), and the *Roilbe* (mountain), and the *Foach* (marshes or wastes?) of a *Tuath*, because it is *Forgabs* that are generally upon them, for all cattle go on the *Diraind* (waste or mountain land) in the same way [*i. e.* with equal right]". *MS. H. 3. 18. p. 18.*

²⁷⁴ Gothic *Baurgs*, Anglo-Saxon *Burh*, cf. O. Norse *Burskap*, right of citizenship, *Bursprak*, a place of assembly. Although the idea of a fortress is usually connected with a Burgh, it was not necessarily one, as is shown by the definition given of one in the Lombard laws of Luitprand: "domorum congettioque mura non clausa" (Lib. iii. c. 3. ann. 932).

the prototype of a borough town; we have not only the root of the name, but also the free population owing allegiance only to the *Rig* or king of the *Tuath*, the germs of a representative system, and a local magistrate not belonging to the *Fluth* class.

There were different ranks of *Bruighfers*. The title appears to have been given in the first place to such rich farmers as acted as local magistrates of a district in the way just mentioned. The residence of the chief *Bruighfer* of a *Tuath* had annexed to it a *Forus* or "Forum", where the election of the *Rig Tuatha*, and of his *Tanáiste* or successor, took place, and where certain public assemblies were held. The *Brugh* or court of the chief *Bruighfer* of a province, was the *Forus* where the election of the provincial king took place. There appear to have been six such courts. A provincial *Bruighfer* was a man of importance and rank. *Manach*, the father of *Emer*, wife of *Cuchulaind*, was a *Bruighfer* of this class. The *Brugh* of such a magistrate together with its neighbouring village might be considered as a royal borough, a title which is still preserved in *Bruree*, the name of a small town in the county of Limerick. In such towns the *Bruighfer* would be an important personage. As the *Aire Cosraing*, or chief *Aire Fine*, an officer who appears to have corresponded in functions to the Anglo-Saxon "Gerefa", was specially connected with the class of persons who dwelt in such a town or in the surrounding district, it is probable that he also had his residence and *Forus* in the neighbourhood. The commonalty would consequently be represented in courts and assemblies by the *Aire Fine*, and by the elected members of the freemen partnerships or guilds. In a *Brugh*, or borough town, the *Bruighfer* performed the function of a "prepositus" or mayor; the latter term appears, however, to have come from *Maer*, a baillie or steward. The "Tunginus" of a Salic village performed many of the functions of a *Bruighfer*; he was judge of the district, called the courts, summoned the witnesses, and controlled the whole township. A Salic village having a "Tunginus", resembled an Irish *Brugh* town also in not being under the immediate dominion of a lord. The *Brugh* town corresponded to

different ranks of *Bruighfers*;

the *Forus* of a *Brugh* the place of election of the king, etc.;

representation of borough;

the *Bruighfer* the mayor;

the *Brugh* town represented the Saxon *Burgh*;

development of a *Brugh* town into a city;

the primitive Saxon *Burgh*, and the *Brugh* court, to the "Burghmoot". So long as the *Brugh* township had only a small village whose inhabitants occupied themselves exclusively with agriculture, the business of the court would be confined to cases arising out of trespass, boundaries, etc. But as the town grew up, was surrounded by a wall, and as artizans and others not directly occupied with agriculture settled in it, the court would gradually lose its agricultural character, and without essentially altering its jurisdiction, would become more important. The increased density of the population would require a more effective police, and judicial eyres of the king's court would be more regularly held in it. In Ireland physical and political circumstances prevented the development of the *Burgh* beyond the stage of a rural village, or at most a very small town. In Gaul, where circumstances were more favourable for such development, we accordingly find that a considerable number of cities having municipal organization existed before the conquest of Cæsar. These cities I believe to have grown up in the way just described.

the towns of lords governed by their *Maers*.

The villages and towns which grew up on the estates of the *Flaths* or lords, were governed by his *Maer* or steward, and as they were necessarily more numerous than the free *Burghs*, it may be that this name, which was originally that of the provost of a lord, came in time to be applied also to the elected prepositus of a free *Burgh*.

THE FAMILY AND THE CLAN.

A word has already been several times used in the course of the preceding pages, namely, *Fine*, which must be fully explained before I proceed to describe the course of descent of property among the Irish, and the nature of the tenures by which land was held by the several classes of occupiers.

Meaning of *Fine*.

The word *Fine* or *Finead* literally means Family or House, and in the laws was used principally in three senses: first, in the limited sense of the word as applied to all those related by blood within certain degrees of consanguinity; second, the lord and his *Cóiles*, *Fuidirs*, and other dependents; and third, of all the inhabitants of

a *Tuath* who might be regarded as the *Céiles* and dependents of the *Rig* or chief. The whole of the recognized members of a *Fine*, in the sense of a particular family, constituted the *Fine Duthaig* or hereditary family, embracing all within the degree of consanguinity entitled to inherit property, or liable to pay mulcts or fines. *Fine*, in this sense, corresponded to the Anglo-Saxon *Maegth*, and extended to the seventeenth degree. To this extent relatives by blood were entitled, in default of heirs, to a share in the *Dibad* or property of a deceased person.

The whole *Fine Duthaig* included several stages of consanguinity:—1. the *Cindfine*, or children, the sons having the foreright; 2. the *Bruindfine*, from *bruind*, the womb, the sons and daughters of heiresses or daughters of the *Gradh Fine* or nobility inheriting property in their own right; 3. the *Gelfine*, which seems to have been sometimes used for all relatives to the fifth degree, and sometimes for the relatives to the fifth degree exclusive of the direct heirs. These constituted the family in the strict sense of the word. From the *Gelfine* branched off, 4. the *Derbfine*, which included relatives from the fifth to the ninth degree; 5. the *Jarfine*, or relatives from the ninth to the thirteenth degree; and, 6. the *Indfine*, or relatives from the thirteenth to the seventeenth degree. Beyond the latter degree, the *Fine* merged into a *Duthaig Daine*, that is, the nation at large, who were not entitled to a share of the *Dibad*, or property of deceased persons,²⁷⁵ or liable for the payment of fines and amerciaments on account of crimes, etc., except those of their own special *Fine* within the recognized degrees of consanguinity.²⁷⁶ The *Gelfine* were the repre-

Branches of
a *Fine*.

²⁷⁵ Welsh *Difaith*, unappropriated property of any kind.

²⁷⁶ "In proportion to the extent of the land, it is divided equally upon the *Fines*; they are counted backwards". This is explained as follows: "i.e. the *Dibad* is divided between the three *Fines*; i.e. the [*Derb*] *Fine*, the *Jarfine*, and the *Indfine*".

"From the chiefs of the *Fine* the *Gaballs* [spreading branches] are reckoned, in order to keep out strangers". The commentary on this is as follows: "i.e. the man is a *Gaball* [branch] who has grown off the *Gelfine*; the *Gaball* to whom the patrimony is confirmed, i.e. the *Derbfine*; i.e. this is in case the five men of the *Gelfine* should have died; it is then the patrimony is divided among the three *Fines*; there is no woman *Comorb* in it".

The Council of the *Fine*.

representatives of the rights and liabilities of the family or House; they formed a kind of family council styled *Cuicer na Fine*, or the five *Gials* or pledges of the family. As they represented the roots of the spreading branches of the family, they were also called the *cuic mera na Fine*, or the five fingers of the *Fine*. When property, in default of direct heirs, passed to the collateral heirs, the *Gelfine* received the inheritance in the first instance, and assumed all the responsibilities attached to it. In default of relatives within the fifth degree, the property passed to the representatives of the other *Fines*.²⁷⁷

Remotely related kindred;

mode of establishing claim to rights of *Fine*.

Those whose degree of consanguinity was doubtful or obscure constituted what was called the *Dubfine*, or obscure *Fine*. They were received into the *Fine Duthaig* by a process called a *Fir Caire*, or true calling, that is, the person claiming to be of a *Fine* was called before a sworn jury of *Noillechs*,²⁷⁸ or persons legally qualified to hold an inquisition into the claim. If the result of the inquisition left the matter in doubt, the claim was determined by *Cranneur*, or lot. There were many ways of casting lots, but the principal one consisted in putting three stones—one red, one white, one black—into a box or

“If it be divided into fifths, so shall also the crimes [*i.e.* the liabilities] extend even to the stripping of the hearth, but one-fourth goes to the *Findfine*”. This is explained in the commentary thus: “*i.e.* it is in the same way they are bound to pay the liabilities of their correlatives; because just as they divide the *Dibad*, they shall also divide the liabilities”.

“From seventeen they are separated so that they are [not] a *Duthaig do Fine*; *i.e.* from the seventeen men out; and here it is they are separated so that they are not a *Duthaig Fine* from that out, but a *Duthaig Daine*”. *MS. H. 2. 15. T.C.D.* The words “divided equally” in the text of the preceding extract from the laws refer to the coequal numbers of each *Fine*, and not to the several *Fines*, as their shares were not equal. Thus the *Derlyfine* appear to have been entitled to one-half of the whole inheritance; the *Jarfine*, to two-thirds of the remaining half, and the *Indfine* to the residue.

²⁷⁷ “*Gelfine co cuicer* (*Gelfine* as far as five), *i.e.* it is five that make a *Gelfine*. It is they who assume the liabilities and receive the properties of their near relatives, or of the branch of the family which has the nearest claim to the *Dibad* (property), that is of every *Dibad* derivable from it”. *MS. H. 2. 15. T.C.D.* p. 14. col. b.

²⁷⁸ See, for the meaning of the word, vol. ii., Appendix, p. 500, note 558 In Wales also a claimant was bound to prove that he belonged to the family. See *Ancient Laws*, 268, 15; 397, 1.

bag; the claimant was then obliged to draw until he drew either the black or white stone; if the former, he lost, if the latter, he won, and was admitted to the *Fine*. This process of drawing lots was sometimes resorted to in criminal cases also. But in trials for serious crimes the test was far more severe.

Strangers could likewise be adopted into a *Fine*: such persons were called *Mic Faesma*, or children of adoption. They constituted the *Fine Tacair* or *Fine* by affiliation. When a person was adopted into a *Fine*, a *Trebaire*, that is, a householder, entered into an oral contract with the head of the *Fine*, and paid a fine for the *Faesam* or adoption. The *Mic Faesma*, or adopted children, participated in the succession to property only in the proportion specified in the contract of adoption entered into when the *Trebaire* gave bail. The *Mac Faesma* or adopted son of a *Gelfine*, was entitled in general, when not forced on the *Fine*, to his share of chattels and land; the *Mac Faesma* of the *Derbfine* did not participate in land. When persons were adopted without force or violence, the fine for the *Faesam* or protection was in proportion to the rank of the persons adopting them. A *Rig*, or king, paid seven *Cumals*, or twenty-one cows; the *Flath* paid half the amount of the *Rig*; a woman *Comarb* or co-heiress paid two *Cumals*, or six cows; an *Oc-Aire* and a *Bó-Aire* also paid each two *cumals*. When these fines were paid, the adopted person could establish a *Selb* or occupancy on the land of the *Fine*. A person of this class, if unanimously adopted by a *Fine*, might become a member of it on payment of one-seventh of those fines; but in this case he did not acquire the right of establishing a *Selb*. When any one was kept on *Faesam* or under protection without the legal sanction of the *Fine* having been obtained, the branch of the family so keeping him was bound to provide for his maintenance by a *Cis-uincis* or special allowance, like what was provided for those having claims for support on their immediate kinsmen, such as aged parents, uncles, etc. This *Cis* or rent was usually seven *Cumals*, when he was not kept in opposition to the *Fine*, otherwise he was only entitled to the price of his labour—that is, he was considered a mere labourer of the man who kept him. This provision was obviously

Adoption
by a *Fine*;

rights of
legally adop-
ted mem-
bers;

fees paid for
adoption.

made to check the introduction of strangers, and appears to have been very necessary for preventing *Flaths* from getting about them too great a number of mercenaries.

The sons of Irishwomen by *Albanachs* or Scotchmen were included under the term *Glasfine*—that is, kindred from beyond the sea.

Kindred of
exiles and
emigrants.

The *Fine Occonnail* consisted of exiles and of those who from various causes had left the country: these and their descendants within a certain degree of consanguinity were entitled, if free from crime, to claim to be received back and affiliated to their respective branches of the *Fines*, under the *Bretha Fir Caire* or judgments of true calling. If they failed to prove their claim to be affiliated directly to any branch of the *Fine*, their rights were extinguished. In such case they might however establish a claim to belong to the *Duthaig Daine* or nation, that is, to acquire the right of citizenship. It is not easy to determine with certainty when the rights of this category of kinsmen to be admitted to a *Fine Duthaig* became extinct. In Wales it did not become so until the ninth degree, which would correspond to the *Derbfine* in Ireland.²⁷⁹

Kindred of
murderers.

The term *Dergfine*, or “red-handed”, or *Fine Fingolach*, was applied to those who killed, or attempted to kill, the senior members of the *Fine*, in order to get their *Dibad* or property. They and their descendants were excluded from the *Duthaig* or right of inheritance, that is from the benefits of the *Fine*; the share of *Dibad* to which they might otherwise have become entitled went to pay the liabilities brought upon their nearest of kin by their crimes.

Fine Cis
Flatha.

Fine in the second sense consisted in the first place of the children, brethren, and other relatives of the *Flath*, that is, his own *Fine* in the strict sense of the word, and in addition of all those under his protection, namely, his *Saer* and *Daer Céiles*, *Bothachs* and *Fuidirs*, who paid him rents, and who were known under the collective name of the *Fine Cis Flatha*, or, the Lord's tribute and rent-paying *Fine*. The free and base *Céiles*, who formed part of this *Fine*, were specially distinguished as

²⁷⁹ *Ancient Laws*, pp. 83, 84, §§ 1, 2.

the *Fine fognuma*. A *Fine* in the second sense thus embraced a number of families or *Fines* of the first-class. A *Fine* in the third sense embraced all the inhabitants of a *Tuath*, and therefore consisted in turn of a number of *Fines* of the second class. The *Fine* of a lord constituted a *Cland* in its more limited sense; but *Cland* in its territorial and general sense comprised all the *Flaths* of a *Tuath* with their respective *Fines*. It was sometimes used in a still more general sense to designate all the *Tuaths* governed by chiefs of the same blood. The clan :

Each of the smaller clans comprising a great clan gradually clan names, assumed a distinctive surname, though they often continued to be included under the chief clan name. It is thus clear that identity of clan name among the Irish, as among the Romans and the Greeks, does not necessarily imply community of origin. The clan names of O'Brien, O'Neill, O'Donnell, O'Sullivan, were
eponyms; MacCarthy, like the Greek Homerids in Chios, the Codrids, the Butids, the Roman Æmilii, Julii, or Fabii, are not necessarily patronymics,—indeed could not be, except in a very limited sense, anything more than eponyms.

This view of the organization of the family and of the Clan M. Guizot's
different
view of the
clan; or *Cland*, as it really was in Ireland, at least in early times, does not correspond with the current notions on the subject. Here, for example, is M. Guizot's idea of a clan.

“Another family system presents itself, namely, the clan, a petty society, whose type we must seek for in Scotland or Ireland. Through this system, very probably, the European family has passed. This is no longer the patriarchal family. There is here a great difference between the situation of the chief and that of the rest of the population. They did not lead the same life; the greater portion tilled and served; the chief was idle and warlike. But they had a common origin; they all bore the same name; and their relations of kindred, ancient traditions, the same recollections, the same affections, established a moral tie, a sort of equality between all the members of the clan”.

M. Guizot then contrasts this ideal clan with a feudal family in the following words: “But have we here the feudal family? obviously not. It seems, at first, that the feudal family

his comparison of the clan with the feudal family;

bears some relation to the clan; but the difference is much greater than the resemblance. The population which surrounded the possessor of the fief were totally unconnected with him; they did not bear his name; between them and him there was no kindred, no bond, moral or historical. Neither did it resemble the patriarchal family. The possessor of the fief led not the same life, nor did he engage in the same occupations with those who surrounded him; he was an idler and a warrior, whilst the others were labourers. The feudal family was not numerous; it was not a tribe; it reduced itself to the family, properly so called, namely, to the wife and children; it lived separated from the rest of the population, shut up in the castle. The colonists and serfs made no part of it; the origin of the members of the society was different, the inequality of their situation immense. Five or six individuals, in a situation at once superior to and estranged from the rest of the society, that was the feudal family".²⁶⁰

they were not very different.

If, instead of the ideal clan, we compare the real clan, such as it has been described in the foregoing pages, we might invert M. Guizot's expression, and say, that "the resemblance is much greater than the difference". The ancient clan system passed naturally into the feudal system, by the substitution of succession through the eldest male heir for that of gavelkind,—this is almost the only difference between them.

THE DESCENT OF PROPERTY AMONG THE ANCIENT IRISH.

The ancient course of descent was

The ancient course of descent of property among the Gauls, Germans, and other nations, was that by which a person's inheritance descended equally amongst his sons, or if he had no children, amongst his brothers. Failing such heirs, it went to the collateral heirs. It is very probable that the classification of the degrees of consanguinity of the direct and collateral heirs everywhere in ancient times was the same as that of the Irish *Fine* just described. With the development of the feudal system proper, the fore-right of the eldest son put an end to

²⁶⁰ *The History of Civilization*, translated by Wm. Hazlitt, Esq. Bogue's Ed., vol. i., pp. 70 71.

this ancient custom in most parts of Europe. It has, however, remained the custom of Kent down to the present time. It appears that the custom obtains also at Urchenfield in Herefordshire, and in the Isle of Portland. Silas Taylor, who wrote on this custom in the seventeenth century,²⁸¹ was of opinion that there was scarce a county in England that had not this kind of descent of property more or less.

In Kent the custom is called "gavelkind", which Spelman ^{the custom of Gavel-kind.} derives from *gafel* or *gafol*, tribute, and *cyn*, kind, that is family or kin. Somner also derives it from *gafol* and *kind*, which he renders "genus", and consequently looks upon gavelkind land as *praedium vectigale*, or a tributary kind of land, an interpretation accepted by Skinner. The term used in Irish for this kind of succession was *Gabal Cined*, which agrees with the Anglo-Saxon. *Gabal* or "*Gafol*" did not however mean tribute, but, as I have already explained, a branch of a *Fine* or *Maegth*, and hence the liability of the latter for the *Dire* or *Wergild*, and other fines and mulcts due for civil and criminal causes by its members. This liability, like the right to share the mulcts and fines levied on another *Fine* in its behalf, and the *Dibad* or property of deceased persons, was compared, as I have said, to the branching of the fingers from the hand. *Gabal Cined* or gavelkind originally meant, then, the liabilities and rights of the whole *Fine* or *Maegth* to the seventeenth degree.

According to the custom of gavelkind as it exists in Kent, ^{Position of women under gavel-kind custom.} the daughters take the inheritance if there be no sons; if a man has no sons or brothers, his sisters take it. In very ancient times we may assume that women did not inherit land at all among the Anglo-Saxons. Even about the period of the Norman Conquest, women could not inherit "folc land". "Bóceland", on the other hand, could be inherited by women, but only in usufruct, and then reverted to the male line. But after the fifth degree,²⁸² that is, after the extinction of the *Gelfine*, it could fall absolutely from the spear to the spindle side, or, in

²⁸¹ *History of Gavelkind*, 1663.

²⁸² LL. Hen. I., lxx. §§ 20-22. LL. Hen. I., lxx. § 21: "non mittat eum extra cognacionem suam, sicut prediximus (*i.e.* § 20) in quantum geniculum".

the language of the French jurists, "tomber de lance en queue" ²⁸³.

Irish custom
of inheri-
tance;

According to the Irish custom property descended at first only to the male heirs of the body, each son receiving an equal share. Afterwards, however, a *Flath* or owner of real estate (*Orba*) might give one-third of his land to his daughters if ²⁸⁴ he had no sons, or in case of the death of these. Ultimately, however, daughters appear to have become entitled to inherit all if there

²⁸³ Among the Germans also women did not originally inherit. De terra nulla in muliere hereditas (LL. Sal. lix. ; LL. Ripuar. 56). Marculfus speaks of this custom as impious: "Dulcis simæ filiæ meæ illi illa. Diuturna, sed impia, inter nos consuetudo tenetur ut de terra paterna sorores cum fratribus portionem non habeant", etc. (*Form.* ii. 12). By a law of Chilperich of the year 574, women became entitled to inherit land; the right of the daughter preceded that of the distant branches, perhaps after the extinction of relatives to the fifth degree. The L. Burgund., xiv. 1. 2, L. Saxon., viii. 1. 5. 8, Liutpr., i. 1., allowed female succession to come in earlier. The L. Visig., iv. 2, placed daughters on the same footing as sons: this is probably borrowed from the Roman Law. In Denmark, women could not inherit land at all until the beginning of the eleventh century (Sax. Gramm., x. p. 187). St. Erich, who died in 1160, is said to have modified the law of Sweden so as to allow women to inherit one-third, or, as the law of Upland expresses the new rights conferred on women, "to lock and key, to half the marriage bed, and the legal third of the property" (Geijer, *The History of the Swedes*, translated by J. H. Turner, Esq., M.A., p. 48). Earl Birger, who died in 1266, increased the proportion to one-half. But it is probable that Erich's law only gave them one-third when there was no son. Earl Birger's law, however, allowed them to inherit with the brother (*ibid.*, p. 59).

²⁸⁴ "It is not the son that takes all the land of the *Fine* as patrimony, if the right of his mother's *Fine* is nearer to it than that of his father's". Then follows the commentary: "*i.e.* it is not the son that takes all ancestral property of the *Fine* of his mother; [he gets] not more than one-seventh of the *Dibad* land. If it be an *orba cruib* *yr flath* or 'inheritance of hand and thigh' which a father settles upon a daughter through affection, the sons of strangers [*i.e.* sons born of daughters of tribe men by husbands of strange families] and sealanders, are entitled to this land from the *Fine* as long as they agree with the *Fine*; and they get it in *Dibad* and in *Daer* [sequestration] even from the *Fine*". *MS. H. 2. 15. T.C.D.*

"The gradation of female inheritance, woman's right in appropriate proportions". Then comes the commentary: "*i.e.* their sons and their daughters retain everything which is handed over to them by their mothers; that is, in proportion to their degree of consanguinity; *i.e.* women retain a right to come lawfully into possession of the land settled under lawful bonds" which had passed out of the possession of other women.

"Upon whom bonds are bound by the appropriate laws of the *Fineas*, which

were no sons. This right of daughters to inherit land is said to have been completely established by a legal decision made in the case of *Brig Ambui*, daughter of *Señchad*, who pleaded the cause of woman's right.²⁸⁵ The land thus given to a daughter

position of
women
under it;

Brig made to regulate the rights of women". Upon which we find the following commentary: "i. e. the high noble who [binds]; i. e. the *Flath Geilfine*, he it is that binds the one-third, if they should be free. The land settled under lawful bonds which passed from the possession of other women was adjudged to *Brig*". *MS. H. 2. 15, T.C.D.*

²⁸⁵ Several women of the name of *Brig* are mentioned in the ancient laws as female judges; some of them appear to have been connected with each other. The mother of *Senchan*, chief judge and poet of Ulster in the time of *Conchobar Mac Nessa*, was called *Brig ban Brughad* or *Brig* the female *Brugad*; his wife was called *Brig Brethach* or *Brig* of the judgments; and his daughter, the *Brig Ambui* alluded to in the text, was also it would appear called *Brig* "of the Judgments", and was wife of *Celtchair Mac Uthichair*, a renowned personage of the *Táin Bó Chuailgne*, and other heroic tales of that period. She is mentioned as one of the nine, or rather ten, women who accompanied Queen *Mugan*, wife of *Conchobar Mac Nessa*, at the *Fled Bricrind* or *Bricriu's Feast* which forms the subject of a curious tale preserved in the *Leabar na h-Uidhri* (βριγς βρεταδ βεν Σεττάρ mic υπέρδαιρ, p. 103 col. 2, line 20). Possibly these women "of the Judgments" represent the *Σαμνιτών γυναικες* of Strabo (B. iv.), a class of druidesses who, according to his account, carried on their mysteries in an island in the ocean, but lived on the mainland with their husbands. These druidesses were no doubt the same as the nine *Barrigenae* or *Senae*, *Galicenae* or *Gallicanae*, mentioned by Pomponius Mela (iii. c. vi.) notwithstanding that the latter states they were consecrated to perpetual virginity. The *Matres Familiae* who were consulted by the Germans as to the proper time for battle, are also to be connected here (see Caesar, *De Bel. Gal.*, i. 50). The Prophetess *Veleda* mentioned by Tacitus was no doubt one of them. This name must be generic, as it is related to the O.N. *vala*, *völva*, *fata-dica*. The *Matres Familiae* were called, in the Gaulish lingua rustica, *Matrae*, *Mairae* (whence French *Mère*). *Matrae*, and *Matronae*, and *Mairae* occur frequently in old inscriptions. In medieval times they became witches or were confounded with minor deities of the Gaulish pantheon—the *Bona Res*, *Bonae Dominae*, or *Nocturnae*, who were good, and the *Pythiae*, *Pythonissae* (Greger. Turon.), the *Sagae*, *Striae*, *Strigae* or *Stryges* (Old French *estrie*), *Lamiae*, *Herbariae*, and *Genethiaca* (Capit. of Dagobert for the year 630, Charlemagne, 798, etc.), who were evil. The latter remind us of the *Geinite Glindi* of Irish mythology. The *Dames souveraines des pensées* of French chivalry, and the ladies at the *Cours d'Amour* are the successors of the women "of the Judgments". I may also refer to the position which women held in the councils of the Gauls of Italy and Gaul, to show that *Brig Bretach* was not an isolated instance of a woman pleading the cause of women, but the representative of a very ancient and important institution, which has been the source of many customs and traditions.

position of
women
under Irish
customs.

was called "an inheritance of hand and thigh". It appears that women could inherit such land afterwards as well as men. When, in default of male heirs, land passed to women, "that is, became an inheritance of hand and thigh", part of the estate went to the *Fine* in payment for the military and other services attached to the lands, which could not be fulfilled by women.

Marriage
customs :

It is probable that the term "hand and thigh" was originally applied to land given as a marriage portion to a daughter. And here it is necessary to describe the ancient marriage customs so far as they bear upon the disposition of property. Every woman of the *Aire* class, and perhaps of all classes, received a *Tineur* or marriage portion from her father, or, if he were dead, from her *Fine*. This marriage gift represented the *Agweddi*²⁸⁶ or *Gwaddol*²⁸⁷ of the Welsh, the Norse *Heimgjöf*, *Hymanfylgja*, etc., the German *Mitgift* or "Geld und Gut". At first it probably consisted exclusively of clothes, household furniture, and live chattels, as in Wales, Scandinavia, etc.; but at some very early period land might also be given. The amount of the marriage portion depended upon the rank of the contracting parties; usually it was one-third of the personal property of the bride's father. We have in this an explanation of why the estate "of hand and thigh" was one-third the estate of a *Flath*. The bridegroom's wealth should be equal to that of the bride, if the two were of equal rank. But if a *Bó-Aire's* daughter married the son of a *Flath*, her marriage gift should be twice that of her husband; and, conversely, if the daughter of a *Flath* married the son of a *Bó-Aire*, her portion was fixed at half that of her husband.²⁸⁸

the marriage
portion ;

²⁸⁶ *Ancient Laws*, 223, 73.

²⁸⁷ That these words were synonymous is shown by a comparison of the passage 256, 26, in the *Ancient Laws*, with 365, 28; 43, 37; 365, 22; 698, 12. See also F. Walter's *Das alte Wales*, S. 412.

²⁸⁸ "And if it be the daughter of a *Bo-Aire*, i.e. the *Coibche*, which is to be given from the *Aire*, i.e. of the *Bo-Aire*, i.e. the *Aire* who possesses cattle, that goes to the son of an *Aire Feibe*, i.e. who possesses *Frib* (real estate), i.e. even though the son of the *Flath* grade had but two cows and a *Samaise*, the daughter of a *Bó-Aire* brought five cows with her as her portion to the son of the man of the *Flath* grade. If it be the daughter of a *Gradh Fine*, who is of family of equal rank with him, or who is more noble than him, or if it be the daughter of a *Flath* grade that goes to the *Gradh Fine*, it is a *Trian*

The term *Coibche* was sometimes used for the marriage portion, but properly speaking that word meant a legal gift which the bridegroom gave to the bride after her marriage. This gift was called by the Welsh *Cowyll*, which is obviously cognate with the Irish term, by the Germans *Morgangaba*, and by the Norse *Hindradagsgaf*. The German and Norse names indicate that the gift, which was intended as a recognition of the bride's virginity on the part of the bridegroom, and a return gift for its bestowal on him, was given on the morning after the marriage. The ancient laws of Wales²⁸⁹ tell us that the articles intended as the *Cowyll* should be mentioned in the morning before the bride rose, otherwise the husband was not legally responsible for the gift. The wife too should declare that they were her *Cowyll*, otherwise they became the joint property of the husband and wife.²⁹⁰ The Welsh custom implies that witnesses should be present at these declarations. Among some German peoples the gift was actually handed over to the bride in the presence of the bridesmaids and the bridegroom's men.²⁹¹ The amount of the *Coibche*, which was dependent upon the rank of the contracting parties,²⁹² appears to have been settled

the *Coibche*
or bridal
gift;

Tineoil (one-third of property) she brings as her portion, *i.e.* a portion equal to half the wealth of the man to whom she goes.

If it be the daughter of a *Gradh Fine* man who goes to a *Gradh Flatha*, it is two-thirds of property she brings as her portion, *i.e.* she must have wealth equal to twice the wealth of the husband, *i.e.* she must have two-thirds of wealth, and he is to have one-third. If it be the daughter of the *Aire Feibe* who goes to the son of a *Bó-Aire*, *i.e.* if the daughter of a *Flath* grade goes to the son of a *Gradh Fine*, the son of the *Bo-Aire* must have twice the number of cattle, *i.e.*, two-thirds of property as his portion against the one-third of the wife, *i.e.* though the daughter of a *Flath* grade had but one-third, he should have two-thirds, or if she had but the half of the one-third, it counts as half against him, and he must have a full third against it. So that a third from him and one half of a third from her make an appropriate [marriage] portion from the daughter of the *Aire Feibe*, *i.e.* from the daughter of the *Flath* grade, because it is lawful to demand more cattle from the *Aires* who have cows, *i.e.* from the *Aire Fineas*, than from those who have property, *i.e.* the *Flath* grade". *MS. Brit. Mus. Rawlinson*, 487, fol. 61. p. 1. col. a.

²⁸⁹ *Ancient Laws of Wales*, p. 47, § 62.

²⁹⁰ *Ibid.*, p. 47, § 63; p. 255, § 23; p. 366, § 29.

²⁹¹ Karl Weinhold, *Die deutschen Frauen in dem Mittelalter*, s. 270.

²⁹² In Wales the *Cowyll* or bridal gift of a king's daughter was one-third

beforehand in Ireland, and even sometimes paid over when the civil contract was being made in the presence of the heads of the family, the *Aire Cosraing*, and other *Aires*. It is even probable that in Christian times it was always so paid over. Among the Germans and Norsemen the amount of the bridal gift was also discussed beforehand, and in some places given to the bride at the marriage feast.²⁹³

the *Tindscra*, *Log lanamnais*, or bride-price;

According to Irish law, part of the *Coibche* or bridal gift went to the bride's father, or, if she were married after his death, to the head of her *Fine*. The father's share of the *Coibche* represents the *Log lanamnais* or bride-price, the equivalent of the *Brautkauf* of the Germans, and the *Munder* or *Festingafé* of the Norsemen, by which the rights and guardianship, not the person, of the bride were acquired by the husband and his family. As the bride-price, which in ancient times formed a prominent and independent feature in marriage customs, usually consisted of articles of gold, silver, and bronze, it was generally called *Tindscera*, a word which is said to be formed from *Tinde*, a neck chain, and *Escra*, a drinking cup.²⁹⁴ But the bride-price might have consisted also of other things, and even of land.²⁹⁵ In these cases it was still called *Tindscera* or *Tinscra*, in the same way that *Linfé*, one of the Norse names for the bridal gift, which came from the linen, of which the clothes and other household articles were often made, continued to be given to the bridal gift even when it consisted of gold and rich garments. In Wales the *Cowyll* might also consist of land, as in the case

of the *Agweddi* or marriage portion; for other persons it was usually one-half the latter.

²⁹³ Weinhold, *loc. cit.*

²⁹⁴ "*Tindscera*, i.e. *Tinde*, a neck chain which contains three *Ungas*, and *Escra*, a drinking cup which contains six *Ungas*; and that is what is due to the father out of the *Céd Coibche*, or first marriage gift of every daughter". *MS. H. 3. 18. T.C.D.* 651-632.

²⁹⁵ "Give me", said Oengus, "*Eithne* as a wife, that is, thy foster child, and I will give thee land as her *Tinscra*, namely land near to Ossory hard by us on the south, and thou shalt be allowed to make it more extensive for yourselves". *MS. Leabar na h-Uidhri*, p. 54, col. 2, top.

The terms *Coibche*, *Tindscera*, etc., appear to be expressive of the nature rather than of the purposes of the gifts. Thus, when well bred cattle and bridle steeds were the objects of a gift, sale, purchase, or mulct, etc., they

of the daughter of a king.²⁹⁶ As the *Tindsra* or bride-price formed part of the *Coibche*, and as the term was sometimes used to express the whole of the latter,²⁹⁷ the *Coibche* might in Ireland also have consisted of land.

Among the Scandinavians and Germans the "bride price" gradually became a mere form, and was replaced in Norway by what was called the *Tilgiöf*, or because it was reckoned as one-third of the marriage portion, the "Tridjungs auki", or the increasing third part. In East Gothland it was called the *Viðarmundr* or "counter purchase", or *Möttulköp*, or "mantle purchase" — the *Brat Posta* or marriage cloak of the Irish. The placing of the *Tindsra* or portion of the *Coibche* or bridal gift consisting of gold, silver, and bronze, in the father's hands as a substitute for the more pagan custom of the ancient *Log lanamnais* or "bride price", was probably the result of the introduction of Christian marriage, for there seems no reason to doubt that in pagan times in Ireland no marriage was deemed legal unless the full "bride price" proportionate to the rank of the parties was paid, as among the Scandinavian and German nations. The use of gold and silver in our modern marriage ceremony is perhaps a relic of the *Tindsra*, and the corresponding gifts among the other northern nations.

The rights of women were carefully protected under the Irish law; but there existed apparently too much facility for the separation of husband and wife. There were seven cases in which the wife could legally separate from her husband and retain the whole or part of her *Coibche*, and obtain special damages for injury: 1. when falsely charged with impropriety by her husband; 2. if she were rendered the subject of ridicule by her husband; 3. if a blemish were inflicted on her by beating or otherwise maltreating her; 4. when openly abandoned by her

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were included under the term *Slabra*, while clothes and arms were properly *Coibche*, sheep and pigs, *Tochra*, and gold, silver, and bronze, *Tindsra*. This explains why these terms are sometimes used for one another, and in different senses.

²⁹⁶ *Ancient Laws*, 42, 32; 363, 1.

²⁹⁷ *MS. Leabar na h-Uidhri*, p. 127, col. 1.

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husband, or charged publicly with infidelity; 5. adultery of the husband, or neglect of his wife; 6. giving her a love potion before marriage; 7. not giving her full rights in domestic and other social matters.²⁹⁵

²⁹⁸ "There are seven women in a tribe whose rights are laid down by the *Fenechas*: who though they may have been bound by the bonds of *Nascaires* and *Rath Trebaires*, it is still competent for them to separate [from their] marriage union at any time that they please to do so. They are entitled to whatsoever is settled upon them as their *Coibche*, i.e. they are by law entitled to everything that was given them as their *Coibche*: 1. a woman who has been belied by her husband, i.e. a woman of whom her companion, i.e. her husband, tells a false story, i.e. a lie, i.e. made a *Derbforgaill* (a false charge of impropriety) upon her; she is entitled to her choice, i.e. either to separate from him, or to continue in the marriage union with him, but whichever she chooses to do, she is entitled to her *Coibche*, and to her *Enecland*, and to the *Eraic* of the *Derbforgaill* (defamation). 2. A woman whom her husband has abused with reproachful satire, a woman against whom her husband has circulated an unlawful satire, i.e. who has been made the object of ridicule, no matter what the nature of the satire may have been, she is entitled to a *Dairt* for one insult upon her pillow, and one-fourth of her *Coibche* [if it had been] in the presence of one house [i.e. household] and one *Baile*, and the full amount of her *Coibche*, if it be outside of the *Less* (court-yard), and the full amount of *Eraic* together with it: i.e. it is a ease which must be responded to in the *Airecht* or court, i.e. a woman who has been unlawfully satirized, i.e. she is entitled to her choice, i.e. to separate from him, and to take her *Coibche* away with her, or to continue in the lawful marriage union with him, and whichever she does, she is entitled to have her *Coibche* and her *Enecland* paid to her, and an *Eraic* corresponding to the nature of the satire, i.e. because it is not lawful to satirize (or abuse) her at all, or to give the people any cause to laugh at her. 3. A woman who gets a blemish on her countenance [by assault] i.e. from a white wound out; she is entitled to a restitution equal to the amount of her *Coibche* and the full amount of *Eraic* also. The woman upon whom any blemish is so inflicted on her person unlawfully, however small the blemish, if there be a sign or mark at all, she is entitled to the full amount of her *Coibche*, and a *Smacht* (damage) for it, and to the *Eraic* of the injury, and she has the choice either to separate from him and to take away her *Coibche* from him, or to continue still in her lawful marriage union with him. 4. A woman who is abused and openly charged with infidelity; i.e. she is entitled to her *Coibche* and her *Enecland*, to restitution, and appropriate fines from the moment of the accusation. 5. A woman whose companionship is slighted by her husband, so that he prefers to sleep with servants rather than with her, i.e. a woman to whom her husband is not duly attached, so that he prefers to go into the same bed with servants rather than to sleep with her; he must pay to her the *Eraic* of abandonment, for leaving her bed, i.e. her *Coibche*, and she has the choice either to separate from him for ever and to take her *Coibche* with her, or to

In Wales also legal separation it seems could have been effected with such ease that the Church endeavoured to correct this evil. The kings of England used this circumstance as a pretext to get the aid of the spiritual authorities against Wales. In the excommunication issued in 1282 by the Archbishop of Canterbury against Llewelyn, at the request of Edward the First, looseness of the marriage bond is mentioned as one of the offences requiring to be punished.²⁹⁹ If the causes of separation were: adultery, or a wide-spread report of it, from the guilt of which the husband was bound to clear himself by the oaths of fifty compurgators;³⁰⁰ leprosy; stinking breath; or impotence, the woman was entitled to take away with her all

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continue in the marriage union still. 6. A woman to whom her husband has given a philter or love potion in order to seduce her, so that he excites her into lustful complicity with him, *i.e.* at the time that he is soliciting her favours, it is then he gives the love-charm potion, in order to make her love him the more; *i.e.* she is entitled to a *Coibche* and an *Eraic* in proportion to the nature of the philter. And if it was before his union with her, and for the purpose of obtaining her in proper bridal cohabitation, the love potion was given to her, and that by it he obtained her in proper bridal cohabitation; she is entitled to the *Smacht* of copulation for it, and to a *Coibche*, and to her *Enec-land* and her *Corpdre*, and to separate from him; or she must get an *Eraic* proportionate to the nature of the love potion, and she shall have her choice either to separate from him, or to preserve the marriage union with him.

This is the second instance in the laws in which the *Smacht* fine of copulation is inflicted upon a man for the injury he has done [a woman] before he attains to a lawful bridal cohabitation [with her].

7. A woman whose will is restrained, or who is refused her full lawful marriage rights; *i.e.* a woman who is not allowed to exercise her will or desire in due proportion to the marriage bond, which binds the union, *i.e.* to have free access to all things, and a right of mutual coöperation in all domestic concerns. Or in case a company fast with her two or three times: Because any woman who is bound [*i.e.* wedded] into the *Fine* is entitled to the free exercise of her will, and to get appropriate attendance legally proportionate to her rank. That is, every noble woman who is bound [married] in accordance with the *Fenechas*, is entitled to the exercise of her free will and discretion, *i.e.* the mutual enjoyment of, and free coöperation in all domestic concerns, and to honourable attendance legally proportionate to her *Com-tincur*, *i.e.* her marriage portion, and all other valuables or other property that she brings to her husband at and after her marriage".—*MS. Brit. Museum, Rawlinson*, 487, fol. 61, pp. 1. 2.

²⁹⁹ "Uxores legitimae Howeli Da patrocínio contra Evangelium dato repudio repelluntur". *Rymer*.

³⁰⁰ *Ancient Laws*, p. 46, § 57; p. 41, § 23; p. 257, § 30.

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the property that belonged to her.³⁰¹ If the separation took place without sufficient cause before seven years, the woman lost her *Agweddi* and *Argyvreu*,³⁰² but not her *Cowyll*, *Wynebwerth*, and *Saraad*.³⁰³ The husband could also separate without cause.³⁰⁴ In case the separation took place before the third last night of seven years, he should pay back to his wife her marriage gift and other property which she brought with her as well as her *Cowyll* or bridal gift;³⁰⁵ if the separation took place after that period, the property was divided.³⁰⁶ This looseness of marriage ties was no doubt the reason why illegitimate children inherited equally with legitimate children.³⁰⁷

Position of
women in
Wales as to
inheritance.

In North Wales women did not inherit land³⁰⁸ before 1284, when the custom was changed by the statute of Rhuddlan in the reign of Edward I.; they only received dress and ornaments as in very early times in Ireland, or a share equal to one-half that of a son of the personal property. In South Wales daughters inherited all when there were no sons.³⁰⁹ The South Wales custom may have been a relic of the Irish domination, while that of North Wales may have been a return to the old custom the result of the conquest of the country by Cunedda.

³⁰¹ *Ancient Laws*, p. 39, § 10; p. 47, § 66; p. 255, § 21; p. 365, § 26; p. 415, § 19.

³⁰² That is, any additional property which she may have brought with her over and above her marriage portion. The term *Argyvreu* was not applied exclusively to part of a woman's dowry, or even to the property in general of women; it was also used for the dress and arms of men and the tools of a privileged craft or art, and generally for personal property of all kinds, both of men and women, which they held in their own right.

³⁰³ The *Saraad*, which corresponded to the Irish *Sarugud*, here alluded to, was the fine or honour price which she received for all ill-treatment. Elsewhere (vol. ii. App., note 473, p. 471) I have made *Gwynebwerth* equivalent to the Irish *Enecland*.

³⁰⁴ *Ancient Laws* p. 46, § 54.

³⁰⁵ *Ibid.*, p. 38, § 1; p. 39, § 9; p. 252, § 1; p. 256, § 26; p. 364, §§ 5, 6, 9.

³⁰⁶ *Ibid.*, p. 38, § 1; p. 42, §§ 30, 31; p. 252, § 2; p. 256, § 26; p. 364, § 12.

³⁰⁷ "Tria sunt enim quae gentem hanc destruunt, et fructuosae propaginis gaudia percipere non permittant. Quod paternam hereditatem filii inter se tam naturales quam legitimi herili portione dividere contendunt". Girald. Cambr., *De Illaudabil. Walliae*, c. 9.

³⁰⁸ *Ancient Laws*, p. 84, § 1.

³⁰⁹ *Ibid.*, p. 267, § 7.

Although the Salic³¹⁰ and Alemannic³¹¹ laws speak of Division of property among heirs: the division of the houses among several sons, yet in practice so long as colonization of waste lands, emigration, war, etc., offered fields for the enterprise of the younger sons, the paternal estate was not divided. When those various ways gradually closed up, a great subdivision would have taken place had not the introduction of descent by the eldest son arrested it on the Continent. Kemble thinks that the subdivision had proceeded so far among the Anglo-Saxons that it facilitated the Norman Conquest.³¹² The Swedish proverb, "It is good for brethren to dwell together",³¹³ indicates a desire to avoid the action of the law, in order to maintain the dignity and power of the family. With this object the father often sent the younger sons to sea, and the elder brother had the right of purchasing out the younger ones. In Wales the brothers divided the paternal inheritance equally,³¹⁴ the youngest however took the principal place, *Tyddden*,³¹⁵ literally a residence or house, and equivalent to the Irish *Teti*, with the buildings belonging to it, and a certain amount of land.³¹⁶ The personal property was then divided, the lots being drawn by the younger; the latter, however, always got the boiler, the wood axe, the coulter of the plough,³¹⁷ the harp and the chess-board.³¹⁸ After the death of all the brothers, their children might claim a redistribution, if any of them could show that their father had either not received any part of the property or his full share;³¹⁹ their children might again do the same.³²⁰ In all redistributions the custom in Wales;

³¹⁰ LIX. 2. 5. L. Sal.

³¹¹ *L. A'am.*, 88.

³¹² *The Saxons in England*, I. 315, et seq.

³¹³ Geijer's *History of the Swedes*, I. 83.

³¹⁴ *Ancient Laws*, p. 81, § 1, et seq. p. 86, § 2.

³¹⁵ This was somewhat analogous to the custom of Borough-English, by which estates in land in certain ancient boroughs, and copyhold manors, descended to the youngest son, or in default of issue to the younger brother. In the Pays de Grimberghe in Brabant, the youngest son also inherited the paternal estate.

³¹⁶ Perhaps the amount forming the field of sanctuary or Irish *Maigin Digona*. *Ancient Laws*, 87, 8; 266, 1; 370, 1; 684, 15; 686, 29.

³¹⁷ *Ibid.*, 266, 1; 370, 1.

³¹⁸ *Ibid.*, 686, 29.

³¹⁹ *Ibid.*, 81, 3, 4.

³²⁰ *Ibid.*, 82, 5.

principal seat or *Tyddén* should be respected.³²¹ The power of redistribution ceased in the fourth generation.³²² Many inheritances remained however undivided.³²³ Oak woods, turf bogs, quarries,³²⁴ mills, fish weirs, and orchards remained in common.³²⁵

the Irish
custom.

The Irish custom was very similar to the Welsh, but we know the former in a much more archaic form than the latter. The division took place in this way: each son was entitled to an equal share of the cattle and land, but not of the houses and offices, the pots, brewing vats, and other vessels and implements, which went to the elder brother,³²⁶ together with the house and offices. But in consideration of this special inheritance, he was bound to accept the responsibility of entertaining the retinue of the king, a bishop, or a *Sai*.³²⁷ He was the stem of the family, and until his brothers became of age, was responsible before the law for them, and the assertor of their rights; the guardian of his sisters, and other members of the family; and plaintiff and defendant in all suits at law. During the first year of their co-occupancy, a temporary staking of the several shares of the land took place; and in the second, an exchange of lots, in order that each should know the quality and capabilities of the land of the other. In the third year, the land was measured by poles and ropes,³²⁸ to determine boun-

³²¹ *Ancient Laws*, 536, 1; 741, 12. ³²² *Ibid.*, 82, 5; 266, 2; 370, 28; 416, 34; 525, 9; 537, 1, 9; 607, 10; 741, 12. ³²³ *Ibid.*, 268, 14; 371, 3; 617, 57.

³²⁴ *Ibid.*, 525, 10; 684, 14; etc.

³²⁵ *Ibid.*, 87, 7; 740, 9.

³²⁶ In the division of the property of a deceased proprietor, the eldest son was entitled to get "the boiler, the keeve, and the household vessels; and he gets the *Lises*, or residences and houses, and *Airlisses*, or yards; he also takes the responsibilities of these possessions, and is bound under certain obligations to his younger brothers and sisters". *MS. H.* 3. 18. *T.C.D.* p. 10.

³²⁷ See note 567, *App.* vol. ii. p. 510, and *Int.* p. ci., note 136 for an explanation of this term.

³²⁸ The pole, the instrument of measurement used by all northern and western nations, appears to have been originally a horse switch. The total length included not only the switch itself, but the distance that could be reached when it was grasped in the hand, and the arm was fully extended. The modern perch or pole of Ireland is seven yards, the English or statute, five and a-half yards. The modern chain corresponds to the Irish "rope", or *Foirach*. Until all the references to weights and measures scattered through Irish MSS. are collected together and critically compared with one

daries. In the fourth year, the boundaries were confirmed so as to bar litigation thereafter, and each brother gave security to maintain his fences.³²⁹ The Irish custom.

The *Ail* or boundary was begun to be made around it at the end of the fifth year, and should be finished within the tenth year, with the exception of a comb or capping of blackthorn, which need not be finished before the end of that year.³³⁰ One

another and with the standards of other countries, it would be premature to determine whether the *Forrach*, or rope, was of the same length in every part of the country. The following gives its length in one instance at least: "three barley-corns (literally grains) one thumb, four thumbs one palm, four palms one foot, twelve feet one perch, twelve perches one rope; a *Tir Cumail* is twelve ropes long and six ropes wide, but they must be of legal measure". (*MS. E. 3. 5. T.C.D.* p. 42). The *Tir Cumail* or *Cumal* land appears to have been the unit measure for the appanage lands and qualifying estates of *Aires*. Assuming the Irish to have been of about the same length as the English foot, a *Tir Cumail* would be a little more than twenty-one acres Irish. If we allow an Irish acre to one cow, this would represent the land of seven *Cumals*. It will be seen from the *Crith Gablach* that whenever the wealth of an *Aire* is measured by land, it is always a multiple of this quantity.

³²⁹ "Question. What constitutes a *Comaitches*? A fence of Comorbship. What is the description of it? The *Comarbs* first divide their shares and their residences; and each man of them shall give pledges and security of sanctuary to the other. Question. What qualifies a *Comaitches*, that is, I ask out of what does the *Aithechus Comaide* grow? Out of the *Ail Comarbs*, i.e. out of the noble patrimonial right, out of the land. What is the manner of it? That is, what is the form of it? First, the *Comorbs* divide equally between them the land of their deceased ancestors. Their possessions, namely, the land of their fathers and grandfathers; each man of them turns to the other, i.e. they all turn their faces to each other. Each man of them gives a *Diguin*, i.e. a pledge of two *Screpalls*, for the fulfilment of the *Comaitches*, i.e. to swear that the responsibilities of the united body shall be the responsibility of each individual person of them". *MS. Brit. Mus. Rawlinson*, 487, fol. 64, p. 1. col. a.

³³⁰ "Question. How is a *Comaitches* made? The boundary division is made in the third [year]. The *Ail* or boundary is made upon it after the fifth [year]. The *Ail* or boundary is capped [or finished off] after the tenth. The fence is proclaimed legal after a month:

Question. How is a *Comaitches* made? i.e. I ask how a *Comaitches Comaide* (i.e. a co-occupancy of co-partners) is made? Answer. The land upon which the *Ail* is made is divided in the third [year]. The *Ail* is made around it in or after the fifth [year]; that is, they commence to make the *Ail* or boundary around it at the termination of the fifth [year], and they then spend two days cutting down its wood [i.e. for making the fence]. The *Ail* is completely finished within the termination of the tenth [year] with the

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month after the completion of the fence the division of the land and establishment of the boundaries were legally proclaimed.³³¹

The method of division just sketched out was still a kind of joint-tenancy or partnership, for the woods, bogs, and waste continued common. Such a settlement represented the German "Markgenossenschaft". Sometimes the co-heirs, or *Com-orbs*,³³² did not divide the land, but continued to occupy the land in common, exactly like the gilds I have already described. Notwithstanding the extensive development of joint tenancy and gilds, or copartnerships, the ancient Irish exhibited a jealousy of their individual rights, and a spirit of litigation in their defence, which show how erroneous are the views hitherto held with regard to property in land in Ireland. The law books are full of the most minute descriptions of the various kinds of fences and the fines for damaging them, and for trespassing on the enclosed lands.³³³

exception of the comb or cap of blackthorn. And the fence is made perfect, *i.e.* the blackthorn cap is put upon it at the termination of the tenth [year], and the boundary is proclaimed and established as legal in one month after". *MS. Brit. Mus. Rawlinson*, 487, fol. 64, p. 1. col. a.

³³¹ "Question now: By what means is the boundary fine made binding when made on the hereditaments? It is proclaimed as a thing to be known by *Seanchaid n-inraic* (*i.e.* legal *Senchaid*s); when the fence is made [it is not binding] until it is proclaimed by them three times without opposition".

"Question: What is the manner of the planting of an *Ail* (boundary)? Its *Noill* (swearing), and its *Nuail* (proclamation). Question: What is its *Nuail*? To proclaim the *Ime* (fence) three times without opposition. And if it be objected to, who are the *Noills* [*i.e.* *Noillechs*] or *Clannas* (boundary planters)? *Lugus* (oath-men), and *Senchaid*s duly qualified to give evidence of testification. And if there be not *Senchaid*s, two perfect *Bó Aires* to plant the stakes, and another to make oath to it, and an *Aire* who is to swear between two: and this then is the planting and legalizing of the boundary. And if it be the whole *Crioch* (territory) which is in seven *Achads* (fields or divisions) that is to be divided, it is regulated by the *Senchaid*s thus,—for there are twelve kinds of *Blais* (fences) by which a *Crioch* is bounded. Which are they?" [Here follows an enumeration of the twelve *Blais* or legal boundaries]. *MS. H. 3, 18. p. 13, 14.*

³³² *Orba*, inherited property, *Com-orb*=co-heir. In the Irish *Orb* we have almost the same word as the German *Erbe*, heir.

³³³ "Benefits of *Ails* [*i.e.* damages for fence-breaking]: its price must be paid by whosoever injures it in the land, and also a *Dire* (or fine) for the land [trespass]".

In order to prevent the subdivision of the property of chiefs, Law of Tanistry. and of those holding high rank in a *Tuath*, the appanages did not descend by the custom of gavel-kind, but by the law of Tanistry. During the life-time of a chief, his successor was elected under the name of *Tanaiste*; and on the death of the former the latter succeeded him. The *Tanaiste* was not necessarily the son of the chief: he might be his brother or nephew, but he should belong to his *Fine*. The succession of property by the law of Tanistry secured that there should always be an official aristocracy possessed of sufficient estate in land to maintain their dignity; while the custom of gavel-kind, on the other hand, by the great subdivision of property which it effected, tended to deprive the majority of freemen of all political rights under a constitution where property was an essential element of political power. The joint-occupancy of *Comorbs*, like the guilds, counteracted this to a certain extent. Yet the mention Estates of Flaths subdivided. in the law tract printed in the appendix of the *Og Flaitthem*, who had three *Senclaithe*, the *Leth-Flaitthem*, who had two, and the *Flaitthem oen oesera*, who had one,³³⁴ shows that even the estates of *Flaths*, the lowest of whom had ten *Céiles*, were subdivided, and a number of small poor proprietors created, like those just mentioned.

It would seem that the property even of a *Bó Aire* might descend by the law of Tanistry, for we find mention in the tract just mentioned of a *Tanuisse Bó Aire* or Tanist of a *Bó Aire*.³³⁵ It also appears that in the case of a *Bó Aire* who had not sufficient property at his death to qualify all his sons Estates of Bó Aires might also be subjecte to law of Tanistry.

“Question. How is it [the price of the fence] qualified? Answer: a wether lamb for breaking, pulling, or carrying off one stake out of it; a ewe lamb for two stakes; a *Dartaid* (a yearling heifer) for three stakes of the fence and their fastenings; a *Dairt* for four stakes; a *Colphach* for six; a cow for eight; five *Seoids* for twelve, but they are *Seoid Gablas*. [The trespasser is liable to pay for] two caretakers who shall be qualified as *Nemed*s to guard it [while broken down], and to make an *Aithgin* (restitution) for the fence, by putting an *Ime nIndruic* (or perfect boundary) in place of it; and he is also bound in security of that portion of the fence for a full year afterwards”.

MS. H. 3. 18. 13 b.

³³⁴ Vol. iii. App. pp. 518. 519.

³³⁵ *Ibid.*, p. 519.

to be *Aires*, the eldest son with the consent of the *Fine* might retain the paternal estate, and thus maintain the dignity of the family, and be qualified as *Aire Fine*, to act as compurgator, witness, bail, and in fact take part with the *Fine* in all legal and public questions. A similar custom appears to have prevailed among the Anglo-Saxons, for if one of the legal heirs could show that he possessed at least five hydes of land, he inherited the dignity and the land.

Irish customs not recognized in English courts in Ireland.

In Ireland, all Irish customs were set aside by a judgment given in the year 1605, which, more than any other measure, not excepting the repeated confiscations, injured the country and gave rise to most of the present evils of the Irish land system. In the reign of Queen Anne, the custom of gavel-kind was, however, revived by a statute of the Irish parliament as a penal measure against Catholics. By that statute, the lands of Catholics were made subject to gavel-kind, for the purpose of breaking up any landed property that may have remained in their hands, and to prevent them from founding families in case they might acquire wealth, unless the heir according to civil law conformed to the Protestant religion. This law was, however, repealed by another act of the Irish parliament in the reign of George the Third.³³⁶ A large number of properties were disgavelled in Kent by statute in the reign of Henry the Eighth,³³⁷ upon the petition of the owners. In the same reign all the lands in Wales were disgavelled.³³⁸ But the rights of the tenants do not appear to have been injured by the new legislation.

Comparison of gavelkind in Kent and in Ireland.

Before leaving this subject of descent of property, it may be interesting to notice an analogy between the custom of gavel-kind as it existed in Kent and in Ireland. In the former a minor was eligible to succeed to an inheritance, and even to alienate it by feoffment at the age of fifteen. In Ireland, a minor who formed one of the class of persons under pledge or surety termed a *Fer-Midboth*,³³⁹ was eligible to assume the responsibilities of

³³⁶ 17 and 18 Geo. III. c. 49.

³³⁷ 34 and 35 Henry VIII. c. 26.

³³⁸ 31 Henry VIII. c. 3.

³³⁹ *Crih Gablach*, App., vol. ii. p. 473, note 481.

the property to which he had succeeded at the age of fourteen,³¹⁰ except that he could not be a *Fiadnaise* or witness until he was seventeen years old.

TENURES OF THE ANCIENT IRISH.

The first question we have to determine in connection with tenures, which I shall now briefly discuss, is, what was the nature of the ownership of land which vested in the *Flaths*? Did he possess allodial land? or did the ancient Irish know true allodial land at all? If we define allodial lands to be free lands not subject to any rent, tribute, fine, or service from the owner to another, the *Flath* could scarcely be said to possess allodial land, for he received *Taurcrech* from the *Rig Tuatha*, and paid him tribute. The receiving of the former and the payment of the latter constituted *Céilsinni*, or submission to a lord paramount. The *Rig Tuatha* in turn owed *Céilsinni* to the *Rig Mór Tuatha*, the latter to the provincial king, and lastly the provincial king to the high king of Eriu, or paramount king. The *Tuath* might, however, be regarded as in a certain sense a small state, all the citizens of which owed allegiance to the *Rig* or king: indeed the law expressly stated that a freeman did not owe *Céilsinni* or submission to any man except to the *Rig*, unless he chose. The *Flath*, or owner of land not liable to tribute to any lord except the *Rig*, was in reality in somewhat the same position as the owner of *Alod* in Germany, or of *Odal* land in Scandinavia, who owed allegiance to the king. The offer by *Medb* to *Ferdiad* of part of *Magh Aie*, already mentioned, free of tribute and all other duties attached to land, shows clearly that the idea of allodial land was not unknown. The introduction of Tanistry, the date of which is not known, like the foreright of the eldest son under feudal law, seems to have led, at least in appearance, to the same fiction as in feudal law, that all lands were holden either mediately or immediately of the king. The records of gifts of lands by various grades of kings are frequent enough in Irish annals; these grants being made, as in the case of the similar

³¹⁰ Does this suggest an explanation of the use of *Cætharach* for *puber*? Stokes' *Irish Glosses*, 1051.

grants of Folc-land by the Anglo-Saxon kings, with the sanction of the *Sabaid* or council, and according to law. As in the case of feuds, grants of land to *Céiles* were probably at first precarious or for life. But if the services continued to be regularly rendered during a certain period, a prescriptive right was acquired. The tenure of the *Saer Céile* partook on the one-hand of the character of knight's-service, or ward-holding in Scotland, inasmuch as a *Céile* was bound to give military service to his lord when required to do so, and on the other of free socage, or free-holding in Scotland, because a fixed tribute under the name of *Bes-Tigi*, was also payable. The tenure of the *Daer Céiles*, or base *Céiles*, resembled the privileged villenage, or villein-socage of feudal times, inasmuch as the service was base, but fixed or certain.³¹¹ The tenure of the *Bothachs* consisted of the rights of settlement on the lands of the lord. In the case of the free or *Saer-Bothachs*, the right to a habitation on the land at a certain rent or service, resembled the socage tenure known as burgage tenure. The position of the *Daer* or base *Bothach* may be compared with the condition of villeins who held by pure villenage. In fact, as was before pointed out, the two classes of *Bothachs* appear to correspond to the *Cotarius* and *Coterellus* of Domesday Book, the former of whom held a free-socage tenure, while the latter is considered to have held in mere villenage. The base *Céiles* seem to represent exactly the copy-holders of English law, who, though originally holding at the will of a lord, according to the received opinion of English lawyers, acquired by custom

Tenure of a
Saer Céile;

of a *Daer*
Céile ;

of *Bothachs*.

The *Daer*
Céile repre-
sents a copy-
holder.

³¹¹ The following passage clearly shows that the tenure of a *Céile* was not precarious, and that as long as he fulfilled the conditions of his tenure he could not be ejected.

"*Fal do tire ranne do Flaith iar nelud, i.e. a Fal or fence of land which has been divided by a Flath after an absconder.*

Tir rainde, i.e. the Ime (fence) which the Flath makes upon the divisions of the land, after having allowed the Céile to abscond. When he has divided the land and that the Céile does not return within one month, that becomes a Fal (a boundary of possession,) i.e. the Céile has forfeited one-half of his land by having absconded. This is a case in which the Céile has absconded, and the Flath has divided the land into three parts after him [that is in his*

* See note 226, on *Fal*, p. cxlv.

an estate transmissible to heirs, except that while the latter held by copy of court roll, that is by a copy of the rolls made by the steward of the lord's court, the former in general held by parol title, proved by witnesses, or by lay, that is by an ancient poem. At a later period written agreements came into use, chiefly, however, in respect to grants to the Church.³⁴²

The *Daer Céile* represents a copyholder.

absence,] and when the *Céile* returns to justice he is demanding his own (full portion) of land back from the *Flath*; and the *Flath* is claiming his *Eric* from the *Céile* for absconding. If he does not give the *Flath* the *Eric* or fine for absconding, half of the *Fal* from the *Céile* (that is of the *Céile's* land) belongs to the *Flath* [*i.e.* the *Flath* is entitled to keep one-half of the *Céile's* land in lieu of the *Eric* or fine of absconding], that is, when the man has passed into another land, *i.e.* upon the place where the *Port Fiach* [*i.e.* outside the limit of pursuit], and he has gone there". *MS. T.C.D., E. 3, 5. p. 20, col. 1.*

³⁴² The following passage shows the process by which a *Flath* or landlord took legal possession of the land of a defaulting *Céile*.

"Land divided by a *Flath*, *i.e.* it is not lawful to take possession of it by cattle, contrary to the prohibition of the *Flath* [that is contrary to the will of a landlord who claims the ownership], *i.e.* the *Flath* claims his right in it when the *Poll* (hole), and the *Lia* (flag), and the *Coirte Flatha* (pillar stone of the *Flath*), are put in it, and [it is unlawful to put cattle on it] until his [appropriate] share of it is ascertained". *MSS. T.C.D., H. 3, 18, p. 385a, and E. 3, 5, p. 7a.*

Traces of this mode of establishing a claim to land came down to the present century.

The following passage applies to all property in land, and is quoted merely to show the kind of evidence relied upon to prove ownership, whether absolute or qualified.

"*Rudradh caecait* (prescription of fifty) or of forty, or of thirty, which ever one of them is the least, by *Seds* and by lands; *Rudradh trichat* (prescription of thirty) moreover belongs to kings *Apdaines* (proclaimed persons, and perhaps abbots), and to *Céiles*. This land was let out for loan, and it has been contested as a legal right at the expiration of the term of the loan, on the grounds that it has been out and occupied for a term sufficient to qualify a prescriptive right. But the proofs of the righteousness or the legality of the prescription must be confirmed by three things:—*Cluas* (ear, *i.e.* evidence of ear)—this is given or produced by the *Fine* (family); *Laid* (a lay, cf. German *Lied*),—this is a literary proof given by the poets; *Lecad* [an act or deed which binds a person indissolubly. *MS. E. 3. 5. pp. 13, 19.*] by the *Comorbs* in accordance with the law of *Manachs* of *Marbhdiisi* (bequests of dead chattels), for these are the three things that bind it".—*MSS. T.C.D. E. 3. 5. p. 19, and H., 2, 15. p. 11.*

The commentator goes on to explain these three requirements of the law: "In three ways it is proved, *i.e.* it is three ways that are laid down and ap-

Taurcrech
and *Rath*
paid to *Céiles*

When treating of the rent-paying classes, I fully described the peculiarity of the tenures of the *Céiles*, which consisted in the bestowal of a gift, also called wages, by the lord, and the payment of tribute or rent in kind proportional to the gift or

proved of to prove the claim and to qualify the legal right. For positive proof there must be *Cluas*, and *Laid*, and *Leiter* (a written deed). *Cluas*,* i.e. to have been present listening to the thing being delivered up with his own ears; *Laid*, that is, the lay of the poet certifying that it was given over by him; *Leiter*, i.e. the noble letter which the *Comarbs* do have to prove that the thing was given up to them; *Manach*, i.e. the thing which is lawfully bequeathed by the dead; *Manach*, that is, one-third of his property;† for these are the three solutions agreed upon and ordered to be preserved by the person who holds it [i.e. the property], namely, *Cluas*, *Laid*, and *Leiter*; *Leig*, i.e. let him have them all [i.e. the property or chattels in question] when he has those things; *Nogh Cuir*, i.e. perfect bonds, i.e. he is entitled to hold them in perpetuity". *Ibid.*

The following passage shows that the ancient Irish had advanced notions of equity. The passage is also noteworthy from two other points of view, namely, the reservation in favour of the property of married women, and the distinct allusion to the jury.

"There are three lands the possession of which the binding of a *Mac* (bond), or a *Raith* (surety), or a *Fiadnaise* (witness) cannot legalize. It is the *Fine* that have the lawful right. It is a false Aireship [a fraudulent deed] to bind them. It is a forfeiture of *Logenech* (honour price) to the *Aire* who presumes to do it [namely]: 1. the land of a young lad [a minor] to whom it pays not price [i.e. rent] though the price be given to the *Fine* (tribe), because the sense or understanding of the young lad is not perfect [i.e. is not legal] when the land is let out, or when the *Nasc* (bond) is put on it, because he is void of perfect understanding at the time of giving it out; 2. land which was given in *Coibche* of a woman who is not good, who perseveres not in her appropriate duties; 3. land which is given against the will, or without the consent of the *Fine* (tribe), [i.e.] when the twelve tongues advocate the reversion of the land against the one man who advocates to bind it". *MS. H. 2. 15. p. 11 b.*

Upon this the commentator observes: "There are three lands, and it is not sufficient to bind them that they are held with the knowledge of a *Raith*, i.e. a *Trebaire* (security), and to have a *Fiadnaise* (witness) with them, or a *Dilse* (a legal assignment) by word of mouth. It is the *Airecht* [the court of the *Fine*] that has power to bind them. *Digbaid*, i.e. it is a forfeiture of his *Logenech* (honour price) to the *Aire* who presumes to do it, i.e. he has to suffer *Trosca* (fasting), for having exceeded his legal power or authority: 1. the land of a young lad to whom no rent is paid for it, even though

* This is the "*Fiadhnaisé focail beil is cluaise*", a familiar phrase among the Irish-speaking people of the present day.

† *Forrain*, i.e. the thing bequeathed by a *Flath*, i.e. the one-third of his property, *H 2. 15. p. 2.*

Taurcrech. If the lord obtained more tribute or rent than he was entitled to, he was, as I have before stated, bound to give an equivalent increase of wages. If he did not do so, the *Céile* could refuse all further supplies until he made restitution. The relations of *Céiles* and their lords were regulated by *Fenechas*, or the general tribe and territorial law of the kingdom, and not by arbitrary rules, so that in cases of great oppression the occupiers of land could appeal to the higher tribunals. If a lord treated his *Céiles* despotically and did not make redress, they appealed against him to a *Mathluath* or *Dál*, that is, an assembly of a tribe or *Tuath*, according to his rank. An inquisition into the charges was held, and if their truth were established, the proper court of equity issued a decree of forfeiture against him.³⁴³

Within a *Tuath* a holder of land could let his land to other freemen of the territory for a year or other specific term. Any buildings erected upon it during a tenancy for a specific term became the property of the owner of the land at the expiration of the term,³⁴⁴ at a valuation. But if evicted before the expi-

the rent is given to the *Fine* for it, or even though it were the *Fine* [itself] that let it out, it is not lawful to withhold it from them [i.e. their lease of the land is not valid when he comes of age]. And this is the reason: because the understanding or sense of the little boy was not perfect [according to law]; and he was in the absence of lawful or perfect understanding when the land was let out. 2. Or the fast bond *Urnaidm* of the unjust woman. 3. In spite of, i.e. in opposition to, or without the knowledge [or consent] of the *Fine*; that is, holding in spite of the *Fine*, i.e. the *cintach* upon an *ecintach*—*Ibid*.

³⁴³ Land conceded by a *Flath* whose right becomes forfeit; i.e. land conceded by the *Flath* whose rights became forfeited on account of injustice to his *Céiles*. For a *turchur*, i.e. [who conceded] his right to his share [or claim to it], it is another prescription, i.e. another thing which goes into prescription from the place or time of its division". *MS. Brit. Mus. Rawlinson*, 487, fol. 62. p. 1. col. b.

³⁴⁴ "The redemption of each prescription from the binding acknowledgments, in right of perfect wicker [houses]. It must be redeemed from him [the tenant] according to the judgment of the Brehon. The prescription effected by illegal means or by force cannot be legalized.

"The redemption, i.e. it is good, i.e. it is just in the laws of redemption of that part of a man's property which is out from him [on loan] to protect it against lapsing into prescription and perpetual possession, that the unacknowledged or illegal possession of the land does not make a real binding bond of prescription, because he, the landlord, does not know [i.e. does not

Compensation to tenants for improvements.

ration of the term, even though it were on the second last day of it, the tenant was entitled to his buildings, which, as in Germany, in medieval times, were considered as moveable chattels. If evicted without cause, he was not only entitled to the houses, but to the rent also. Houses erected on the land of a lord with his tacit consent, that is, to his knowledge, as for example in the case of squatters, not only remained the property of the builder, but the builders acquired a right to the land upon which they stood, and could not be evicted, a circumstance which accounts for many of the evils of the old squatting system in Ireland.³⁴⁵ Tillage land let for the purpose of growing a manured crop, reverted to the owner of the land at the end of the specified term for which it was let out, but if no particular term was specified, the hirer of the land was entitled to its possession until he had exhausted the manure.

Insolvent members of partnerships.

If a member of a Comorbship or gild failed to make his fences or meet his other engagements, his co-partners levied a distress upon him by the authority of an *Aire* until they compelled him to meet his engagements or give up his land. His

recognize] the right of the loan-holder [*i.e.* the tenant]. He, the loan-holder, [*i.e.* the tenant or man in possession,] is ejected from the land, even though he has built a wicker house upon it; *i.e.* the wicker houses which he has built upon the land are removed [*i.e.* they are moveable], *i.e.* they are redeemed [that is purchased] from him at the valuation of the judge [or arbitrator] of the man [himself] who is the holder of the land [*i.e.* the tenant]. Because it is unjust to allow him to remain upon the land,—for no false or weak or illegal possession qualifies his right,—namely, a possession by cattle, or crops, or promises of youths [*i.e.* minors] or technical legal, *i.e.* false [possession] or a possession of brothership, *i.e.* that is a thing unknown or unacknowledged, or a possession obtained or held by force and might". *MS. T.C.D. E. 3. 5. p. 19.*

³⁴⁵ "If a man is aware of a wicker house being built upon his land, it goes into prescription, even though it is as loan or hire-land the land is held at the time [of building it]. If a man has built his house or his kiln or his mill upon the land of an estated man in his presence [*i.e.* to his knowledge], and that he has not been forbidden to do so until he has completed his building, if it be for the purpose of a *Rudra* (*i.e.* establishing a prescriptive right), he made his buildings upon the land, he is entitled to the land upon which he built his houses".

"If it be in right of inheritance he has built his houses upon the land, he is entitled to hold the land upon which he made them until it is taken from him by law, [*i.e.*] unless it is wrested from him by the [evidence of the]

chattels when distrained were liable to the costs of the distress or *Bleith*, and the cost of grazing while under distraint, or *Fogelt*. If he had not chattels or a residence, they levied a distress upon his next of kin who was solvent, and called upon his *Aire Fine*, or chief pledge of his family, to assume his responsibilities. If the *Esert*³⁴⁶ or failing co-partner had chattels sufficient to qualify him to be a *Trebairé* or householder, his *Fine* paid his liabilities for him, and maintained him for a year, letting his share of the land for that period, and reserving the rent of it in payment of the liabilities incurred. While the land was let, the *Fine* or family who were the trustees of the *Esert*, were responsible for the fences, house, and other buildings. The trusteeship thus created by the interest in the succession to the property, and the liabilities which this right carried with it, prevented the alienation by sale of an estate, as long as the family possessed the means of taking the land out of the hands of an *Esert* or insolvent. If he did not possess a residence, and offices, and chattels, the co-partners having compelled him to surrender his land for a year, fenced it and divided it between them, giving pledges to each other for the fulfilment of the liabilities³⁴⁷

Insolvent
members of
partner-
ships.

Fiadnais (or witnesses) and the *Senchaidhs*: and when they have [decided against him] it avails him not that he has built houses upon it". *MS. Brit. Mus. Rawlinson*, 487, fol. 62, p. 1, col. b.; see also *MS. H. 3. 18. T. C. D.*, 122.

³⁴⁶ That is, put out of a bed or holding, *i.e.* the taking possession or appropriation of a holding. Cf. O. Eng. law term. *Ossart*, appropriation.

³⁴⁷ "And where there are two resident *Comarbs* and an absent man, they [*i.e.* the residents] join unto them an *Aire* of his *Aires* [*i.e.* of the family of the absentee], if he undertakes it, but if he does not, they call upon his *Fine* (tribe) to co-occupy [to coöperate] with them in making arrangements regarding the land of their brother [co-tenant], in order that they [his family] may consign to them the right of grazing his land for one year, and the right [or legal liabilities] of all their losses in respect of *Imes* (fences); and then the two *Comathechs* (co-tenants) hold and act from that forth as if the whole was their own property; and they bind themselves to each other in pledges for the mutual discharge of their liabilities".

"These are the pledges they give, *i.e.* the pledges for the *Ime* (fence) a *Rama* (spade) for the *Clais* (ditch), a *Screpall* is the worth of it, and to lay it down once; a *Bial* (billhook) for the *Duirime* (the quick hedge), and to lay it down twice, and it must be worth a *Screpall*; a *Soc* (crow-bar) for the *Corra* (rock), a *Screpall* is the value of it, and to lay it down three times; a *Fidba* (axe or hatchet) for the *Felma* or for the *Ail* (or stake fence), a *Screpall* is the

Absent
members of
partnerships.

If a member of a gild or Comorbship left the territory, his co-partners associated with themselves an *Aire* of the absentee's family, if he consented, but if he did not, they called upon his *Fine* to act for the absent man in making arrangements with them for assigning the right of grazing his land to them, and also his liabilities. This done, they divided the land in the manner just described, and gave mutual securities for the fulfilment of their engagements. If an occupier of land neglected to perform the duties attached to the land, namely, of killing and chasing foxes, of watch and ward, repairing roads, etc., a distress was levied upon him, and he was kept under restraint until he fulfilled his duties.³⁴⁸ In case he had no chattels of his own, notice was served upon his nearest of kin who was solvent, and a distress was subsequently levied, and he was called upon to perform the duties attached to the land, and the right of the land was transferred to the man who was willing to perform the duties. This custom is analogous to the old Norse one already mentioned, where a *Nemda* or jury could deprive an owner of his land if he allowed it to become waste, or failed, after due notice, to perform the duties that appertained to it.

Insolvent
owners.

As no one could alienate his land without the sanction of all those who possessed an interest in it, when a man became insolvent he handed over his land to his *Fine*, who provided him with a small house and an allowance for his maintenance. Under early feudal law landed property was also inalienable, except in cases of real want, when the holder of the land was obliged to make oath that he could not support himself. This was the *pauvreté juré* of the French medieval law. In Sweden the owner of land could only alienate it by sale by allowing

value of it, and to lay it down twice. It is by the *Sith Aile* (mutual boundary-arbitration or law) or by the *Beolegud* (living deposits,--i.e. witnesses) that these *Smachts* (penalties) are bound after this". *MS. H.* 3. 18. p. 13 a.

³⁴⁸ "Question. What is the amount [of the joint liabilities] of a *Comaithches*? There is first the [trespass of the] *Selb* or homestead, namely, your own trespass, and the trespass of others in the time of fencing it; the guarding of every place in it against pirates and wild dogs (wolf-dogs, foxes, etc.); and the trespass of its roads. The land trespass now is the *Fuba* and the *Ruba* (i.e. chasing and keeping off of wolf-dogs and plunderers), and to coöperate with the *Tuath* both in hostings and convocations and *Rubas*. Road trespasses, i.e. each

himself to be sold with it, which of course only took place in case of distress or similar causes. The inability to alienate, the right of preëmption, and the *retrait lignager*, or right of recovery of family estate sold, by returning the purchase money, under feudal law, are relics of the more ancient rights of the family represented by the Irish *Fine*.

The tenure of the *Fuidirs* will be sufficiently understood from the account of the different categories of *Fuidirs*, which I have given in a previous section. They were mere villeins holding at the will of the lord, and unlike the base *Céiles*, not protected by the custom of the manor. But although the free *Fuidir* was a tenant-at-will, compensation for unexhausted improvements was fully admitted in principle, so that if a *Fuidir* had manured a field with dung from his cattle sheds, he was allowed to get the full benefit of the manure.³⁴⁹ In the case of *Fuidir* co-partnerships having a full farmstead which entitled them to rank as householders, they were also entitled to remove their houses, or to sell them at a valuation, if they gave up the land, or were evicted by the lord. Although the *Fuidirs* in general might be considered as tenants-at-will, the members of *Fines* having full tribe right who held land for a year under the circumstances just described, or who took land for specified periods³⁵⁰ were not tenants-at-will in the modern sense.

man must put an *Ime* (fence) upon his own part of it, keep it even [*i.e.* free from ruts], keep it clear from cattle, etc., and clean away all dirt and puddle at the times of visitations and fairs; and every one and all in common are bound alike to do it; and anything that any man is deficient in the *Cathach* (duties of his *Comaitches*), he must suffer a corresponding deduction in the benefits of the *Comaitches*". *MS. H. 3.* 18. 13 a.

³⁴⁹ The same principle was admitted in the old Welsh laws, as the following passage from the Venedotian Code fully proves: "9. No one is to retain gardens in his possession on account of having manured them for more than one year; for they are to be manured every year. 10. A fallow two years, it is to be ploughed. 11. Rotten dung (that is, land where cattle are accustomed to lie without folding), truly the same. 12. Ley land truly the same. 13. Yard dung, three years, it is to be ploughed. 14. Car dung, four years, it is to be ploughed. 15. Wood-land truly the same. 16. Manured fallow four years also". *Ancient Laws and Institutes of Wales*, Bk. II. c. xvi. p. 87.

³⁵⁰ One of those periods was thirty years, which with the crop-year in order to get the benefit of the dung put on it, made thirty-one years. It would thus appear that this common modern term is based upon ancient precedent.

Irish
tenures
throw light
on those of
Europe.

The Irish tenures throw considerable light upon many obscure points in the tenures of the rest of Europe in medieval times; for instance there can be no doubt that hereditary tenancies, the "Erbpacht" of the Germans, and the Emphyteusis of the later Roman Empire, co-existed all through the middle ages in Italy, Germany, France, and Flanders, with a system of villenage analogous to the Irish Fuidirship. Marini and Mabillon mention tenants of the former class under the name of libellarii from the sixth to the thirteenth centuries;³⁵¹ they were numerous also in Germany in the thirteenth and fourteenth centuries,³⁵² and especially in the north. Eichhorn states that in all the laws regulating the estates of ministerii that go back to the eleventh century, traces of hereditary occupation are to be found.³⁵³ One of the most important documents showing the co-existence of free farmers of the *Fuidir* class with villeins having hereditary rights, is one of 1237, published by Moser,³⁵⁴ in which a free farmer gets fixity of tenure with right of succession to his heirs, becoming however at the same time a serf, that is, from being a free *Fuidir*, he became a base *Céile*. The mention made in one old document of a class of persons who had no claim to the land beyond the will of the lord, and in another of the same period and often relating to the same district, of a different class, having full hereditary rights, has hitherto been regarded as an indication of the commencement of hereditary rights. There seems no reason, however, to doubt that both parties co-existed all through the medieval period, and that the supposed rise of hereditary rights is simply the result of a confusion in the minds of writers between the two classes of occupiers. After the Crusades, and during the perpetual feuds of the nobility, the *Fuidir* class or villeins at will increased in some places consequent upon the ruin of the more settled inhabitants, to such an extent as to have led to the belief that

³⁵¹ See also Cassiodorus, *Epist.* v. 7; and Greg Max., *Epist.* ii. 1; viii. 34, 64; xi. 20.

³⁵² Anton. *Geschichte der deutschen Landwirthsschaft*, iii. 97, et seq.

³⁵³ *Deutsche Staats u. Rechtsgeschichte*, ii. §. 363.

³⁵⁴ *Osnabrückische Geschichte, Sämmtl. Werke*, vii. 2, p. 130.

the right of inheritance had not yet grown up there, whereas in truth it was the villenage-at-will that was new. That the greater part of the occupiers of land in France in the ninth century were in the position of *Céiles*, holding by limited service, is proved by documents forbidding the raising of rents. The serfs proper we know held their land in the greater part of Germany as an inheritance from the thirteenth century.³⁵⁵ The various laws passed in Germany from the sixteenth century upwards, giving right of inheritance, were in reality only a return to the ancient custom by which *Fuidirs*, or tenants at will, acquired in process of time right of inheritance in the soil they cultivated. In 1542 it was forbidden to increase the rents or to change the tenants at will. In 1557 the Lüneburg law forbade the removal of any farmer who had fulfilled his contract; and directed that in case any were removed, they should be paid the value of their buildings.³⁵⁶ In Wolfenbüttel the right of inheritance was already recognized in 1578; and here as in Kalenberg a landlord could only evict a farmer when forced to do so by necessity. In this case, and in all legal ejectments, the farmer received compensation for his buildings, implements, and other improvements, according to the valuation of three skilled neighbours.³⁵⁷ Roscher well remarks³⁵⁸ that nothing has contributed so much to the development of right of inheritance, that is fixity of tenure, of farms, as the erection of buildings at the expense of the tenants. In the district about Göttingen, in Hanover, where the buildings were chiefly erected by the landlords, the farmers had only leases of three, six, or nine years. It was only in 1781 that the right of inheritance became fully established about Hildesheim, another district of Hanover.

Irish tenures throw light on those of Europe.

In considering this section I cannot help alluding to the striking contrast afforded by a historical comparison of the land

³⁵⁵ *Sachsenspiegel*, ii. 69.

³⁵⁶ Struben, *De jure Villicorum*, pp. 141, 292, et seq.

³⁵⁷ *Ibid.*, 350, et seq.; 366, et seq.

³⁵⁸ *National Oekonomik des Ackerbaues 5te Aufl.*, 1867, p. 177. A work of great research, to which I am much indebted for, among other things, bibliographical information about the literature of the continental land systems.

Contrast between Irish and Continental land systems.

systems of most continental countries with that of Ireland—a contrast which must strike any one who studies them. While the legislation in the former has on the whole been directed to the conversion of tenure at the will of the lord into fixity of tenure, or absolute ownership, that is to rooting the peasant in the soil, in Ireland it has been almost exclusively directed to loosening him from the soil.

REPRESENTATION OF THE COMMONS, AND FRANKPLEDGE.

Protection one object of ownership and tenancy in common.

The political, as distinguished from the economical, object of the co-heirships and of the co-partnerships mentioned in the foregoing sections, was not perhaps so much the preservation of rights as the securing of protection. Political privileges being dependent upon the possession of a certain property qualification, only one possessing it could, as I have before stated, be a compurgator, a surety, a witness, or a suitor, or exercise any of the functions of a freeman. Those who did not possess the necessary qualifications could only acquire the protection of the law, either by becoming base *Céiles*, to some lord, who would answer for them in all cases of crimes, fines, or mulcts, etc.; or by forming associations or co-partnerships of four or more, whose united property would be sufficient as a Comorbship to qualify one of the co-partners to represent the others in their civil rights, and to be responsible for their legal charges.

The *Fine* and *Gild* the source of representation of the Commons

In the constitution of the *Fine* and of the substitutes for it, namely, those co-partnerships, we have, as I believe, the true prototype of three most important institutions, the origin of which has hitherto remained obscure, namely, the first beginnings of the representation of the Commons, Frankpledge, and the medieval Gilds.

Political organization of society in England after Norman Conquest.

After the Norman Conquest English society might be divided into three classes. The first, consisting of archbishops, bishops, some abbots, earls, and barons, representing to a certain extent the early Anglo-Saxon *Twelfhaendmen*. In the eye of the law, persons of this class were “right trusty”, and as such were qualified to become sponsors for the knights holding by military tenure from them, and for the military retainers which

they kept about them or as garrisons of their castles. By pre-
 scription or by grants from the crown, they held jurisdiction to
 a certain extent over their own manupasts, and were bound to
 produce them to justice, or be liable for the legal penalties in
 such cases provided. They were also responsible, under the
 conditions defined in the law, for crimes committed on their
 domains, and for all mulcts and fines chargeable upon it.
 This kind of security or pledge was called "Freeborgh" or
 "Frankpledge", and to distinguish it from another kind to be
 described presently, it was called "seignorial Frankpledge".
 The second class consisted of all those who were deemed to
 have sufficient freehold property to be a good and permanent
 security for their good behaviour, and to meet the legal
 charges incidental to their position. A person of this condi-
 tion was said to be in his own pledge. The third class con-
 sisted of ceorls or villeins, who were considered as freemen,
 and the burghers of towns, who, not being deemed to have
 sufficient property to afford a permanent security for their
 good behaviour, were enrolled into bands or associations, the
 members of which were mutually pledge for each other.³⁵⁹
 These bands in Saxon times were called *Frith Gilds*, the term
 Collective Frankpledge being applied in Anglo-Norman times
 to the mutual security thus afforded.

This system of giving security is obviously parallel, and
 indeed almost identical, with the Irish organization. It did
 not, however, exclusively originate with the Saxons, though
 somewhat modified by them, and by the Normans afterwards,
 but belongs to all the northern nations. The *Flath* was as fully
 the representative of his *Daer Céiles*, or base clients, *Bothachs*,
 and *Fuidirs*, as any feudal lord. In the language of the *Crith*
Gablach, "He is a *Toing*, he is a *Naidm*, he is a *Raith*, he is
 an *Aitire*, he is a plaintiff, and a witness for them". There
 is even a term in Irish *Slogh Comfleda* of a *Flath*.³⁶⁰ which in-

³⁵⁹ See Palgrave, *loc. cit.*, pp. 197-98.

³⁶⁰ *Slogh Comfleda* was the *Flath's* husting of the feasts of the *Comhad-hasa* or *Duthaig* or people of the *Finés* of a territory. As the people were collectively bound to provide the supplies for the feast, *Slogh Comfleda* indirectly represents the collective responsibility of a district for certain of the

Political or-
 ganization of
 society in
 England
 after Nor-
 man Con-
 quest.

Irish organ-
 ization very
 similar.

directly expresses the idea of "seignorial frankpledge". On the other hand, *Bó Aires* who had not *Céiles*, were in their own pledge, as we are told of the *Bruighfer*, that "his oath is good, his *Naidm*, his *Raith*, his evidence, his *Aitire*, his loan", etc. In Ireland two responsibilities have, however, been confounded, and a distinction drawn between the so-called Celtic and Saxon customs which did not really exist. Within a *Tuath* the different *Flaths*, or lords, were responsible for their own *Céiles*, and for all their *Bothachs* and *Fuidirs*. The responsibility of the *Rig*, or chief, did not differ from that of any other *Flath*, except that he had a larger number of persons under his protection. But outside the *Tuath*, that is, as regards the external relations of the territory, the chief represented the whole people. A *Tuath* was in many respects a sovereign state, in confederation with similar states. And, as in modern times the government of a sovereign state is in certain cases responsible to other states for the acts of its citizens, so the *Rig Tuatha*, or tribe king, represented all the rights and responsibilities of his people. Among all the ancient nations of Europe each tribe constituted such a sovereign state. Hence the error, as has been already well pointed out by Palgrave,³⁶¹ of applying the term provinces, in France, Germany, and Spain, to what had never been such, but, on the contrary, had been independent states.

The *Tuath*
a political
unit.

I have already pointed out that the people of a *Tuath* were not, and could not from the organization of society have been, of one blood; although it may have been the case with the *Flaths* and free *Céiles*. The clan responsibility was in reality

tributes, fines, etc., of a lord. The following passage bears out what is here stated.

"*Slogh Comfleda*, i.e. when he goes [i.e. the *Flath*] to the feasts of the *Comhadhasa* [i.e. the *Duthaig* or people of the territory] which are made for him outside the *Crich* or territory; he has a host with him from its *Ur* [i.e. the border, consisting of] companies for him of his *Cinél* or race, of his *Suidha*; and [he is entitled] that they be supplied everywhere, even after companies from his *Cinél* or race" [i.e. not only while attending a court or other assembly, but also while returning home].—*MS. T. C. D. H.* 3. 18, p. 247.

These feasts may have been connected with the banquets of gilds.

³⁶¹ *Op. cit.*, p. 547

partly founded on blood or kindred, partly and chiefly territorial. Among the Anglo-Saxons it was the same. The *Maegth* or clan was responsible down to the time of Eadward the Elder for the discharge of any legal fines which the individual amerced was unable to pay, or otherwise was obliged to surrender him into slavery. With the development of the strong centralized government of the Anglo-Saxon kings the genealogical character of the sub-divisions of the country disappeared, and they became purely territorial. The old responsibility of the *Maegth* or clan in its territorial character has, however, survived to our own time in the amerciaments imposed upon baronies or other subdivisions for arson and other malicious injuries, and in the quartering of police upon districts where a murder has been committed. In comparing Irish customs with Anglo-Saxon ones, we should never forget that we know the latter, only after the clan system, and the original cantonal or Hundred organization, had been more or less modified, and a strong central government existed which tended to obliterate the old customs; and also that on account of the Roman occupation of Britain and the movement of population there, and in Germany and Gaul, the patriarchal system was more rapidly obliterated than in Ireland, where circumstances continued favourable to its existence down to comparatively modern times. This it is that has led to much misconception as to the true organization of ancient Ireland and Britain, and which renders the investigation of Irish history so useful as a key to the origin of European institutions.

Responsibility of clan partly territorial.

Clan systems etc. better preserved among Irish than among the Anglo-Saxons, etc.

Collective Frankpledge, at the period at which we have the means of studying it, was not organized on a uniform plan. In some parts of England, as in East Anglia, Middlesex, Kent, and many shires of Mercia, the free pledges were formed by telling off the villeins into bands of not less than ten. But from a very important passage quoted by Palgrave from the *Holkham MS.*, a collection of fragments of Anglo-Saxon customs, this number might be extended to seventy or eighty,³⁶²

³⁶² "Decimatio continet decem, septuaginta vel octoginta homines, secundum loci consuetudinem qui omnes debent esse fidejussores singulorum, ita quod si quis illorum calumpnia patetur, coeteri illum producant ad justitiam; et si negat ex sua propria decimatione, purgationem legalem debet

Collective
Frank-
pledge.

according to the custom of the country. Sometimes a township or Tithing formed but one Collective Frankpledge. But originally, there can be no doubt, the number of Frankpledges in a Tithing depended upon the number of persons who could not be in their own pledge. The Tithing, as I have before shown, was a division of the Hundred originally established upon a genealogical basis, but which in time came to have the territorial signification of a township.³⁶³ According to the passage from the Holkham MS. quoted below, the name Tithing, or, in its Latin form, Decimatio, was derived from the number ten being the least number which could be in a Collective Frankpledge; this, however, is a mere guess, as the Tithing was only so far connected with Collective Frankpledge as that the persons included in a pledge should be in the same Tithing. It is probable that originally every co-heirship, or co-grazing association founded upon the same type, should belong to the same township or *Baile Biathach*, and that it was only when churches and monasteries became members of co-heirships by donations of portions of lands held by gavelkind, that this usage was departed from.

Representa-
tives of
Frank-
pledge:

Each collective free-pledge was represented by a chief pledge, who was responsible for all the resiants in his pledge above twelve years of age,³⁶⁴ and who was obliged to attend

habere. Decimatio autem alicubi dicitur vulgo, *Warda*, id est, observatio, scilicet, sub una societate urbem vel centenam debent. Alicubi dicitur, *Borch*, id est fidejussu, propter superius dictam causam scilicet fidejussorem communem; alicubi vero, decimatio, quia decem ad minus debent inesse". *Rise and Progress of the English Commonwealth*, p. cxxv.

Fleta, in describing the "View of Frankpledge" as it was organized in the reign of Edward the Second, speaks of "dozeynes" as if the villeins were tolled off by twelves and not by tens.

³⁶³ Palgrave states (*op. cit.*, p. 198) that in some shires of Wessex and Murcia, "villa" and "teothing" were used as convertible terms; but he adds: "Yet not so but that it may be perceived that the 'villa' was the designation of the district, whilst the 'teothing' was the proper denomination of the inhabitants which it contained". It would be more correct to say that "villa" or township was purely territorial, while the "teothing" included the people as well as the territory, the latter being originally the accident of the former.

³⁶⁴ This responsibility and the object of Frankpledge are well shown by the following section of the Laws of Canute: "20 And we will, that every free-

as suitor at the Leet Courts, and at the "View of Frankpledge" held thereat. This chief pledge was the representative of those under him in the courts and assemblies, where he testified, acted as compurgator, etc., for them. He evidently corresponded to the Irish *Aire Fine*,³⁶⁵ or Chief of Kindred, the *Aithech ar a Threba*, or father, or head of a copartnership, or Gild, or the *Aire Cosraing* or *Aire Fine* of a *Tuath* when the collective Frankpledge of a Hundred was concerned.³⁶⁶ From the singular Bye-laws enacted in the burgh of London for carrying out the provisions of the law of Athelstane respecting free "borgh" it would appear that the several Gilds formed a common fund for covering the loss of cattle stolen from the gild-brothers, and of assist-

The *Aire Fine* and *Aithech ar a Threba*.

man be brought into a hundred, and into a tithing, who wishes to be entitled to *Lād* or to *Wēr*, in case any one shall slay him after he is xii years of age; or let him not afterwards be entitled to any free rights, be he *heorth-foest*, be he follower. And that every one be brought into a hundred and in *borh*; and let the *Borh* hold and lead him to every plea". *Ancient Laws and Institutes of England*, p. 166.

³⁶⁵ The Welsh *Pencenedl*, or chief of kindred, represented the Irish *Aire Fine*. He should be the oldest efficient man of the kindred to the ninth degree, have a legitimate wife and children, and not hold either of the offices of *Canghellor* or *Maer* to the prince. If no competent man could be found belonging to the kindred by right of his father, a man belonging to it by his mother, might be chief of kindred. The chief of kindred had the gift of all offices among the kindred, the right of imprisonment, of appearing as plaintiff and defendant on the part of the kindred, of protecting the *Aillts*, and other dependents belonging to members of the kindred, and of summoning a session of *Raith* of country on account of a plaint of injustice and a breach of law by the king and his judges, or where full justice could not be obtained by law. The chief of kindred was one of the three classes who acted as mediators between hostile border territories; whether the kindred between whom he mediated were at war or at peace, no hostile weapon durst be bared against him. The *Teisbantyle* was a substitute for the chief of kindred; he was elected from among the wise men or seniors of the hundred at an assembly of the chiefs of household to the ninth degree, by vote by ballot, or tacit vote. A chief of household corresponded to the Irish *Trebaire*. The family council in Wales appears to have consisted of seven wise men or seniors, and not of five as in Ireland, and from what has been said in the text, among the Anglo Saxons and other Teutonic races also. See *Ancient Laws and Institutes of Wales*, pp. 92, 240, 271, 273, 386, 642-3, 652, 659, 663, and 669.

³⁶⁶ See *Crith Gablach*, vol. ii., App., p. 482.

ing in their recovery. This fund was managed by a committee of ten "Decani" who represented the body in all cases of legal proceedings connected with property. There was associated with them an eleventh man chosen by the men of the "Hindena". Kemble thinks Hynden was at first the same as Hundred, but at a later period the former was used for the numerical division, the Hundred for the territorial.³⁶⁷ The name *Hendinos* given by the Burgundians to their chiefs or kings,³⁶⁸ supports this view. This eleventh man was an elected counterpart of the Irish *Aire Cosraing* who acted as *Aire Fine* for the *Tuath* or Hundred. Perhaps the *Ferthingman*, or "Ferdingus", a term which I have explained in a note to the *Crith Gablach* to be *Fer-Tonga* or oath-man, may have been the chief pledge of a *Frith Gild* or an elected representative, like the man chosen by the "Hindena" of London, who acted as compurgator and witness for those who elected him—a kind of public officer in fact, who represented certain bodies in suits at law, and corresponded in many of his functions to the Irish *Aithech* or a *Threba*. This view would fully accord with the position assigned to them in the laws of Henry the First, where they are classed among the freemen of the lowest class; nor is it incompatible with the position in which they appear in the statutes of the gild of Berwick, A. D. 1284, where they are put after the aldermen and before the decani. If they were the representatives of freemen, not having the full rights of burgesses, this should be indeed their true position.³⁶⁹

Many writers have considered Collective Frankpledge as a political right. Palgrave, who has been so successful in divining

³⁶⁷ *The Saxons in England*, vol. i. pp. 243, 245.

³⁶⁸ *Amm. Marcell. Hist.*, xxviii. c. 5

³⁶⁹ "Statuta gildæ de Berwik.—CXIV. Statuimus quòd quoties cumque Aldermannus, Ferthingmanni, decanus, voluerint congregare Confratres Gildæ, ad negotia Gildæ tractanda: omnes, fratres Gildæ veniant audito classico, super foris factum duodecim denariorum". Houard, *Traites sur les coutumes Anglo-Normandes*, t. ii. p. 467, 487.

Skene gives the following singular explanation of the word, "Ferdingmannus ane Dutch word, ane Penny Maister or thesaurar". *De Verborum Significatione*, p. 66. Even yet, every law term that cannot be explained from the Latin is "ane Dutch word".

the *Hindena* of London.

The *Ferthingman* or *Ferdingus*.

the true origin of many institutions, could not, however, see any connection between it and political rights and privileges, "except so far as in very modern times the insertion of an individual in the roll of the Leet became evidence of residency". It is true that, as the institutions were modified by the growth of the power of the king, and with it that of the lords and Thegns who gradually encroached upon the common land and converted it into Bôc-land, thus reducing the freemen to the state of villeinage, the political privileges which were secured by the custom fell into desuetude, or were modified, or set aside, and Frankpledge became useful merely as an organization for the subjection of the people, for which it was undoubtedly used, often without any corresponding advantage being derived from it. But originally it was certainly a great right, and in it we may trace one of the sources of the true origin of the representation of the commons.

In Anglo-Saxon times the township was always represented, at every kind of Folkmoot, by an officer called the Gerefa or Reeve and four men. There were several officers in the Anglo-Saxon common-wealth who were called by the name *Gerefa*. The Gerefa of the Hundred corresponded, as we shall see hereafter, to the Irish *Aire Cosraing*, a functionary who had especially to do with the occupiers of the common or tribe lands, the Comorbships and partnerships. The *Aire Cosraing* was the executive officer of the *Tuath*, whose duty it was to see that all were in pledge, and to act as the chief *Aire Fine* or representative *Aire* of the *Fines* of the *Tuatha*. I have already mentioned that each *Fine* had a kind of family council composed of five men, who regulated everything connected with the rights and responsibilities of the family. One of these five acted as the *Aire Fine* or chief pledge for the family, and in this capacity possessed within the *Fine* considerable rights and powers, including that of arrest, and performed many functions analogous to those of an *Aire Cosraing*, that is, he was the Gerefa or Reeve of the *Fine*. The *Cuicer na Fine* or council of five corresponded therefore to the "four men and the Reeve" of the Anglo-Saxon town-

Was collective Frankpledge a political right?

The Four men and the Reeve of the A.S. township.

The Gerefa of the Hundred

The *Aire Cosraing* or Chief *Aire Fine*.

The *Aire Fine* or chief of family;

ships.³⁷⁰ If a family had not among its own members a man possessing the qualifications of an *Aire* to represent them as *Aire Fine*, it fell back on the next branch, and elected the best qualified among the members of that branch to act as their chief pledge, or two or more poorer branches formed a *Comaitches* or *Conqilda*, and elected one of the members to act as *Aire Fine*. This was the *Aithech ar a threba* or father of his tribe. *Fuidirs* formed similar associations, the *Cuig Rath cedach*, or five pledges of one hundred of chattels.³⁷¹ The head of such a gild appears to have possessed

The *Aithech ar a Threba* was an elected *Aire Finé*;

³⁷⁰ Evidence of the representative character of five members of a *Fine*, is to be found throughout the laws. Thus if an eye witness prosecuted a charge of theft, the prosecutor should swear before the three highest *Aires* of his *Fine* that he saw with his own eyes the crime committed; his father or his mother, or his brother or his *Art Fine* [that is the principal man of his *Fine*] should then make oath after him that they had not participated with him. The passage in the laws which tells this is explained by a commentator thus: "Or an *Art Fine* after, *i.e.* that he [the witness] shall not be lower than the *Aire Desa*, *i.e.* than the highest man who is in the *Fine*, *i.e.* the *Flath Geilfine*, *i.e.* with the four worthies of the *Finé* who succeed him, and that is a *Tuarastal* then, *i.e.* that is a positive *Tuarastal* (proof) then, that is proof [of guilt] having been seen"—*MS. Brit. Mus. Egerton*, 88, p. 48, a. a.

Again: "These down here are the *Tuarastals*, *i.e.* the *Urrads* (sureties*) of the *Cain comithe* and *comgaite*† with four persons after him to confirm the guilt, and these four persons are, namely, the best *Coibdealach* (corelative) [*i.e.* the highest person] of his *Fine*, and a *Bó Aire* and an *Aire Tuisi*, and an *Aire Desa*. And if they find the nine persons these are the nine persons, namely, five men of his *Derbfine*, and two *Bó-Aires-Tuisi*, *i.e.* for themselves, and an *Aire Desa*, *i.e.* for himself, and an *Aire Eghtai*, *i.e.* on the *Aire Tuisi*, the crime is fastened (confirmed), unless it be *Fobrad Fíach* (a charge for debts or damages) that was brought at first; or he confirms a *Fir Dé* [an oath of expurgation on the gospels] with one man after him". *Ibid.* That is, when the prosecutor is able to find the nine persons, the accused could only free himself by expurgators sworn on the gospels.

And again: "The man who brings the four neighbours (*Comaiti*) to give a *Teist* (testimony) with an oath on the gospels that they know not a charge of a *Guin* (death, or a wound), or *Gait* (theft), or *Braid* (plunder), or *Eithrach* (perjury); or other misdeed upon him, either against or in violation of *Cain*". *Ibid.* p. 49, b.

³⁷¹ See *ante*, p. cxxiv.

* The man who made a criminal charge became thereby an *Urrad* or surety, for, as the law expresses it, "upon him rests the security of his crime, as he must pay it himself if he does not succeed in establishing it [*i.e.* his charge.]" *MS. Egerton*, 88, p. 48.

† Laws of co-eating and co-stealing, that is the laws regulating charges of theft by an accessory.

the same rights as the *Aithech ar a threba*, and was perhaps also included under that name.

In the case of a minor it was necessary that his *Aire Fine* the chief of family always acted for minors. should be joined with him in all legal acts; and whether a person were of age or not, he was not entitled to the full rights of a freeman, that is to act as pledge, bail, witness, etc., until he had first proved that he possessed the necessary property qualification, and had been legally recognized as an *Aire*: otherwise an *Aire* of his *Fine* should be joined with him in all legal acts. The *Aire Cosraing*, as the official *Aire Finé* of the whole *Tuath*, appears to have had much to do with minors, and to have represented them in their general political relations.

While the family still continued to constitute a political organization among the Anglo-Saxons, they must have had a family council representing the *Maegth*, similar to the Irish five men of the *Fine*. When the *Maegth* merged into a mere territorial township, this council of five pledges became "the four men and the Reeve", who represented the Anglo-Saxon township on all public occasions, while the general responsibilities of the families and partnerships (*Maegth*, *Frith Gilds*), merged into the frankpledge of the township. The organization of the family and the custom of descent, are therefore, as we might naturally expect, the true sources of two institutions, one of which being also incompatible with the complete individual liberty of modern times, has disappeared, while the other was the embryo, whence has been gradually developed the representative system of England. A family council of the A.S. *Maegth*, which became the "four men and the Reeve".

Before leaving this subject, I must, however, notice the statement of Palgrave, in which he differs from most historical and legal writers on the subject, namely, that Collective Frankpledge was not an universal custom in England. For instance it does not appear to have existed in the ancient shires of Northumbria. The men of Salop also claimed to be exempt from the Tithing; and there were some at least of the Mercian burghs, for instance Bristol and Worcester, which were free from it.³⁷² At first sight, this opinion, if true, and it probably is so, seems fatal to the views which I have put for-

³⁷² Palgrave, *op. cit.*, p. 202.

Palgrave's opinion that collective Frankpledge was not universal;

harmonises
with fore-
going views
of its origin.

Rise of
collective
Frankpledge

ward, especially the absence of the Tithing in precisely those parts in which the inhabitants were largely composed of the so-called Celtic or British people, and remained longest in contact with British institutions. But if I am right in deriving it from an ancient family organization analogous to the Irish system, it could only have existed originally in those districts where large quantities of common land still existed, and consequently many free men still entitled to its usufruct. In Northumbria and indeed in all the land north of the Trent, and in the western shires in which Saxon lords had supplanted the British ones, the rights of the poorer British freemen must have been set aside, and they themselves reduced to the condition of manupasts in the pledge of a lord. When the organization of the *Maegth* or family fell into desuetude, and the custom of gavelkind was supplanted by greater testamentary freedom, and by the foreright of the eldest son to the inheritance of freehold estate, it was natural that the responsibilities of the *Maegth* should be repudiated when its advantages had ceased. It was the interest of the lord, who under the old system was directly responsible for the liabilities of all those on his estate, to shift that responsibility upon his tenants collectively; on the other hand it was the interest of the latter to repudiate collective, and assert individual responsibility, especially where freemen who owed only allegiance to the British chief, who corresponded to the *Rig Tuath* in Ireland, became by conquest base retainers of Saxon lords. Wherever the passage from the old family system of the *Maegth*, and the accompanying gild system, which I shall describe in the next section, into the collective or territorial system of Collective Frankpledge, took place gradually as the result of the development of a strong central government and the growth of individual freedom, the tenants made an important advance in civil rights. We can therefore understand why in one part of England Collective Frankpledge should be looked upon as a burthen, and in other places as a liberty.

GILDS AND TRADE CORPORATIONS.

Among most early nations employments were hereditary, and each handicraft was more or less a caste. Thus in Ireland

the craft of the goldsmith, the smith, and the builder, although ranked according to the laws with the *Daer Nemid* or base professions, because the work was done with the hands, were looked upon as noble, and always continued privileged professions, because their privileges and fines were determined by the rank of those for whom they worked.³⁷³ The curious story in the *Táin Bó Chuailgne* of *Culand* the smith,—the Irish Wayland Smith—and the boy *Setanta*, which recounts how the latter changed his name to *Cuchulaind*, or “Hound of *Culand*”, shows us that a king might feast with a smith.³⁷⁴ Even kings themselves and their sons were often goldsmiths, as is shown by many instances recorded in ancient Irish manuscripts. Again the genealogy of the *Cerdraighe* of *Tulach Gossa*, which became extinct after seven generations in *St. Mothemnioc*,³⁷⁵ proves the nobility of descent of the artists, and the hereditary character of the employment. All other handicrafts besides those mentioned were base, and were followed by base *Céiles* or clients, as among the ancient Romans. So, too, a kind of praedial servitude, or villeinage, the obligation of carrying on the employment, was attached to the land given them by a lord.³⁷⁶

Handicrafts
in ancient
times hereditary.

Before the rise of cities among the northern nations, every lord had his own base craftsmen, and when rich enough, he kept as his guest, or attached in some way to his court, a professor of each of the noble arts. In those nations of antiquity in which the population became dense, and cities grew up, each trade or craft had numerous artizans, who formed a species of corporation or college. In Rome these colleges were of very ancient origin, their establishment being,

Each lord
had his own
base craftsmen.

Rise of Corporations
in towns.

³⁷³ See Lect., vol. ii., p. 209.

³⁷⁴ See vol. i. Lect. xvii. p. 362.

³⁷⁵ Vol. ii. Lect. xxix. p. 207.

³⁷⁶ The right to possess a mill or a forge, like that of a certain class of house, appears to have been connected with the possession of a certain quantity of land, as the following passage shows :

“Even though a man has purchased the site of a forge, or a mill, or a wicker house, and even though he has built them upon it. . . . It does not avail him, unless he has the grade qualification of land”. *MS. H.* 3. 18. *T.C.D.* 122. The craft of smith was evidently a privileged one. The occurrence of such names in Irish topographical nomenclature as *Baile na Cerd*, or the Bally of the Goldsmith, *Baile an Gabhain*, smith’s town, etc..

by some, attributed to Numa;³⁷⁷ in later times they had a legal existence, derived no doubt from prescription in the first instance. Their privileges must in time have been abused, or at least have become incompatible with the social and commercial condition of Rome, for the senate abolished them A.U.C. 685. Clodius restored and increased them, as Cicero complains,³⁷⁸ from among the slaves and dregs of the people, thus implying that those previously existing were of a better class. Julius Caesar appears to have abolished all those created by Claudius, respecting those only of ancient foundation.³⁷⁹ They revived after his death, and were again suppressed by Augustus.³⁸⁰ From a statement of Lampridius we learn that Alexander Severus reorganized the whole of the colleges, and probably gave them the form which they retained more or less throughout the middle ages.

Collegium applied to two kinds of corporations—the Colleges and the Sodalities.

The word *Collegium* was applied to two classes of corporations, both hereditary. The first was wholly religious, such as the *Collegia Pontificum, Augurum, Fratrum Arvalium*, etc.; the second were trade corporations, such as the *Collegia Pistorum*, who were both millers and bakers, *Fabrorum, Navicularum* or lightermen, and “Ambजारum Collegia, Pharmacopolæ”. The trade corporations appear to have been included in the associations called *Sodalitates*, which had more or less of a religious character. It is probable, however, that while the members of a *Collegium* were *Sodales*, there were many *Sodalitates*, which were composed of persons not of the same profession or occupation. In other words, the *Collegium* was originally a hereditary corporation of persons, having the same occupation, such as priests, augurs, etc., or practising the same art or handicraft; the *Sodalitas* was, in most cases at all events, a voluntary association for religious purposes and mutual succour, such as the great Roman burial societies. It was

taken in connection with the passage from the laws show that the possession of land was one of the qualifications of at least master craftsmen.

³⁷⁷ Plutarch in *Numa*; Plin., *Hist. Nat.*, lib. xxxvi. c. i.; lib. xxxvi. c. 12.

³⁷⁸ *Collegia non ea solum quae senatus sustulerat, restituta sunt, sed innumerabilia quaedam nova omni foece urbis ac servitio constituta. In Pisonem.*

³⁷⁹ *Cuncta collegia praeter antiquitus constituta distraxit. Sueton in Jul. c. 42.*

³⁸⁰ *Collegia, praeter antiqua et legitima dissolvit. Sueton. in Aug. c. 32.*

the *Collegium* that in the first instance could be said *corpus habere*, or to be a *Corporatio*, though all the rights of the corporation of a *Collegium* may have been enjoyed by the *Sodales* of a *Sodalitas*. Among these religious associations were the *Sodales Augustales*, an order of priests or religious persons instituted by Tiberius to attend to the worship of Augustus and the Julia Gens; the *Sodales Flavii, Hadrianales, Aeliani, Antonini*, etc. Many of these Sodalities were probably composed of priests, and differed therefore in nothing but in their antiquity from the ancient colleges of priests or augurs. There can be little doubt, however, that, though often confounded and having their functions united in the same body, they were distinct in origin, and continued to separately co-exist during the first centuries of the empire.

The colleges of priests and augurs were of course suppressed when the empire became Christian; the trade colleges, on the other hand, survived the fall of the empire in every country where the Roman power had subsisted sufficiently long to develop Roman municipalities, and with the rise of the Christian states attained a development and a power, especially in the *Corporations des Arts et Métiers* of France, unknown in Roman times. The *Confréries* or Confraternities may be looked upon as the Christian successors of the *Sodalitates*, and there seems no reason to doubt that the Christian Sodalities arose directly out of the pagan ones,³⁷⁹ and, like them, were sometimes conjoined with a trade corporation—that is, the workmen of a trade corporation selected a patron saint and formed a pious association. The two were, however, distinct in origin and design, and confraternities existed wholly unconnected with trades.

Among the German nations there existed during the middle ages a number of associations distinguished by the collective name of gilds, whose origin and objects were, however, different. They may be conveniently classified into religious gilds,

The trade colleges survived the Roman Empire.

The mediæval Gilds;

³⁷⁹ As early as the third century a great Christian confraternity existed in Alexandria for attending to the sick. It became so powerful and possessed such influence in the beginning of the fifth century that it was made the subject of an Edict of Theodosius. Similar associations appear to have been numerous among the working classes of Rome about the same period.

The Gilds of
the Kalen-
ders;

and lay or worldly gilds. The former consisted of the "Kalendsgilden", or Gilds of the Kalenders, which were associations of priests, who met on the Kalends of each month, whence came the name, for the transaction of business connected with their functions; and the pious brotherhoods, or "Frommen Bruderschaften", who represented the "Confréries" of France, and like them were the successors of the first Christian sodalities formed upon the Roman pagan models. The Gilds of the Kalenders continued to exist even among the Protestant pastors long after the Reformation in the form of meetings held several times in the year.

Confrater-
nities,

Gild-Mer-
chants;

The lay gilds consisted of the gild-merchants or town-gilds, and the craft-gilds. The former represented on the one hand the protective or true gilds, the origin of which I am about to discuss, and on the other, the trade associations or collegia. In some cases gild-merchants were protective gilds which had been modified according as the original free burgh developed into a city, or which had gradually arisen, in the towns of lords as a protection against the oppressions of the latter, or against that of patrician families. In other cases where a town grew up in consequence of the special development of one or more handicrafts, its government vested in the corporation or society formed by the craftsmen, and this in process of time became a mere civic body. The free handicraftsmen were of course originally members of the town-gilds; but as the burghers grew wealthy and acquired aristocratic pretensions, or neighbouring noble families got hold of the government of the city, the wants of the handicraftsmen naturally led to the rise of associations which may be regarded as the revival of the original trade corporation which had

Craft Gilds;

merged in the town-gild. In this way arose many of the craft-gilds or associations of handicraftsmen for the regulation and protection of their crafts. These craft-gilds, as well as the original trade corporations from which they sprung, were called *Zünfte*.

the Gilds of
Kalen-
ders
and Confrater-
nities of
Christian
ori in

The gilds of kalenders and the confraternities are clearly of Christian origin, but founded upon Roman pagan models, and indeed must have been introduced in many cases into

Germany from the Romanized countries, Gaul and Italy. *Zünfte*, or trade corporations in the true sense of the word, trade corporations of Roman origin; could only have arisen in countries where the population became dense enough to form towns, although the germs of such associations may be traced among all the earlier nations of Europe in the privileges enjoyed by the armourer, the goldsmith, the sculptor, the builder. There seems little doubt that the *Zünfte*, like the *Corporations des Arts et Metiers* of France are imitations of the Roman institutions of the same class.

But besides the two classes of associations, the religious protective or true Gilds; confraternities and the trade corporations, which are not of German origin, there existed another class which without being peculiar to ancient Germany, were native institutions. These were the true gilds, whence the name came to be extended to all other associations, whether for religious or trade purposes. In a Frankish capitulary of the year 779, the word *Gildonia* the Frankish Gildonia; or *Geldonia* occurs for sworn associations, which were without doubt Gilds.³⁸⁰ The word again occurs in a capitulary of Hincmar, Archbishop of Rheims, of the year 858, in which he points out what he thinks to be their proper functions,³⁸¹ and blames their abuses. That these gilds were essentially lay institutions, and to be distinguished from the associations of priests, is fully proved by his not using the term *Geldonia* when he mentions in another place meetings of priests on the Kalendar.³⁸² The sworn association of serfs in Flanders, and along sworn societies in Flanders, etc., the coast, denounced in a capitulary of Louis le Debonnaire,

³⁸⁰ "De Sacramentis per gildonia invicem conjurantibus, ut nemo facere praesumat Alio vero modo de illorum elemosinis, aut de incendio, aut de naufragio, quamvis convenientias faciant, nemo in hoc jurare praesumat". In the first book of the Lombard law (tit. 17. cap. 7), we have "de sacramentis per gildoniam", which is glossed "i.e. illicita collectione".

³⁸¹ "De confratriis earunquē conventibus quomodo celebrari debeant. Ut de collectis, quas geldonias vel confratrias vulgo vocant, sicut jam verbis monuimus, et nunc scriptis expresse praecipimus, tantum fiat, quantum ad auctoritatem, et utilitatem, atque rationem pertinet: ultra autem nemo, neque sacerdos, neque fidelis quisquam, in parochia nostra progredi au leat", etc. *Labbei concilia*, ed. Coleti, t. x. cap. 16. p. 4.

³⁸² "Quid cavendum sit presbyteris, quando per kalendas inter se conveniunt".—*Ibid.*, cap. 15.

of the year 821, were no doubt guilds, though not called so in the capitulary.³⁸³ The *Collectae*, *Confratritae*, or *Consortitiae* condemned by the Council of Nantes in the year 656 were also Guilds, for, as M. Kervyn de Lettenhoven has well remarked, these *Collectae* are of the same kind as those denounced by Hincmar two hundred years later.³⁸⁴ The Flemish guilds are particularly interesting, not only because they existed among serfs, but because they were not held in great cities, and were not founded for religious purposes, but for mutual defence, or for agricultural or commercial objects. Thus the privileges of the Abbey of St. Pierre of Ghent of about the year 830 mention the existence of a partnership of fifty members for the working of some polder-land.³⁸⁵ Adam of Bremen speaks of a Frisian association of nobles under the name of *Conjurati Sodales* formed for the purpose of discovery in northern countries.³⁸⁶

Flemish
Guilds of
great in-
terest.

Frisian Con-
jurati
Sodales.

A. S. *Gegil-
dan*.

Frith Guilds.

In the Anglo-Saxon laws of Ine the word *Gegilda* occurs in connection with the legal protection of strangers. *Gegildan*, there seems no reason to doubt, were members of associations like those known at a later period as *Frith Guilds*. As I have before stated, these guilds afforded to their members that kind of mutual security which was known as Collective Frankpledge. Several of these guilds developed later on into great political institutions like those of London, which in the time of Athelstane became united into one powerful guild. Still later on, we find the term guild applied not only to true descendants

³⁸³ 7 "De conjurationibus servorum quae fiunt in Flandris et Menpisco et in caeteris maritimis locis, volumus ut per missos nostros indicetur dominis servorum illorum, ut constringant eos, ne ultra tales conjurationes facere praesumant. Et ut sciant ipsi eorundem servorum domini, quod cujuscumque servi hujuscemodi conjurationem facere praesumpserint postquam eis haec nostra jusso fuerit indicata, bannum nostrum, id est sexaginta solidos, ipse dominus persolvere debeat". *Capitulare ad Theodonis villam* (an. 821 oct.) Ed. Migne, p. 445.

³⁸⁴ Moke, *La Belgique Ancienne*, p. 269.

³⁸⁵ Moke, *loc. cit.* In another place (p. 146), Prof. Moke says that according to a charter of St. Bavon, the culture in common of polder-land was an object of such guilds. Are these two cases of the working of polder-land, or do the two references relate to one document?

³⁸⁶ Lib. iv. ch. 39.

of the *Frith Gilds*, but also to trade corporations, both of the class of gild-merchants and craft-gilds, representing the German *Zünfte* and the French *Corporations des Arts et Métiers*, and lastly to religious associations of the clergy, or gilds of kalenders, and of the laity, or the *Confréries* or confraternities. The gild of weavers of London was a craft-gild; the gild of the clergy of Canterbury mentioned in Domesday Book was a gild of kalenders, while the gild in Exeter established "for God's love and their souls' need", the gild established in the time of Richard the Second at Norwich, in honour of St. George the martyr, and similar associations "for example's sake", are clearly sodalities, to which the name gild was applied after it had lost its original special meaning, and acquired the general signification of an association or band of persons.

The term *Gild* extended to different associations.

Authors who treat of the subject of gilds, even when they do not make any distinction between true gilds and the craft and religious gilds, carry back their origin to the remotest German and Scandinavian heathen times. There is sufficient evidence of the existence of associations called by the name of gild in Denmark, and perhaps in Scandinavia in late pagan times; but these times bring us far into the Christian period in England, and consequently this evidence does not satisfactorily settle the question as to the pagan origin of gilds. Indeed the oldest direct evidence on the subject of gilds hitherto known is English, as the laws of Ine are anterior to the capitulary of Charlemagne of the year 779. The earliest statutes of any association called a gild now known, are not older than the end of the tenth or the beginning of the eleventh century, and even these are not statutes of true gilds.

Supposed Pagan origin of Gilds.

The importance to which the Gilds had attained in England as early as the time of Canute, coupled with the rapid rise of great Gilds in Denmark about the period of the Danish occupation of England, has led Wilda, one of the principal writers on gilds, to the opinion that they first arose in England, and were introduced thence into Denmark before the Danes were converted to Christianity. Circumstances, it is true, were favourable in England to the development not only of true gilds, but likewise of analogous industrial and religious asso-

Gilds supposed to have originated in England;

ciations. On the other hand, the despotic governments of Charlemagne and his successors strove to crush the development of such free associations. We have seen in the capitulary of Louis le Debonnaire, of the year 821, that gildships among the serfs are not only denounced, but the lords are commanded under a threat of penalties to suppress them. If they did not succeed in entirely suppressing them, they certainly checked their development to such an extent that the trade corporations and confraternities which grew up later seem to have been formed rather on the Roman type than on that of the old Gaulish or German institutions. Although there can be no doubt that while the Carolingian emperors were crushing out the spirit of free association under the despotic rule of an organized and centralized feudalism, gildships grew up rapidly and developed into free institutions in England; there is, nevertheless, no ground for making the latter the birth-place of institutions the germs of which existed among all Aryan peoples. It would indeed be strange if an organization which had become so interwoven with Christian practices in England, should have been introduced and taken root rapidly among pagans so very hostile to Christianity as were the Danes. That the insignificant native Danish gilds should have received an impulse by contact of some of their members with those of the great English *Frith Gilds*, is natural enough, and accounts for the subsequent rise of the great Danish protective gilds.

no ground
for this
opinion.

There exists also a general belief that gilds were somehow connected with the drinking banquets which the Germans and Scandinavians are said to have combined with certain ritualistic solemnities on the occasion of important family events such, as the feasts given when the heir was about to enter into possession of his ancestral property. The Braga cup was handed to him, and he promised to do some noble action worthy of his forefathers, drained the cup, and ascended his father's chair. Such solemnities were observed in other assemblies also, which afforded suitable occasion, but especially on high festivals on which they were accustomed to offer to the gods.³⁶⁷

Alleged con-
nection be-
tween Gilds
and ban-
quets.

³⁶⁷ Wilda, *Das Gildenwesen im Mittelalter*, p. 2-3. See ante, note 358, p. ccvii., as to the Irish *Fleda Comhadhasa*.

Grimm thought the name gild to be connected with the pagan sacrificial feasts. The religious worship of the Anglo-Saxons and other Germanic and Scandinavian nations was not, however, so highly organized as to have, in addition to a priesthood, brotherhoods for the special practice of rites, like the Roman sodalities. The feasts were not the objects, but the consequences, of the association of men in gilds. When men associated together for some definite purpose, it was natural to commemorate the event by a banquet, and it may have frequently happened that the original object of a gild was lost sight of owing to changes in the circumstances of the times or places, and that the banquets of the gild-brothers became the chief purpose of the gild. There is, however, one gild the name of which possibly suggests a banquet as the original object, the *Hezlagh* of Sleswig, if we may connect this word with the Norse *Veitsla* or *Veizla*, a feast. But the use of this term,—supposing the connection here suggested to exist,—as a distinctive name in one case only, would tend rather to mark the exceptional character of the connection between gilds and banquets, than to show that the former had for principal object the latter.

The etymology of the word Gild is obscure, but I think it ^{Etymology of the word Gild.} can help us in tracing the true origin of the institution. In the Gothic Bible, *φóρον*, tribute is rendered by *gild*; in the oldest Norse the corresponding word *gildi* has the same meaning.³⁸⁸ In some of the Saga, but apparently not in the Edda, it means a drinking feast,³⁸⁹ which is certainly a secondary meaning. Anglo-Saxon affords us the oldest example of the word *Gild* with the meaning of an association of persons; it has also *Gilda*, a companion, and *Gildscipe*, a guildship, which show that the application of the word to a brotherhood was fully established. These words do not, occur in *Beowulf*, although the verb *gyldan* is used

³⁸⁸ As in *eðr skyldu goðin öil gildi eiga*, an diis omnia tributa cederent, *Völuspa*, 21. *æy sèr til gildis gjöf*, a gift always looks for a reward, *Hávamál* 148. Skattgildi, payment of tribute in *Olafs Saga hin's helga*, c. 136, gives us the idea of money as in the New High German *Geld*.

³⁸⁹ *Ganta Gildi, potus Odinis*, *Kormak's Saga*, 21-2.

in it in the same sense as the Gothic verb *gilden*, namely, to pay. So far as these comparisons go, they appear to me to prove that the origin of the *Gild* is not to be sought for in the practice of religious rites, or in companionship in war, but in something connected with tribute, its mode of payment, or with the medium of payment generally.

It is not easy to see at first the connection of tribute, money, etc., with an association of persons. There are, however, a number of words in Irish which supply the links, and fully explain, as I believe, the true origin of gilds. I have already mentioned that the term *Fearan Congilta Fine* was applied to that part of the tribe land occupied by freemen who formed the associations or partnerships called a *Comaitches*, which I have described in a former section. The head of such an association or of a "comorbship" was called the *Aithech comaide*, that is, the father or chief of the *Comaitches* established by the association. This partnership was also called a *Congilda*. The word *fogelt* which has been already explained as the cost of grazing cattle under restraint, the word *gilt* or *gelt* to graze, and *congilt*, to co-graze, clearly shows that a *Congilda*³⁹⁰ was an association or partnership for co-grazing. In all these words, however, the idea of grazing is secondary, the original meaning is connected with *gial*, a pledge or security, *gialda*, to be pledge or security. As has been already explained,³⁹¹ each member of a "Comorbship" and of a cotenancy gave a pledge for the fulfilment of his share of the duties of the co-partnership, and all were collectively responsible for all fines, tributes, etc., and were represented for legal purposes by their chief pledge *Congilda* or *Aithech ar a threba*, who acted for them as bail, witness, compurgator, etc. It is in this twofold sense of individual and collective responsibility that the Teutonic words came to mean tribute, to pay, etc. The Irish preserves not merely the original idea, of collective pledge or security, but the

Etymology
of the word
Gild.

³⁹⁰ *Gegildan*, the members of a Gild, is translated *Congildones*, in the laws of Henry I. (Lxxv, § 10).

³⁹¹ See *Ante*, note 320, p. clxxvii.

mode in which this collective pledge was effected, namely, co-grazing.³⁹²

Kemble has suggested that the *Gegildan*, brothers or fellows of the gild, mentioned in Anglo-Saxon laws, were the associates in the Tithing and the Hundred, who were mutually bail or pledge for one another; and argues that the manner in which they are mentioned in the laws of Alfred,³⁹³ shows that they were not members of voluntary associations formed for religious, social, or funeral objects, but of political bodies of which every man should necessarily be a member.³⁹⁴ Kemble here confounds the natural family (*Fine, Maegth*,) with the artificial family or partnership. In the natural family the responsibilities and privileges were alike inherent; in the artificial family these depended upon the formation of a partnership, which in very ancient times was only to a certain extent a voluntary act; it was always however accompanied by legal formalities. While the gild then afforded the same kind of mutual security as the family in ancient times, and the collective Frankpledge of later, times it should not be confounded with either. It was an artificial family, intended to

Kemble's suggestion that *Gegildan* embraced the whole population,

not correct.

³⁹² The English *gyld* transmits to some extent the double meaning of payment or tribute and grazing.

³⁹³ LL. Ælf. § 27. — *Ancient Laws and Institutes of England*, p. 35.

³⁹⁴ "Now it is perfectly clear that a law expressed in such general terms as these, cannot be directed to a particular and exceptional condition; that it does not refer to the accidental existence of geylden, but on the contrary assumes every man to have such. We cannot, therefore, construe it of voluntary associations formed for religious, social, or funeral objects, and for the purposes of this law we must look upon geylda as a general name borne by every individual in respect of some gyld or association of which he was taken to be a member. The only meanings which the root *gyld* enables us to attach to the word geylda, are these: either, *one who shares with others in paying*; or, *one who shares with others in worshipping*. If we adopt the former rendering, we must suppose that certain contributions were made by a number of persons to a common purse, partly for festive purposes, partly as a mutual guarantee and club fund for legal costs, for the expenses of reciprocal aid and defence, perhaps even for mortuary celebrations and charitable distributions. Another though a perhaps less probable suggestion is, that such geylden may have been jointly responsible for taxes or the outfit of armed men who attended in the *fyrd* or military expedition on behalf of them all. But this we cannot further illustrate in the absence of all record of the financial system of the

supply to the poorer members of the community the important advantages of the true family.

Ancient
organization
of Friesland;

The people of Ditmarsch, as I have already mentioned, were divided into *Schlachten* (Irish *Sliocht*³⁹⁵) that is, Families or Houses. The whole political organization of the country was based upon those Houses, as much as the old Irish organization was upon the clan. No person not a member of a Family could be a citizen of the state. The Families were subdivided into *Kluffte*, just as the Irish *Cland* was made up of a number of *Fines*. Neocorus, in his Chronicle of Ditmarsch,³⁹⁶ tells us that these Families had among themselves great confederacies.

early Teutonic monarchs, even those of Charlemagne himself, which would have been invaluable guides to us through the intricacies of this dark subject of inquiry. The second meaning given to *gegylda* would rest upon the assumption of some private and as it were hero-worship, common to the *gyld*-brothers, a fact familiar enough to us in the Athenian *φυλαί* and Roman *gentes*; but the existence of any such foundation for the *gyld* among the Anglo-Saxons is extremely improbable, when we consider the small numbers that appear to have constituted the association, and that no trace of any such worship remains in our heathen mythology. I therefore prefer the first rendering of the word, and look upon *gegyldan* as representing those who mutually pay for one another, that is under a system of pecuniary mulcts, those who are mutually responsible before the law,—the associates in the tithing and the hundred". Kemble, *The Saxons in England*, vol. i. pp. 238, 240.

³⁹⁵ The Irish *Sliocht*, race, was a subdivision of the *Cinel*, and being strictly genealogical, it did not include, like the clan, all the dependents, etc.

³⁹⁶ "It sin in idern Carspelen herliche olde Geschlechte, so van undenklichen Jahren hero, umme ehrer Uprichtigkeit unnd ehrlichen Daden willen, mit herlichen schonen Herteken unnd wapen geziret, de under sich in sonderliche Brodertembte edder Kluffte gedelet unde under sick grote Verbundnisse gehatt, de eine den anderen, ock den allergeringsten unde aermesten nicht tho vorlaten, so ehn jemant vorunrechten und belastigen wolde. Im Falle nun eine uth frombden lander sich in einem Carspel nedergelaten unnd in ein geschlechte sich begeben unde tho befrunden begeret, wen desulve ehrliche undadelhafte Tchnisse seiner ehrlichen gebort, herkomendes, Handel und Wandelss gebracht, schriftlich, edder ock bestendig unde muntlich intügen laten, hebben se densulven vor einen veddern dess Geschlechtes angenehmen, ock nicht geringer gaachtet also ehren negasten angeborenen Frundt, ja Hud unnd Har bi densulven, wen he sick ehnen unnd se wedderumme ehme mit truwen unde Eiden, wo die Veddern sembtlich under sich verbunden, upgesettet, unnd alle wehrhafte manschop des ganzen geschlechtes wol hedden seinethalven sich in Gefahren Livess unnd levendes gestocken unnd tho velde getagen". Johan Adolff's genant Neocorus, *Chronik des Landes Ditmarschen*, herausgegeben von Dahlmann, Kiel, 1829. Bd. i. S. 206.

Wilda³⁹⁷ thinks the associations were sworn gilds, the latter being, indeed, frequently mentioned in the Frisian laws. He also appears to look upon these gilds as identical with the *Kluffte*, or rather that the *Kluffte* were organized like gilds. The statute of the family of Raverte in Fehmarn (*der Ravert-schen Vetterschaft*) which was originally from Ditmarsch, although only drawn up in the form we possess it in the seventeenth century, when compared with the statutes of gilds, strengthens, Wilda thinks, this view. The *Klufft* of Ditmarsch is the Irish *Fine* in its limited sense; the confederacies are partnerships, which being as I have said artificial *Fines* intended to supply by association the place of the true family succour and responsibility, must necessarily resemble the *Klufft* or *Fine* to such an extent as to have led to their being confounded.

The relationship between the Ditmarsch and Irish organiza-
 tions, and the mention of sworn gilds in the Frisian laws, relation be-
 tween it
 and that
 of Ireland. which were no other than Neocorus' "grote Verbundnisse", strongly support the view that gilds were originally grazing co-partnerships, not only under the sanction of the law, but forming an essential feature of the social organization, and exerting a considerable influence upon the state. It is further strengthened by the existence of such associations in the great grazing polder-lands of Flanders, in the Menpiscus, and along the coast of the North Sea, as already mentioned. I may also add that the old Flemish laws include regulations for the culture in common of the polders. A comparison between the Frisian and Flemish laws and customals, especially of those relating to gilds and co-partnership grazing, with the old Irish laws, would, I am convinced, throw a flood of light not only on the origin of the gilds, but on the early social organization of north-west Europe.

It may be objected that we find the gilds as civic institu-
 tions, while the rural origin I have assigned to them would Later civic
 character of
 Gilds com-
 patible with
 a rural
 origin. consign them to villages. In Denmark several gilds, and among them some that attained celebrity, were not located in

³⁹⁷ *Op. cit.*, 58-61.

cities, as for example, in Siöberg, in Sonderherred, in Laaland, and many other places.³⁹⁸ Those which were located in cities in Denmark did not exclude persons living in the country from membership. But as long as guilds were merely rural partnerships for mutual pledge and assistance, they could not attract attention or find a place in history; it was only when a burgh grew up, as I have before described, and the guilds acquired more importance, and that the artizans formed associations, bringing with them the traditions of the corporations of Romanized towns, or forming guilds in imitation of the old rural ones, when the sole occupation of the people was agriculture, that their name first appears. Thenceforward they lose all trace of their primitive type, and become essentially civic institutions.

ORIGIN OF THE TERM "FEUD", AND RELATION OF THE IRISH LAND-SYSTEM TO FEUDALISM.

Neglect of Celtic language, etc, injurious in the study of feudalism.

The disadvantages to historical inquiry of the neglect of the study of the institutions and customs of the so-called Celtic peoples, are no where more seen than in the investigation of Feudalism, the origin and very name of which are still obscure. It is always assumed that feudalism was altogether foreign to the laws and customs of the peoples just alluded to.

Erroneous theory of equality among the ancient Germans.

The sources of this opinion were chiefly the baseless assumptions, that all Germans were freemen and equal, and knew no aristocracy, and that the so-called Celtic peoples had no fixed property in land—indeed in any thing according to some.³⁹⁹ One of the oldest, if not the oldest, monument of Germanic traditions, the elder or poetic Edda of Saemund, shows the erroneous character of the theory of equality among the Germans. In the curious poem of the Rîgsmâl, already referred to, ancient society is shown to have been composed of three classes whose mythical origin is unfolded in the account of the birth and education of Jarl, Karl, and Thrael. It is indeed difficult to conceive how

³⁹⁸ Schlegel, *Om gamle danske Retsadvaner*, p. 222; Wilda, *op. cit.*, pp. 55, 58.

³⁹⁹ The words Germans and Germanic are used here as a collective designation for the Germans proper, the Scandinavians, and all outlying branches of the two great stems.

the error, that the Germans had no aristocracy, could have arisen. As to the special communistic habits of the Celts, whatever they may have been in prehistoric times, the foregoing pages contain enough to show that within the reach of written or traditional history such a state of things did not exist.

The attempts to determine the etymology of "feud" or the hypothetical "feudum", show the vague ideas which prevailed and still prevail as to the origin of feudalism. Some derived it from *fides*, or *fœdus*, or *fideltas*; others prefer the Alemannisch *faide*, German *vehd*, a feud or dissension. Others again tell us that it is made up of *od*, possession or estate, and *feo*, wages. This etymology has been improved upon by taking *feo* in what is considered its original sense of cattle, that is, as property in cattle. Dietz's explanation may be summarized thus: O French *fieu* (whence modern French and English *fief*) verb *feiver*, French *feiffer*, to feoff, from the Old High German *fihu*, *fehu*, new high German *vieh*, cattle, from Gothic *faihu*, possession, Ang.-Sax. *feoh*, O. Norse *fé*, English *fee*. From *fieu*, or the Provençal *feu*, came the medieval Latin *feudum*,⁴⁰⁰ *feodum* in the ninth century, the *d* being euphonic, as in *ladico* for *laico*, etc. Munch⁴⁰¹ gives a very plausible explanation of both *alód* and *féod*, thus: *al-auðr* = *al-ód*, whole lordship; and *fé-auð* = *féod* or usufruct of the land,—that is, the owner of the *al-od* had the whole lordship, the owner of the *fe-ód*, the usufruct only.

Palgrave very justly observes that the theories of the Teutonic derivation of feud are contradicted by the practice of the Teutonic tongues, for in no Teutonic or Gothic language whatever is a feud or fief called by any such name, or even by any name at all approaching thereto. In all these languages the terms used are cognate forms of the Anglo-Saxon *læn*, Middle High German *lehen*, that is, loan land. It would certainly be strange if people coined a word out of foreign elements, while the idea they wished to express was already represented by an appropriate word which they might have easily borrowed in the language from which they borrowed the materials

Hypotheses
of the
etymology
of Feud ;

Palgrave's
objections
to them ;

⁴⁰⁰ Palgrave doubts whether such a word ever existed, *op. cit.* ccvii.

⁴⁰¹ *Op. cit.*, p. 176.

not more
fortunate
in his own
attempt.

of the newly-coined word. I think an instance of such an anomalous linguistic process could not be pointed out in any European language, and could only be possible in the case of savages having to express perfectly new ideas in a language having a limited vocabulary, and who had, without knowing much of the strange language, caught up a few characteristic terms from it. Palgrave was not, however, more fortunate in his proposed etymology of feud than any of his predecessors, and I may add, of his successors. He suggests that *feudum*, the oldest form of which was, he thinks, *fevodium*, arose out of a colloquial abbreviation of the Greek *Emphyteusis* (pronounced *emphytefsis*). It was first contracted into *phitef* or *fitef*, and then into *fief*, afterwards Latinized into *fevodium*, which some contracted into *fevodum*, and others by omitting the *v* into *feodum*.⁴⁰²

Essential
principle
of a feud.

The essential and fundamental principle of a territorial feud was, that it was land held by a limited, or conditional estate⁴⁰³—the property being in the lord, the usufruct in the tenant. Palgrave considers that the origin of feudal tenure may be traced to the grants made by the Romans to the barbarian Laeti⁴⁰⁴

⁴⁰² *Op. cit.*, p. cvii.

⁴⁰³ *Ibid.*, p. ceviii.

⁴⁰⁴ *Laeti*, the *Leudes* of many medieval documents, Angl. Sax. *Léode*, O. H.G. *Leudi*, or *Leodi*, N.H.G. *Leute*, people. In Anglo-Saxon the singular *Léod* signifies a lord. The *Liti*, *Lassi*, etc., are evidently to be distinguished from the *Leudes*, notwithstanding the apparent similarity of the names. The *Litus* probably corresponded to the Irish *Daer Céile*, the former was however ascribed to the glebe, and could not leave without purchasing his freedom, and might be sold as well as his children with the land; "Si *Litus* semetipsum propria pecunia a domino suo redimerit". *Leg. Frisior*, tit. 11. "Donamus etiam ad hæc præfato archiepiscopo interventu Bernhardi ducis quædam nostri juris mancipia *Litam*, viz., Thietsniden dictam, cum filiis ejus et filiabus omnique progenie, quæ ex his per successura tempora fuerit procreata". Privileges granted by Otho, in 977 to Adalgagus, Archbishop of Bremen, apud Schilt., *de Caucis*, Libr. I. c. 13. By the Saxon laws he is distinguished from the slaves (tit. 10, §1), the lord being responsible for the crimes, etc., of both classes.

The Irish *Sluaighte*=*Shluaite*=*Luaite*, *Imluada*, and *Tochomlad*, are certainly related to the *Leudi*, *Léode*, etc. The *Tochomlad* was an emigration of a band of military chiefs and tribes from one country or territory into another where they settled down. The emigration of the *Deise* from Tara into Munster, and of *Fergus* from Ulster into Connaught. are examples of

occupying the Limitanean or Ripuarian territories, upon the condition of performing military service. These donations or feuds descended only to the male heir of the donee, and could not be alienated to a non-military tenant. Each new tenant undertook the duty of learning the use of arms and was bound to take an oath of fidelity. But these duties, though inseparably connected with property, and a prominent feature, of feudalism did not constitute its principle which I have above stated, but were merely adjuncts, which, however important they may have become in the later history of the system, never constituted its true basis, or imparted the essential character of the tenure.

Essential principle of a Feud.

The term "beneficium", in the republican times of Rome appears to have meant chiefly, if not exclusively, promotion, exemption from service, or honour conferred upon soldiers. It is uncertain whether it originally included a gift of land, but under the empire it was extended to such gifts. A benefice of this kind was registered in a book called *Liber Beneficiorum*. The Roman law employed another term in connection with land, "Precarium", which might be defined as the usufruct of land upon request from the owner, or by his tacit permission, at the same time that the grantor retained the property. A Precarium was thus a limited estate in land, the permission to enjoy the usufruct of which might under the Roman law be recalled at any time. According to Savigny, the origin of the Precarium was the use of a portion of the "Ager Publicus", given by a patron to his client. The estates created in this way came to be called *Prestariae*, or *Praestitae*, because the occupation only of the land passed from the grantor to the grantee. This class of estates corresponded, with the limitation to be presently mentioned, to the Anglo-Saxon *Loena* or loan-lands. In principle, therefore, the *Beneficia*, *Precariae*, *Prestitae*, and *Feuds*, were the same, except that while the possession of the *Precariae* might be resumed at any time, the feud or benefice was a life estate. The lands held by the *Fuidirs* in Ireland corresponded exactly with the Roman

Original meaning of a benefice.

Nature of a "Precarium".

Prestariae or *Praestitae*.

The lands held by *Fuidirs* were *Precariae*.

such *Tochomlada*. There are several ancient tales included under this term. See O'Curry's *MS. Materials of Irish History*, p. 592.

Lands of
Céiles were
Loen-lands.

Precariae, inasmuch as the *Fuidirs* were absolutely tenants-at-will. The lands held by the free *Céiles*, on the other hand, corresponded to the Anglo-Saxon *Loen-lands*, in being life estates. The existence of the two types, the "Beneficium" and the "Precarium" in the Irish land system, suggests the co-existence of the two types in Gaul and Germany before the full development of the mediaeval feudal system.

Clients,
Leuds,
and Céiles
essentially
the same.

The Roman "*Clientes*" having Beneficiae, the German *Laeti* or *Leudi*, the Irish free *Céiles*, were essentially the same: they were vassals of the lord, and rendered homage, and received Beneficiae, which might have been armour, ornaments, cattle, or other moveable property, or grants of lands, the terms of the grant sometimes including a certain tribute or rent, and sometimes merely military service. The conquest of

The German
conquests
modified the
Benefice.

Gaul and other provinces of the Roman empire by the Germans introduced some modifications of the benefice. Under the Roman law, when legionaries were billeted in a district, one-third of the house was allotted to them, and while so occupying it they were called "hospites". When the barbarians began to settle in the Roman provinces, it is probable, as Palgrave has suggested, that it was at first under a kind of Roman hospitation. They received "*Sortes*" or allotments of the land which the lords usually granted as *Praecariae*. And that the arrangement was looked upon as a temporary one is shown by the name "guests", that is "hospites", by which they called themselves. Palgrave considers that the germ of feudality is not to be found in this system, that "there is no evidence, nor, indeed, any presumption, that any compact was made with the senior, that any military service was reserved to the state, or, lastly, that the possessor of the "*sors*", or "lot", was specially bound in respect thereof to render any homage to his superior",⁴⁰⁵ and that the "*sortes*" were, in reality, allodial. It is quite true that the germ of feudality did not develop itself in this way, because that germ had always existed among the European Aryans, and had already been more or less developed among Romans, Gauls, and Germans alike. But it is not

The bar-
barian
"sortes";

Palgrave's
idea that the
"Sortes"
were
allodial.

⁴⁰⁵ *Op. cit.*, pp. 499-500.

correct to call these allotments *allodium*. When a Gaulish lord was obliged to receive a "guest", he gave him part of the land which heretofore he had given to tenants-at-will, what in Ireland was called "*Fearan fuidri*", or *Fuidir-land*. We may be sure he looked upon his "guest" as a *Fuidir*, and certainly treated him as such whenever he was able; and that many guests were so treated there can be no doubt. In most cases, however, the "guests" ejected the former owners, and became independent lords, and so continued until reduced to the condition of vassals by some more powerful neighbours, or as a measure of security voluntarily became so themselves.

The barbarian Hospites were *Fuidirs*.

The system of Laetic grants appears to have differed from that of the "sors" or "lot", in the same way that the allocations of the *Flaths* to their free *Céiles* did from those to their *Fuidirs*. But from the special conditions under which the former were given, a new element was introduced into the tenure by which they were held. The Ripuarian and Limitanean lands were necessarily exposed to all the accidents of war, and must have been more or less wasted, and consequently must have fallen in great part into the hands of the State. The new proprietors to whom the State regranted these lands came into possession without being bound by custom to respect the prescriptive rights of previous occupiers—if indeed any of them could have withstood the ruin produced by the barbaric invasions; all the inhabitants were therefore treated as *Fuidirs*, which, to a great extent, they must have been. The tenure of the Laetic grant was necessarily only a life one, as it was made in order to obtain the military service of the grantee for the frontier. This was the new element introduced; and it was one which modified to some extent the Gaulish and German customs. The gradual break-up of the Roman empire naturally extended this modified tenure very widely, and by substituting new lords who were desirous of evading the prescriptive rights of the occupiers, reduced all the latter to the condition of *Fuidirs*.⁴⁰⁶ The latter process was successfully followed in Ireland in comparatively modern times,

The Laetic grants.

Evasion of prescriptive rights in Ireland.

⁴⁰⁶ In all the ancient *Rosca Catha*, or war songs and battle-eve speeches of the kings and chiefs of Eriu, the soldiers are admonished to fight for freedom and independence, to escape allegiance to foreign or strange lords

where it may be traced through all its stages. There was one essential difference, however, between the ancient and modern processes—under the ancient regime, in order to prevent the *Fuidirs* from going away, they were ascribed to the glebe; under the latter they have, it is true, been made free, but at the expense of all hold upon the land.

Origin of the words *Feodum* and *Feud*.

I do not know what was the Gaulish form of *Fuidir*, but it must have been very nearly the same as the Irish word. I have no doubt it was the true origin of the word *Feodum*. Here we have no need of introducing an euphonic *d*, or of resorting to foreign languages for the elements of the term, as we have a word used to describe almost the very same kind of tenure already existing among the people where the word “feodum” and all the other forms of that term came first into use.

Etymology of *Vasseur*, *Vavasseur*, and *Vassal*.

There are several other important terms of feudal nomenclature which can be more satisfactorily explained by means of the Irish customs than they have hitherto been. These explanations strengthen the conclusion that the term feud was first employed on Celtic ground. Among the more important of those words are *Vasseur*, *Vavasseur*, and *Vassal*. A *Vassal* or *Vasseur* was the holder or grantee of a feud under a prince or sovereign lord; a *Vavasseur*, French *Vavasseur*, was the vassal of a vassal, that is, the vassal of a man who himself owed fealty to a prince. A Welsh proprietor who extended to another his protection, and allowed him to build a house, and till a portion of his land, was called a *Gwaesav*. The man under protection was a *Gwaesavwr*, from *gwaesav* and *gwr*, man. The French *Vasseur* is certainly a Breton form of the word *Gwaesavwr*, and *Vavasseur*, whence English *Vavasseur*, the vassal of a vassal, is simply *Gwaes-Gwesavwr*. The Spanish *Vasvessor* and the Provençal *Vasvassor* preserve almost the full

and base rent. From this it would seem that many of the predatory incursions, as well as the great invasions properly so called, had for object the possession of the land, and the reduction of the owners, either to the position of hereditary rent paying occupiers or of mere *Fuidirs*. The speech of *Eogan Mor* on the eve of the battle of *Magh Leana*, is a good example of the class of speeches here alluded to. See *Battle of Magh Leana*, edited for the Celtic Society by Prof. O'Curry, pp. 115-116.

compound. The words just discussed, as well as the word vassal, are derived by some persons from *Gwas*, a page. *Gwas* may be the base of vassal, but it certainly is not that of *Vasseur*, or *Vavasseur*. *Gwaesav*, and the words derived from or cognate with it, appear to be related to *Gwes*, Irish *Bes*, Latin *vesc*-*in* *vescor*. The Welsh and Irish words signify food given as tribute, hence *Gwaesavwr*, or man of the *Gwaesav* would correspond to an Irish *Saer Céile*, who paid *Bes Tigi*, corresponding to the Welsh *Gwes-Tva*, and *Gwaesav*, one who affords his guarantee or protection, and gives land in return for *Bes* or *Gwes*. The ending *-al* in vassal may be an adjectival suffix, and the word itself, consequently, an adjective which has acquired a nominal meaning. Possibly *Gwas*, a page, is itself related to *Gwes*, food tribute. Loccenius derives Vassal from the Norse representative of *Bes* or *Gwes*, namely *Veisla*,⁴⁰⁷ meat and drink. That is, a vassal would be *Veislu-maðr*, plural *Veislumenn*, Swedish *Waishumen*, *Vaisla* being qualified by *mathr*, man, plural *menn*, men, in the same way that Welsh *gwr*, man, has been supposed to be qualified by *gwaes-awl*. But when we consider where and when the word vassal first came into use, as well as the form of the word itself, and its relation to *Vasseur* and *Vavasseur*, which cannot be satisfactorily explained from the Norse, it is almost certain that the word *Vassal* has come through the Celtic forms, and not through the Norse. It is evident from the foregoing and from what has been said in a previous section⁴⁰⁸ of the Irish *Bes-Tigi* and the Welsh *Gwes-Tva*, that the *Bes*, *Gwes*, and *Veisla* were given by the vassal to the lord, and not, as has heretofore been always assumed, by the lord to his retainers. Although these words originally implied meat and drink, they came to signify in time any

Tribute of food given by vassal to lord, and not by lord to vassal.

⁴⁰⁷ "Vasallus ita dictus a *vaisla*, i.e., redditibus et fructibus prædii aut feudi, ut est in Hirdskrå, et inde *Waishumen* vassali dicti sunt. *Lexic. Juris Sueio-Goth.* Holmb. 1674. The Hirdskrå is a collection of ancient Norwegian court laws. *Veizla* is from *veita*, to give, and as the Latin *victus* meat and drink, gave rise to *vectigal* tribute, or originally the part of the *victus* due to the lord, so *Veizla* also signified the food for a banquet, and the dues or tribute in kind owed to the lord.

⁴⁰⁸ *Ante*, p. cxxxix. et seq.

rent or tribute paid by the Vasseur or the Vavator to his lord, whether food, cattle, clothes, or arms. The greater vassals and Vavasors under the feudal system did not pay food tribute, directly, as that would have been rather embarrassing than beneficial. They did so indirectly, however, for they undertook to bring into the field a certain number of armed men, who required meat and drink, clothes and arms. Military service was not then the essential characteristic feature of vassalage, as every free man was bound to appear in arms among the ancient Gauls, Germans, Britons, Irish, and other European peoples, but an incident of the growth of large states.

Military service not the essential characteristic of vassalage.

THE EXECUTIVE GOVERNMENT OF ANCIENT IRELAND.

The Kings or Chiefs.

There is no certain evidence, as far as I know, that any of the states or *Tuatha* of the ancient Irish commonwealth were governed by a senate alone without a permanent head or chief, as it would appear from Caesar was the case in Gaul. In any case such exceptions must have been very rare, and belonged to remote times. The chief was called a *Ríg*, sometimes written shortly *Rí*, which corresponds with the Gaulish *Rig-s* or *Rix*, the Latin *Reg-s* or *Rev*. The corresponding personage among the German nations had different names—*e.g.* in Anglo-Saxon he was *Cyning*, English, *King*, in Old High German, *Chuninc*, etc.⁴⁰⁹ The term *Cing* also occurs in Irish as the equivalent of *Ríg*, or, as an old gloss expresses it: "*Cing*, *i.e.* a man who has excelled every *Mal* [prince or king]; a man who has progressed above every *Fíle*; it is a name for a man who is ennobled by having been placed above what is ennobled."⁴¹⁰ Both titles are also found in Old Norse—the first being re-

The *Ríg* or chief;

Other names for the chief;

corresponding titles among the Norsemen.

⁴⁰⁹ We should not be led astray as to the importance and dignity of the personages anciently called by the titles of *Rex*, *Rix*, *Rig*, *Cyning*, *Konungr*, etc., by thinking of them as we do of modern kings. Ireland was not the only country in which the title was extensively used; the *Herad* kings of Sweden, and the Kings of *Fylks* in Norway, not to speak of war-kings and sea-kings, were quite as numerous as the kings of *Tuaths* in Ireland. King Alfred, in his version of Orosius, uses the title for the chiefs of *Burhs* or districts which probably corresponded to our *Brough Bhailes*.

⁴¹⁰ *Vel. MS. II. 3. 18. T.C.D.* p. 213.

presented by *Rik-ir*, and the second by *Konungr*. The latter has been derived from *konr* or *kon*, man, or in the sense of *kyn* = English *kin*, *gen-us*, that is some one of family or of illustrious origin, like the Latin "generosus".⁴¹¹ *Ríg* was a generic term, and included three ranks or classes of kings.⁴¹² The lowest of these was the *Ríg Tuatha*, also called a *Ríg ben*, or king of horns; he was chief of one *Tuath* or *Tricha Ced*.⁴¹³ The second rank of king was the *Ríg Mór Tuatha*, called in the *Crith Gablach*, a *Ríg Buiden*, or king of companies.⁴¹⁴ The third, or highest class of kings, was the *Ríg Cwicidh*, *Ríg Bunad*, *Ríg Rurech*, or provincial king, and the high king of Eriu. The first of those names implied that

Different
ranks of
kings.

⁴¹¹ Munch, *op. cit.* p. 166. Palgravé has suggested that it was connected with the Celtic *Cenn*, chief or head; but the old form would be *cend*, not *cenn*. The Irish *Cing* suggests the true origin of the word—to progress, to rise above. This title was given among the Irish only to those who excelled in noble deeds. So among the Norsemen and Saxons, the title king was given only to those who had made great foreign expeditions.

⁴¹² According to Ammianus Marcellinus, the Burgundians called their king by the general name of *Hendinos* (28. 5). This is exactly the old German *Centenus* (*hend.*=*cent*). Ulphilas translates ἡγεμών, a ruler, by *Kindins*. This word is usually connected like the Norse *Konungr* or O.H.G. *Chuninc* with the root *kin*, *gen*; but it may be that *kind* and *chun* are also=*hund* in hundred. Indeed the curious *chunna* occurs in the Salic Law for hundred (Tit. 80), and Ottfried has translated the centurion of the seventh chapter of *St. Luke* (v. 23), by *Kuning* (*Libr.* III., c. 2, v. 5), the same centurion being called by Ulphilas *Hundafaths*, and translated *Hundredes Ealdor* in Anglo-Saxon, and *Hunno* by Notker in the tenth century—a name which reminds us of the *Hunones* or *Hunnonnes*, or judges of Hundreds (Halthetaus, *Gloss.* v. Heune).

⁴¹³ "The king of one *Tuath*, *i.e.* the king of one *Tricha Ced*", Vellum MS. H. 3. 18. T.C.D. p. 101, b. *Tuath*, *i.e.* a territory. The kings of the three *Tuatha*, *i.e.* *Corcortri*, *Cland Flathiusa*, and *Laigne* [*i.e.* the O'Hara's country] *Book of Ballymote*, fol. 128, b. a.

Tuath, *i.e.* *Tricha Ced*. The *Ollamh* of poetry has the same *Enecland* as the king who has one whole *Tuath*, *i.e.* *Tricha Ced*. *Vel. MS. H.* 2. 15. T.C.D. 79 a. mid.

⁴¹⁴ The *Ríg Buiden*, or *Ríg Mór Tuatha*, was, according to the *Crith Gablach* (vol. ii., App., p. 502), a king of three or four *Tuaths*. The following passage from the laws shows that the usual number was at least four, his own and three others, the kings of which owed him *Ceilsinne*.

"And he is not a *Ríg [Mór] Tuatha* who has not three *Rí Tuatha*, *i.e.* he is not entitled to be called a *Ríg Tuatha* unless he gives the reward of voluntary *Ceilsinne* to three *Rí Tuatha*". *MS. Brit. Mus.*, Egerton, 88, 15, b. a.

he had five *Mór Tuath* kings under him,⁴¹⁵ and is doubtless connected with the ancient tradition referred to *Ogán Mór*,—who is supposed to have reigned about three centuries before Christ—of the country having been divided into twenty-five districts or dynasties, forming a pentarchy. That some such division was made is probable, but the boundaries and extent of the original divisions must have been, in process of time, considerably changed, for not only did the single province of Munster contain as many *Tuaths* as any two of the other provinces together, but the number of *Tuaths* in the whole of Ireland, 184, would represent 46 *Mór Tuaths*, instead of 25, the number required to form the pentarchy. Even assuming that the original pentarchy consisted of East and West Munster, Connaught, Leinster, and Ulster—Meath consisting in the time of *Ogán* of only one *Tuath*—we cannot get over the difficulty just stated, that the number of *Tuaths* in Ireland exceeds the number required to form the pentarchy, unless we admit that the *Mór Tuath* originally consisted of seven *Tuaths*. In any case the number of *Tuaths* in a *Mór Tuath*, whatever it may have been originally, must have varied in time, and consequently the number of the second class of kings under a provincial king must have been different at different periods. The *Ríg Tuatha* was represented by the Ealdorman of the Hundred among the Anglo-Saxons. Bede⁴¹⁶ mentions that the continental Saxons were governed by lords, whom he calls satraps, each Pagus having one; king Alfred, in his translation into Anglo-Saxon of Bede's History, renders "satraps"⁴¹⁷ by Ealdorman, so that we may assume that that was the name by which the ruler of the Centena or Hundred was known also in Germany. When war broke

The *Ríg Tuatha* the Ealdorman of the Hundred.

⁴¹⁵ "Five *Rí Tuatha* [i.e. *Mór Tuatha*] hath the king of a province five provincial kings hath the King of Eriu, from whom he receives rent and allegiance, and sufficient supplies [of] that which is contributed equally in allegiance to him, with a full supply of *Breacans* (mottled garments) and *Cuilce* (royal garments)". *MS. Brit. Mus., Egerton, 88, 15, b. a.*

⁴¹⁶ *Hist. Eccl.*, v. c. 10.

⁴¹⁷ Is this term borrowed from the name of the Persian governors, or may it be connected with the Irish *Sai Treab*, which is glossed *Ríg Treaba*, or tribe king, in *MS. H. 3. 18. p. 14?*

out, these magistrates cast lots as to who should be leader. This leader was the Dux of Tacitus, the Anglo-Saxon *Here* The Dux. *toga* the *Fylkir* of the Scandinavians, and the *Er Toga* elected-chief, or *Er Coga*, battle chief, *Ríg Buiden* or *Mór Tuath* king of the Irish.⁴¹⁸ Tacitus' statement⁴¹⁹ that the kings were selected for their nobility, and the Duces or leaders for their virtue, implies that the latter were elective, and not exclusively taken from among the kings. In later times the office appears to have been confined to kings or ealdormen of Hundreds, and in Ireland to whoever became king of the *Mór Tuath*. The Gerefa or Reeve of an English Trithing,—which, as I have said before, appears to have corresponded to the *Mór Tuath*,—before whom were brought all causes that could not be determined in the court of the Hundred or Wapentake, was the executive officer of an Ealdorman who corresponded in rank and jurisdiction to the *Mór* The Ealdorman of a Trithing, *Tuath* king. But we have no means of determining whether the former was the general of the levy of the whole Trithing, as the Irish king was, because, as the paramount king absorbed all the regal power of the sub-reguli, the latter sank into the condition of mere noblemen too early to leave after them sufficient traditional evidence of their character.

Besides these three classes of kings, there was the paramount king, *Ard Ríg Erind*, or high king of Eriu, who resided at Tara until the middle of the seventh century. The Ard Ríg Erind. The kingdom of Meath, which originally consisted of only one *Tuath*, but which, as I have already mentioned, was increased to eighteen, was the appanage of the king of Tara. After the desertion of Tara, one of the provincial kings was usually paramount king. The *Ard Ríg* corresponded to the British *Gweledig*, and the Anglo-Saxon *Bretwalda*.⁴²⁰

⁴¹⁸ The *Hertugi*, *Hertogi* of the Alemanni, the *Herizogo*, *Herizoho* of the Franks, the *Hertug* of the Belgians, and the *Hertoge* of the Old Saxons. When the small Scandinavian kings united for military purposes they also chose a leader.

⁴¹⁹ *Germania*, c. vii.

⁴²⁰ The King of Upsala, in Sweden, under the title of *Hofding*, *i.e.* *Hofud-ing*, head, was in very ancient times paramount king over the kings of *Herads* or Hundreds.

The office of king elective,

The office of *Rig* or king, of whatever rank, was elective; but, as among the German⁴²¹ nations, he was not selected from the people at large, but from the *Damna Rig* or eligible members of the *Flath* or lord class. The hereditary principle, however, so far existed, that the election

but confined to certain families;

was practically confined to the members of the same family. The descendants and relatives of a king thus formed an exclusively royal class, analogous to the Anglo-Saxon Athelings or Clitones, the descendants of Woden, and the Bavarian Agilofings. The story told by Tacitus⁴²² of the Cherusci sending to Italy for a Romanized Cheruscan after the extinction of all the members of the royal family at home, may be paralleled by similar instances of a strict adhesion to the royal line in Ireland. This it was which made the preservation of the genealogies of the royal houses so important; and for this purpose they appear to have been critically examined and discussed at the general conventions of the states and provinces of Eriu; when revised and approved of, they were recited at the fairs, so that they should be preserved in the memory of all, and be subject to the control of public opinion.⁴²³

Hence the value of genealogies.

The *Rig* elected by the *Aires*.

The *Rig* was not elected by the people at large, but by the *Aires*, the *Bó-Aires* being apparently electors as well as the *Flaths* or land owners. If this were so, we may assume that the elective *Aires* or representatives of co-heirships had also a voice in the selection. In order to avoid the evils of disputed succession, and prevent family feuds, an heir or successor was nominated during the life-time of the king, and was called the *Tanaiste*. In the very early times the royal authority appears to have been generally transmitted in a direct line from father to son, the brother, however, sometimes succeeding. This would seem to show that the crown was bequeathed, or in other words, that each king chose his successor, and that the strict law of tanistry is a development of later times. When the latter was in force, it is not clear whether the ruling chief nominated his successor or *Tanaiste*, and then submitted

The *Tanaiste*.

⁴²¹ Tacitus, *Germania*, c. vii.

⁴²² *Annal.*, xi. c. 16.

⁴²³ See Fair of Carman, vol. ii. App. p. 545, st. 65.

his name for confirmation to the electors, or that the *Tanaiste* was elected without any legal participation of the chief. The election of officials of the *Flath* class took place at the residence of the *Bruighfer*, which appears to have been the official *Forus*⁴²⁴ or office for all elections. The candidates, accompanied by their respective adherents, entitled to take part in the election, assembled at the *Brugh* or house of the *Bruighfer*, and during three days discussed the merits of the candidates. Theoretically, the one elected should be the best entitled by right of blood, be the son and grandson of a *Flath*, possess sufficient property, and be without maim or defect, and of an unblemished character. The qualifications of a candidate king were similar; he should be of the *Damna Rig* class, that is, of a family equal to that of a king. I do not know whether his election took place also at the house of the *Bruighfer*, but it is very probable that it did. When elected he was publicly proclaimed and inaugurated at a general public assembly, at a place set apart for that purpose.

The election of officials took place at the *Brugh*.

The Irish *Rig* was, in the strictest sense of the word, a limited monarch. His rights, privileges, and duties were all carefully laid down in the laws, and, except in degree, they do not appear to have differed from those of any other *Aire*. The value of his oath as a compurgator was fixed like that of any other free man. He could act as bail, or surety, or witness, within limits apparently equally fixed. He was also entitled to the special damages called *Enecland* or honour-price, and to *Dtre*, the *Wergild* of the Anglo-Saxons. It is worthy of notice that among all the kings of the Germanic nations, those of the Anglo-Saxons were the only ones who had a distinct *Wergild*. Whether they formed a real exception in this respect, or that the evidence of the existence of a *Wergild* is extant only in their case, remains for future investigation. One half of the Anglo-Saxon king's *Wergild* belonged, under

The power of the *Rig* limited.

⁴²⁴ Cf. *Foradh*, the place of assembly at *Tara*, and Latin, *Forum*. The English *Fair*, French *Foire*, are almost certainly cognate with the Irish *Forus* and *Foradh*. Skinner was, therefore, right in connecting them with *Forum*. The Irish *Forus* agrees fully with the first part of Varro's definition of a *Forum*: Quo conferrent suas controversias, et quae vendere vellent, et quaeque ferrent, Forum appellarunt". *De Lingua Latina*, Libr. IV.

the name of *Cyne-bôt*, to the nation. In Ireland part of every *Díre*, and consequently of that of a *Rig*, perhaps one-third, belonged to the state as a fine for violation of the *Cáin* or national law; this part constituted the *Díre Meba-Cana*.⁴²⁵ The right of sanctuary of a king, like all his other rights, was one of degree and not of kind, as it differed from that of any other *Aire* only in the extent of the domain of sanctuary or *Maigin Digona*. This domain appears to have been coëxtensive with the *Faitche* or lawn that surrounded each *Dún*. The mode in which the limits of this domain were determined by throwing the *Cnairsech*, I have already described.⁴²⁶ The *Cnairsech* was, I believe, something like a sledge hammer, and was thrown by a *Bó-Aire* when sitting at his door; the distance to which he cast it was the measure of his lawn and the extent of his domain of sanctuary.

of the free-
men;

of the nobles
or *Flathis*;

of provincial
kings, etc.

The *Folach*
or leech fee,
etc., of a *Rig*
Tuatha,

and of a *Rig*
Mór Tuatha.

The lawn of the *Aire Desa* or lowest grade of *Flath* was equal to two throws; and each grade of *Aire* above the latter had double the extent of the grade next below him, up to the *Rig*, whose sanctuary extended to the distance of sixty-four throws. The *Rig Rurechs*, or provincial kings, the *Ard Rig* or high king of Ireland, and the *Comarb* of St. Patrick, or archbishop of Armagh, were entitled to the same extent of lawn. The *Rig Tuatha*, if wounded, was entitled, like all other free men of the territory, to *Folach* or maintenance from the tribe or *Fine* of the person that wounded him, and to be maintained, together with a retinue of ten persons, until he was cured. This maintenance, which corresponded to the Anglo-Saxon "Leech-fee", also included *Fochraic* and *Log Leaga* or the fee of the *Liag* or Leech, that is, the surgeon, and the cost of his medicines, etc.⁴²⁷ The *Rig Mór Tuatha* was not carried to the house of the person who injured him, but was entitled to be paid at home; and pending the treatment of the wound, he could demand security for his sick-bed expenses to the extent of twenty-four cows.

⁴²⁵ *Cyne* in *Cyne-Bôt*, and the Welsh *Cwyn*, a plaint, represent the Irish *Cáin*; the latter word is sometimes used to denote a plaint or suit under *Cáin*-law; this fact suggests an explanation of the use of the word in Welsh in the sense of a plaint.

⁴²⁶ Ante, p. cliv. ⁴²⁷ *Crith Gablach*, vol. ii. App. p. 475, n.n. 498, 499.

The Irish *Rig*, of whatever rank, was always surrounded by state; he was precluded from doing any servile work under penalty of being refused his supplies and of being placed on a level with plebeians, or of going about unattended, except in sowing time, when he might travel with two attendants and a judge. On all other occasions he journeyed accompanied by his *Dám* or retinue, that of the tribe king or *Rig Tuatha* consisting of twelve persons, of the *Rig Mór Tuatha* of eighty, and of the *Rig Rurech*, or provincial king, of thirty. The Irish *Dám* corresponded to the Anglo-Saxon *Geferscipe* or *Folgoth*, in the latter of which we recognize the German *Gefolge*. The retinue of the *Rig Mór Tuatha* or *Rig Buiden*, that is, king of companies, was much larger than even that of a provincial king, and was evidently a military escort, for he commanded in time of war two or three battalions of seven hundred men each. The *Dám* was composed, among others, of the children of princes kept in fosterage, of the more adventurous of the noble youths of the tribe, and often of foreigners living as guests with the prince. It thus resembled the "comites" of the German princes, as described by Tacitus.⁴²⁸ In Ireland the number was fixed by law, and we may presume that it was so likewise in Gaul and Germany. But rich princes prided themselves on being surrounded by a brilliant and richly armed retinue; thus the Alamannish king Chrodmar is said to have had a retinue of two hundred.⁴²⁹ A retinue of fifty or three times fifty was considered splendid in Ireland, as we find these numbers frequently given in the ancient tales.

All *Flaths*, and *Bó Aires*, of and above, the rank of a *Bruighfer*, were entitled to a *Dám* or retinue. But kings, their *Tanaists*, and certain of the higher *Flaths*, who were officers of state, as I shall describe in the next section, were also entitled to a second kind of retinue called a *Foleith*. This word, as I have pointed out in a note to the *Criith Gablach*,⁴³⁰ is connected with Leet or "Leta", and the retinue so designated consisted of the suitors of the courts, whom those entitled to have a *Foleith*, that is, the sokemen, or *Sic Oc*, who

A *Rig* not permitted to do servile work;

his *Dám* or retinue;

composition of the *Dám*;

persons entitled to a *Dám*.

The *Foleith*.

⁴²⁸ *Germania*, c. 13. ⁴²⁹ Ammianus Marcellinus, *Rerum Gest.*, l. xvi. c. 12.

⁴³⁰ Note 553, vol. ii. App. p. 498.

possessed rights of jurisdiction, had with them when holding those courts. The *Foleith* of a *Rig Tuatha* consisted of nine suitors, that of his *Tanaist* of eight, that of a *Rig Mór Tuatha* of twelve, while that of the *Rig Rurech*, or provincial king, extended to seven hundred. I shall have something further to say on this subject when describing the judicial system.

The *Amus*
or *Ambus*;

A king also had a special body-guard consisting of four men, called in the *Crith Gablach*, *Amus*. That tract affords us a curious insight into the class of persons who formed this body-guard, namely, those condemned to death and pardoned, persons liberated from the gallows or whose life had become forfeit for debt, that is, who had become "addictus", in the sense of that term in Roman law, and whose life the king had perhaps purchased at the legal price fixed in such cases; or lastly, such as he freed from the servitude of base *Bothach*-ship, or base *Fuidir*-ship. On the other hand we are told that he should not have a man whom he saved on the battle-field, who had been forced to retreat, or had been wounded in combat, one condemned to the duties of the office as a punishment, or selected as a favourite. We find this term *Amus* or *Ambus*, elsewhere applied to mercenaries in the pay of a chief; and we may therefore assume that, as in the case of the *Dám*, wealthy and ambitious chiefs endeavoured to keep as many of this class of retainers as they could about them. The *Amus* or *Ambus* are the *Ambacti* of the Gauls, and Cæsar's remark⁴³¹ that the Gaulish nobles surrounded themselves with *Ambacti* and clients, which they considered a mark of favour and of power, is equally applicable to Irish chiefs. The Gaulish *Ambactus* is generally considered to have been a servant or attendant;⁴³² and the function given to the Irish *Amus* in the *Crith Gablach* corresponds with this view. But whether of low or high birth, both were undoubtedly military

represented
the Gaulish
Ambacti.

⁴³¹ *De Bell. Gall.*, vi. c. 15.

⁴³² *Ambactus* apud Ennium lingua Gallica servus adpellatur. Pompeius Festus.—*De verborum significatione*. Jacob Grimm considered *Ambactus* to have been borrowed from the Gothic *Andbahts*. Diefenbach (*Origines Europæae*, 226) seems to think the converse was the more probable. The evidence of borrowing on either side is however very weak, at the same time that there are many reasons for supposing that the Gaulish and Gothic words are

retainers. Caesar mentions a superior class of Gaulish mili-^{The Soldarii.} tary retainers the *Soldarii*. Judging from his description of this class of retainers, they must have been the sons of the better classes, who, not having much property, attached themselves to some wealthy and warlike chief, at whose expense they lived in free companionship.⁴³³ The *Dam* of an Irish

cognate. The later forms in the Germanic languages are more like the Gaulish than the Gothic word. These words sometimes denote persons of low position, and sometimes officers of high rank, but in neither case exclusively military. The Gothic *Andbaht* was not a mere servant, as is shown by the contrast of the word with *Skalks* in Ulfilas: "Stoðun skalkos jah Andbahtos", the servants and the *Andbahtos* stood (*John*, c. xviii. 18). The *Anbyht Sealcas*, or servants over other servants, of the fragment of the Anglo-Saxon poem of Judith, agrees with the Gothic meaning. The form *Ombiht*, or *Ombiht*, is used in *Beowulf* for officers of very high rank. Thus the *Warder of the Sea* is called a fearless *Ombiht* (579), and *Wulfgar*, a Wendish chief, describes himself as the *Ar ond Ombiht*, that is messenger and *Ombiht* of King Hrothgar (677). Again, the *Ombiht Thegne*, to whom *Beowulf* gives his armour and bids hold the war gear (1351), performed the function of an esquire. In the *Rhythmic Chronicle* *Ambacht* is used to qualify *Lude*, people, that is to designate persons holding office (c. 58). The form *Ambetsman* is given in an edict of Magnus Ericson, king of Sweden, of the year 1344, to his viceroy in Norway. The Norse forms are almost always applied to persons of low birth. Thus, in the *Rigmál*, one of the daughters of Thrael and Thy is *Ambátt* (*str.* 13), that is, "servant maid", a meaning which it also has in another of the poems of the poetic Edda, *Oddrúnargrátr* (*str.* 28). In the *Herwarar Saga* (*Add. MSS. Brit. Mus.* 11,108, c. 18, f. 14, b.), King Humli, we are told, was excited because Hlothr was called the son of an *Ambátt*, which proves that that term implied a woman of low condition. On the other hand, in the *Saga of Harald the fair haired*, a woman of high birth is called the King's *Ambátt* (*Harald's Saga hins hárfagra*, c. 40). The persons composing the *Amus* of a king, according to the *Crúh Gablach* (vol. ii., App. p. 509), are clearly slaves, and are limited to four. In other documents, however, the number mentioned is often considerable, and the persons composing it are sometimes of a superior class, but have generally the character of mercenaries. Thus, in the poem quoted in the *Lectures* (Lect. xvi. and xviii., vol. i., pp. 343 and 389), the retinue of *Raghallach*, king of Connaught, who died A.D. 645, was composed on one occasion of ten hundred *Amuis*, the sons "of warriors and of noble farmers". Again, in *Cúed O'Hartagan's* poem on Tara, attributed to the middle of the tenth century, he speaks of a great house or barrack of thousands of *Amuis* (Lect., vol. i., p. 378). And again, in the account of the battle of *Aluain*, fought A.D. 718, we are told that *Fergal MacMaoldúin*, monarch of Eriu, and six thousand of his *Amuis*, were killed (Lect., vol. i., p. 389).

⁴³³ *De Bell. Gall.* l. iii. c. 24. The champions of the royal branch of Ulster under *Conchobar Mac Nessa*, the *Gamanrians* of Connaught under *Ferdiaid*, and the *Clanna Deagadh* of Munster, under *Curoi Mac Daire*, appear to have belonged to this category.

prince consisted of persons of this class, who were very numerous, and were the source of much evil in Ireland as well as in Gaul. For all these different retainers the *Rig* and other *Flaths*, held free table, and regaled them in lieu of pay. In the *Crith Gablach* we are told that "a king who knows a king's lawful rights will regale his hosts bountifully after meals";⁴³¹ and that he was not a lawful *Flath* who did not distribute ale on a Sunday.

The king's
residence or
Dún.

The law also prescribed the number, size, and character of the king's houses,—that is, their minimum dimensions; but it is to be presumed that any one rich enough could build himself larger and more splendid residences. Each king should possess at least three chief residences, and each of these should be surrounded by walls and a ditch, that is, should be a *Dún*.⁴³⁵ The right to have a *Dún*, that is, walls or mounds of earth and a ditch filled with water—which fulfils the conditions of the old gloss, two walls with water—was a privilege apparently of kings only. The house and *Dún* of a king were built at the expense of the territory. The *Dún* of a *Rig Rurech* appears to have been surrounded by a second rampart called *Drecht Gialnai* or ditch of the *Gialls* or hostages.⁴³⁶ This second rampart seems to have been intended for the greater security of the *Gialls* or hostages which every king received as pledges of allegiance, and without which he was not considered to be a true king.⁴³⁷ The *Rig Tuatha* did not require such security, for all those from whom he claimed *Céilsine* or homage lived within his territory; but the provincial king required special pledges, from all the sub-reguli under them, and the means of securing their safe keeping.

The *Dún* of
a *Rig*
Rurech.

⁴³⁴ Vol. ii., App. p. 510.

⁴³⁵ Every king is a pauper who hath not three chief residences; that is, it is three chief residences each king is entitled to have, *i.e.* three houses, or three *Dúns*". *MS. H. 3. 18. T.C.D.* p. 550.

⁴³⁶ *Crith Gablach*, vol. ii. App. p. 508.

⁴³⁷ "He is not a king who has not hostages in locks, and who does not receive *Cis Flatha* (tribute) from *Flaths*. That is, he is not entitled to be called a king unless he has hostages for the fulfilment of his kingship, or his *Céilsine*, *i.e.* his *Daer Aicillne* (base tenants), to give him *Braich* (malt)".

"To whom the *Cáin* tributes are not paid (*i.e.* his *Smachts*). When a king

The interior arrangements of a house such as was suitable for the reception of a king are given in some detail in the *Crith Gablach* in the account of the *Brudin*, or residence of the royal *Bruighfer Daderga*, and in that of the feast of *Bricriu* and other tales, but at present I am only concerned with the various officials who surrounded the *Ard Rig Erind Conaire Mór*, for they give us an idea not only of the various attendants and household servants, but of the elements of the *Dám*, which of course comprised many persons in addition to his military escort. Besides a suite of nobles, visitors, and hostages, numbering sixty, among whom were his three sons, twenty-seven British nobles in exile, nine Saxons, and three Picts, there were three royal druids and jugglers, three poets, three judges, nine harpers, nine pipe players, three ordinary jugglers, three jesters, three head charioteers, nine apprentice charioteers, three equerries, three swine herds, three janitors, two wardens, nine guardsmen, that is, his military escort properly speaking, eight swordsmen in charge of hostages, three cooks, two table attendants, three drinkbearers, six cup-bearers, and lastly the house steward or *Rectaire*, who superintended all, and corresponded probably with the *Pincerna* or butler of the Anglo Saxon and other mediæval courts. The prevalence of the number three, and of the multiples of it, six, nine, and twenty-seven, in this list is remarkable,—even the eight guardsmen who guard the hostages make with the latter nine. This circumstance shows, however, that the numbers are imaginary,—it is in fact only a poetical description, but one showing, nevertheless the general character of a king's retinue on ordinary occasions.

Household
of the High
King of Eriu.

gets these tributes of acknowledgment it is then his *Dire* must be appropriate, without falsehood in his deeds or injustice to his people—*i.e.* when he receives the allegiance, or the hold, we have before mentioned, *i.e.* it is then he is entitled to the full *Enecland* of a king, *i.e.* when he holds these acknowledgments of allegiance, namely, hostages and *Cí* (tribute) and *Smacht* (fines), *i.e.* for his giving judgment, or *Fiadnaise* (witnessing), or for settling any unlawful charge, *i.e.* not to betray [oppress] the nobles. It is not lawful for him to betray the ignoble, *i.e.* by making a *gu fergaile* (false testimony) in law, or in a case of death or wounding, or in a case of theft upon his people; for if he be guilty of any of these improprieties he is not entitled to honour or kingship in fulness". *MS. 2. 15. T. C. D.*

Revenue of a king.

The revenue of a king consisted of the *Cís Flatha* or rents and subsidies of his *Flaths* if a *Rig Tuatha*, and of the sub-reguli if a high king; of the *Taurcrech* or stipend which he received from the paramount king as laid down in *Leabhar na g-Ceart*, or Book of Rights; of waifs and property for which there was no legal heir; a share of *Díre* and *Sárugud*, and apparently of certain legal fees for judgment in the high courts; a share of the booty in war;⁴³⁸ and *Rachts*, or special levies, etc. Each king had likewise his own estate from which he received: 1. the produce of his own demesne, 2. the rents of his *Fuidirs*, 3. the *Biatad* of his *Daer Céiles*, 4. the *Bes Tigi* of his *Saer Céiles*, and 5. the *Faine Maighdena* or maiden's marriage ring.⁴³⁹ The latter was the equivalent of the Welsh *Gobyr merch* or *Amobyr*, or king's share of the

The maiden's marriage ring.

⁴³⁸ An illustration of the right of a king to a share of the war-booty is to be found in the *Tocmorc Bec Fola*, edited by B. O'Looney, *Proceedings of the Royal Irish Academy, Irish MSS. Series*, vol. i., pp. 182-183.

⁴³⁹ The *Faine Maighdene*, or maiden's ring, is not to be confounded with the marriage ring put on the bride's finger at the marriage ceremony. It was a tribute due to the king on the marriage of every maiden within his territory. There is no reason to suppose that the payment of this tribute was confined to the daughters of *Aires*, but was paid as in other countries by all women. When the maiden was the daughter of an *Aire*, the tribute was paid apparently by herself; in the case of *Bothachs* and *Fuidirs*, it was no doubt paid by the lord on whose estate they were, except in the case of *Fuidirs* who possessed a complete homestead, or the *Cuig Rath Cedach*. Instead of a ring, the bride could give her bridal garments. The amount of this tribute appears to have varied from three *Screpalls* to an ounce of gold. The following passage from the third chapter of an ancient Irish life of Saint *Maighnean* not only proves the existence of this tribute, but also the important fact that the right to it could be granted to the Church.

"Bishop *Maighnean* and *Lomman* of *Loch Uair* [Lough Owel in Westmeath] then took leave, embraced, and blessed each other. *Maighnean* on this occasion preached sermons to *Diarmait*, son of *Fergus Cerrbheoil*, i.e. to the king of Eriu [A.D. 538 to 558]. When *Lomman* of *Loch Uair* heard the terrors of the Day of Judgment, and the severe judgments of the Holy Trinity, he shouted in loud lamentation in presence of the king and his people. When the king's people heard the admonitions, severe judgments, and hard sayings of the holy cleric, nine-and-twenty of them departed this false world in presence of the king; and *Diarmait*, son of *Fergus*, also made his own peace with God from that forth; and he gave his *Coibsená* (confessions) and great *Almsona* (alms) to *Maighnean*, i.e. a *Screapall* from every nose, and an *Uinge* (an ounce) of gold from every virgin daughter on her first espousal to a man,

“bride price”. The king was also entitled to his maintenance, and that of his legal suite, when travelling through his territory, either for collecting his tribute, making a judicial eyre, or holding an assembly, or, in fact, when engaged in any affair of state. The other *Flaths* of the *Tuath* might be considered as the vassals of the *Rig*, and the *Bó-Aires*, who received *Taurrech* from one of those *Flaths*, as vavasors. The *Rig Tuatha* was in turn a vassal of the higher king, and so on.

THE EXECUTIVE GOVERNMENT OF ANCIENT IRELAND.

The Nobility and Officers of State.

The ancient Irish, or at least some of the medieval scribes, attached considerable importance to the numbers three and seven. In the foregoing section we have had an illustration of the occurrence of three, and its multiples, the square and cube. The *Crith Gablach* and other law tracts afford us many examples of the number seven: thus we have seven grades of *Bó-Aires*,⁴⁴⁰ seven grades of *Flaths*, seven grades of poets or *Files*, etc.; again, all the qualifications of the *Oc-Aire* are either seven or a multiple of it, seven cows, seven sheep, seven pigs, land sufficient for three times seven cows; and again, the seven prime possessions of every *Bó-Aire*, namely, a house, a mill or a share in it, and in the multure or dues in meal paid for its use,⁴⁴¹ a kiln, a barn, a sheep-pen, a calf-house, a pig-stye. The same phenomenon appears in Wales, where the well-known Triads afford us striking examples of the preference for the number three. The council of Elders of the Cantref, or

Preference of the ancient Irish for certain numbers;

Or if she should prefer it rather than [to pay] the king's stewards, she may give the garments and clothes which she wore [at her marriage]. The king also gave to him the materials of a *Trosdan* and a *Bachall* (a pastoral staff) of the gold which he got in ransom of the foreigners. *Maighnean's* sermon at *Loch Uair* at that time was noble, and his covenant with the king of Eriu. He gave his blessing to *Diarmait* and to his descendants after him, and he said unto him: *Misericordia Domini super nos, super filios vestros*. —*MS. Brit. Mus. Egerton*, 91, f. 103.

⁴⁴⁰ Made eight in the *Crith Gablach* by counting the two classes of *Fer-midboths*, i.e. minors, traversers, or defendants, etc.

⁴⁴¹ It is not quite clear that *Bó-Aires* of every class were entitled to multure, when they had only a share in the mill. It is expressly stated that the *Bruighfer* was entitled to it.

Hynviaid Cantrev, consisted of seven.⁴⁴² As this council corresponded to the Irish *Sabaid*, or council of the Ale House, those seven members doubtless represented likewise as many distinct ranks or officers. The preference for seven in the number of ranks of *Aires*, poets, etc., seems, however, to have had no political importance, for, in order to make up seven ranks of *Bó-Aires*, various classes of persons not in full possession of their rank, such as minors, traversers in cases of homicide, debtors under bail, etc., included under the designation *Fermidba*, are included. Besides, we find in another law tract published in the Appendix,⁴⁴³ that there were twenty-six classes of society, a number which is not a multiple of seven. In this last we find the king, the juggler, the spendthrift, the constable, and the judge mingled together. We may, therefore, pass over this question of number, and describe, as far as there are materials available, the nature and functions of such of the grades of the nobility or *Flaths*, and of the *Bó-Aires*, as held special offices.

Besides the *Rig* and his *Tanaiste*, there were three other socmen in each *Tuath*, the *Aire Forgaill*, the *Aire Tuisi*, and the *Aire Ard*,—their relative ranks being in the descending order in which I have named them.

In some law tracts mention is made of three ranks of *Aires Forgaill*,⁴⁴⁴ and as it is not likely that there was more than one officer of this rank in each *Tuath*, it is probable that the three alluded to corresponded to the three ranks of kings. In any

⁴⁴² *Triodd Dyunwel Moelmuw*, 88, 162, 225—*Ancient Laws and Institutes of Wales*, p. 383, etc.

⁴⁴³ Vol. ii. p. 513.

⁴⁴⁴ "The three *Aires Forgaill*,—their three *Eneclands*: fifteen cows, eighteen cows, and twenty-seven cows. Their three properties in *Céiles*—thirty-two *Céiles*, thirty-seven *Céiles*, and an equal number with the king hath the highest *Aire*. Their three *Faesams*—twenty days is the *Faesam* of the two lower *Aires*, twenty-four hath the highest *Aire*. Thirty are the company of the two lower *Aires* when making *Cáin* [*i.e.* adjudicating on cases coming under *Cáin* or statute-law, or assisting in the enactment of new statutes], and *Cairda* (inter-territorial contracts)". *MS. H. 4. 22. T.C.D.* p. 64, a.

It is evident from a comparison of this passage with the part of the *Crith Gablach* which describes the *Aire Forgaill*, that the privileges and qualifications of that officer varied according to place and time.

case, every king, of whatever rank, had his *Aire Forgaill*, who acted as his chancellor, held his court, had jurisdiction over the common land of the *Tuath*, determined the rights of each *Fine*, authorized the taking possession of escheated lands by the king's *Maer*, exercised supervision over Chiefs of Kindred as regards the rights of minors, testified as to the character, status, and property qualification of the suitors at courts and of candidates for office, and many other duties. The Welsh *Canghellor* was the representative of the *Aire Forgaill*, and like the latter, held the king's court both when the king was present and when he was absent. He had power to order or forbid the arrest of persons, to issue mandates and ordinances, and was free and unfettered in the exercise of his functions. His executive officers were called *Rhingyl*: they appear to have corresponded in some respects to the *Aire Cosraing* or official *Aire Fine*.*

The *Aire Forgaill* the Welsh *Canghellor* or chancellor.

The *Aire Tuisi*, according to the *Crith Gablach*, came next in rank to the *Aire Forgaill*.⁴⁴⁵ We are told that he was in the free pay of the king, had twelve riding steeds, a golden bridle and a silver bridle. The word *Tuisi* means leading, and is cognate with the Latin *Duc-s* or *Dux*, A.S. *Here-tog*, so that the *Aire Tuisi* was probably the commander of the levy of the *Tuath*. The word *Taoisech*, a leader or captain, was probably at first applied only to the *Rig Tuatha*, but was afterwards ex-

The *Aire Tuisi*;

cognate with *Dux* and *Here-tog*; the *Taoisech* of later times;

⁴⁴⁵ According to the following passage from another *MS.* the *Aire Ard* was of higher rank than the *Aire Tuisi*:

"The *Aire Ard*: twelve cows are his *Enecland*; ten persons are his full retinue on *Fecht Fele*, and on *Foluch Othrusa*; fifteen days are his full *Faesam* and *Fonadm*; sixteen *Céiles* are his wealth in *Céiles*; he has twenty-four persons when making *Cáin* and *Cairde*; twenty-seven cows are his wealth in cows; thirty sheep make his property in sheep; he has thirty couples upon coshering from the Kalends to Shrovetide. He has the land of three times seven *Cumals*, a plough with its legal accompaniments, a kiln, a mill, and a barn".

"The *Aire Tuisi*: nine cows are his *Enecland*; eight persons are his full retinue on *Fecht Fele*, and on *Foluch Othrusa*; ten days are his full *Faesam* of food and *Fonadm*. He has fourteen *Céiles*; he has twenty persons when making a *Cáin*, and a *Cairde*; he has twenty couples on coshering from the Kalends to Shrovetide; twenty-two cows make his property in cows; thirty sheep are his property in sheep. He has land sufficient for three times seven *Cumals*. He has a plough with its legal accompaniments, a kiln, a mill, and a barn". *MS. H. 4. 22. T.C.D. p. 64, a.*

tended to commanders of all ranks, from the *Taoisech nonbair*, or leader of nine men, to the commander of a battalion, or *Aire Tuisi*, and ultimately even to civil officers. According to the *Annals of the Four Masters*, *Ollamh Fodhla*, one of the most celebrated of the ancient pagan law-givers of Eriu, "appointed a *Taoisech* over every cantred, and a *Brugad* over every *Baile*, who were all to serve the king". Here *Taoisech* is used in the sense of prince or chief, like the corresponding Welsh *Tywysawg*, which is the title used for the chief princes in the Welsh chronicles after the death, in 1137, of Gruffyth ap Cynan who was the last prince called *Brennin* or king. According to Keating, the leader of a battalion of the militia or *Fianna* of *Fínd MacCumhaill* was called *Cath Mhiledh*, the leader of a hundred *Cendfedhna Céd*, while the word *Taoisech* was only applied to the commanders of fifty, twenty-seven, and nine men respectively.⁴⁴⁶ Among the highest officers of the king of *Ua Mainé*, on the other hand we find the commander of the cavalry called *Taoisech Scuir*, the master of his banquets, *Taoisech com oil*, and his treasurer the *Taoisech Eallaigh*.

the Welsh
Tywysawg.

The *Aire*
Ard :

Next in rank to the *Aire Tuisi* came the *Aire Ard* or high *Aire*. His title of high comes perhaps from the circumstance that he was the first of the *Aires* in an ascending scale who had "sac and soke", that is, the right to hold a manorial court. According to a law tract published in the Appendix,⁴⁴⁷ the *Aire Forgaill* and the *Aire Ard* are considered to be one and the same person, and his retinue when holding a court is stated to be thirty—the number assigned to the *Aires Forgaill* of the second and third grades, in the passage quoted in a preceding note from the *MS. H. 4. 22*, in the Library of Trinity College, Dublin. It is probable that the *Aire Ard* may have been the *Maer* or high steward of the king. In Wales the *Maer* was the next in rank to the *Canghellor*: indeed the two offices were often held by the same person. They were both entrusted with the management of the crown estate, they kept order among the occupiers of the royal mensal lands and *terra regis* or crown lands, took possession of heirless property, etc., constituting the king's waste, and determined all disputes and feuds between the

he acted
probably as
king's *Maer*
or High
Steward :

⁴⁴⁶ Lect. Vol. i. p. 381.

⁴⁴⁷ Vol. ii. p. 575.

tenants of the royal domains. Each had of course special duties : for instance, the *Maer* accompanied the king during his annual eyre or circuit and assigned him quarters. I have already mentioned some of the special duties of the *Canghellor*, who had the right to the first place on the left of the king at the three great festivals, and to certain gifts when entering on office. The Lord High Stewardship, or office of *Maer Mór* of Scotland, like the corresponding Welsh office, was one of high rank ; as was also the *Maeraigecht* or *Maer*-ship among the Irish, as is shown by the *Maer* to the king of Hymany in the thirteenth century being a *Rig Tuatha*, the king of *Caladh*.⁴⁴³ The functions of the officers called *Maers*,—a term preserved in the German *Meyer*—appointed by Charlemagne over the great agricultural and industrial establishments which he set up in various parts of his empire where agriculture was most backward, are so like many of those of the Welsh and Irish *Maer*, that there can be little doubt either that the office and its name were common to the Franks and the so-called Celtic peoples, or that there was borrowing on one side or the other. The very high rank of the Scottish *Maer Mór*—in ancient times he appears to have been the highest officer under the crown—suggests a connection between the Celtic *Maer* and the *Maire* of the Palace of the Merovingian kings of France. All Aryan peoples seem to have had an officer of high rank of this kind. The title *Mayor*, or, as it was anciently written, *Mayer*, given to the chief magistrate of many of our towns, and that of the corresponding officer in France, the *Maire*, which are usually assumed to be of Latin origin, are more probably Celtic.

the *Maer Mór* an officer under the Scottish kings ;

Maers of Charlemagne ;

the English *Mayor* and French *Maire*.

Informations and plaints involving *Cáin* or statute-law could only be made before *Aires Ard*, while the lowest class of *Flaths*, the *Aires Desa*, could take cognisance of cases coming under *Urrudas* or common law.⁴⁴⁹

The *Aire Eghtai*, who came next in rank to the *Aire Ard*, was not entitled to a *Foleith*, that is, had not the right of hold-

The *Aire Eghtai*.

⁴⁴³ A district nearly coëxtensive with the present barony of Kilconnell, county of Galway.

⁴⁴⁹ A *Toraic*, [*i.e.* a private information] which is made in the presence of *Innraics* [*MS.* defective here]. This is a man who has made an *Aisneis Cleith*,

ing a manorial court. As his name implies, he was the commander of the permanent military force of the *Tuath*, consisting of five mounted men-at-arms, intended for the defence of the territory from sudden attacks, the preservation of the peace, the enforcement of the law, and the arrest of malefactors. In the second law tract published in the Appendix, he is called the *Ansruth*,⁴⁵⁰ a term which shows that the last mentioned duty was an important one. When a murder was committed in a *Crith* or district, the *Aire Eghtai* and his troop were quartered upon it, and maintained at its expense until the murderer was given up. In case of resistance or attempted escape, the criminal might be killed with impunity. In a note to the *Crith Gablach*,⁴⁵¹ I have considered the *Aire Eghtai* to be the king's master of the horse, and, in the case of a provincial king, the representative of the Constable of the Host, or Constabularius Regis of the Anglo-Saxons. The office of *Taoisigecht Scuir* of the twelfth and thirteenth centuries appears to have been the same as the earlier one of the *Aire Eghtai*.

The *Dae*.

Each *Fine* had an officer called a *Dae*, whose functions within the *Fine* were somewhat analogous to those of the *Aire Eghtai*. He commanded the armed levy of the *Fine*, arrested malefactors, brought them to justice, and had the sentence of the court carried out.⁴⁵² He corresponded both in name and functions to the Welsh *Dialwr* (= *dial*, to avenge, and *Gwr*, man). One of the functions of the Welsh officer was to proclaim murderers, thieves, and other criminals outlaws by sound of horn.⁴⁵³ We may assume that the Irish *Dae* did the same. He was probably a kind of subordinate officer to the *Aire Eghtai*, though (private information against a nobleman), [a line of *MS.* lost], or it is against a friend or a corelative, and he is ashamed to make it in public, so this then is the manner of making his *Toraic*, namely, to make it in presence of the three *Aires Ard* in accordance to the *Cáin* [*i.e.* if the case comes under the *Cáin* law], or in presence of the three *Aires Desas* according to the *Urrudas* law, or in the presence of an *Innraic* priest, whether it belongs to the *Cáin* or to the *Urrudas*". *MS. Brit. Mus., Egerton*, 88, p. 48.

⁴⁵⁰ Vol. ii. p. 517.

⁴⁵¹ *Ibid.*, p. 468.

⁴⁵² The term *Oilc* occurs for the persons who pursued or executed a criminal. They were perhaps the armed retinue of the *Dae*.

⁴⁵³ "The Avenger of a Kindred (*Dialwr*), leads it to battle and war as there may be occasion: and he pursues evil doers, brings them before the court, and

I have not met with any direct evidence which would connect them.

The *Aire Echtei* of a *Tuath* corresponded perhaps to the Anglo-Saxon constable of a hundred, an officer represented by the almost extinct baronial high constable of the present day. The *Dae*, on the other hand, represented the Anglo-Saxon Ward-Reeve, whose jurisdiction extended over a ward or tithing. As the latter officer was appointed by the township, which was the successor of the old *Maegth* or kindred, the relationship of these offices is still more satisfactory.

The lowest rank of *Flath* or owner of freehold estate was called an *Aire Desa*. ^{The *Aire Desa*.} The property qualification of this rank given in the *Crith Gablach*⁴⁵⁴ is doubtless a minimum, as there is reason to believe that many much richer men who held no office were included under this title. The *Aires Desa* constituted a kind of magistracy like the modern unpaid justices of the peace, whose jurisdiction extended only to cases coming under *Urrudas* or customary law—plaints in all causes involving *Cáin* or statute-law, requiring, as I have already stated, to be lodged at the *Forus* or residence of an *Aire Ard*.

Of the grades of *Bó Aire*, it is only necessary to speak at any length here of two—the *Aire Cosraing* and the *Bruighfer*.

I have already mentioned that each family or *Fine* had ^{a The *Air Cosraing*.} Chief of Kindred, or *Aire Fine*, who acted as its representative in all legal engagements: hence he was also called a *Nascaire* or binding *Aire*, from *Nasc*, a ring or bond. As many questions of an interterritorial character arose from time to time, the *Fines* elected an *Aire Fine* who had the power of acting for them collectively. This was the *Aire Cosraing*, though that term does not seem to have been exclusively used to designate this elective officer, but to have been also applied, like *Nasc*—

punishes them, according to sentence of the court and the judgment of the country". *Ancient Laws and Institutes of Wales*, p. 652, §. 88.

"Three objects of detestation to a kindred: one who shall kill a person of his own kindred: a thief, and a swindler; they are so called, because it becomes right for the Avenger of the Kindred (*Dialwr*) to proclaim them with the horn of the country in court, and in resort, and in every regular assembly and upon the idiot posts of the king". *Ibid.*, p. 661, §. 149.

⁴⁵⁴ Vol. ii., App., p. 494.

The *Aire Cosraing*;

aire, to the *Aire Fine* of each kindred. Indeed when the whole of the freeholders of a territory formed but one kindred, the *Aire Fine* of that kindred was also the official *Aire Cosraing* of the *Tuath*.

he represented the A. S. Gerefa;

The *Aire Cosraing* was the executive officer of the *Rig* and of the courts, who levied or took security or bond—hence the name *Nascaire*—for the tribute, fines, etc., legally leviable on the territory, and distributed the *Dire*, *Enecland*, etc., to which each *Fine* became entitled. He was in fact the executive officer who carried out the judgments of the courts, and was, as regards fiscal matters, the proper officer of the *Aire Forgaill*. In virtue of those functions he represented the territory at the judicial assemblies of the *Tuath*, as we shall see hereafter. It is probable that he also acted as the officer of the *Maer*, or in other words that he was the fiscal officer who levied the tolls and dues of the *Rig* from the freemen of the territory. In all these functions it is evident that the *Aire Cosraing* represented in most particulars an Anglo-Saxon Gerefa, such as the Leidgreve or Gerefa of a Leet, the Gerefa of a Hundred, the Trehingreve or Gerefa of a Trithing or Riding, and the Scire Gerefa or Gerefa of a shire, whence the modern Sheriff. The Anglo-Saxon Gerefa of a Hundred was also the fiscal officer of the lord of the Hundred, and received the tolls and dues, and had general superintendence over, that is, acted as provost of, the ceorls and other tenants. He was undoubtedly an elected officer, being chosen by presentment of the Leet Jury, as the Scire Gerefa or Sheriff was elected by the magnates of the shire or county. As the *Aire Cosraing* levied the *Dire*, *Enecland*, *Sarugud*, *Esain*, and other fines, so the Anglo-Saxon Gerefa levied the *Grith-brech*, *Blood-Wite*, *Leirwite*, *Wergild*, and other fines for breach of the peace, bloodshed, and other breaches of the law.

he did not hold a court;

The *Aire Cosraing* did not hold a court in his own right, but, like the Chiefs of Kindred, he attended the Courts Leet and the King's Court. It is probable that in England also the Gerefa originally had no right of holding a court; but when the central power of the paramount king absorbed that of the sub-reguli and other minor chieftains, the Sheriffs became in

vested with many of the functions of the officers whom they once represented, according as the offices themselves fell into desuetude or were abolished. The Tourn or Turn of the Sheriff was in fact the successor of the court of the Ealdorman, which corresponded to the Irish *Airecht Fodeisin*, or Court of King's Bench of a *Rig Tuatha*. In the Anglo-Saxon system the Sheriff was a judge; in the Irish system the *Aire Cosraing* was not. The Scotch Sheriff has many of the attributes of the *Aire Forgaill*, and is properly speaking a judge, but the office has undergone many changes in process of time.

The *Bruighfer*, or man of the *Brugh*, was, as I have already ^{The *Bruighfer*;} stated, a special kind of local magistrate, having jurisdiction in all cases of trespass and other disputes about land between neighbours. He was also public hospitaller, and his house con- ^{his func-}stituted the *Forus* or place of assembly where the election of ^{tions,} the officers of the *Tuath* took place. The *Bruighfer* had ap-panage lands to provide for the entertainment of those legally entitled to receive his hospitality. He appears also to have had the temporary usufruct of escheated lands, and of such lands as fell into the public domain through failure of heirs, or pending the decision of the courts as to the rightful succession to them. In return for these immunities and lands he was ^{duties,} bound to maintain his establishment in a proper condition. The extent of his house and premises, the character of the furniture, and the amount of supplies of provisions he was bound to have always in store, are minutely given in the *Crith Gablach*.⁴⁵⁵ He was specially protected by law from trespass and ^{and privi-}wanton or malicious damage to his furniture or premises. ^{leges;} In the tract just referred to, the fines for such trespasses and damages are set down with great minuteness. These fines were heavy, and were evidently intended to restrain those who were entitled to hospitality within the limits of order and decorum.

The jurisdiction of the court of the *Bruighfer* extended to ^{is court;} all disputes concerning pasturage, tillage, forestry, and all other agricultural matters in dispute between neighbours, which did not involve complex questions of law or right, or a large amount of property. It was a court of arbitration rather than of law,

⁴⁵⁵ Vol. ii., App., p. 485.

corres-
ponded to
the Scotch
Birlaw
court;

of great
antiquity.

The *Aithech*
Baitsidhe :
connected
with bache-
lor,

like the Conseil des Prud'hommes of France. The customs and rules of the *Brugh-court* were known as *Brughrecht* or *Brugh Laws*.⁴⁵⁶ The *Birlaw* courts of Scotland for the settlement of disputes between neighbours about land, trespass, etc., corresponded to the ancient *Brugh-Courts* of Ireland.⁴⁵⁷

These courts are of very ancient origin, as is shown by the passage quoted above from the *Four Masters*, where the appointment of *Bruighfers* by *Ollamh Fodhla* is mentioned.⁴⁵⁸

When an *Aithech ar a Threba*, father of a *Trebh* or homestead, that is, head of a Congilda, possessed all the property and other qualifications enumerated in the *Crith Gablach*, he was, we are told, an *Aithech Baitsidhe*.⁴⁵⁹ This latter word is of great interest, for it almost certainly contains the root of the word bachelor. It signifies one who aspires or is candidate for something. This is a much better and more satisfactory explana-

⁴⁵⁶ The following passage will serve to show the class of cases which came within the jurisdiction of the *Brugh-court*. "No man shall trespass on the land of his neighbour, nor cut down the timber on the land, nor tear down his boundaries or fences, or plunder him [*i.e.* wilfully trespass on his lands], nor build his *Trebaire* [such buildings etc., as constituted a man a householder] upon it of houses, or of kilns, or of mills. Neighbours shall not trespass upon each other, *i.e.* each man shall give a pledge for the damages of his cattle, *i.e.* a pledge of two *Screpalls* for every *Ail*, *i.e.* for every damage they commit by going beyond their own *Ail* (fence); for every *Tairsce*, *i.e.* for every crossing over, *i.e.* for every fence they pass, *i.e.* passing over one defined limit (*Aircend*), or two defined boundaries; for every *Ruriud*, *i.e.* for every first running, *i.e.* for passing over three *Aircends* (legal boundaries or limits), or over four *Aircends*". *MS. Brit. Mus., Rawlinson*, 487, fol. 66, p. 1. a.

⁴⁵⁷ "*Burlaw, Byrlaw*. Laws of *Burlaw ar maid* and determined be consent of neightbours, elected and chosen by common consent in the Courts called the *Byrlaw Courts*. In the quhilk cognition is taken of complaints betwixt nichtbor and nichtbor, lib. 4. c. The quhilk men sa chosen, as judges and arbitrators to the effect foresaid, are commonly called *Byrlaw* men. It is ane Dutch word, for *baur* or *baurman* in Dutch is *rusticus*, ane husbandman. And sa *byrlaw*, *burlaw*, or *baurlaw*, *Leges rusticorum*: Lawes maid be husbandmen, concerning nichtbourheid to be keiped amangis themselves". *De Verborum significatione. The exposition of the termes and difficill wordes contained in the foure buiks of Regiam maiestatem and utthers in the acts of parliament, infetments, and used in practique of this realme, and with divers rules, and common places, or principals of the lawes*. Collected and exponed be master John Skene, clerke of our sovaine lordis register, counsell and rolles. London, 1641, p. 33.

⁴⁵⁸ *Ante*, p. cclxiv.

⁴⁵⁹ Vol. ii., App., p. 483.

tion of this title, than any of those hitherto suggested, most of which are very absurd. Perhaps the middle Latin and Romance terms *baccalaria* and *bacele*, which are supposed to be derived from *baca* for *vacca*, a cow, and therefore to signify an ox-gang or cow land, were applied to the amount of land which constituted the qualification for an *Aithech Baitsidhe*, or candidate *Aire*, that is a candidate knight. It is worth remarking, that the *bacele*, according to most authorities, was the amount of land that could be ploughed by an ox, and that the *Aithech ar a Threba* was bound to have the four essentials for ploughing. And again, that about the thirteenth century, we find bachelors begin to be mentioned as tenants of lands liable to furnish one *Chevalier d'Ost*, or contribute to the extent of a half, a third, or a fourth of the expense of one,⁴⁶⁰ as if each Congilda or *Comaitches*, consisting of three or four comorbs or co-partners, was liable to furnish one cavalier, the expense of which was borne proportionably by each member. This subject is worthy of careful investigation, now that we possess in the Irish laws the key of most of the early institutions of Europe.

Before concluding this section, I should mention, that besides the *Aire Fine* and *Dae*, each *Fine* appears to have had a special officer for the relief of the poor. This officer had the power to levy a rate for the maintenance of the wretched and wandering poor. He is characteristically described in the second law tract, published in the Appendix,⁴⁶¹ as "a pillar of endurance and attendance"; and a curious provision of law was made in his regard, that he could suffer "the reddening of his face without insult to his tribe"; that is, he was not disgraced by being abused by the sturdy beggar, who, having nothing himself, could not be expected to pay *Sarugud*, or any other form of compensation for his abuse. As the old and infirm were legally chargeable on their kindred, and had a right to a house of a certain class, and a certain supply of provisions and attendance,⁴⁶² they also no doubt came under the relieving officer. Each *Flath* was chargeable with the relief of his own *Senclaithe*, *Bothachs*, and *Fuidirs*.

⁴⁶⁰ Hampson, *Origines Patriciae*, p. 341.

⁴⁶¹ Vol. ii. p. 519.

⁴⁶² Vol. ii., p. 30, App. p. 470, n. 515, p. 480.

POPULAR ASSEMBLIES, AND LEGISLATION.

Information on legislative and judicial systems of Irish very fragmentary.

The information which has come down to us about the legislative and judicial systems of the ancient Irish is very fragmentary, and so obscure that it will be impossible to give a satisfactory account of them until the whole of the law fragments in Irish manuscripts are published, or at least made available to scholars. Owing to the anarchy which prevailed during the period of the Viking expeditions and Anglo-Norman wars, the organization of the courts was more or less broken up, the procedure became irregular, and the record of court was carelessly kept. Many forms and offices became obsolete; so much so that several legal terms, even the names of the officers and of the courts themselves, became unintelligible to the law scribes of the fifteenth and sixteenth centuries, as the curious entry in the *MS. H. 3. 18*, in the library of Trinity College, Dublin, which I quoted in a former section, shows. I have endeavoured to construct, from such obscure and scanty materials as were available to me, an outline of the legislative and judicial organizations which I believe to have existed before the commencement of the Viking expeditions, sufficient to enable the reader to form an idea of their general character, and to compare them with the similar systems of north-western Europe.

Terms applied to assemblies of the people.

We meet with five terms in Irish manuscripts applied to councils and assemblies of persons connected in some way with the discussion, enactment, or promulgation of laws, namely, the *Sabaid Cuirmtigi* or Council of the Ale House, the *Mathluagh*, the *Dál*, the *Tocomrach*, and the *Aenech* or fair.

The *Sabaid Cuirmtigi*.

The *Sabaid Cuirmtigi*⁴⁶³ or council, which met in the Ale House after the manner of the ancient Germans,⁴⁶⁴ was composed, as the name implies, of the props of the state, that is, of

⁴⁶³ The council at which a *Nos-Tuatha* or territorial law was made, should consist of at least nine persons, namely, a *Itig*, a *File* or poet, a *Brugh*, a bishop, a *Ferlegend*, lector, or law man, an *Ollamh* or judge, an *Aigne* or counsellor, an *Aire Forgaill*, and an *Airchennech* or lay vicar. *MS. H. 3. 18 T.C.D. f. 427-436.*

⁴⁶⁴ The *Cuirmtig* was also known as the *Tigh óil*. *Tribes and customs of Hyfiachrach*. Ed. by J. O'Donovan, p. 141.

the chief men of the *Tuath*, *Mór Tuath*, or province, according to the rank of the *Rig* whose council it was.⁴⁶⁵ Its functions, which are so minutely described in the *Crith Gablach*, were ministerial, judicial, and legislative. In the latter capacity it probably prepared the measures to be brought before the *Tomcomrach* or convention. Whenever a new law was required, or that it was found necessary to have the old ones codified, the task was entrusted to some distinguished lawyer or to a commission of *Sabs*. The well-known *Feis* or Feast of Tara was the feast of the assembly of the *Sabaid Cuirmtigi* of the paramount king of Ireland, and as such was naturally composed of the provincial kings and other subreguli.

Mithal was a general name in Irish for an assembly. In the laws this word is applied to at least three kinds of assembly, the *Mithal Flatha*, the *Mithal Tuatha*, and the *Mathluagh*. The *Mithal Flatha* was a meeting of the tenants or liegemen of a *Flath* called together for military purposes, doing some special work of the lord's, or for the purpose of providing for some extraordinary levy. Any tenant guilty of *Meath Mithli Flatha*, or non-attendance at the lord's assembly, was severely punished. The *Mithal Tuatha* was an assembly of the free householders of a *Tuath* called together to make a *Dún*, a house, a *Fert* or grave, etc., for the king, and no doubt for many purposes similar to those mentioned in connection with the *Mithal Flatha*. The *Mathluagh*⁴⁶⁶ appears to have been the assembly of the *Raiths* or householders of a *Fine* or *Sluagh*, summoned by the *Aire Fine* for the consideration of civil and military matters of importance in which the *Fine* or allied *Fines* of a *Tuath* or *Mór Tuath* might be concerned, such as protesting against arbitrary acts of the *Rig*, or a denial of justice by a court, the distribution of the *Dibad* or property of deceased members of the *Fine*, the holding of a weapon-show, the measures of defence to be taken in case of invasion,

⁴⁶⁵ Tacitus, *De Situ et Moribus Germ.*, §. xxii.

⁴⁶⁶ Cf. Goth. *mapljan*, Anglo-Sax. *mapelian*, to harangue, to speak; O.H.G. and O. Sax. *mahlian*; Goth. *mapel*; A. Sax. *meþel*, O.H.G. and O.S. *mahal*, a harangue, a discourse, a place of public assembly; *méthel-stede*, a battle place. *Beowulf*, 2169.

the hearing of battle speeches, etc. When the *Mithal* was confined to one *Fine*, it corresponded apparently to the Welsh *Rhaith Llys*, or *Rhaith of Court*, composed of from seven to fifty persons. When it included the *Sluagh* or tribe, it corresponded to the Welsh *Rhaith Gwlad*, or *Rhaith of Country*, which was also called the *Rhaith* of three hundred.

The *Dál*.

The assembly of all the *Aires* of a *Tuath*, or of a *Mór Tuath*, or of a number of *Tuaths* forming a *Cland*, such as the *Dalcas* and the *Dalriada*, was, perhaps, properly speaking, a *Dál*. The term is, however, also used for an assembly of the notables of a province. A *Dál* seems to have chiefly differed from a *Mithal* in being composed exclusively of the *Aires* or notables, and in the business being of a more formal and regular character than that transacted at the latter. The assessment of *Díre* and other fines, the levying of taxes, the maintenance of highways, watch and ward, and in fact all the fiscal business of the territory or province, as well as the questions of war or peace, were settled at such an assembly.

The *Tocomranch*.

The true legislative assembly was the *Tocomranch* or convention specially convened for the consideration of important questions, such as the election of a king, the adoption of laws and ordinances. The *Tocomranch* of a *Tuath* or of a *Mór Tuath* could only enact or adopt ordinances in conformity with the *Nósa Tuatha*, territorial or bye laws; that of a province or of all Ireland had proportionate jurisdiction, and could enact *Cana* or general laws. There is no clear line of demarcation between the *Dál* and the *Tocomranch*, the former term being frequently applied to an assembly where laws were enacted. The same assembly very probably performed several functions; it was a *Tocomranch* for the enactment or adoption of laws, a *Dál*, or it might have been even several *Dáls*, for fiscal and other business; while the several *Fines* represented there may have held their respective *Mathluaghs* at the general place of assembly. Thus the general measures, whether legislative, fiscal, or judicial, as well as questions of war or peace, were discussed by each *Fine* in its *Mathluagh*, and its decision expressed by the chief of kindred, or *Aire Fine*, in the *Dál* of the *Cland*, or in the general *Tocomranch*. In like manner the enactments and deci-

sions of the higher assemblies were communicated at a *Math-luagh* to the members of each *Fine*, by its *Aire Fine* or Chief of Kindred.

The *Aenech* or fair was a general assembly of all the people, ^{The *Aenech* or Fair:} or, as the old tales say, the "Men of Ireland", the "Men of Leinster", etc., according as the fair represented the whole country, a province, or a smaller subdivision. Fairs appear to have originated in funeral games celebrated in honour of ^{origin in funeral games,} some distinguished chief or warrior, and in pagan, and even in early Christian times, were always celebrated in cemeteries. The chieftains, judges, and notables sat upon or beside the mounds raised over the graves of the renowned dead. The Scandinavians also deliberated upon all business of importance upon an artificial hillock or mound raised over tombs, called a *Haugr*. They were accustomed to conceal their treasures in these tombs, which respect for the dead and severe laws preserved from desecration.⁴⁶⁷ The piratical expeditions of the Norsemen, and the dissolution of the old ties of clan among the Germans and Anglo-Saxons, gradually weakened the respect for the dead, and the plunder of graves became a common practice of the Vikings. In the saga of Frithiof, Ingeborg directly incites her lover to become a pirate and ransack graves, by arguing with him that it were better that the living should possess wealth than the dead.

In addition to the promulgation of new laws, and the pro- ^{its func- tions.} clamation of peace, the old laws were rehearsed at the *Aenech*, as we learn from the poem on the Fair of Carman.⁴⁶⁸ An ancient fair performed three functions: in the first place, it was the great school where the people learned to know their rights and duties, the special laws under which they lived, the history of the country, the warlike deeds performed by the illustrious dead, and the genealogies of the families entitled to rule them. In the second place, a fair was the occasion of enjoyment to the people,—dancing, music, recitation of poetry,

⁴⁶⁷ The Salic Law "De Corporibus expoliatis" refers to a still more ancient law on the same subject, as follows:—"Et antiqua lege si [quis] corpus jam sepultum exfodierit, et expoliaverit, wargus sit", etc.

⁴⁶⁸ Vol. ii., App., p. 543.

feats of arms, athletic sports, horse racing, and jugglery formed part of the essential business of it. And lastly, it was a great market for all kinds of ware and produce. The king who held the fair awarded prizes to the most successful poets, musicians, and professors and masters of every art. The Irish *Aenech* therefore closely resembled the games of the ancient Greeks. Whether or not the *Aenechs* were used for the three objects just stated from their first institution, it is certain that at the earliest period to which tradition of them reaches, the laws drafted by the *Sabaid* or Council of the Ale House, and adopted at a *Tocomrach*, were promulgated at a fair. The function which the *Aenech* performed as a market, the only one which has survived to our day, was only accidental, and belonged to all gatherings of people. Even now, when permanent and periodical markets and stores and shops of towns offer abundant facilities for the sale and purchase of all kinds of commodities, peddlers and petty dealers take advantage of every popular assembly to sell their wares.

Fairs were organized assemblies;

the *Cot* or *Cotha* or enclosure for women.

The ancient fairs were organized assemblies regulated by strict bye-laws, a breach of which was punishable by death. Thus no one could be arrested on account of any previous transactions, nor could the property of any one be distrained going to, at, or returning from a fair. Women were especially protected, a certain place being set apart for their exclusive use, called a *Cot* or *Cotha*, whence has no doubt come the French *Coterie*. Into this enclosure no men were allowed to enter, nor were the women allowed to mix with the men during their deliberations. It was a special breach of the laws of a fair to elope with a woman or to abduct one against her will. The enclosure for women reminds us of the place set apart on one side of the lists at medieval tournaments for the Queen of Beauty and the other ladies. The *Cotha* was probably enclosed in the same way as the *Lagrett* or place reserved for the judges at the *Heraththing* or assembly of the Hundred among the Scandinavians. This place was surrounded by a fence which was formed often of hazel twigs merely. Whoever dared to break through this fence, however weak it may have been, was considered to have committed sacrilege, and

was outlawed. So too it was held to be a very heinous offence to break the peace of the Thing, or assembly of the people, at the opening of which there was always a solemn proclamation of peace.

The *Mathluagh* was summoned, as has been already stated, by a Chief of Kindred or *Aire Fine*. In South Wales the *Breyr*, who was the representative of the Irish *Bruighfer*, was called a mote-man or convener of the Commot, which corresponded to the *Tocomrach*. From the analogy of functions, we may perhaps assume that it was the *Bruighfer* who convened the *Dál* and *Tocomrach* of a *Tuath*, and that they were held at his residence or *Brugh*. All who were bound to attend were entitled to the hospitality of the *Bruighfer*, the extent of which was strictly fixed by law. The *Dál* of the province was probably convened by the royal *Bruighfer*. The right of holding an *Aenech* was a privilege of the *Rig*. The *Mathluagh* and *Dál* were probably summoned by sending round a javelin in the same way that a Norse Thing was summoned by sending round the *Boð* from house to house. This was usually a stick, but when an extraordinary Thing was summoned on account of a homicide, an arrow was substituted. The ordinary *Aenech* was a periodical assembly, as is shown by the great provincial fairs of *Tailtiu*, *Cruachan*, and *Carman*, which may be looked upon as national assemblies, being held at regular intervals and at fixed periods of the year,—those of *Tailtiu* and *Carman*, for example, upon the kalends of August—the former every year, and the latter every third year. The king, might, however, convene an extraordinary *Aenech* whenever the state of affairs justified it. Each ordinary fair was consequently a chronological unit like one of the Olympic games. The number of fairs held at some one place, and the names of the chiefs or provincial kings under whom they were held, did we possess them, would afford precious materials of chronology. The poem on the Fair of *Carman*, published in the Appendix, gives an example of this kind of material. Although it does not give us all that we could wish, and requires moreover to be carefully analysed, it is yet sufficient to more than suggest grave doubts of the usually received chronology. Thus, in-

How each kind of assembly was convened.

The great national fairs chronological units.

stead of the fabulous ages of the *Annals of the Four Masters*, it places the rule of the *Tuatha Dé Danand* at furthest in the sixth or fifth century B.C., a period, as is well known, of great movement among the European races.

Persons who had a right of vote at each kind of assembly.

Every chief of a household belonging to a *Fine* was a *Raith*, and had a right to vote at the *Mathluagh*; but it is probable that it was only the Chiefs of Kindred, higher *Aires* and *Flaths*, or perhaps the Chiefs of Kindred and *Flaths* alone, who had deliberative voice in the *Tocomrach* and *Dál*. When these assemblies represented a *Mór Tuath* or a province, this was certainly the case, as we shall see when describing the courts of law. The freemen below the rank of *Aire* were represented in the lower assembly by their *Aithech ar a Threba*, or elective *Aire*; and in the higher assemblies each *Fine* was represented by its chief. The Saxon ceorls, though freemen, did not participate in the judicial folkmote, though they attended the court. The functions of legislation and judgment belonged altogether to the lords and Thegns. The corresponding class in Gaul, called by Caesar the *Plebs*, were, in his opinion, in a state of servitude. There is no reason, however, for supposing that their position was any worse or at all different from that of the poorer Germans. In Gaul, Germany, and Britain,—indeed, we may say in all northern and western Europe,—the right of a deliberative voice in the popular assemblies belonged only to a limited number—the nobles and equites, gesiths, or whatever other name may have been given to the class equivalent to the *Bó Aires* of Ireland. This is the sense in which we must understand “omnes” in the passage of Tacitus: “De minoribus rebus principes consultant, de majoribus omnes: ita tamen, ut ea quoque, quorum penes plebem arbitrium est, apud principes pertractentur”⁴⁶⁹—that is, all the privileged classes. We say of a member of parliament, that he is elected by the county, although only those who possess the elective franchise take part in the election. In ancient, as in modern times, no account was taken of those who had no property or blood.

The Hundred and Scire-Gemót of the Anglo-Saxons may

⁴⁶⁹ *Germania*, c. xi.

be looked upon as the equivalent of the *Dál* or *Tocomrach*.
 When the family organization of the *Maegth* was still in
 vigour, the Folc-Gemót of the Hundred, and of the subdivi-
 sion of it, the Township, were the true representatives of the
 different *Mithals*. But when the *Maegth* or family lost its
 political significance, the assemblies of the people lost their
 distinctive character, and henceforward only differed in their
 jurisdiction, and the rank of those entitled to a deliberative
 voice in them

The *Dál* and
Tocomrach
the repre-
sentatives of
the A.S.
Hundred
and Scire-
Gemót,

As the German *Gauding*,—which was the representative of
 the Scandinavian *Hèraðping* and of the Hundred Gemót, and
 consequently of the *Dál* and *Tocomrach* of an Irish *Tuath*,—is
 now considered by German antiquaries⁴⁷⁰ as the equivalent of
 the “Concilium” of Tacitus, the description of the German
 assemblies ought to apply to the ancient Irish ones also. I
 have not been able, however, to find any reference which would
 show that the latter were held at every full and new moon
 like the German ones. In all else, however, they are alike.
 Consent was expressed, as in the German and Gaulish assem-
 blies, by shock of arms,⁴⁷¹—the *Crann Dord*, described by
 Prof. O’Curry in Lect. xxxvii. In the poem on the Fair of
 Carman we are told that the fair ended with “the clash of spear
 handles from the entire host”.⁴⁷² The same poem also illus-
 trates another passage in Tacitus’ description of the concilium,
 in which he says order was kept by the priests⁴⁷³ In the ac-
 count of the Irish fair we are told that a Christian priest wrote
 the law of the assembly, and “masses, adorations, and psalm
 singing” took the place of the ancient pagan rites.⁴⁷⁴

and of the
German
Gauding,

the Con-
cilium of
Tacitus.

In the capitularies of Charlemagne a conventus, colloquium,
 or parliament is called a *Mallum*. The particular assembly so

The Mallum
of Charle-
magne;

⁴⁷⁰ Eichhorn, *Deutsche Staats und Rechtsgeschichte*, I. 46, 229.

⁴⁷¹ Tacitus, *Germ.*, c. xi.; Caesar, v. 56, vii. c. 21; and Livy, Bk. xxi. c. 20,
 speak distinctly of the armed council of the Gauls.

⁴⁷² Vol. ii., App., p. 545, *Fair of Carman*, Stanza 70.

⁴⁷³ “Silentium per sacerdotes, quibus tum et coercendi jus est, imperatur”.
 —*Germ.*, c. xi.

⁴⁷⁴ *Fair of Carman*, Stanzas 56 and 67, vol. ii. pp. 543, 545. The person
 here alluded to as the author or rather amender of the laws of public as-
 semblies, was *Benen*, better known as St. Benignus.

designated is considered to have been a Folc-Mót as it was modified under the sovereign above named. It was not held in the open air like all the ancient assemblies of the Germans and Celts, and those who attended were obliged to lay down their arms before entering,⁴⁷⁵ and it was not lawful to hold it without the mandate of the Missus of the Emperor. This was the officer who governed, in the name of the latter, a province, or properly speaking a state, as the provinces of the empire, like the shires and counties of England and Ireland, were originally so many confederate states. The Missus in his turn could not convene a Mallum without the special command of the sovereign. Mallum is clearly connected with O. Saxon *Mahal*, a place of public assembly: it is indeed the same word with the Latin termination *-um*, and is cognate with the Irish *Mathluagh*, or assembly of the chief men of a tribe. The changes effected in the German popular assemblies by the Carlovingians entirely destroyed their character. The old assemblies were summoned at the will of the aristocracy for the holding of the courts, the assertion of rights, or to denounce injustice inflicted by the prince, and were to a great extent periodic. Their judicial functions having been abolished, an excuse was thus afforded for not summoning them except when the sovereign thought fit.⁴⁷⁶ The old assemblies being held at the graves of the pagan chieftains, the new ones were ordered to be held in buildings, so as to discourage burial in pagan cemeteries.⁴⁷⁷

cognate with
the *Math-*
luagh;

character of
old Mallum;

functions of
Mallum;

One chief function of the original popular assembly remained to the Carlovingian Mallum. A capitulum or ordinance enacted at a general placitum or diet of the empire, only became a

⁴⁷⁵ "Ut nullus ad Mallum vel ad placitum infra patriam arma,—id est scutum et lantiam,—non portet".—*Capit.* iii. A.D. 806, § 1. This appears to have been the custom at the *Feis* or Feast of Tara also; the *Dál g-Cas* alone having a right to enter armed.

⁴⁷⁶ "Interdiximus ut omnes Saxones generaliter conventus publicos nec faciant, nisi forte Missus noster de verbo nostro eos congregare fecerit. Sed unusquisque comes in suo ministerio placita et justitias faciat. Et hoc a sacerdotibus consideretur, ne aliter faciat".—*Capit. Paderbr.*, an. 785, §. 34.

⁴⁷⁷ Great efforts were made for this purpose. Thus the capitulary referred to in the foregoing note says: "Jubemus ut corpora christianorum Saxonorum ad cimiteria ecclesiae deferantur, et non ad tumulus paganorum".—*Capit. Paderbrunnense* (an. 785), § 22.

“lex” for each state or so-called province when accepted by its Mallum. Just as the enactments made by the paramount Anglo-Saxon king became law at once in his own state, but did not in the other ones until they had been first accepted by the respective Folc-Gemóts. The Irish *Mathluagh* performed similar functions in the Irish commonwealth. When a *Tocomr*^{those of the Mathluagh analogous.}*rach* or *Dál* was held, the minor *Flaths* and Chiefs of Kindred received information of any new laws enacted, fines to be levied, and of all other matters affecting their respective *Fines*: On their return home they summoned a *Mathluagh*, and communicated to the heads of houses the enactments and assessments, which only became valid for each *Fine* or tribe when accepted at its assembly.

The general placitum of the Carlovingians referred to above, corresponded to the Irish *Aenech* of a province or of all Ireland. In Christian times, both comprised the clergy as well as the laity, and performed many functions. The clergy, for instance, appear to have sometimes held a synod on the occasion of an *Aenech*, and to have used the occasion for the purpose of a mission; laws were promulgated, and accepted by the people; there was also a weapon-show or military review, and regulations were passed for improving the military force; and lastly, a court was held for the trial of appeals. An *Aenech* was thus a convocation of the clergy, a parliament, a military review, and a court of justice, these different functions not being, however, mixed up, and each, though independent of the others, forming an essential part of it. Such was also the general Placitum,—religious discipline and other ecclesiastical matters occupied the clergy, the *Champ de Mars* or military review, the council, and the presentation of gifts to the sovereign, as a token of antrusionship or homage, occupied the vassals and military retainers, and all sat together for legislative or judicial purposes.

It is probable that every *Mathluagh*, *Dál*, or *Tocomr**rach*, served similar purposes, and that ecclesiastical, military, and judicial business was transacted at them as well as legislative.

ADMINISTRATION OF JUSTICE.

In all countries and at all times judicial functions have been performed by legislative bodies. The power of making a law and of putting it in force, were among all ancient nations inseparable. To secure the freedom of the one and the impartiality of the other, as well as from necessity, the two functions have always been more or less separated according as a nation advanced in political organization. Although it is probable that courts were generally, if not always, held at assemblies of the people, at which other business was also transacted, the legislative and judicial functions appear to have been fully separated in Ireland at the earliest period of which we have any definite information.

Legislative and judicial functions separated in Ireland at an early period.

Irish term for a court.

The Irish term for a judicial court is *Airecht*, which implies that the judges and suitors were *Aires*. Exclusive of the *Brough* Court, which was, as I have said, more an arbitration than a law court, we find mention made of five distinct courts, namely: the *Airecht Foleith*, the *Airecht Urnaidi*, the *Airecht Fodeisin*, the *Taeb Airecht*, and the *Cul Airecht*.

Five distinct courts in Ireland.

The *Airecht Foleith* or Court-Leet

The *Airecht Foleith*, or court of the *Foleith*, is of special interest, because, judging not only by its functions but by its name, it was the exact representative of the Court-Leet and Sheriff's Tourn of Anglo-Saxon and early Norman times. In every *Tuath*, as I have already pointed out, three *Aires* in addition to the *Rig* were entitled to a *Foleith* or attendance of suitors, and to hold a court,—these were the three highest *Aires* of the class of *Flaths*. Such *Aires* were called *Sic Oc* or *Sicc Occ*, or in English legal phraseology they had "sac and soc". This court appears to have been formed of the *Aires Cosraing* or *Aires Fine*, that is, of the Chiefs of Kindred, who, as we have seen, represented the Anglo-Saxon Reeves of townships, and of the other chief men of a *Fine*, who were entitled to act as *Naidms* or knotmen, *Raiths* or jurors, and *Fiadnasa* or witnesses,—terms which I shall describe more fully subsequently.⁴⁷⁸

⁴⁷⁸ *Airecht Foleith*. It is in it that *Nadmann*, and *Ratha*, and *Fiadnasa* remain. *Mic Cor mbel* [i.e. the binding men, the Chiefs of Kindred] do not

Although the Court Leet existed amongst the Anglo-Saxons, the name appears first in Domesday Book. The Irish term *Foleith* corresponded to the *Leode* of the Anglo-Saxons, and may be translated by the modern German *Geleute*, that is, a suite of persons accompanying a lord or high personage. Tacitus' account of the mode of dispensing justice among the ancient Germans, is a description in general terms of the *Airecht Foleith* of the Irish.⁴⁷⁹ The ancient German court was held in the open air at some place indicated by a tree or a stake stuck in the ground. In Ireland the court was also held in an open field, a pole being stuck in the ground as a symbol of authority. This pole was called a *Dos Airechta*, or court pole, and was carried by a special officer called a *Dosaire*.

The *Airecht Urnaldi*,⁴⁸⁰ or Court of Pleas, appears to have been a court for the hearing of cases concerning property and other matters involving technical law. The judges of those courts were *Bretheman* or Brehons, and the lower grades of advocates and attorneys pleaded in them.

The *Airecht Urnaldi* or Court of Pleas.

We find mention made of a district magistrate called a *Neimid*, who either held a separate court for hearing minor cases, somewhat like a modern Civil Bill Court, or sat as one of the judges of the *Airecht Urnaldi*, or acted perhaps in both capacities. The *Neimid* also acted as a kind of prepositus, and had mensal land assigned to him. He is also mentioned as the receiver of chief rents. The rules and precedents of these courts were called *Bretha Neimidh*.

The *Neimid* and *Bretha Neimidh*,

This word *Neimid* is of great interest. In the first place it reminds us of the Nemedians, one of the earliest races said to have colonized Ireland, and from whom our legendary history come among any other class, the other classes do not go amongst them; they deliberate upon what is just so as to come with a clear remembrance [decision] before the court".—*MS. T. C. D. H. 3. 18 p. 57. b.*

connection of this word with personal, ethnical, and topographical names;

⁴⁷⁹ "Eliguntur in iisdem conciliis et principes, qui jura per pagos vicisque reddunt. Centeni singulis ex plebe comites, consilium simul et auctoritas, adsunt".—*De Situ et Mor. Ger.*, c. xii

⁴⁸⁰ *Airecht Urnaldi*. In it are the parties to the suits, and the advocates purifying the judgments [*i.e.* each advocate pleading his client's cause, and thus assisting to purify the judgment, that is to arrive at a just decision], while the judges are reviewing and expounding [the law of] the case".—*MS. H. 3. 18. p. 5. b.*

derives the two great races which afterwards successively held the sovereignty of Ireland—the *Firbolgs* and *Tuatha Dé Danand*, and of the leader of that race *Neimid*.⁴⁸¹ Again, several ancient peoples and places are mentioned, in the names of which we have probably the same root: for example, the Gaulish tribe name of *Νεμηται* or *Nemetes*, who appear to have worshipped a goddess, called *Nemetona*; the Belgic town of the *Atrebatii*, *Nemetocenna*; *Αὐγουστονέμετον* in Gaul; *Tasinemetum* in *Noricum*; *Medionemetum* in Britain, and *Νεμετόβριγα* in Spain. And again the word *Nemetum* occurs in the inscription of *Vaison* in the sense of sacred, while the word *Nimidas* in a rubric of the *Indiculus Superstitionum et Paganiarum* of the Council of *Liptinæ* of the year 743, signifies sacred groves.⁴⁸² In an *Armorican* charter of 1031 a similar grove is called a *Nemet*. The term was applied not so much to a grove as to a retired place used for religious rites; and as the administration of justice was always connected with religious rites among primitive peoples, the priest being often judge also, a *Nemet* was also a place,—generally a wood,—where a court was held. This, according to some, is the meaning of the *Drunaimetos* of the Gauls of *Asia Minor*, the prefix *dru* indicating that it was situated in an oak wood, while others think that the word might be explained as *Dru-nem-at*, the sacred place of the *Druids*.⁴⁸³

and with
the Scandi-
navian
Nemda.

There is an obvious connection between *Nemet*, a place where a court was held, and the *Scandinavian* tribunal of twelve men, a *Nemda*. The *Heraththing*, or assembly of the

⁴⁸¹ *Neimid* also occurs as a proper name at a later period. In the *Annals of the Four Masters* we are informed under the year A.D. 165, that *Conaire*, son of *Mogh Lamha*, was slain by *Neimid*, son of *Sruibhgheann*; and at A.D. 186, that *Neimid*, son of *Sroibhcinn*, king of the *Ernai*, of *Munster*, was slain in the battle of *Ceannfeabhrat*, fought by the three sons of *Oilioll Oluim*. These two entries appear to refer to the same person. *Guornemet* occurs as a proper name in *Rees' Lives of the Cambro-British Saints*.

⁴⁸² "De sacris silvarum quae nimidas vocant".—*Acta Conciliorum Labbei et Cossartii*, Ed. P. J. Hardouin, vol. iii. p. 1922. Paris, 1714. *Lobbes*, a village in the former *Pays de Liège*, and now in the Belgian province of *Hainault*, not far from the French frontier, is believed to be the site of *Liptinæ*, or *Liptinas*. This district was in the country of the *Nervii*.

⁴⁸³ See *Diefenbach, Origines Europaeae*, p. 322.

Herath of the Scandinavians, was composed of all who possessed political rights within the territory, the Almoghen or commonalty. This assembly elected a *Nemda* consisting of six Hoffmen or barons enfeoffed by the king, corresponding to the Irish *Aires Desa*, and six Bondes, corresponding to the the Irish *Bó Aires*. These twelve, representing the nobility and people, together with the bishop and two priests, elected the Laghman or chief judge of the district, or rather sent the names of three persons to the king, who appointed one of them. The Laghman and a *Nemda* of twelve elected the executive magistrate or Heraths-Hoffding. It is not quite clear whether this *Nemda* was composed of the same persons who formed the one which elected the Laghman himself, or was a special one chosen for the purpose. The latter view seems probable, for the term *Nemda* was also given to twelve men selected to try a case in civil law, and also because the *Nemda* which elected the Laghman or president appears to have been a permanent body which administered the affairs of the territory, provided for the administration of justice, watch and ward, and the maintenance of the highways and bridges.

It is uncertain how the members of the high *Nemda* were elected, and in what manner they exercised their functions in very early times, or how long the members continued in office. It would seem, however, that the *Nemda* corresponded to an ancient duodenary division of the Herad, or rather that the Swedish division referred to under the latter name was in reality the representative of the Norse Fylk, and that each member of the *Nemda* was magistrate of a division, though in certain cases they may have formed a single court like the mythical prototype of the *Nemda*—the twelve headmen appointed by Odin “to doom the lands’ law in Sigtun”. Whether or not each member of a *Nemda* had separate jurisdiction within an assigned district, like what the Irish *Neimid* seems to have had, or not, there can be no doubt that there existed a close relationship between the Irish and Norse systems. It is worth mentioning here, that the king of Sweden was elected by a *Nemda*, and sometimes the king of Norway also. Perhaps in ancient times the Anglo-Saxon Ealdorman, the Gaulish

The Scandi-
navian
Nemda.

Rig-s or *Riv*, and the Irish *Rig*, were elected by a limited number of electors, and not by the whole of the freemen. The assemblies which enacted, or rather codified the Welsh laws under *Howel Dha*, seem to have been formed after the same type as the Scandinavian *Nemda*. The laws were first drawn up with the assistance of an assembly composed of six men from each Commot, or twelve from each cantred, and afterwards confirmed by a second assembly of twelve delegates and one clerk.

The *Airecht Fodeisin* or Court of King's Bench :

The *Airecht Fodeisin* was the chief court of a *Rig*, presided over by his *Ollamh Brethemnais* or chief judge. We are told that the judges sat in it with the sixteen classes or grades of the court around them. Only twelve grades are, however, mentioned in the laws, among whom we do not find the king or his Tanist, a bishop or cleric, or the *Aire Forgaill*, who acted as the king's chancellor. If we add these we have sixteen. We have no authority for making up the number in this way, although it is probable that one or more ecclesiastics sat in this court, as they did in the higher courts. Or perhaps we should not include the king at all, who may have sat there with a bishop or some other cleric, his *Tanaist*, *Aire Forgaill*, and *Aire Ard*, representing the *Gurda*, who sat at at each side of the Welsh prince—these with the twelve classes enumerated in the laws making in all sixteen, exclusive of the king and his judges. This was also the number of persons composing the chief *Nemda* of Sweden, if we add the bishop, two priests, and the elected *Laghman*. The celebrated Freyfeld Gericht or Freefield Court of the Abbey of Corbey, which can be traced back into pagan times when it was under the supremacy of the priests of the Irminseule,⁴⁸⁴ also consisted of sixteen members. These were the *Graphio*, or *Graff*, who was the senior member, the *Frohner* or summoner, who was the junior member, and fourteen *Schöppen* or declarers of judgment, who were chosen from among the twenty-two families or septa who inhabited the *Gau*. This coincidence in the number forming the Irish and German courts is curious; it may, however, be only accidental.

The analysis of the twelve names of the grades or classes of

⁴⁸⁴ Meibomius, *De Irminsula Saxonica*, c. iv.

persons who owed service to the King's Bench or *Airecht Fo-deisin*, mentioned above, presented unusual difficulty. The words are obscure, and only very few of them are to be found in existing glossaries. This list of names forms part of the fragment describing the Irish courts, which the law scribe, who compiled the vellum *MS. H. 3. 18*, in the Library of Trinity College, Dublin, between the years 1509 and 1511, so naively confessed his inability to explain, as I have already mentioned.⁴⁸⁵ I believe that, although I may not have determined in every instance the true functions of the various classes named, the following brief explanation will be found sufficiently correct to convey an accurate idea of the organization and character of the ancient Irish Court of King's Bench.

Analysis of names of twelve classes forming this court very difficult ;

The first class named are *Nascaires*, or persons qualified to make *Naidms* or knots, that is, to enter into bonds and give security for costs, etc. These were the *Aires Cosraing*, or Gerefas of territories. The second name, the *Sruithem*, is explained in the commentary on the text in the *MS.*, as the *Aire Forgaill*; but he was more likely the *Dae*, or as he is called in the second law tract in the Appendix, *Ansruth*, who brought up thieves and other malefactors whom he had arrested. The *Fibtha do da crecha*, which means literally axemen of two cuttings, were the apparitors who took charge of the prisoners at the bar, and to whom traversers surrendered. As the responsibilities of the prisoners' bails or sureties were thereby cut, the officers into whose custody the prisoners went were called axes or axmen of two cuttings, because they relieved, pending the trial, the sureties of the plaintiffs and defendants from the bonds into which they had entered before the trial. The *Cai-chen do da Naill*, testifiers of two oaths, were the *Toings* or oathmen of the plaintiff, who supported his testimony by their oaths, and the compurgators of the defendant, who cleared him by their oaths of the guilt. The *Diabalcorach no do Fille* were qualified lawyers, who performed the same functions as the attorneys of our courts. They appear to have corresponded to the Welsh *Kannlau* or guider. The word literally means a folder up or a doubler up of justice, that is, persons who drew

the twelve classes.

⁴⁸⁵ P. xiv.

The twelve
classes of
the *Airecht*
Fodeisin.

up or prepared cases for the pleader. The *Slimred no do Nuiben* were advocates or pleaders. The words literally mean cleaners or burnishers, their business being to make the case of their clients as pure and as bright as possible. *Ard arcon imod Toisi*, high nobles of great state, were in the first place those *Flaths* who had the right of holding a manorial court or *Airecht Foleith*, and who were therefore magistrates before whom informations were taken, and through whom summons and plaints were served. The term perhaps included all *Flaths*, because, as I have before mentioned, private informations coming under *Urrudas* or common law, could be made before three *Aires Desa*. *Conn Conda Secha* were the Chiefs of Kindred, *Aires Fine*, or heads of *Fines*, who attended to give testimony for the members of their *Fine*, and to accept the verdict of the court and give bail for any of them against whom a judgment was registered. The *Airlighe ar da Cleth*, chief or highest advisers, were the members of the council of each *Fine*,—the four who, with the *Aire Fine*, or Chief of Kindred, formed the *Cuicer na Fine*. *An Tengtaid ar da Feth Airecht no Danaig*, the tongue men or eloquent men, who had a recognized position derived from land or profession; they were the elected representatives of *Fines*, corresponding to the Welsh *Teisbantyle*. The *Brethem no Dobeir*, judges or givers, were those who gave the *Berra Airechta*, or decisions of the court. And lastly the *Suitengaidh no do Fethaigther*, were the *Suith* or *Sabaid*, who spoke or waited upon the court for the purpose of bearing witness as to the judgments given and acts done in their presence. In ancient times the memorials of courts were not written down, but were entrusted to the recollection of the judges and suitors. This record was given “ore tenus”, or as the Irish expressed it, *o bel acas o tengaig*, “from mouth and tongue”. Thus in England in former times record of a suit in the county court was made by four knights; the record of a fine was made by the judges and four knights who were present when the parties entered into the agreement.⁴⁸⁶

The *Taeb*
Airecht.

The *Taeb Airecht*, side court, was a high court for the trial of all causes arising between different territories forming a *Mór*

⁴⁸⁶ Palgrave, *op. cit.*, p. 146.

Tuath. It was properly the court of the *Rig Mór Tuatha* or king-king. It was composed of three classes of persons,—the professional classes entrusted with the genealogies of families and the records of the county, hostages, and guarantors.⁴⁸⁷ In the passage of the laws, descriptive of this court, we are told that the hostages were there on their own account. In a preceding section I have mentioned that the kings of *Mór Tuaths* had hostages for the fulfilment of *Ceilsinne* or homage, and that for the safe keeping of such hostages they were entitled to have erected for them a special fosse around their *Dún*. As these hostages were pledges among other things for submission to the jurisdiction of the high court, the expression that they were there on their own account, is intelligible. The guarantors are the representatives of the territories interested in the causes brought before the court, and, as such, responsible for costs and judgments.

These guarantors are also called *Sic Oc* in the passage quoted from the laws below. In a note to the *Crith Gablach*⁴⁸⁸ Meaning of the term *Sic Oc*; I have connected one of these words, *Sic*, with Anglo-Saxon *Secga*, *Secg*, an ambassador, and with Old Frisian *Asega*, a judge. In another note in the same tract on the *Oc Aire*, I have suggested that *oc* may be connected with Gothic *ogjan*, to terrify, Old High German *aki*, discipline. The functions of the persons called *Sic Oc* in the passage alluded to correspond fully to those of an ambassador and judge. It is, however, evident that the words *Sic Oc* are applied to the guarantors as if to explain the grounds upon which they had seats in the court, as opposed to the king-kings, who sat there in

⁴⁸⁷ "*Taeb Airecht*. In it are seated historians and king-kings, and hostages, and guarantors. The reason it is called *Taeb Airecht* is because it is for explaining and proving the records, *i.e.* that this court is established at the sides". The commentator explains this passage as follows: "*Taeb Airecht*, *i.e.* the court for the giving of both sides [of a case], *i.e.* because that is the business for which the historians are kept there; and king-kings, *i.e.* the royal kings, and hostages for themselves alone [*i.e.* on their own account], and sureties, *i.e.* *Sic Oc*, and guarantors, *i.e.* *Sic Oc*. The reason why it is called *Taeb Airecht* is because it is for giving history, *i.e.* for explaining the knowledge of history, and it is for proving it, *i.e.* by showing a precedent for each particular case". *MS. T.C.D. II.* 3. 18, p. 57. b.

⁴⁸⁸ Vol. ii., App., 510.

connected
with "sak"
and "soke".

their own right This suggests a connection between *Sic Oc* or *Sicc Occ* and the English law term "sak and soke". *Sac* or "Sak" meant a cause arising in a *Socn* or "Soke", that is in the manor or jurisdiction of a lord. The tenants⁴⁸⁹ of the lord were hence called *Socmen*, and as freemen owing suit to the manor court, they formed the *Leode*, or Irish *Foleith*—hence the term Court Leet given to such a court. A *Sic Oc* was, therefore, an *Aire* entitled to a *Foleith*, that is, to hold a court within his *Socn* or manor. The guarantors of the *Taeb Airecht* were therefore kings of *Tuaths*, their Tanists, *Aires Forgaill*, *Aires Ard*, and *Aires Tuisi*, in other words, the magnates of the *Mór Tuath*.

The *Cul Airecht*, or High Court of Appeal.

The *Cul-Airecht*, rear court, was the high court of appeal, composed of kings, bishops, *Sic Oc*, and *Ollamhs*, the latter term being applied to the highest rank of judges, pleaders, *Files*, and other professional classes. The description of this court given in the laws, shows clearly that it was the high, court of appeal, in which the judgments of the lower courts were reviewed, and set aside or confirmed, according as they seemed good or bad.⁴⁹⁰ Each province appears to have had its *Cul-Airecht*; when the authority of the paramount king was fully recognised, as it generally was while Tara was the seat of government, the judgments of these provincial courts were not final, in causes of general national importance which came

⁴⁸⁹ *Socn* has been connected with ploughing, but this is a mere guess. It was originally the society or allied families which carried on constant and direct intercourse with each other, and submitted their disputes to the head of the society and the principal men of the community. Hampson is, therefore, perhaps right in connecting it with the Latin stem *soci-us*, *soci-etas*, and the cognate stems in other Aryan languages, from the root *sak*.

Socn first became *Soken* and then *Soke*. *Soken* is obviously the same as the *Sacken* or jurisdiction of the *Sub-Fowds* or deputy governors of the Zetland Islands. *Fowd*, or more anciently *Faod*, represents *fadh*s in the term *Hundafadh*s, given in the Anglo-Saxon version of the Gospels to the centurion. The Swedish *Fogde* and German *Vogt* are cognate forms of the same word.

Soc or *Soke* was also used in other connections to express a right of some kind within a certain district,—e.g. *Faldsoc*, the liberty of having a fold, corresponding to the Irish *Fal-Soc*.

⁴⁹⁰ *Cul-Airecht*, it is in it that kings and bishops and *Sic Oc* and *Ollamhs* are seated. The reason it is called the *Cul Airecht*, Rear Court, is because they are the learned nobles who sit behind the other courts for drawing up judgments and proving them by precedents. The commentator observes

under the *Cáin Rígh Erind*, or *Cáin* of the high king; the court of appeal for such causes was the *Cul-Airecht* of Tara.

The general term for law in Irish appears to have been *Recht*, General term for law in Irish. which was also used in compound words, such as *Brughrecht* or *Birlaw*. In addition to the term just named, we meet with three other words which are used in law books to distinguish the different kinds of *Rechts* or laws, namely, *Urrudas*, *Cairde*, and *Cáin*.

Urrudas was the common or traditional law of the country, Common Law. varied by custom in different places. The word means primitive or original counsel,⁴⁹¹ and like the common law of England, was superior to all other laws. In a Brehon's advice to his son, after naming the three kinds of law, he says: "Of them the *Urrudas* is the noblest".⁴⁹²

A *Cairde* appears to have been a contract, especially one entered into between adjoining territories respecting highways, boundaries, and levying of *Díre* and other legal fines for forays, bloodshed, theft, etc. When used in the sense of law, we are to understand it as the bye-laws and regulations made for the execution and fulfilment of such contracts or treaties, and the fees, etc., connected therewith. The court which had most to do with *Cairde* was the *Taeb-Airecht*, and accordingly the only professional class mentioned in connection with that court are historians, whose business it was to know everything connected with the boundaries of territories, the genealogies of families, contracts formerly entered into, etc. No disputed cases involving technical law were decided in courts held for making a *Cairde*. Interterritorial law.

on this: "*Cul Airecht*, *i.e.* a court which is behind the rest. It is in it they are wont to be, *i.e.* kings and bishops, and *Sic Oc*, and chief poets. This is why it is called *Cul Airecht*: because they are the nobles who are to the rear, *i.e.* because their court is the court which is behind the rest for judgment, *i.e.* for giving their judgments and precedents, *i.e.* the true interpretation of every judgment".—*MS. T.C.D. H. 3.* 18, p. 57. b.

⁴⁹¹ Besides the primary meaning,—original, old,—the Irish *ur* has the secondary meaning, noble, high; hence *Urrad*, a counsellor, a bail, was a person of position, *e.g.* *Urramain na Criche*, the chiefs or chief councillors of the *Criche* or territory. The words *Urrad* and *Urrudas* are obviously connected with the Anglo-Saxon *or*, primitive, old (N.H.G. *ur*) and *ráed*, counsel, that is *orráed*, ancient counsel.

⁴⁹² *MS. T.C.D., H. 4.* 22. p. 85.

Cáin or Sta-
tute Law.

Cáin law corresponded to our statute law. The laws and ordinances enacted in assemblies of the people were *Cana*, and hence almost every *Cáin* was connected with the name of the person who drew it up, such as *Cáin Adamnain*, *Cáin Cormaic*, etc., or with the place where it was enacted or promulgated, as *Cáin Fuithrime*, etc. I have already pointed out the connection between the term *Cáin* and the Anglo-Saxon *Cyn* in *Cynbote*, or the king's share of legal fines. The recovery of such fines would not come under the provisions of common law, but of statute law, for the king could only have become entitled to them in virtue of some specific enactment. It is therefore probable that there was in early Anglo-Saxon a word cognate with the Irish *Cáin*, and which has been preserved in *Cynbote*. The word *Cáin* is sometimes used also in the general sense of codified law, whether common law or ancient statute law. Thus the whole of the laws, common and statute, by which ancient Irish society was regulated, was called the *Cáin Fenechas* or laws of the *Fines*. Again, the Munster laws, codified in twelve books, by Amergin, son of *Amalgad*, in the time of *Finghin*, king of that province, who died A.D. 694, are called the *Cáin Fuithrime*.

The judges
of the differ-
ent courts.

The existence of different courts of law, possessing different jurisdictions, implies that there were different ranks of judges. It is not probable that any professional judges were connected with the *Airechts Foleith* or Courts Leet, at least in their earliest form. There can be no doubt, however, that the Court of Pleas, or *Airecht Urnaidi*, was presided over by a professional judge, who was, as I have said before, probably one of the high magistrates called a *Neimid*. In the king's court or *Airecht Fodeisin* there were, besides the chief judge or *Ollamh*, the persons called *Brethem no Dobeir*, who were clearly judges of inferior rank to the presiding judge. Their number is nowhere given, nor are we informed whether they were of co-ordinate rank. Again, we do not know whether they were the special judges of the Court of King's Bench, or only judges of lower courts, or Courts of Pleas, who sat in the former in the same way that the *Ollamhs*, or chief justices of the king's court, sat together in the *Cul-Airecht* or high court of appeal. A

Rig Tuatha had a *Foleith*, and consequently held a Court Leet, over which he must have himself presided. The *Crith Gablach* tells us that a king was himself a judge, though it was lawful for him to keep a judge. This judge was the *Ollamh Brethamnuis* or chief justice of the *Airecht Fodeisin*, who aided the king in everything connected with the administration of justice; though it is not probable that he had much direct connection with the king's manor court.

The profession of law appears to have been in a singularly advanced stage of organization for so early a period. The two branches of the profession appear to have been quite distinct, as they were in Wales also, at an early period. The representative of the attorney in Wales was "the guider", of the barrister, "the pleader". In Ireland the former was called an *Ebe*, and the latter an *Aighne*, or arguer. The fully qualified attorney entitled to practise in the higher courts was called a *Fír Ebe* or *Fairbe*.⁴⁹³ The highest rank of advocate was the *Ollamh Aighne*. It was only barristers of this rank who were entitled to plead in the *Cul-Airecht*, or high court of appeal. The fully qualified attorney of the king's court was also called a *Diabalcórach*, or winder or folder up of justice, because he prepared or wound up the case of his client for the pleader or barrister. The barristers of the king's court are called, in the description of that court, *Slimrid no do Nuiben*, that is, as I have already explained, cleansers or polishers.

There were four grades or ranks of advocates, whose relative ranks as measured by their *Eiric*, were as follows: the first, called "the dispenser of justice", was entitled to an *eiric* of nine cows; the pleading counsellor, to six cows; the junior barrister of the first rank, to four cows; and of the lowest or second rank,

⁴⁹³ The usual derivation given for attorney from *tornare*, seems to me to be very unsatisfactory—indeed a mere guess. Like barrister, it probably grew up exclusively on Celtic ground. In a note to the *Crith Gablach* (vol. ii. p. 474), I have suggested that the true origin may have been cognate forms of Irish *aitte*, Gothic *atte*, a father or nurturer, and *urnaide*, to plead, which would give the compound *Athurnaide*. Certainly the nurturer or getter up of a plea is a much more rational origin for attorney than the one above mentioned.

Four grades
of barristers ;

to three cows.⁴⁹⁴ The title "dispenser of justice", given to the first rank, seems to imply that they were rather judges than professional advocates. The *Brethem no Dobeir* of the king's court were perhaps the king's counsellors, and identical with the dispensers of justice.⁴⁹⁵

I have already mentioned that advocates were not entitled to

⁴⁹⁴ *MS. T.C.D. H. 3. 18. p. 518.*

⁴⁹⁵ The second of the names of the counsellors of the King's Court, the *Brethem no Dobeir*, is of some interest in connection with the origin of the words "bar" and "barrister", which have never yet been satisfactorily explained. Diez derives English *bar*, French *barreau*, and the cognate forms in the other Romance languages, from a Celtic form, e.g. Welsh *bar*, a bough or branch of a tree. There is also an Old Norse *barr*, which signifies buds or young leaves, as in the Hávamål: *hlýrat henni börkr nè barr*, it put forth neither bark nor leaves (str. 50). In modern Danish and Swedish this word means the spines or leaves of coniferous trees. In addition to the names given in the text to lawyers, we also meet with the word *Berrach*, which is generally considered to mean a junior barrister. This word is a noun-adjective, formed by adding the suffix *-ach* to *barr*, and when used to characterize a function, meant a man of the *barr*. Hicke (Gr. Angl.-Sax., i. 231) quotes a passage from an Old English poem, in which the word "baret" occurs in the sense of contention. This word, which he considers to be Dano-Norman, may be connected with the O.N. verb *bera*, to bear, which among many other meanings has those of pleading, reciting, alternating, etc., when joined with a preposition. Thus it occurs with *milli*, between, in the Atlámål (str. 95) *beraz rög milli*, which is translated by Egilsson, as *mutuas contentiones alternare*. This accurately expresses the fundamental idea of the functions of barristers. The Irish word *beir*, to bear, to give, as in *Dobeir*, has all the secondary meanings of the Norse—they are indeed almost the same word. The subjective origin is certainly to be preferred to the objective. Like the Lagrett of the Scandinavian Laghman, which, as I have already mentioned, was surrounded by hazel twigs, so as to leave an open space, in front of which prisoners were placed, and lawyers pleaded. The chair or seat of the Irish *Breithenm*, or judge, was surrounded by an empty space or sanctuary, formed by an *Imi*, or fence, made of the boughs of trees or roughly hewn bars of wood. The use of the word "bar" for a plea or peremptory exception made by a defendant sufficient to stop for a time or entirely overthrow a plaintiff's action, admits of either the subjective or the objective derivation. If we admit the latter, a barrister, or according to the old spelling, barrastar, would be one who stood at bar, *bar-astare*, to stand at bar. There is an objection to this word as being a hybrid made up of a Celtic and Latin word. As the term grew up on Celtic ground, we may legitimately conclude that if any part be Celtic, the whole is Celtic. Dr. O'Donovan first drew attention to a verbal ending of the third person singular, past tense, indicative mood, found in the old MSS., and variously written *-astair*, *-estar*, *-ustar*, etc. Of these he prefers the first, and quotes from *MS.*

Log Enech, that is to the special damages awarded as the price of a man's offended dignity, for any injury or insult. They were legally classed in this respect with the *Cainte* or satirist, or, in other words, a man employed to abuse others was not entitled to claim damages when abused himself.⁴⁹⁶

advocates
not entitled
to *Log
Enech*.

None but *Aires* could be suitors of a court; even in prosecution for theft, murder, or other crime, if the accused was not himself an *Aire*, and therefore in his own pledge, the nominal defendant was an *Aire* of his immediate family, or his Chief of Kindred, or if a member of a Congilda, his *Aithech ara Threba*. In the case of *Bothachs* and *Fuidirs*, the *Flaths* upon whose estate they lived were the nominal defendants. Such *Fuidirs* as possessed sufficient wealth to entitle them to be classed among those having the *Cuig Rath Cedeck*, or five hundreds of chattels, appear to have sued and pleaded in their own name. The various legal capacities in which the *Aire* was called upon to act as indicated in the *Crith Gablach*, were those of *Naidm*, *Raith*, *Fiadnaise*, *Toing*, and *Aitire*.

Aires only
could be
suitors.

Various ca-
pacities in
which a
suitor acted.

A contract or bargain was called a *Naidm* or knot, a word cognate with the Latin *Nexum*. Every legal contract appears to have been executed in the presence of three *Aires*, one of whom acted as a magistrate on the occasion, and was called a *Fer Nadma*, *Nadmann*, that is knot-man, or a *Nascaire*, from *nasc*, a ring. The second *Aire* acted as a *Raith*, and the third as a *Fiadnaise*. I have already mentioned that a criminal information, made privately, should also be made before three *Aires*. Any one who made a charge against another, rendered himself liable for damages if he failed to prove his indictment. When any one charged another with a crime, or sued him for a debt, or instituted legal proceedings of any kind, or filed a defence to a charge or to a civil action, the complainant or plaintiff,

The *Nad-
mann* or
Nascaire;

H. 2. 15, in the library of Trinity College, Dublin,* the interesting form *breitheamnstair* "judicavit". If we substitute the cognate stem *beir* for *breith*, we shall have *beirastair*, or *barrastar*, he pleaded. The verbal form expressive of the act of pleading, and which indicated the function of the man, being sometimes used to designate the man himself who pleaded, the word *barrastar* came in time to be used as a noun.

⁴⁹⁶ MS. T.C.D. H. 3. 18. 518.

* A Grammar of the Irish Language, pp. 175, 176.

and the accused or defendant, if possessing the necessary qualifications, and the witnesses for the prosecution or defence in a criminal case, or for the plaintiff or defendant in civil actions, respectively entered into a *Naidm* or bond for the law costs, compensation, and other damages, before three *Aires*, one of whom acted as *Fer-Nadma*, or binder, corresponding in many respects to the Roman *Libripens*, the second as *Raith*, and the third as *Fiadnaise* or witness, who made "record of court". In law tracts, as in the *Crith Gablach*, the act being put for the actor, a man is described as a *Naidm*, a *Raith*, etc., instead of as a *Nadmann*, *Raithmann*, etc. The *Nadmann* corresponded to the Welsh *Gwr Nod*, or Nodman. In the Welsh Laws his functions are very obscure, because he is spoken of merely as a standard of rank for forming a *Rhaith* or jury of compurgators, in the same way that juries in certain important cases are now taken from the grand jury panel. The editor of the Welsh Laws was accordingly unable to determine the true character of the Nodman, whose name he derives from the Latin *notus*, that is a person of distinction.

the Welsh
Nodman ;

the *Raith* or
Raithmann ;

Raith signifies counsel, decision, or verdict, and like *Naidm*, is put for the man who gave it. The functions of a *Raithmann* were twofold: he had a deliberative voice in a *Mathluagh*, *Dál*, or *Tocomrach*, upon fiscal and other questions; and he acted as a compurgator or juryman. A jury of *Raiths* deliberating about the applotment of *Díre*, or damages for murder, arson, or other malicious injuries, or making presentments for highways on the one hand, and deliberating whether there were sufficient grounds for a criminal prosecution on the other, performed similar functions to a modern grand jury. The analogy is so complete in many ways that there seems little doubt that the origin of the grand jury system is to be traced back to an organization analogous to the Irish one.

In order to understand rightly the functions of the *Raith* as a compurgator, I must briefly state here the general procedure in criminal and civil trials. This is not an easy task, not so much from lack of materials, as from the fragmentary character of the contents of the existing legal manuscripts, and the difficult and technical language in which they are written. One of the

strongest proofs of the antiquity and originality, and consequent value, of the Irish laws, is that the technical language is native and not borrowed. I shall take as my example of legal procedure in criminal trials that followed in a case of larceny of cattle, which may be considered to fairly represent what may be called the general procedure in criminal cases. The following account of this procedure is summarized from the *Cána Com-ithe acas Com-gaite*, or laws of co-eating and co-stealing, contained in a law manuscript in the British Museum.⁴⁹⁷

Persons who possessed the necessary property qualification were promoted to be *Aires* when proclaimed at a *Dal* or assembly of the notables of the *Tuath*, not to have committed murder or manslaughter, unless in self defence, robbery or theft, perjury, violence, arson, or other serious crimes. Such persons were deemed "worthy" men (*Innraic* or *Indruic*, perfect or worthy). Those who did not possess the necessary property qualification, or who, though having it, had not been duly promoted to the rank of *Aire*, or who had committed any of the crimes above mentioned, or who had in any way befouled their honour, such as by making a base or unlawful use of their privileges, were deemed "unworthy" (*Esinnraic*).

Criminal informations were of three kinds; first, there was the *Amrus* or information based on suspicion (*Doich*); second, there was the *Faisneis* or ordinary information based on positive knowledge of an eye-witness or eye-witnesses; and lastly, private informations (*Toraic*). The first step in a criminal prosecution was to lodge an information of either of the foregoing kinds. The accused was summoned to appear before the court to answer the charge, and in serious cases, or if he refused or disregarded the summons, he was arrested by the *Dae*. The second step consisted in the complainant giving evidence in support of his

⁴⁹⁷ Egerton, 88, f. 48, a. a. *et seq.* The compiler of the MS. has put a note in Irish at the end of these laws, which very naively expresses the great difficulty of digesting them, or even understanding them: "The end of the disqualifications of *Fiadnaisa*, and it is not from [lack] of books, for I do not think what I have of them insufficient. And if you find fault with what I have done down to this, let the blame of the errors not be charged on me, but upon the *cúimre briathar*, i.e., the intricate or crooked words".

charge, either in his own house or in that of the accused, according to the relative rank of the parties. Thus, if the complainant and defendant were of the same rank, or if the latter were of higher rank than the former, the complainant went into the house of the defendant, and there confirmed the charge at his own hearth. If the accuser were higher than the accused, the latter was obliged to go into the house of the former.⁴⁹⁸

Confirma-
tion of a cri-
minal
charge;

In order to confirm a charge, the same number of persons were required to make oath as in making the informations. This number was regulated first by the circumstance whether the complainant made the charge in his own behalf or in that of a third party; next as to whether the complainant and defendant were both "worthy" or both "unworthy", or one of them "worthy" and the other "unworthy", and if so, which; next, whether the evidence was circumstantial or direct; and lastly, whether the complainant sued on a criminal charge, or merely for damages. The influence of these several causes on the procedure being the same at each stage of the suit, it will only be necessary to take them into account at one stage, namely, at the hearing or confirmation of a charge.

simple ex-
purgation;

If a "worthy" man made an *Amrus* in his own behalf against an "unworthy" man, for instance, that he suspected him to have been an accomplice or accessory in the stealing of cattle or other chattels, the accused party was bound to a *Dligi bes Brithir*, that is, to make a solemn oath at an altar that he had no knowledge of the crime. If the oath of the worthy complainant was corroborated by that of another "worthy" person, the accused was bound to a *Dligi doith dithach*, that is, he made a solemn oath of denial at an altar, and his denial was corroborated by the oath of another "worthy" person.

⁴⁹⁸ This old law was doubtless the origin of the *Briseadh Grisaig*, or breaking of cinders, of the present Irish speaking people. The "Breaking of Cinders" means to charge and confirm guilt on a man at his own hearth, so that his fire, which represents his honour, is broken up into cinders. The trampling of a man's cinders was one of the greatest insults which could be offered to him, as it conveyed the idea of guilt, and not only on the individual himself, but also on his family and household. The terms *grisach* and *grisach dearg inso* in the sense of "shame", and "burning shame", are still commonly used as denunciatory epithets by the Irish speaking people.

Direct or positive evidence in support of a charge was called ^{the *Tuarastal*;} a *Tuarastal*. This term is explained by an old gloss as a door, that is, a means of admitting light to the blind.⁴⁹⁹ No one could be convicted of a crime or made liable for the costs and damages, unless the indictment was supported by a *Tuarastal*. If a "worthy" man made a *Faisneis* or information in his own behalf, founded on direct evidence, against an "unworthy" man, his unsupported evidence did not make a *Tuarastal*, it made only an *Arracur* or filing of the charge. But if the complainant's oath were supported by that of another person who was a disinterested witness (*Coitcend Fiadnaise*), a *Tuarastal* was established. The unsupported evidence of a "worthy" man against an "unworthy" man in behalf of a third party, made however a *Tuarastal*. In the first case the accused was bound ^{the *Fir Dé* or expurgation;} to expurgate himself by a *Fir Dé*, or to submit to the ordeal of a *Crannechur* or casting of lots. A *Fir Dé* consisted in the accused going with a certain number of oath-men before the *Arcinnech* of the district, and in the presence of the complainant and his witnesses, swearing, both himself and his oath-men, solemn oaths at the altar.⁵⁰⁰ The ordeal of *Crannechur* ^{the *Crannechur* or lot casting;} consisted in putting into a box or pot black, white, and red pebbles, from which the accused was to draw until he drew either a black or white one. If he drew the former, he was in the same position as if a *Tuarastal* had been established against him. If the accused party were in a position to prove a satisfactory *alibi*, that is, if he could bring forward satisfactory positive evidence to upset the *Tuarastal*, he was acquitted. Positive evidence of this kind for the defence was called a *Beo Caindel* or living candle.

It appears to have been optional with a complainant to proceed either by criminal indictment or by civil process for damages and compensation, in the case of many, if not of all crimes, except a few for which the punishment of death was inflicted. If a complainant chose to sue for damages, his oath ^{complainants may proceed either by criminal indictment or civil process;}

⁴⁹⁹ *MS. Brit. Mus., Egerton*, 88, p. 48. a. a. This is obviously the origin of the name of "The Light to the Blind", given to the manuscript relating to the Williamite wars, in the possession of the Earl of Fingal.

⁵⁰⁰ See last paragraph of note 370, p. cciv.

costs and
damages ;

leech-fee ;

should be supported by the oaths of three disinterested witnesses instead of one, as in criminal actions. It appears that no action of the kind was taken without the consent of the *Cuicer na Fine*, or family council, consisting of the *Aire Fine* and the four worthies of the *Fine*, who constituted the *Geil-fine* or pledges of the *Fine*, so that nine persons in all were concerned in the action for damages. When the oath of a "worthy" plaintiff in a civil action was supported by the oaths of three qualified witnesses before the council of the *Fine*, an unworthy defendant became a *Fiachach*, that is, he was rendered liable for the *Enecland*, *Dire*, and other *Fiacha Rechtge* or law costs, as well as for *Aithgin* or restitution of the stolen chattels in a case of larceny, or for *Log Leaga*, or leech-fee, *Folach*, or cost of maintenance, etc., in case of unlawful wounding, unless he succeeded in clearing himself by compurgation.⁵⁰¹ If the plaintiff was unable to find the three sustaining

⁵⁰¹ The following extract gives an idea of the amount of the leech-fee or *Log-Leaga*, and of the *Foluch Othrusa*, or cost of maintaining a wounded man who had been maimed for life, while recovering from his wound.

"There are twice seven *Cumals* (forty-two cows) to be paid for the [expenses of healing] of a *Rig*, a bishop, a professor, a *Sai*, an *Ollamh*, a *Here-nech*, and an *Aire Forgaill* of the first class, and all who rank with him. Seven and a half *Cumals* are paid for the *Aire Ard*, and for the highest of the two lower classes of *Aire Forgaill*. Seven *Cumals* for the maim of the *Aire Tuisi* and the *Aire Desa*. Four *Cumals* for the maim of a *Bó Aire* and of an *Og Aire*. Two *Cumals* for the maim of a houseless, homeless man ; a *Cumal* for the maim of a horse-boy and of a slave.

"From these twice seven *Cumals* above, deduct six cows for the facility of apportioning, and for the doctor's concealment [*i.e.* as a bribe for the doctor concealing the real state of the wound], or the doctor may be restrained by the illegality of such an act. You have still twice eighteen cows remaining. Give eighteen of these to the substitute of the disabled man [*i.e.* the man who performs his duties while he is ill] alone. You have still eighteen cows remaining. Give nine of these for diet, you have still nine cows. Give four cows and a heifer to the doctor, and four cows and a heifer to the man who raises the patient up and lays him down and moves him about during his illness. The six cows that you deducted above for the doctor's concealment or the facility of division, divide them into seven parts. Give four of those parts to the substitute, and two parts to diet, and one part to the attendant.

"Four score *Screpalls* and three *Pingins* and the four-sevenths of a *Pingin* is the value of the substitute's share of the cows. Two score *Screpalls* and three

oathmen, or that his *Geilfine*, or family council, did not support him, the defendant was only rendered liable to a *Crann-chur* or casting of lots.

If a "worthy" man made a *Faisneis* against another "worthy" man, and that his oath was supported by the oath of another "worthy" and disinterested witness, the person accused of the *Lith* or offence was bound to clear himself by a *Fir Teist*, that is, by compurgation.

If an "unworthy" man charged a "worthy" man with larceny or other crime, the accused was only bound to a *Dligi bes Brithir*, or oath on the Gospels at his own house. In some cases the accused was not obliged to make oath at all. An "unworthy" man only bound a full *Arra* or charge in behalf of a third party after he had made his oath on the Gospels. And except in special cases his evidence did not bind a "worthy" defendant in damages and costs. If an "unworthy" man made a charge in his own behalf against another "unworthy" man, he only proved a half *Arra*; but if his evidence was supported by the oath of another person, a full *Arra* was established. If an "unworthy" person made a *Taraic* or private information on behalf of a third party, as, for instance, if an accomplice or accessory before or after the fact, who admitted his participation in the crime, swore an information, his evidence had the same value as that of a "worthy" man in his own behalf, that is, he established a full *Arra*; and if his oath was corroborated by that of an independent witness, it was a *Tuarastal*, and if supported by the oaths of three persons, it was a *Tuarastal fastaide Fiach*, that is, the accused was condemned to pay the costs and damages unless he could clear himself by expurgation. The evidence of a principal, accomplice, or accessory, could only be received, however, provided that he confessed his guilt be-

Pingins and two-sevenths of a *Pingin* for diet. Twenty *Screpalls* and a *Pingin* and a half is the share of the attendant. . . .

"Four cows and a heifer to the doctor for the cure of a maim from a king and from those who are of equal value with him. Three cows for a maim for which the fine of infiction would be three cows. A cow and a heifer for a wound for which six calves is the fine of infiction. A cow and eighteen *Screpalls* for a wound for which seven calves was the fine of infiction".—MS. R.I.A., 35. 5. p. 22.

fore he was himself accused of the crime, and paid his share of the *Aithgin* or restitution, and gave security for all costs and damages to which his crime may have rendered him liable. Having done this, he was *Slan* or whole, otherwise his evidence was contemptuously called an *Aisneis Meirle*, or thief's information, and did not establish a charge even against his accomplice. A *Toraic* of this kind should be made, as I have already pointed out, before three *Aires*, who, in cases involving *Urrhudas* or customary law, need be only *Aires Desa*, but in cases involving *Cain* or statute law, should be *Aires Ard*. One of the *Aires* acted as *Nadmann*, or binder, and bound over the prosecutor and his witnesses not only to pay such law costs as the former may become liable to if he failed to establish his charge, but also the costs and damages to which both would become liable if it were proved that the charge was false. The second acted as *Raith*, and the third as *Fiad-naise*, who made "record of court". Priests could also receive private information, their privileges in this respect being much greater than those of laymen. Thus a *Toraic* could be made before a "worthy" priest whether it came under *Urrhadus* or *Cain* law.

Private information of an accomplice or accessory should be made to three magistrates;

or to a "worthy" priest.

Procedure in civil actions:

the *Fasc* or summons;

the *Gabhail* or distress;

The procedure in civil actions under Irish law was identical with that under English Common Law, namely, by summons, attachment, and distress. Thus, in an action for the recovery of a debt, a *Fasc*, or summons setting forth the nature of the plaint or claim, was served upon the debtor. If, after a certain number of days, which varied according to the character of the action, the debt was not paid, the plaintiff levied a distress or *Gabhail*,⁵⁰² which exactly corresponded to the *Nam* of Anglo-Saxon law. Except in certain cases, the distress was not, in the first instance, carried away by the plaintiff. The *Gabhail* was, strictly speaking, only a *Fastad* or attachment

⁵⁰² This word has been translated in the *Crith Gablach* (vol. ii., pp. 508-509) as jail, and in a note (No. 566) I have endeavoured to show that the word jail is really derived from *Gabhail*. Properly speaking, *Gabhail* means, in the passage in question, a distress by the body. It seems very probable that the place where persons taken in distress were secured came in time to be itself called a *Gabhail* or jail.

like the *attachiamenta bonorum* of Anglo-Norman law. The old forest laws of England afford us complete parallel examples of the Irish procedure. Thus the attachment taken by the officers of the forests either by goods or chattels, by the body, pledges, and mainprize, or by the body only of offenders against *vert* and *venison*, and brought before the attachment courts, held by the *verderors* every forty days, were exactly like the similar offences, cases of trespass, etc., tried in the *Brugh*-courts of Ireland. Land might also be taken in distress as well as dead and live chattels, and if the defendant was a pauper, he could be arrested himself.

In certain cases, as for instance where the defendant was a *Rig*, the plaintiff was obliged to "fast" upon him, after he had given him his summons or *Fasc*, and before he made his distress. A *Trosca* or fasting was made by the plaintiff going to the defendant's house, and remaining there for a certain time fixed by the law according to the nature of the suit, before making his distress. It is usually assumed that during this stay he remained without food, that is, he literally fasted. But this view may be questioned.

The time which the *Gabhail*, or distress, was to remain in the hands of the owner under attachment was carefully prescribed by the law for almost every kind of chattel. In some cases the stay, or *Anad*, was only one day, in others as much as nine. Several examples of this stay are given in the course of the Lectures, especially in those on dress and ornament. If the claim of the plaintiff was not satisfied before the end of the stay or *Anad*, he carried off the distrained chattels, and gave them into the possession of a *Fer Foruis*, that is, one of the *Aires* whose residence constituted one of the *Foruses*⁵⁰³ of the *Tuath*. The *Airlis*, or enclosed paddock of each *Forus*, served as pound for distrained cattle. An *Apad*,⁵⁰⁴ or notice, was then served upon the

⁵⁰³ Cf. Irish *Forus*, the residence of a magistrate with O. N. *Forði*, the means or place for supporting life, which is equivalent to the Sanskrit *b'rti* *b'r* to nourish.

⁵⁰⁴ The first notice, or summons and plaint, was properly the *Fasc*; the second notice, which was a summons to the defendant to pay or replevy and plead, was the *Apad*. The two words are often used synonymously.

defendant, informing him that the distress had been carried away, and of the *Forus* where it was impounded.

Replevin ;

If the defendant disputed the claim of the plaintiff and determined to try the right of the latter, and to answer him at law, he gave a *Gell* or pledge, consisting of some article of value, such as a brooch, a *Mind* or diadem, or even his own son. Or he might find an *Aitire* or bail, who would enter into a *Naidm* or bond for the amount of the debt or damages, as the case may be, as well as for all attendant costs, pending the trial of the question of right. In either case the attachment was taken off. This process is exactly the same as the replevin of English common law, though practised in Ireland long antecedent to the earliest recorded traces of it in England.

Immediate distress ;

In some cases, and under certain special circumstances, there was no attachment, the distress being at once carried off to the *Forus*. This was the *Gabhail cotoxal*, or distress with asportation. In this case the defendant might replevy before the end of the *Anad* or stay, by giving pledges to the *Fer Foruis*, and serving notice of the replevin upon the plaintiff.

the *Re Dithma* or detention in pound ;

When the *Anad*, or stay, before impounding chattels which had been attached, or during which they might be replevied, whether merely attached or taken in immediate distress, expired, the *Re Dithma* or period of detention arrived. During this period the defendant might recover the distrained property by paying the debt and costs, but he could not replevy after the expiration of the *Anad*. When the *Re*

the *Lobad* or sale of the distress ;

Dithma, or time of stay in pound expired, the *Lobad*, or “wasting”, commenced, that is, the auction or forfeiture of the distressed property. The period of this “wasting” was fixed by law according to the value of the property, the special circumstances of the case, and of the parties in the suit. At the *Lobad* the defendant might purchase the whole of the forfeited property or any portion of it. If a distress covered the amount of the plaintiff’s claim, together with the costs, the debt was extinguished ; if it did not cover the amount of the debt and costs, a second distress was taken ; if it exceeded them, the surplus was paid over to the defendant

If the person distrained replevied, and recovered his property

by a *Naidm-Aitire* or bond of an *Aitire* or bail, the *Fer Foruis*, trial in replevin; who fulfilled in this matter some of the functions of a modern sheriff, served the plaintiff with an *Apad Nadma Aitire* or notice of bail-bond, that is, that bail had been given, or in other words, that the defendant had replevied. This was equivalent to a notice of trial. After the issue of the *Apad* a certain time was allowed to enable both parties to prepare for trial. On the last day of this stay or interval, the parties to the suit and their witnesses were supposed to be all in attendance at the place of trial. At the trial the plaintiff sought to secure a *Fastad Nadma* or fastening of the bond, and the defendant a *Cumbach Nadma*, or discharge of the bond, by a method of procedure similar to that described above in the case of larceny or similar crimes. If a defendant who had replevied and given a *Gell* or pledge that he would defend an forfeiting a Gell or pledge; action of law, failed to do so, the pledge became forfeit, even in the case of the debtor's son being the pledge, who, under such circumstances, became a *Cimbid*, or victim, in the power of the plaintiff. The same fate befel an *Aitire* who, having entered into a bond, was unable to meet the liabilities to which he had rendered himself liable in case of an adverse verdict.

If the chattels seized by a *Gabhail co towal*, or immediate the Athgab-hail or Withernam. distress, were put out of the way, or esloined by being driven into another *Tuath*, so that on being replevied deliverance of them could not be made to the party distrained, or in case they were otherwise unlawfully withholden, the distrained party, by way of reprisal, could levy on the plaintiff a distress of equal value to that taken from him. This second distress was called an *Athgabhail*, the exact equivalent of the *Withernam* of the Anglo-Saxons. The plaintiff could also take an *Athgabhail* or *Withernam* in case the defendant had made away with the *Gabhail* or *Nam*, which had remained in his possession under attachment, or had allowed it to escape or stray.⁵⁰⁵

⁵⁰⁵ Since the above was put in type I have seen an essay by Samuel Ferguson, Q.C., LL.D., "On the Rudiments of the Common Law discoverable in the published portion of the *Senchus Mor*", read to the Royal Irish Academy on the 11th February, 1867. I cannot express the satisfaction I felt when I found this able lawyer and acute scholar had clearly detected in

A *Toing* or
Fer Tonga.

The person who gave testimony for a plaintiff or defendant was a *Toing*, or more correctly *Fer Tonga*, the act being here also put for the agent. He was also called a *Fer Luigi*. The term *Fer Tonga* is very interesting, as it is probably the same as the *Ferdingus* or "Ferthing" man of English law. A summons and plaint in Anglo-Saxon courts should in most cases be supported by an oath which was called the "fore-oath" or *praejuramentum*. A lord or *Thegn* had the privilege of appearing by his "true man" or *Gerefa*, who made the "fore-oath" for him. The term *Ferthing* man or *Ferdingus* seems to have belonged to the north of England, and may have been a remnant of the old British laws, as I have already suggested, or of the occupation of north England by *Gaedhil*, of which there are many other traces. In English times the "Ferthingmen" were probably the representatives of the guilds and trade corporations, or, as we should now say, their public officers, who made the fore-oath in their behalf.

Lucht Fira
or compurgators,
kinsmen of accused.

The *Raith*, as we have seen, acted as a kind of counsellor or assessor for the *Fine* when law proceedings were instituted against a member of it. The *Lucht Fira*, or compurgators, appear to have been exclusively composed of *Raiths*. The *Toings*, or *Fira Luigi*, who supported an indictment or plaint, were generally *Imbleogains* or kinsmen of the plaintiff, as were those for the defence. Compurgators were also relatives of the defendant. *Aires* could, however, also act in both capacities outside their own *Fines*. In early Anglo-Saxon times compurgators are said to have been exclusively taken from the relatives of the accused; this continued to be the custom in certain cases in London, even subsequent to the Norman Conquest. It is more likely that, although they were generally taken from the family, members of a *Maegth* could, as in Ireland, act outside it in certain cases.

Relation of
compurgators to
juries.

Compurgators performed functions somewhat analogous to those discharged by modern juries, but they were not true

the fragments of Irish Laws and Commentaries, published under the name *Senchus Mor*, a close affinity between the Irish procedure and the English Common Law,—an affinity which, as I have shown, runs through the whole of the manners and customs of the ancient Irish and the Anglo-Saxons.

juries. The jury in the sense we now understand it in criminal cases, was unknown to the Anglo-Saxons; it developed itself gradually during Anglo-Norman times out of the system of compurgation, which was still practised in England as late as the reign of Henry the Sixth.⁵⁰⁶ The concentration of power in the hands of a strong central government, the development of commerce, and subsequent growth of large towns, obliterated the Maegthship or family in England, at a comparatively early period. Neighbours of the same tithing, city, and ultimately of the same county, gradually took the place of kinsmen as compurgators. In Ireland, on the other hand, although neighbours might at all times have acted as compurgators outside their own families, the old system of compurgation continued down to the sixteenth century, as well as the system of clanship, the maintenance of which was favoured by the circumstances of the country. Compurgators, though members of the *Fine* of the defendant, did not swear in favour of their kinsman as mere partizans: as they made themselves responsible for all the consequences of their act, they investigated the charge against the defendant very carefully before they took up his cause. When they came forward to swear that they believed him innocent of the crime of murder, manslaughter, theft, plundering, perjury, or other misdeeds, they were assumed to have given their verdict without fear or favour, and after a full inquiry into the conduct and antecedents of the accused, as well as into the special circumstances of the charge for which he was being tried. If the defendant failed to satisfy his *Fine* that he was innocent, and consequently failed to find a sufficient number of compurgators to acquit him, and that his appeal to the ordeal of a *Fir Dé*, or solemn expurgation, failed, he forfeited his liberty or his life, according to the character of the crime, or became an outlaw.

The Irish *Raith* corresponded to the Welsh *Rhaith*, which the editor of the Welsh Laws glosses "a verdict". The *Radmen*, or *Radmans*, a class of tenants or inferior Thegns who

The Irish
Raith cor-
responded to
the English
Radman,

⁵⁰⁶ The last instance of compurgation in a criminal case which can be traced with certainty was in the Hundred Court of Winchelsea, in the reign of Henry the Sixth.

are mentioned as living on the borders of Wales and in Tyn-dale in Northumberland,⁵⁰⁷ were, no doubt, relics of the British institutions which had previously existed in those districts, and which must have been almost identical with the Anglo-Saxon ones. The barbarous term *Radechenistres* is applied in Domesday Book to freemen who ploughed a manor and owed service to the lord's courts.⁵⁰⁸ Again, Bracton mentions a class of knights which he calls *Rade* knights, a word which, after him, has been explained as *riding knights*, and was "given to such tenants as held their land by the service of riding with their lords from manor to manor, which, says Selden, was adjudged in the reign of Henry the Third to be such a knight's service as to draw wardship and marriage".⁵⁰⁹ Selden identifies those knights with the *Radechenistres* of Domesday Book. There can, however, be little doubt that the *rade* in both words is related to the Anglo-Saxon *ræd*, Old Norse *rath*, counsel, consequently, that *Rade* knight and its barbarous Anglo-Norman form correspond to the Irish *Raith*. The use of the same term for freemen who performed the functions of grand jurors among the Irish, Welsh, and Anglo-Saxons, affords strong evidence of the parallelism, if not identity, of the early institutions of the Irish, Britons, and Saxons.

The Irish word *Fiadnaise* represents the English *Witness*, indeed Dr. Ebel is of opinion that the latter word came from the Celtic rather than from the Anglo-Saxon form. The Irish, like the Anglo-Saxon word, did not mean, however, precisely the same as the modern English word. The chief functions of the *Fiadnaise* appears to have been to recollect the laws and the judgments of a court, contracts entered into, bail given for persons charged with crime, warranty given for property sold,⁵¹⁰ and all similar legal transactions. In very

⁵⁰⁷ Spelman, *Gloss.*, Ellis' *Introduction*, i. p. 56.

⁵⁰⁸ "De terra hujus manerii tenebant radechenistres, i.e., liberi homines". "Hic Radechenistres arabant, etc.". Fo. 18, tit. Glouc. Berthelay, quoted by Hampson, *Origines Patriciæ*, p. 331.

⁵⁰⁹ *Titles of Honour*, p. 777.

⁵¹⁰ According to the Anglo-Saxon laws of Edward and Athelstane, all dealings above the value of twenty pence, without the walls of a city or in the Folkmoot, should be witnessed by the Port-Gerefa, or other credible witnesses. According to the laws of Canute, no chattel, living or

and *Rade-*
chenistres of
Domesday
Book.

the *Fiad-*
naise or *Wit-*
ness.

early times the records of courts were entrusted, as I have before mentioned, to the recollection of the judges and suitors. Every one entitled to give testimony as to laws, customs, judgments, verdicts, and contracts, was called a *Fiadnaise* or witness. A *Fiadnaise* also acted as *Teist*, that is, gave testimony as to the facts that came under his cognisance; but although the *Fiadnaise* was in this respect like the modern witness, his principal functions were those above stated.

The Irish *Fiadnaise*, like the old English witness, appears to have testified as to "record of court" by simple affirmation. The Irish witness affirmed. The *Toing*, or rather *Fertonga*, gave, as the name implies, his testimony on oath, as did also the compurgator. Oaths of different kinds. The oaths were considered to possess different degrees of sanctity, according to the object upon which, and the place where, the oath was sworn. Thus, in Christian times, an oath was sworn upon the *Bachall* or crozier of a bishop, upon a reliquary, and, the most solemn of all, upon the Gospels. The swearing took place at an altar, a church, or a grave, when it was desirable to add solemnity to the act.⁵¹¹ Compurgators were sworn before the people at the *Mathluagh* or *Dál*, which were often specially summoned for the purpose. The custom of swearing at graves is, doubtless, a relic of the pagan times. As to the manner of making oath, we are told in a law manuscript in the British Museum that the prosecutor in a charge of theft swore three oaths upon the gospel, or the reliquary containing it, "namely, standing, sitting, and lying, as he spent his life".⁵¹² This was the manner of swearing on the Gospels. In the old life of *Saint Mac Creiche*⁵¹³ we are told how an oath was sworn upon his *Ceolan*

lying, above the value of four pence, shall be bought or sold, whether within the burgh or in the upland country, unless in the presence of four good men and true.

⁵¹¹ The sacred object upon which the oath was sworn was called a *Neime*. This may possibly throw some light on the pagan *Nemet* or sacred place, which was doubtless the place where oaths were solemnly sworn. See p. cclxiv.

⁵¹² *MS. B. it. Mus., Egerton, 88, p. 48, a. a.*

⁵¹³ O'Curry's copy, in the possession of the Catholic University, from a MS. in the Burgundian Library at Brussels. This curious life, with much additional matter, illustrative of the manners and customs of the Irish in early Christian times, is about to be published by Mr. Bryan O'Looney.

or bell. The person about to swear took the bell in his right hand, lifted it above his knees, turned his face to the altar, and made his oath. The modes of making oath varied, no doubt, with the object and place where it was taken.

It is probable that, in certain cases, if not in all, witnesses who attested contracts entered into under a *Naidm*, like the jurats under the laws of Edgar, made oath when giving testimony. The special and selected witnesses required by the Anglo-Saxon laws to attest contracts, gave in like manner their testimony on oath.⁵¹⁴ The class of witnesses called *Noillechs*, from *Noill*, an oath, belong to the same category. They were men of position, whose chief functions were to hold sworn inquisitions in disputes of all kinds, especially concerning boundaries and other matters connected with the occupation of land, murders, and other crimes which remained unpunished. They also witnessed the fixing of boundaries upon lands divided between co-heirs, etc. Finally, they fulfilled many of the functions of arbitrators. The analogy between the "recognitions" of the *Probi-Homines* of Norman law and the inquisitions of the Irish *Noillechs*, points to the conclusion that the Prud'hommes of France are the representatives of ancient Gaulish *Noillechs*. An inquisition of *Noillechs* appears to have been made by impannelling a regular jury of *Flaths* summoned by the *Aire Forgaill*. According to an obscure passage in a manuscript in the British Museum, the number forming such juries or commissions was twelve.⁵¹⁴ The "twelve tongues" who are referred to in a passage from a law manuscript quoted above,⁵¹⁶ as giving a verdict on a case connected with land, are probably a jury of twelve *Noillechs*.

As *Toings* or *Fertonga*, *Raiths*, and *Fiadnaise*, incurred great liability for their legal acts, they were entitled to certain fees, the amount of which depended on their rank, which also of course governed the extent of their pecuniary responsibilities. The latter could not in any case, however, exceed the honour price of the *Teist*, *Fiadnaise*, or *Raith*, respectively. I have in

⁵¹⁴ Canute, ii. § 24; see also Palgrave, *op. cit.*, p. 251.

⁵¹⁵ *MS. Egerton*, 88, f. 48.

⁵¹⁶ *Ante*, p. clxxxviii., note 342.

Noillechs or
jurats.

A jury of
Noillechs,
formed ap-
parently of
twelve.

Fees of oath-
men, wit-
nesses, etc.

a previous note⁵¹⁷ suggested that the *Tir Cumail* of an *Aire* was the extent of the appanage of his rank, but it was rather the extent of that appanage which could be distrained for the fines, damages, and law costs of his relatives, or for the liabilities he might himself incur by the exercise of his public functions.⁵¹⁸ As this responsibility of a man having property affected not alone the individual, but also all who had a right to share in his *Dibad* or inheritance, we can understand why the *Geilfine*, or council of the family, took so prominent a part in civil actions, and why it was easier to convict a man under a *Lú* or criminal charge than under a suit for damages. Again, as a man who gave false testimony rendered himself responsible for the liabilities of the plaintiff or defendant, such as *Enecland*, *Dire*, *Smacht*, or damages, *Aithgin* or restitution, etc., according to the side of the case for which he was, he carefully investigated, as far as he could, all the circumstances of the case before he committed himself to it. A man might, however, under certain circumstances, plead ignorance in mitigation of damages. Thus, a man who gave his testimony through friendship, and did not know of the guilt of the party for whom he testified, had to pay only half the *Dire* and half the *Smacht* or damages, together with *Enecland* of the *Neime* or relic, or other sacred object upon which he had made his *Toing*. If at any time afterwards the crime, say a theft, came to be fully ascertained, the liabilities which the law would have imposed upon the thief if he had been convicted in the first instance, should be borne by the witness, unless he could recover them from the thief. If a man gave testi-

Penalties for
false witness.

⁵¹⁷ *Introduction*, p. clxxxii., note 328.

⁵¹⁸ "This is the extent of *Cumal*-land which each rank of the grades possesses in the extent of the *Faitche* (demesne lands) liable to *Athgabhaill Imbleogain* in excess of the other", e.g., "The land of one *Cumal* the *Oc Aire* has; the land of two *Cumals* the *Bó Aire* has; the land of three *Cumals* the *Aire* between two *Aires* [the highest of the *Bó Aires* possessing property equal to a *Flath*] has; the land of four *Cumals* the *Aire Desa* has; the land of five *Cumals* the *Aire Tuisi* has; the land of six *Cumals* the *Aire Ard* has; and the land of seven *Cumals* the *Aire Forgaill* has". MS., H. 3. 18, T. C. D., p. 332. *Athgabhaill Imbleogain*, was a counter-distress, or "withernam", levied on an *Imbleogan*, or representative kinsman, for the fines, damages, and law costs due to a *Fine* for the crimes, debts, etc., of its members.

mony through friendship, and while under the impression that the accused was innocent, he was bound to pay half the liabilities which attached to the charge, even though it should afterwards turn out that the accused had not actually committed the crime. If the thief denied the charge of theft, and told his witness that he had not committed it, the latter was, nevertheless, liable for the *Aithgin* or restitution of the stolen chattels.

The *Aitire*
or bail;

An *Aitire*, as previous references to him show, was a bail or surety for a plaintiff or defendant pending a trial or suit at law, for the amount of fines, damages, and costs to which either might become liable. An *Aitire* was also required as security in cases of sales of cattle for the warranty given that the cattle were the property of the sellers, and were sound. When an *Aitire* bound himself in a bond or *Naidm*, he was an *Aitire-nadma*, which was equivalent to the *Nexus* of Roman law. If the obligation entered into by an *Aitire* before a *Nadman*, and in the presence of a *Raith* and a *Fiadnaise*, were not discharged at the proper time, he became a *Cimbid*, or victim; this also happened if he were unable at once to pay the amount of the bond, or, in criminal cases, to deliver up the criminal for whom he was bail, or to pay the full amount of the *Fiacha Rechta*, that is, costs, damages, and compensations, to which the defendant in a criminal prosecution

the *Aitire*
Nadma or
Roman
"nexus";

the *Cimbid*
or *Nexus* be-
come "ad-
dictus";

would be liable in case he was convicted. An Irish *Cimbid* corresponded to the Roman *Nexus* when he became "addictus". According to the Irish law a *Cimbid's* life might be purchased at a fixed price, which was equal to his *Eiric* if he were slain, namely his *Corp Dire* or body-price, and his *Enecland* or honour-price. The *Eiric* payable for a homicide where no attempt was made to conceal the body, was seven *Cumals* or twenty-one cows, together with the full *Enecland* or honour-price. The possessor of a *Cimbid*, or forfeited pledge, had, strictly speaking, no right to put him to death, but if he did kill him, he was bound to pay his *Eiric* to his *Fine*, in case the latter chose to pay the debt and costs of the *Cimbid*. If the *Fine* did not choose to give anything, the slayer was not bound to pay the *Eiric*.⁵¹⁹ In this way the

⁵¹⁹ MS. R.I.A., 35. 5. p. 22.

Cimbid was absolutely in the power of the creditor in the same way as the Roman *Nexus* when he became "addictus". The Irish law was, however, more humane than the Roman, in as much as it afforded a *Fine* an opportunity of rescuing their kinsman for the amount of his *Eirie*, that is, twenty-one cows, and of his *Enecland*.

Any one who desired to adopt a stranger or a distant relative into his family, or wished to keep strangers in his household, was obliged, after a certain number of days, to give bail for their conduct until the legal fee payable for the naturalization of the stranger was paid, such a bail was called an *Aitire Foesma*.^{the Aitirs Foesma.}

Defendants and their bails summoned to appear at court, and *Aires* owing service to it, were bound to appear on the first day, but if they could give a valid excuse, that is, show that there were insurmountable obstacles to their arrival in time, a certain time of grace was given them. The delay or hindrance was called *Esain*, a word which is almost identical in form as well as meaning with the French *Essoine*, English *Essoign* or *Essoin*, Scotch *Essoinzie*. The English and Scotch terms are Anglo-Norman, and, like the French, are evidently of Celtic origin. The valid excuses were—sickness, being beyond the sea, bad roads, the overholding of pledged articles of dress or ornament required by a person in order to appear suitably without loss of dignity at court, etc. If the cause of delay or hindrance was due to some one else, the person delayed or prevented altogether from appearing was entitled to damages, which were fixed by law according to his rank.

Several other legal rights and privileges have been mentioned in the course of the Lectures and of this Introduction, such as *Faesam*, *Turrthugadh*, *Fonaidm*, and *Snadha*. Although most of these terms have been more or less explained in the foot notes to the *Crith Gablach*,⁵²⁰ and incidentally in the course of this Introduction, some further observations on them may not be out of place here.

Faesam was the right which every *Trebaire*, or chief of *Faesam*.

household, possessed of entertaining and protecting strangers, or of giving sanctuary to those charged with offences or debt, during a certain number of days according to his rank, without having to enter into recognizances to the *Fine*, or being held specially responsible for their acts. *Turrthugadh* appears to have been the right which a chief of household possessed of his house being sacred, so that it could not be entered, or his premises searched or trespassed upon, even in search of criminals, without special legal authorization. *Fonaidm* was the right of bail which a chief of household possessed in favour of all the persons for whom he was legally responsible, according to his rank. *Snadha*, which literally means to traverse, was the right which one of the privileged classes or *Aires* had of crossing the lands of other *Aires* with their legal retinue, and of being supplied with such necessaries and protection as they might require. In order that this right of hospitality should not be oppressive on the poor, no one had the right of claiming the hospitality of a person of lower rank than himself. The Irish *Snadha* represents the Welsh *Nawd*, and having preserved the initial sibilant, helps us to understand the true meaning of the word, which is obscure in Welsh.

I have explained at some length in the notes to the *Crith Gablach*⁵²¹ most of the terms for fines, damages, etc., in civil and criminal actions. As some of those explanations require, however, to be modified and corrected, I shall take the opportunity of again noticing a few of them here in their proper place.

The *Maigin Digona*;

As the extent of the *Maigin Digona*, or field of sanctuary—that is, the space around each residence which was considered to enjoy the same legal immunity as the house itself—depended upon the rank of the chief of household,⁵²² I was naturally led to connect *digona* with the Latin *dign-us*. I further assumed that *digona* was the genitive of *Diguin*, and consequently that the latter implied rank or dignity.⁵²³ *Diguin* is, however, connected with *guin*, a wound, and was the fine or composition in lieu of the ancient right of retaliation upon the defendant or upon his kinsmen. If *Digona* be connected with *Diguin*, *Maigin Digona* must have been the space within

Digona.

⁵²¹ Vol. ii., Appendix, p. 465.

⁵²² *Ante*, p. clvi.

⁵²³ *Ante*, pp. ci., clvi.

which it was unlawful to wound any person in retaliation for wounds in a blood feud. These words may, however, contain in their first part the same root as *dignus*. The *Galanas* of Welsh law and the *Galnes* of old Scotch law appear to have represented the Irish *Diguin*. *Sarugh*, or *Sarugud*, was the fine or compensation for a *Sar* or insult, or an assault unaccompanied by bloodshed, the violation of a church, contempt of court, etc., and corresponds to the Welsh *Sarhaet* or *Saraad*. In the note on this word in the *Crith Gablach*, I have made *Sarugh* to signify the insult as well as the compensation for it. I have also stated in a previous part of this Introduction that *Sarugud* was another name for *Enecland*.⁵²⁴ Strictly speaking, however, the *Sarugud*, though often included under the term *Enecland*, was a different thing. The fine paid for a homicide, and in Anglo-Irish times known by the name *Eiric*, consisted of the *Dire*, the equivalent of the Welsh *Dirwy* and the Anglo-Saxon *Wer*, and of the *Eneclund*, or special compensation added to the *Dire* in proportion to the rank of the slain. The corresponding damages for libel, wounding where no maim was inflicted, insult and essoign, etc., was called *Log Enech*, or honour-price, from *Log*, price, and *Enech*, usually translated face. The Welsh *Gwyneberth* is the equivalent of the Irish *Log Enech*, rather than of *Enechland*, as I have suggested in the note on the subject in the *Crith Gablach*. The term *Enech* also occurs in old Scotch law, apparently in the sense of the Irish *Enechland*.

The word *Enech* occurs in two other very expressive legal terms, *Enechruiice* and *Enechgris*. The former was used to express a blush or reddening of the face, caused by some act which brought disgrace on a *Fine* or family, such as a son marrying below his station, the misconduct of a daughter, inability to provide suitable entertainment for a guest. *Enechgris*, on the other hand, meant the face becoming pale or white, on account of theft or other scandalous crimes.

⁵²⁴ *Ante*, p. cxxviii.

BUILDINGS OF THE ANCIENT IRISH.

Although the early Aryans, before the separation of the European branches, had advanced so far as to have houses with doors, and provided with beds and other simple furniture, there can be no doubt that the habitations of the Slaves, Germans, and Western Aryans, usually called Celts, were of the simplest character, and constructed of wood, or, where wood was scarce, of mud. The wooden houses were either made of wicker-work, or of unhewn, or at best roughly hewn, trees, the interstices between the logs being filled with clay. The use of stone as a building material among the northern and western nations, was borrowed from the Romans, and in those countries not actually occupied by them, dates from Christian times. In Germany, Scandinavia, England, and Ireland, the first churches were built of wood. The earliest stone-built churches in Ireland are not older than the sixth century, or perhaps the seventh, which was also the time when the Anglo-Saxons, with the assistance of Gaulish architects, began to replace their wooden churches by stone-built ones.⁵²⁵

Houses of Slaves, Germans, and Celts built of wood;

the use of stone borrowed from the Romans;

earliest stone-built churches of the sixth century;

Tunes of the old Germans;

Screuna of the Franks;

The Germans, according to Tacitus,⁵²⁶ sheltered themselves in winter in funnel-shaped holes, covered with dung. Judging from the remains of some of them which have been discovered, they had two stories, the upper for living in, and the lower to serve as a store-room for corn and other food. This custom seems to have been common to the inhabitants of Switzerland, Gaul, and Britain, as well as to the Germans. The women especially lived in such earth holes, where they wove the fabrics used for clothing; for this purpose they continued in use long after the knowledge of the use of lime would have enabled them to build better houses. The German name for such holes appears to have been *Tunc* or "dung"; among the Frisians and Franks the name was *Screuna*, whence the

⁵²⁵ According to the *Fornmanna Sögur*, Olaf the Peaceful built the first stone church at Bergen. According to *Njalssaga* (c. 3), Gunnhild, the mother of Harald Grafeld, had built stone halls or sitting rooms as early as A.D. 961. Weinhold (*Altnordische Leben*, 223), thinks rightly that this is doubtful.

⁵²⁶ *Germania*, c. xvi.

name used in Champagne and Burgundy, *Escreune*, or *Ecraigne*. In other parts of France they were called *Mardelles* or *Margelles*.⁵²⁷ In England such underground dwellings are called "Pennpits". I do not know of any underground habi-^{English} tations, in the proper sense of the word, in Ireland. But "Pennpits" every *Dun* and *Rath* had small chambers excavated under the *Airlis* or ground within the enclosing mound or rampart. These chambers vary in size, but are usually nine or ten feet long, three or four broad, and three or four feet high. The entrance is a very narrow passage barely sufficient to allow a man to creep in on his belly; and similar narrow passages connect the several chambers with each other. Sometimes there are two or more diverging chains of these chambers. According to the nature of the ground, they are either simply excavated in the earth, or they are lined with uncemented stone and flagged over, or they are, though rarely, formed of upright jambs of rough stone like the passages to tumuli. These *Dun* and *Rath*-chambers correspond to the *Jarðhus* or earth-house of the Norse, and, like it, were intended as places to hide valuables, and perhaps as places of refuge, or of escape.

The ancient Irish houses were of two forms—one a long ^{Ancient} quadrilateral building, built of felled trees, and covered with ^{Irish houses} thatch, or made of mud and straw, like the existing mud ^{of two forms.} cabins; and the other a cylindrical house, made of wickerwork, and having a cup-shaped or hemispherical roof. The houses built in *Duns*, and in *Stone Caiseals*, and those surrounded by mounds of earth, were, probably, in all cases, round houses. We may infer that the houses of *Bó Aires*

⁵²⁷ In the Seine Inférieure, they are called *Clos Blancs* and *Fosses aux précheux*. Several of them have been examined in the great enclosure called the Cité de Limes, at Braquemont, near Dieppe. Such great entrenched enclosures are usually, but erroneously, called "Camps of Cæsar". The Cimbræ appear to have made entrenched cities of this kind, which were the wonder of the time of Tacitus: "Veterisque famæ latè vestigia manent (Cimbrorum) utrâque ripâ castra, ac spatia, quorum ambitu nunc quoque metiaris molem manusque gentis, et tam magni exercitûs fidem".—*Germania*, xxxvii. These *Mardelles* found in the Cité de Limes have been recognised by antiquaries as remains of the ancient *Tuguriâ*. The Icelanders, in the time of Adam of Bremen (iv. 35), lived in underground holes with their cattle.

were also circular, from the circumstance that only one dimension of the houses of the several ranks of this class is given in the *Crith Gablach*. Wicker houses might also be made on hired land, which is an additional proof that they were not characteristic exclusively of the *Flaths*.

The round
wicker
houses;

The Irish round wicker houses described in the Lectures were identical in every respect with those of Gaul. Fig. 1 represents a group of four such houses, from a bas-relief in the Louvre.⁵²⁸

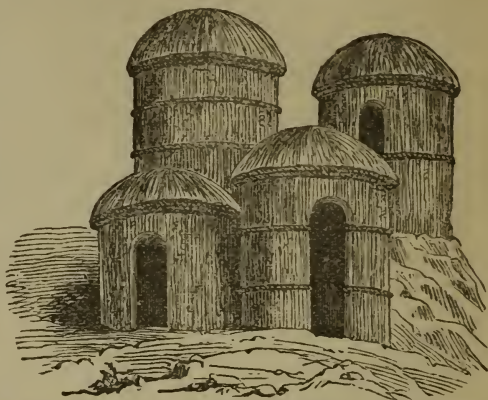


Figure 1, Group of circular wicker houses from the Column of Antoninus, Museum of the Louvre.⁵²⁹

Figure 2, representing a combat between a Gaul and a Roman, from the same monument, has a very characteristic round house, formed of interwoven wattles, as a back-ground. In a description of a *Tech-incis*, or house provided by a *Finé* for a superannuated member,⁵³⁰ and which was equal in size to the house of the *Oc-Aire*, we are told that there was a weather-board between every two weavings from the lintel to the roof-ridge. The parallel bands on

weather
boards on
wicker
houses.

⁵²⁸ Now known as the Colonne Antonine, and which serves as a pedestal for a statue of Melpomene. The Column of Antoninus appears to be the same bas-relief in Parian marble described in the *Description des Antiquités, du Musée National du Louvre*, by M. de Clarac (Paris, 1848), under No. 349, Salle de la Melpomene as a "Dace combattant". It was then supposed to have formed part of a triumphal Arch of Trajan. The figure, supposed to have been a Dacian, because the costume agrees with that of the Dacians on the Column of Trajan, is now, however, recognised as that of a Gaul. The two wood-cuts here given are copied from M. l'Abbé Cochet's *La Seine-Inférieure, Historique et Archéologique*, Paris, 1864. They originally appeared in *L' Histoire de France d' après les Monuments*.

⁵²⁹ Figures 1 and 2 are referred to in Lecture xix., vol. ii., p. 22, as figures 54 and 55. See *Corrigenda*.

⁵³⁰ *Crith Gablach*, vol. ii., Appendix, pp. 479-480.

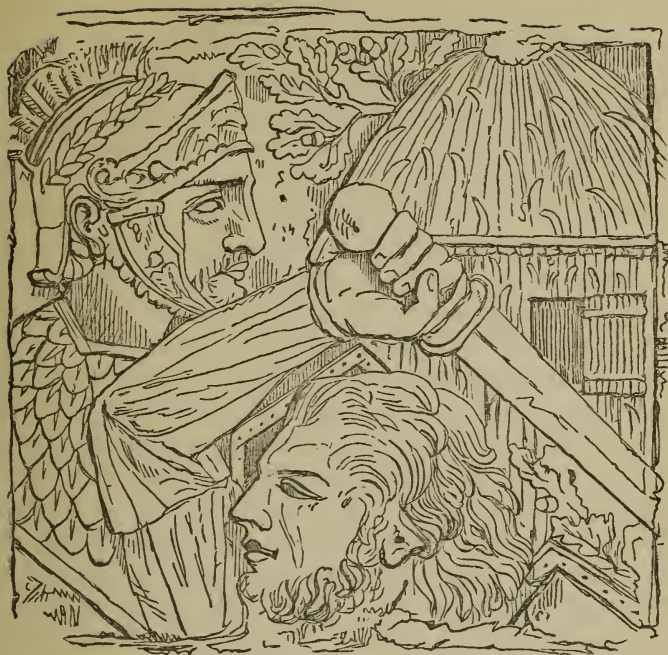


Figure 2, Gaulish warrior, with wicker house in the back ground, from the Column of Antoninus.

the round houses on the Column of Antoninus, represent apparently swellings or thickenings in the wicker-work, which acted as weather-boards, or to which might be fastened weather-boards to throw off the rain. The Gaulish wicker houses, shown in figure 1, correspond accurately to the *Tech darach*, or oak-house, with a *Cuach-cleithe*, or "wicker cup-roof", described in a tale called the "Intoxication of Ulster".⁵³¹

cup roofs of
Irish wicker
houses like
those of
Gaulish
ones.

⁵³¹ "They [*i.e.* *Cuchulaind* and his companions] were then brought into a *Tech darach*, or oak-house, which had a *Cuach cleithe* (a wicker cup-roof) upon it, and a door of *Jubar* (yew-wood) to it, the thickness of which was three full feet for a man. There were two iron hooks upon it, and a bar of iron upon each of those hooks. The house was furnished with *Culcais* and with *Brothrachs*. *Cromdereoil* brought their valour arms into the house after them, and he arranged them, and placed *Cuchulaind's* valour arms above those of the others. Prepare the *Lath* for them, said *Ailill*, and he gave them *Cuirn* (ale) and food until they became intoxicated; and *Cromdereoil* continued to wait upon them, to see if there was anything else they desired to have. * * * And when they were intoxicated and separated from

The residence of an *Aire* consisted of several houses.

Custom of having each room an isolated house;

existed in Gaul;

in Wales;

Norway;

Sweden;

In addition to the principal, or living house, the house of every *Aire* had also a back house, and other out-houses under separate roofs. The establishments of the higher classes of *Bó-Aires*, such as the *Bó-Aire Febsa* and the *Brughfer*, and of all persons of the *Flath*-grade, had several such houses. That of the *Brughfer*, we are distinctly told, consisted of seven houses. The custom of having a number of houses under separate roofs, instead of having all connected together under one common roof, was very general in olden times. The possession of five such detached houses gave, as I have already stated, certain rights of a freeman or *Aire* to a *Fuidir*. The group of four houses in figure 1, from the Column of Antoninus, shows that the custom of separate houses existed in Gaul. In Wales the palace of the king consisted of a number of separate buildings, nine of which the tenants of his domains were bound to assist to build; among these were the *Neuad*, or principal house, the *Ystavell* or *Estavelle*, or chamber, and the kitchen. The system of separate buildings appears to have been also universal among the old Norwegians, and continues even still in many parts of North Europe. Thus as many as from thirty to forty small huts sometimes belong to a single Icelandic farm steading.⁵³² In Sweden the system of separate buildings appears to have existed in some parts, and in others combined buildings. In Upland, a complete farm steading of a peasant consisted of seven houses—the *Steva*, or living house, the kitchen, the sleeping house, the store house, the barn, the granary, and the cattle stalls.⁵³³ In Upland, Sudermannland, and Westmannland, the legal buildings—*Laghaehus*—of a priest's establishment were fixed by ecclesiastical law to be: a living house, a kitchen, an eating house, a sleeping house, a barn, a straw house, and a cow-house.⁵³⁴ In Gothland, the living house,

their people, they were put to the sword. * * * *Cuchulaind* jumped up and made his *cur niach n-erred* (champion's salmon-leap) on high, and he carried away the roof off the house, and came on the roof of another house, and he saw the host beneath him".—Mesca Uladh, in MS. *Lebor na h-Uidhri*, p. 19, col. 1, 2.

⁵³² Olavius' *Reise*, 331; Weinhold, *A. n. Leben*, 223. ⁵³³ *Uplandslage*, i., 2.

⁵³⁴ *Uplandsl. Kirkjub.*, 2; *Suðrmanal. Kirkjub.*, 2; *Westmannal.*, II., *Kristnub.*, 2; and Weinhold's *Altnordische Leben*, 229. In the olden West-

sleeping, and eating houses, and the granary, appear to have been combined in one building, the *Invistahús*; and the barn and cattle stalls in the *Uthús* or outhouse.⁵³⁵ The upper and middle Germans, and the Frisians generally combined the living house with the cattle stalls, in a straight line, or at an angle, but always under one roof. The Irish quadrilateral houses appear to have belonged to this type. The divisions or rooms in a German medieval *Curtis*, or *Hof*, corresponded generally to those in the Irish, Anglo-Saxon, and Scandinavian better classes of farm steadings. They consisted, besides the living house, of a back house, or kitchen, a women's house or weaving house, a barn, a granary, cattle sheds, and a cellar.

The German farm buildings generally under one roof.

Divisions or rooms in Irish, Anglo-Saxon, etc., farm steadings.

The women's house, in the residences of the higher classes of the ancient Irish, was a separate building, which there is reason to believe was sometimes cut off from the rest of the houses in the *Airlis*, or yard, for the greater safety of the inmates, by a stake-fence or mound, and to have been cut off at night from intercourse with the houses occupied by the men.⁵³⁶ In the German residences, the women's house was also generally a separate building, and was frequently protected by a special fence: this was also the case among the Norse.⁵³⁷ The medieval German romances of Hugdietrich, of Dornröschen, and of Flore and Blanscheflur afford examples of women's houses protected in this way.

The women's house a separate building; it was cut off from the other houses.

The usual Norse name for the women's house was *Skemma*, the *Kemanate* of the old Germans. The term *Dyngja*, from

Norse and German names of women's house.

mannalag, the *Haesthus*, or stable, is mentioned separately from the cow-house. A *Saudahús*, or sheep-house, a *Lambahús*, or lamb-house, and a *Svinasteuer*, or pig-stye, are mentioned as within the enclosure.

⁵³⁵ *Vestgötal.*, I., *thiuvab.*, 5.

⁵³⁶ What is your name? said *Eochaid* [*Aíremh*]. It is not illustrious,—*Midir* of *Bri Leith* [answered he]. What brought you here? said *Eochaid*. To play chess with you, said he. I am very good at chess-playing, said *Eochaid*. I will test that, said *Midir*. The queen is asleep, said *Eochaid*, and the house in which the chess [board] is belongs to her. I have a chess [board] here myself, which is not worse than it, said *Midir*. That was true indeed, he had a silver chess-board and golden men, and ornaments of precious stones on all parts of it, and *Ferbolgs* (pawns) of plated wire of *Cre-duma*.—Courtship of Etain, MS. *Lebor na h-Uidhri*, p. 130, col. 2.

⁵³⁷ *Fornaldersaga*, 3., 408.

the name of the funnel-shaped earth-holes covered with dung, already mentioned, was also applied to women's houses. It is probable that the former was the name given to the houses of the higher classes, while the latter was the weaving room of the servants. In some large residences there was a special women's house, the *Kvennahús*, which served as a nursery, etc. A sleeping apartment, or sleeping hall, was sometimes also called a *Skenma*, or *Svefuskenma*; it usually consisted of a special building erected in the courtyard, and under which was placed the *Janðhús*, or earth-house, by which the inmates might escape in case of a sudden attack.

The Irish
Grianan.

In *Duns* and large *Raths* there was also a special chamber placed in a sunny aspect, and called from this circumstance a *Grianan*. This chamber appears to have been erected on the wall of the *Dun*, or in some elevated position, so as to command a view of the surrounding country, and escape the shadow of the encircling mound.⁵³⁸

Windows
and shutters
mentioned
in Irish
tales.

In the ancient tale of *Bricriu's Feast*, windows, with shutters and bars of bronze, are mentioned; windows are also mentioned in many other tales.⁵³⁹ The Irish names for window appear, however, to be all borrowed. *Fenster*, from the Latin *Fenestra*; and *Feneog*, from the old Norse *Vindauga*, literally "windeye", whence English "window". The Gothic name *Augadóra*; Old High German *Augatora*; Anglo-Saxon *Eágdure*, or "eye-door", seems to show the existence of such openings at an early period among the Teutonic nations. In the representations of round houses on the Column of Antoninus, figures 1 and 2, no windows are shown: this, it is true, is only negative evidence, and does not, certainly, prove that windows were not used in such buildings. Notwithstanding the native Gothic name for window, it is probable that all the

⁵³⁸ "*Findabair*, daughter of *Ailill* and *Medb*, went until she came into the *Grianan* over the door of the *Dun*, and she said, I see a charioteer on the plain, O mother. Describe him, said *Medb*,—his figure, his appearance, his equipment, his real character, the colour of his horses, and the motion of his chariot".—Progress of the Ultonians to *Cruachan Ai*, MS. *Lebor na h-Uidhri*, p. 105, col. 2.

⁵³⁹ "His house and his *Grianan* with lightsome windows to come out of".—Fragment of the story of *Etain*, in MS. *Lebor na h-Uidhri*, p. 129, col. 1.

northern nations learned the use of windows from the Mediterranean peoples.

The earliest stone structures in Ireland, even those of early Christian origin, are built without mortar. The Irish, nevertheless, appear to have known the use of lime for whitewashing their walls, if not before the use of mortar in building, at least so long ago as to carry us back almost to the verge of pagan times.⁵⁴⁰ The fine shining kind of earth with which, Tacitus tells us, the Germans in some places daubed their houses, and made rude designs, like those still to be seen on houses in remote German villages, was, perhaps, lime variously coloured with ochre and other pigments. If this opinion be correct, the Germans, like the Irish, knew lime as a pigment before they used it as a cement.⁵⁴¹

Mortar not used in the earliest stone structures; use of lime for whitewashing known.

The smaller homesteads were surrounded, as in Gaul and

⁵⁴⁰ "The woman who was wife of *Nuadat* was *Almu*, the daughter of *Becain*. The druid (*i.e.* *Nuadat*) built a *Dun* then in *Almhain*, and she rubbed her hands to its walls until it was all lime-white, and hence the name *Almu* [from *alamu* her hands] adhered to it, and of which was said:

Pure white was the lofty firm *Dun*,

As if it had received the lime of Eriu

From the two hands which she rubbed on the house.

It is from it *Almhain* was called *Almu*".—See, Cause of the Battle of *Cnuca*, in MS. *Lebor na h-Uidhri*, p. 42, col. 1.

Another passage in the same manuscript says: "When afterwards they chewed these apples, and their hunger and thirst was great, and their mouths and nostrils were full of the stench of the sea, they beheld an island which was not large, and a *Dun* in it, and a high white *Múr* or wall around it, like as if it was made of full boiled lime, or as if it was all one stone of chalk. Great was the view from the *Múr*, if clouds were not over it. The mouth of the *Dun* was open. There were large white snow-coloured houses all around the *Dun* outside".—Navigation of *Maelduin's* Boat, MS. *Lebor na h-Uidhri*, p. 23, col. 1.

⁵⁴¹ "Ne cæmentorum quidem apud illos aut tegularum usus; materiâ ad omnia utuntur informi, et citra speciem aut delectationem. Quædam loca diligentius illinunt terra itâ purâ ac splendente, ut picturam ac lineamenta colorum imitetur".—*Germ.* xvi. In a poem by a bard named *Cailte* on *Temar*, or *Tara*, we are told that: "The *Tete* of the women had a many-coloured roof, and its name was *Miodhcuaird*, mead circling". (MS. T. C. D., H. 1. 15, p. 178). The house here referred to as that of the women, appears to be the banqueting hall of other authorities. We are only concerned here, however, with the fact of the exterior of buildings being decorated with various colours.

Fences and trees about Irish homesteads.

Germany, by a fence formed of stakes, or of a bank of earth, upon which was planted a quick hedge. I have already mentioned the different kinds of fences used in Ireland to mark the divisions of land, and the limits of the *Fuithche*, or enclosed ground about the homestead. The trees planted on the bank of earth to form the quick-hedge, were, besides the blackthorn, the hawthorn, the crab-apple and the elder; the rowan tree and the ash were also generally planted about the house. Ancient tradition assigns to the time of the sons of *Aedh Slane*, monarch of Ireland at the middle of the seventh century, the first introduction of the walls and fences, called *Clads*, *Airbis*, and *Caisels*. We are not to understand from this tradition that fences and earthen mounds were wholly unknown in Ireland previously, and consequently individual property in the soil, but that owing to the increase of population consequent on the cessation of foreign wars and the more settled habits of the people due to Christianity and contact with Romanized countries, large portions of common land were enclosed.⁵⁴² There may have been some differences also in the kind of fences erected. It is expressly stated that *Caisels*, that is, stone enclosures, were not used before the period in question, a statement which fully confirms the opinion I have expressed above, that stone buildings belong to Christian times. The erection of large stone enclosures and extensive stone mearings would naturally have originated such a tradition as that above referred to.

The *Lis* or *Les*.

The homestead of a *Flath* was called a *Lis* or *Les*, corresponding to the Welsh *Llys*. The Welsh term appears, however, to have been used chiefly to denote the royal residence. When a *Lis* or residence was surrounded by an earthen mound, or other sufficient fence, enclosing a court-yard or *Airlis*, in which cattle could be impounded, or driven into for security, and having a gate or door which could be closed at

⁵⁴² "The birds fled before them [*i.e.* the champions of Ulster] until they passed over *Sliabh Fuait*, over *Edmuind*, over *Brega Walls*, *Airbis* (fences), *Airlisses*, or *Caisels* used not to be around lands in Eriu at that time, up to the reign of the sons of *Aed Slane*, only level plains. It was on account of the great number of the *Trebs* (households) in their reign that they ordained boundaries in Eriu".—Conception of *Cuchulaind*, from the *Book of Dromsnechta*, in *Lebor na h-Uidhri*, p. 128, col. 1.

night,⁵⁴³ it was called a *Rath*. It is probable that every residence which was a *Forus*⁵⁴⁴ was so protected, and that the name *Rath* was given to it from the legal function of the owner, who was always a *Rath*. Sometimes the protecting or enclosing wall was built of dry masonry, and was often of considerable thickness. This kind of rampart was called a *Caisel*,^{The Caisel.} and is to be found in many parts of the country, especially where stone is abundant. Several of these *Caisels* belonged, however, rather to the higher class of fortified residences called *Duns*.

A *Dun*, Welsh *Din*,⁵⁴⁵ was the residence of a *Rig*, or king,^{The Dun.} as I have already shown. It consisted of two or more earthen walls, or of an earthen wall and a stone wall, between which was a deep ditch, filled with water where the ground admitted of it. The moat or ditch, and the outer earthen wall, formed by the earth excavated from it, constituted the *Drecht Giall*na or ditch of the *Gialls*, and was specially intended for the safe keeping of the *Gialls* or pledges which every king was obliged to hold; for, as the law states, "he is not a king who has not hostages in locks", that is, in fetters. When an army marched on a great expedition in ancient times, the women and children and old people accompanied it, and the encampments were often fortified. In such fortified encampments the *Rig*, or king's camp, seems to have been surrounded by a regular fosse and mound, and was accordingly called a *Dun*. Thus, in the *Táin Bó Chuailgne*⁵⁴⁶ we are told that "The four provinces of Eriu then made a *Dun* and an encampment in the *Brislech Mór* in the plain of *Muirthemne*, and they sent their

⁵⁴³ "And the *Liss* was closed and locked up".—Courtship of *Étaín*, *Lebor na h-Uidhri*, p. 132, col. 1.

⁵⁴⁴ The door of the outer circumvallation of a *Dun* seems to have been called a *Fordorus*, and the inclined ground outside, corresponding to the *glacis* of a modern fort, the *Aurlaind*. Thus, in the tale called the Progress of the Ultonians to *Cruachan Ai*, in *Lebor na h-Uidhri* (p. 107, col. 1), we are told that "Thereupon *Medb* went out upon the *Fordorus* of the *Liss* into the *Aurlaind*".

⁵⁴⁵ Cf. Saxon, Frisian, and Old Norse, *Tún*; High German, *Zún*; New High German, *Zaun*; English, *-ton*, whence *Town*. The German *Zaun* is the enclosing fence of a homestead, and had not the limited application of the Irish *Dun*. The Welsh form *Din*, occurs in some old Leinster names, as in *Dinrigh*.

⁵⁴⁶ *Lebor na h-Uidhri*, p. 77, col. 2.

shares of cattle and plunder southwards, away from them into *Cliathar Bó Ulad*. *Cuchulaind* set up at the *Fert* in *Lercaib* close by them". These *Duns*, built on a march, remind us of the fortified camps of the *Cimbri* and the so-called "camps of Caesar" in France.

The Cathair. When the inner wall of a *Dun* was built of stone, it was a *Cathair*, though O'Curry thinks that every *Cathair* had not necessarily a ditch about it. When the king's residence was situated on a precipitous headland, the *Dun* was formed by making the ramparts and ditch across the narrow neck of land connecting the headland and mainland. Some of the stone-built ramparts, both those having a ditch and outer earthen ramparts, and the simple rampart, or *Cathairs*, without any existing ditch, are terraced in the interior, and provided with flights of stone steps leading up to the terraces. One of the most remarkable monuments of this class is the one represented in the annexed wood-cut, called "Staigue Fort", in the County of Kerry.

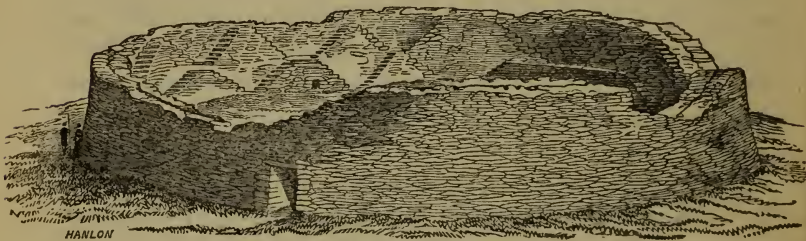


Figure 3, Staigue Fort.

Sir William Wilde, from whose catalogue the figure is borrowed, states that this name is very modern, and that the original Irish name is not known. An ascending path to a burgh was called in Gothic a *Staiga*; Anglo-Saxon *Stig*, from the verb *Steigan*, to ascend, whence the English *stair*. A portable ladder for obtaining access to a loft or out-house is still called a *Stee*, or *Steigh*, in Lancashire. If the name of the Kerry fort be really modern, and of this there seems to be little doubt, it may have been first given by some of the followers of Sir Valentine Browne, the founder of the Kenmare family, who came originally from Lancashire, and brought with him a number of followers from that part of England.

The stone-built *Duns* and *Cathairs* are principally, indeed almost exclusively, to be found in the south-west and west of Ireland; some of the more important remains being found in the south-west of Ireland, where the greatest number of Ogham inscriptions have also been found. O'Curry thinks the distribution of the earthen and stone-built *Duns* is altogether dependent upon that of the materials of which they are formed, and has nothing to do with the races which occupied the country. It is nevertheless curious, that while the words *Dun*, *Lis*, and *Rath* occur in townland names in every part of Ireland, the word *Cathair* is almost exclusively confined to Munster and Connaught. O'Curry states that there is not a single townland-name in Ulster compounded of *Cathair*, and only two in Leinster; while the Counties of Cork, Kerry, Limerick, Clare, and Galway, have 209 out of 244 such names. It can scarcely be pretended that in the counties just named stones are more abundant than in many parts of Ulster.

Stone built
Duns and
Cathairs
chiefly found
in S. W. and
W. of Ireland.

In the narrow and gently sloping plateau which extends along the southern base of Mount Eagle in the promontory of Dingle, in the County of Kerry, are found about eight stone-built ramparts, or circumvallations, enclosing bee hive shaped stone-built houses. Of such houses there are in the district about seventy to eighty, including those within the circumvallations. Two of the latter had ditches and outer earthen ramparts, and were therefore true *Duns*.⁵⁴⁷ These monuments are almost all found in two townlands called *Fahan* and *Glenfahan*. If these names are ancient, and there is every reason to believe so, they are of considerable interest. *Fahan*, or *fathan*, means shelter, enclosure, and *Faitche*, the enclosed land around a homestead, and are obviously cognate with the Gothic *bifahan*, to enclose, whence

Ancient
Stone Build-
ings in
Kerry;

⁵⁴⁷ These curious and interesting remains were visited by the late Mr. R. Hitchcock, as has been shown in the Lectures. The Earl of Dunraven visited them some years ago, and he photographed them for his great illustrated work on the ancient architecture of Ireland, which, it is to be hoped, will soon be published. The first person, however, who published a description of the Dingle remains was the late G. V. Du Noyer. His paper appeared in the *Journal of the Archæological Institute* for March, 1858. As monuments they are much more important than the celebrated *Cathair* of Aileach near Derry.

came the term "bifänge", given to estates appropriated out of the common land.⁵⁴⁸ It is probable, then, that the townland names were originally given in consequence of the number of circumvallations. The word *Fahan* occurs as a townland name in other parts of Ireland, but I do not know whether there are also enclosures in them.

they are very old, but probably ecclesiastical;

ancient civil organization of Irish Church not incompatible with this view.

These buildings are certainly of considerable antiquity. Professor O'Curry seems to think that the *Clochans*, or bee-hive shaped stone-built houses, were cells of Christian monks, like all the structures of the same kind found along the western coast of Ireland. The existence of regular *Duns* consisting of ramparts and a ditch, built in accordance with the usual military rules of the time, seems at first sight irreconcilable with their being ecclesiastical buildings. Yet, when we inquire into the true history and organization of the early Irish Church, from the middle of the fifth to the middle of the eighth century, this objection is removed. When a *Rig Tuatha* became a convert to Christianity, and placed himself, his family, *Sabaid*, or council, and *Ceiles* under the protection of the missionary, or, as it was expressed, under his bell, the *Tuath* became, in a certain sense, a religious community, though still retaining the character and organization of the original political body. Even when the *Rig* and *Flaths* of a *Tuath* devoted themselves wholly to a religious life, no change occurred in the constitution of the state or in the law of succession. As the true character of the social and political institutions of the ancient Irish has hitherto been wholly misunderstood by writers on Irish history, the real position of the infant Christian Church could not be rightly determined. We need not be surprised, therefore, that this curious phase of religious society should have entirely escaped the notice of writers on the early Irish Church. The facts which I have gathered together in the preceding pages give us sufficient glimpses of ancient Irish society to prove that the ancient Irish Church offers one of the most curious and interesting, as well as important, fields of historical inquiry.⁵⁴⁹

The Ancient Irish Church an important field of historical inquiry.

⁵⁴⁸ See *ante*, p. cxlv.

⁵⁴⁹ The *Duns*, *Cathairs*, and *Clochans* of the west of Kerry acquire singular interest, not only in connection with the history of the early Irish Church, but also with the last immigration into Ireland, that of the Milesians. It

Whether the bee-hive houses and circumvallations of Fahan and Glenfahan were built by a religious Christian community, or were the work of a previous pagan time, they correspond accurately to the descriptions of *Cathairs* and similar constructions given in ancient Irish tales. For this reason, as well as the importance attached to them by O'Curry in his Lectures, I think it desirable to describe and illustrate them in some detail. The wood engravings, in part copied from the late Mr. Du Noyer's paper, "On the Remains of Ancient Stone-Built Fortresses and Habitations occurring to the West of Dingle, Co. of Kerry", and in part from drawings which he kindly made for me himself, are intended to illustrate the three types of enclosed residences—the *Caisel*, or stone-built circumvallation, without any apparent moat or ditch; the fort, formed by making a stone wall, ditch, and outer earthen rampart across the neck or isthmus of a precipitous headland; and the *Cathair*, and

Ancient buildings of Kerry are like those described in Irish tales.

Three types—the *Caisel*, the fort, and the *Dun*.

should be remembered that Saint *Ciaran of Saighir* was born in this district, and that Christianity was here first introduced into Ireland some time before St. Patrick. The tradition of this pre-Patrician Christian Church is very old, and the authorities through which it has come down to our time are of great weight. The following passage from the *Felere of Oengus Céle Dé* gives this tradition of a pre-Patrician Church in Munster in unmistakable terms.

"Liadan, daughter of *Maine Chirr*, son of *Oengus* of the race of *Lugdach*, son of *Ith*, was the mother of *Ciaran Saighir*; and he was born at the bright *F'intracht* [White Strand, now Ventry, in the county of Kerry]; and angels attended him after he was born. Moreover, it was the grades of heaven that baptized him. And it was in *Corco Luigde* the cross was first believed in in Eriu: and it was thirty years before Patrick *Ciaran* occupied *Saighir*, ut dixit Patrick.

Saig-uor,* build a city on its bank,
At the end of thirty full years.
We shall meet there [I] and you,
A son, who shall be born at *Tulach Thind*.
Pure shall be his union with us.
Many monks and modest nuns,
After *Conail* shall occupy.

It was after that *Ciaran* foretold *Conall* and *Fachtna* of *Ross Ailithir*; and it was *Ciaran* that obtained for the King of *Corco Luigde* that the *Enecland* of a *Rig Cuicid* should be allowed to him, and sovereignty and inheritance to his race for ever, because it was by them the cross was first believed in in Eriu, and because the church of *Ciaran* was supported by them.—Vellum M.S. *Lebor Brecc*, R.I.A., p. 38.

* *Saig-uor*, i.e. Nomen fontis; hence *Saighir*.

Dun combined, that is a fort having a more or less circular stone-built wall, a ditch or moat, and an outer earthen rampart.⁵⁵⁰

The "Fort
of the
Wolves" at
Fahan.

The annexed figures represent the fort which Mr. Du Noyer called by the modern name of *Cathair na Mac Tirech*, or the "Fort of the Wolves", and belonging to the group of buildings which he called the "Ancient City of Fahan". It consists of a massive and almost circular stone wall, varying in thickness from 11 to 18 feet, and enclosing a piece of ground about 95 to 105 feet in diameter. The entrance passage

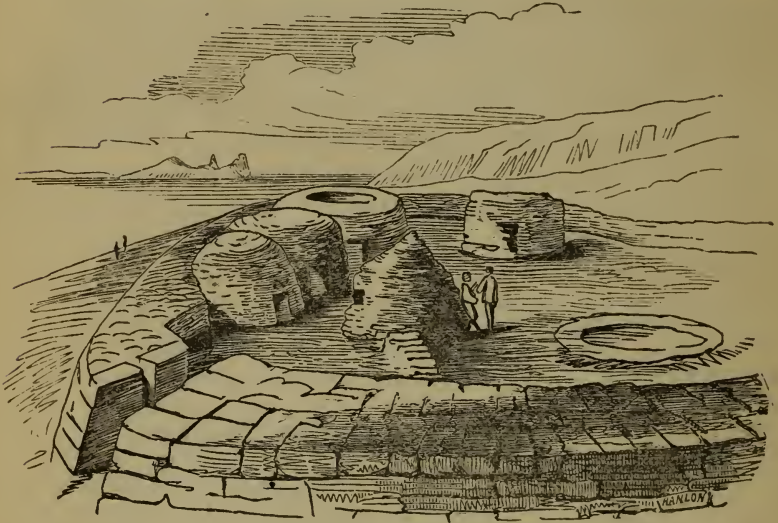


Figure 4, View of the "Fort of the Wolves".

through the wall, marked in the plan *c* (fig. 5), "which is here 11 feet thick, faces the east, and is most singular in its construction; externally, it measures 5 feet in width, narrowing mid-way to less than 4 feet internally. Here several stones project vertically from the walls of the passage at each side, forming a

⁵⁵⁰ These, like most of our other monuments, have suffered much within the last fifteen or twenty years. They are certainly much more dilapidated now than when I first saw them and when Mr. Du Noyer drew them. Even then, it was not an easy matter to trace out the exact positions and forms of some of the buildings within the *Cathairs*. The drawings, however, represent in my opinion with sufficient accuracy the general character of the whole of these monuments as they were at the time they were made.

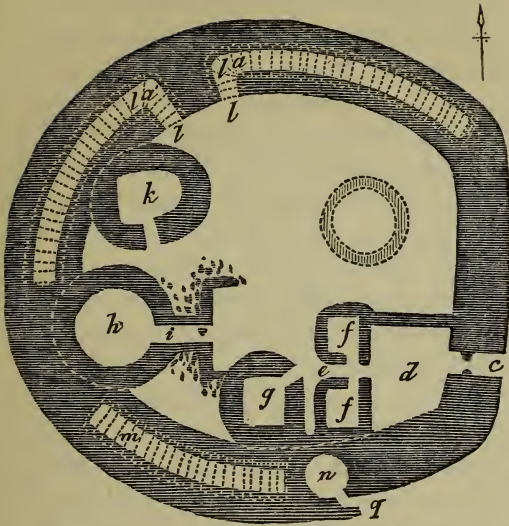


Fig. 5.

Fig. 6.



Plan and cross-section of the "Fort of the Wolves" 551
Scale 40 feet to 1 inch.

rest, against which a moveable door could be placed, so as to resist any force applied from without". The entrance passage leads into a small court-yard, about 19 feet from east to west, and 20 feet from north to south; opposite is a narrow passage, formed and protected at each side by what may have been a small guard-house; both of these are still perfect, measuring 6 feet 6 inches square internally, and rising into a lofty dome-shaped roof. On the left-hand, and close to the southern guard-house, but detached from it, is a *Clochan* (*g*) measuring 12 feet square internally. Having passed this building, the central area of the fort is reached. On the left, attached to the wall of the *Cathair*, or *Caher*, is the principal house or *Clochan* (*h*), constructed with unusual care, its door-way

The "Fort
of the
Wolves" at
Fahan.

⁵⁵¹ (*c*) entrance doorway; (*d*) court-yard; (*e*) narrow passage leading to interior of the fort; (*ff*) guard-houses; (*g*) *Clochan*; (*h*) principal *Clochan*; (*i*) passage leading to it; (*k*) *Clochan*; (*l*) entrances to covered passages *la*, *la*; (*m*) covered passage; (*n*) watch-house; (*q*) entrance to watch-house.

The "Fort of
the Wolves"
at Fahan.

being formed internally of large upright flag-stones, supporting a flat lintel, and the passage leading to it flagged above. In the interior of this *Clochan*, to the right of the door, is a small square recess, which, being about 4 feet above the present level of the floor, does not appear on the plan. The *Clochan* marked *k* on the plan lies directly north of the one just described, and is much ruder in its construction. Its doorway is unique in construction, one side projecting from, while the other is level with, the external surface of the building. Several other conical or bee-hive shaped buildings were also within the *Airlis*, or enclosed area of the *Les*, but are now reduced to heaps of stones.

Where the wall is thickest, as on the north and west, it is 18 feet thick. Narrow passages, covered in at top by large flags, have been formed in the thickness of the wall: these are shown in the plan fig. 5, and are marked *la*, *la*, and *m*, and *la* in a cross-section of one of them in the section through the *Cathair*, fig. 6. This section is supposed to go from north to south, through the guard-houses *ff*, and the small outer chamber *n*, to which I shall refer presently. Two of the passages—those marked *la*, *la*—have entrances on the inner side of the wall, marked *l*, *l*: the entrance of the one in the southern part of the wall, marked *m*, is not now distinguishable. The passage *la*, having its entrance close to the north of the *Clochan* marked *k*, and running towards the south, is about 40 feet long; the second one marked *la*, having its entrance close to the first, can be traced in an easterly direction, for a distance of about 30 feet, before it becomes lost by the falling in of the roof. These passages may have led to some subterranean modes of exit, which are now obliterated, and which represented the *Jarðhús* of the Norse.

The Guard-
house of the
"Fort of the
Wolves".

The most interesting feature of this fort is the small circular chamber *n*, which Mr. Du Noyer calls a guard-house, constructed in the thickness of the wall, south of the doorway, in the enclosing wall, and access to which was had only from the outside, through the low angular passage, *q*. A commanding view of Dingle Bay, Valentia Island, and the range of the Iveragh Mountains, can be obtained from it.

In the ancient tale in *Lebor na h-Uidhri*, about the *Curathmir*, or “champion’s share at *Emain Macha*”, and of which an account is given in Lecture xxii,⁵⁵² mention is made of a warder’s seat outside the *Cathair* of *Curoi MacDaire*, a king of West Munster, celebrated in Irish heroic story. Like the chamber *n* in the wall of the “Fort of the Wolves”, the warder’s seat had no communication with the interior of the fort. Although there is no specific description of *Cathair Chonrai*, or *Curoi’s Cathair*, in the tale alluded to, there is enough to show that the fort represented in the preceding figure corresponded in a very remarkable manner with the *Cathair* of *Curoi* stated to have been built on Slieve Mis, not many miles to the east of *Fahan*.

The second type of ancient Irish fortresses, or that formed on projecting headlands, is well illustrated by the annexed woodcuts of Dunbeg. This fort has been formed, as will be seen in the plan, “by separating the extreme point of an angular headland from the mainshore by a massive stone wall, constructed without cement, from 12 to 25 feet in thickness, and extending 200 feet in length from cliff to cliff. This wall is pierced near its middle by a passage (B) which is flagged overhead, the door-way to which is at present 3 feet 6 inches high, 2 feet wide at top, and 3 feet at its present base, having a lintel of seven feet in length; as the passage recedes from the doorway, it widens to 8 feet, and becomes arched overhead; to the right hand, and constructed in the thickness of the wall, is a rectangular room (*d*)—perhaps a guard-room—measuring about 10 feet by 6 feet, and communicating with the passage by means of a low square opening, opposite to which, in the passage, is a bench-like seat (*c*); a second guard-room (*e*), similar to the one just described, has been constructed in the thickness of the wall on the left hand of the main entrance, but unconnected with it, the access to this being from the area of the fort, through a low square opening”.

The wall has been strengthened exteriorly at each side of the entrance, by an additional layer of masonry about 4 feet

Corresponds
to the
“Warder’s
Seat” of
Irish tales.

Second type
of fortress
represented
by Dunbeg.

Fig. 8. Cross-section of same.



Fig. 7. Plan of Dunbeg Fort.⁵⁵³

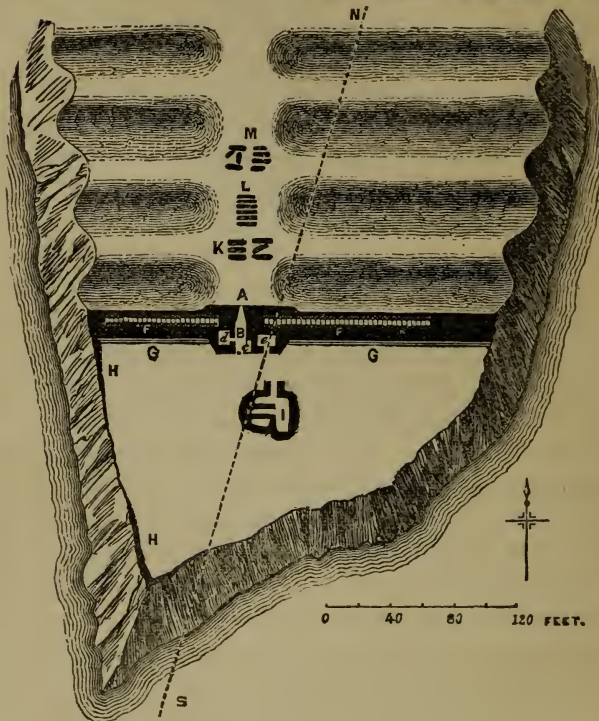


Fig 9.

Fig 10.

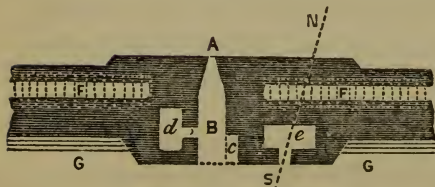


Fig 9—Plan and (fig. 10) cross-section of wall of Dunbeg Fort.

⁵⁵³ The letters in the plan and sections correspond. (A) main door-way; (B) assage through wall; (c) raised bench or champion's seat; (d) guard-room; (e) interior guard-room; (F F) covered passages in thickness of wall; (G G) steps on interior wall; (H) sea wall of *Lis*; (I) ruins of *Clochans*; (K and M) remains of stone gate-way or passage through exterior earthen ramparts; (L) underground chamber in one of the fosses, over which the entrance passage or roadway went. The cross-section of the whole *Dun*, fig. 7, and the enlarged plan, fig. 9, and cross-section of the wall, figure 10, are taken along the line s.

in depth and 30 feet in length. This appears to have been done after the erection of the wall, as the line of junction may be clearly distinguished behind the outer work (see section of wall, fig. 10). In the thickness of the wall, at each side of the entrance, are long narrow passages (F F), formerly covered in, similar to those in the "Fort of the Wolves" and in other stone forts and *Caisels*. The interior face of the wall recedes by a succession of stone steps, which doubtless afforded access to a terrace on the top.

A series of three earthen mounds, with intervening fosses, were thrown up outside the stone wall, as will be seen by reference to the plan of the fort. A pathway, leading in a direct line to the entrance of the fort, passed through them; this pathway appears to have passed through a stone gateway or passage, flagged overhead, in each earthen mound. The remains of two of these are indicated at M and K. In the passage across the second fosse from the fort, an underground chamber (L) was constructed. The section at the top of the plan, taken along the line S N, shows the relative proportions of the mounds and fosses. In the interior of the fort are the remains of several *Clochans* (I), the plans of which cannot now be traced with any certainty; and on the west side are portions of a wall (H) along the edge of the cliff, which is about 90 feet above the level of the sea.

Two walls, nearly parallel to each other, start one from each end of the external mound, and run up the flank of Mount Eagle, enclosing a piece of ground now called Parkadoona, or the field of the *Dun*. This was, no doubt, the *Faitche* of the *Dun*.

Similar headland fortresses, but defended in general by earthen mounds only, are common along most parts of the rocky coast of Ireland.

The third type of fortress, or true stone-built *Dun*, may be illustrated by the annexed wood-cut, which represents a remarkable *Cathair* surrounded by a *Dun*, in the townland of Ballyheabought, two miles north of Dingle, and close to the main road leading to the village of Ballybrack. This monument "consists of an inner circular earthen rampart, from 12 to 14 feet thick,

Third type
represented
by the *Dun*
and *Cathair*
of Ballyheabought.

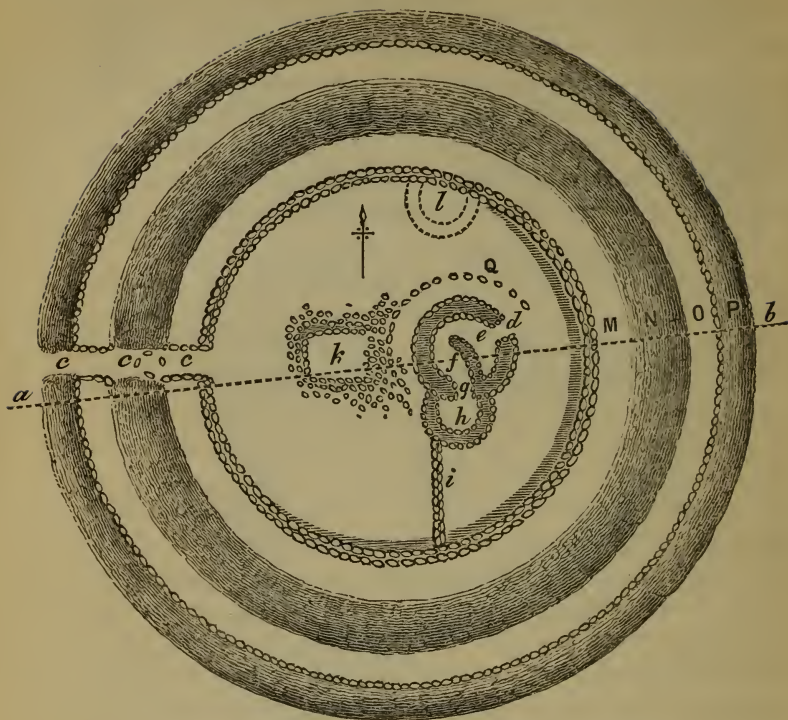


Fig. 11—Plan of a *Dun* and *Cathair*, at Ballyheabought, County of Kerry.⁵⁵⁴

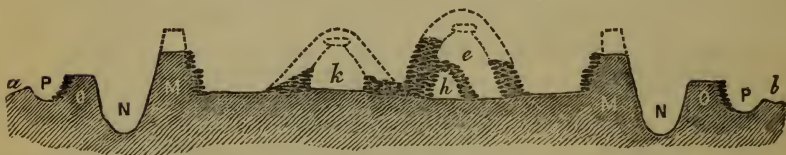


Fig. 12—Section of preceding *Dun* and *Cathair* along the line *a, b*.⁵⁵⁴

⁵⁵⁴ (*ccc*) entrance passage to fort; (*d*) entrance to principal Clochan; (*e*) outer chamber; (*f*) middle chamber; (*g*) passage to inner chamber; (*h, i*) wall; (*k*) oblong Clochan; (*l*) ruins of a Clochan; (*m*) inner circular rampart, platformed and faced on the interior with stone; (*n*) deep fosse; (*o*) outer earthen rampart, faced on the interior with stone; (*p*) shallow fosse; (*q*) row of upright flag-stones.

and 100 feet in internal diameter, carefully faced on the interior with stone, and having a narrow platform, averaging 3 feet above the present level of the inner area, constructed around its entire circumference. This rampart is surrounded by a fosse, 25 feet in width at the top, and on the south side fully 20 feet in depth, measured from the summit of the rampart. Outside this fosse is a second wall of defence, 10 feet thick, also of earth, but faced on the exterior with large flag-stones; in removing the earth to construct this mound, a second, but small fosse was made external to all; the ground was then gently escarped in every direction from the fort".

*Dun or
Cathair of
Ballyheabought.*

“The entrance passage to this magnificent fortification (*c*) faces the west, and, crossing both mounds and fosses in a direct line, cuts through the inner mound; large flag-stones lie scattered about, and are, doubtless, the remains of a massive stone doorway, which was constructed in the ramparts. In the inner circular area are the remains of some massive Cloghauns. The principal one is well preserved, and measures 18 feet in internal diameter, having its doorway facing the north-east; a portion of it towards the south has been carefully separated, to form a sleeping chamber (*f*), at the extreme end of which, and leading due south, is a low narrow passage (*g*) giving access to a lunette-shaped apartment (*h*), constructed on the exterior of the main wall of the Cloghaun, and on its southern periphery. The interior of the fort is partly divided off by a wall (*i*) which connects the group of Cloghauns with the rampart”.

A row of upright flagstones (*q*) forms a kind of enclosed passage from the *Clochan* (*k*) to the door (*d*) of the principal *Clochan*, a distance of about 25 feet. If the row of stones (*q*) were continued to the rampart, access to the principal *Clochan* could have been gained only by passing through the narrow passage, about 5 feet broad, between the flagstones and the *Clochan*. If this were so, and it is very probable it was, the principal *Clochan* and the ground cut off by the wall (*i*) may have been intended for the use of the women. The *Clochan* (*k*) in that case may have been the sleeping chamber of the king. This *Dun* was doubtless the winter residence and principal stronghold of some powerful *Righ*.

Lawn-lights
and signals
at a *Forus*.

I have already mentioned that a *Brughfer* should have "an ever living fire, and a candle upon a candlestick"; but, independent of this fire and this light in the interior of the house, he and every other *Fer Forais*, or owner of a *Forus*, that is, every one who had a homestead surrounded by a rampart, and whose *Airlis*, or enclosed yard, could serve as a pound, was bound to have signals for the guidance of travellers. These signals consisted of a mode of giving notice at fords of rivers and bars of estuaries, that a party of travellers had arrived at the water's edge, and of sounding an alarm, and a signal fire on dark nights on a conspicuous part of the *Faitche* or lawn. Alarms were apparently sounded by striking a shield; but mention is also made of a sounding flag at the brinks of rivers.⁵⁵⁵

Spring of
water in
house of
Brughfer.

In connection with the buildings of the ancient Irish, I may mention the right of a *Brughfer* to have a spring of water in his house if he chose, that is, he was entitled to have his house built over a spring, and thus obtain the exclusive use of it. It is probable that he was the only man under the rank of a *Flath* who was entitled to this privilege, a circumstance easily explained by his functions of public hospitaller. This custom of having a spring of water in the living room, or in the dairy of farm-houses, covered over with a moveable flag, has come down to the present time in some remote districts of the country. A *Fer Forais* was also bound to have a running stream in his *Lios*, or within his *Airless*, for impounded cattle to drink and cool themselves, and a pond in his *Forus*-yard for geese

Running
stream in
Lios or
Airless of
Fer Forais,
and in the
house of a
Leech or
doctor.

⁵⁵⁵ The following interesting passage from the laws indicates very clearly the duty of a *Fer Forais*: "Everything of these he shall have, namely, the *Toran no beim tar Sgiath*, that is, the thunder or shield rattle, or the *cloch indab*. . . . [the *MS.* is defective here, but *cloch ind ab [aind]*, or the stone or sounding flag, near the water's edge at the ford, is meant], and the *Lessan Faitche*, or the lawn or field light [i.e. a signal light on a dark night], or the *Tene-geallain*, or blazing fire; and that the place all round must be well guarded (i.e. fortified), so that nothing can escape out of it". *MS. Brit. Mus.*, Egerton, 88, p. 59, b.a. Mr. B. O'Looney informs me that the use of a sounding flag is still common on the fords of the rivers and dangerous passes in the County of Clare, and especially on the river Inagh. The topographical names *Ard Solus*, hill light, and *Ath Solus*, ford light, not far from Quin Abbey, in the County of Clare, indicate, the one the site of an ancient "lawn light", and the other that of an ancient "ford light".

to swim in. A physician had also certain rights over water; he had not only the right, but was in fact obliged, to build his house over a running stream, not over a spring. Among the early Irish the *Liag*, or Leech, sometimes treated his patient in his own house; he supplied not only medical advice, but medicine and hospital accommodation also. When a man was maliciously or accidentally wounded, he was taken to the house of the Leech, who examined his wounds, and gave a certificate as to their character, upon which depended the legal liabilities of the person who inflicted them. If the leech considered the cure probable, he gave security for the proper treatment of the patient, and received in return security for his fees.⁵⁵⁶

The craft of the Irish *Liag*, or Leech, appears to have been respectable and eminently practical. The value of cleanliness, of water and fresh air, as curative agents, appears to have been thoroughly appreciated, for we are told that the Leech's house, in addition to having a stream of water flowing through it, should have four doors, in order, as the law says, that it may be perceived from all sides. Another object of the four doors was that it might have at least one of them always open, no matter from what point the wind blew, and thus insure the proper ventilation of the sick chamber. The hot air bath was used for the cure of rheumatism, which must have been very common, and it is probable that the remains of such baths which are found here and there through the country, indicate the localities where Leeches' houses formerly existed.

Number of
doors in a
Leech's
house.

BURIAL OF THE DEAD IN ERIU.

It is very much to be regretted that Professor O'Curry did not live to gather together all the scattered allusions to the modes of burial among the ancient Irish which are to be found in Irish manuscripts. This important question was to have formed the subject of the course of lectures which was to follow that on Music. Although, in writing this Introduction, I set out with the intention of not discussing any subject which was not more or less within the scope of the Lectures now published; yet, the monuments erected over the dead being examples of the

Reason for
writing on
the burial of
the dead.

⁵⁵⁶ See as to their amount, p. cclxxx.

architectural skill and ideas of the period in which they are erected, as much as the houses and other structures raised for the use of the living, I cannot avoid saying a few words on the graves, tumuli, and other monuments of the dead in Eriu. And as these cannot be well understood without some knowledge of the funeral rites, I shall have to preface my remarks on the tombs by a few words on the funeral rites also.

Cremation of the dead practised in Ireland.

The numerous urns containing burnt bones found in Irish tumuli, prove that at some period cremation of the dead was practised in Ireland. It is even probable that this custom came down to the first or second century of the Christian era, but only very few vestiges of it can be detected in the existing tales.

The Gaulish custom of burning slaves, etc., common to Aryan nations.

There can be little doubt that the custom which Cæsar tells us the Gauls had of burning some of the clients, slaves, and favourite animals of their dead chiefs and warriors, when celebrating their funeral rites,⁵⁵⁷ was universal in early times among all Aryan peoples. In no way could respect for the rank and qualities of the deceased chief be better shown than by providing him, on his entrance into the next world, with a retinue of his favourite servants befitting his rank and warlike exploits, and with horses and dogs for the chase. In the story of the death of *Crimthann*, son of *Fidad*, and the three sons of *Eochach Muidhmeadhan*—*Brian*, *Ailill*, and *Fiachra*—there is a passage which seems to prove, not only the tradition in historic times of the practice of cremation of the dead in Ireland, but also that of putting persons to death at funerals. This important passage is as follows: “*Fiachra* then brought fifty hostages with him from Munster, and he brought a great *Cain* [*i. e.* booty levied as legal fine], and he went forth then on his way to *Temar*. When, however, he reached *Forud* in *Ui Mac Uais*, in Meath, *Fiachra* died of his wounds there. His *Leacht* was made, and his *Fert* was raised, and his *Cluiche Cainteich* was ignited, and his *Ogam* name was written, and the [fifty] hostages which he brought from the

One case of sacrificing hostages recorded in Irish MS.

⁵⁵⁷ “Funera sunt pro cultu Gallorum magna et sumptuosa; omniaque, quae vivis cordi fuisse arbitratur, in ignem inferunt, etiam animalia; ac paulo supra hanc memoriam servi et clientes, quos ab iis dilectos esse constabat, iustis funeribus confectis, una cremabantur”. *Bello Gallico*, vi. 19.

south were buried alive around the *Fert* of *Fiachra*, that it might be a reproach to the Momonians for ever, and that it might be a trophy over them".⁵⁵⁸ The reproach which this act was intended to cast on the men of Munster consisted, no doubt, in treating the Munster hostages, who were all of the highest birth, as if they were the dependants and slaves of *Fiachra*. It may be also, that putting them to death in the way here described, and burying them around him, as they would have sat in fetters along the wall of his banqueting hall, consecrated them, as it were, to perpetual hostageship even among the dead.

No mention is made of the burial of animals in the passage from the *Book of Ballymote* above quoted; but in the story of *Etain*, in *Lebor na h-Uidhri*, we have a distinct reference to the custom of slaying the animals of a deceased person. In this tale we are told that *Eocaid* "left *Ailill* at *Fremain* of *Teffia* to die, and he went on his visitation of *Eriu*; and he left *Etain* with *Ailill* in order that she might have his *Tiugmaine* made—that is, to dig his *Fert*, to make his *Guba*, and to slay his quadrupeds".⁵⁵⁹

The occurrence of cinerary urns containing burnt bones, in the chambers of great tumuli, may be looked upon as true evidence of the practice of cremation of the dead: but the occurrence of such urns and bones in less distinguished tombs do not of themselves prove that cremation of the dead was practised at the period at which the grave was made, because burning alive was one of the modes of punishing persons for certain crimes. We have distinct evidence that persons guilty of the abduction or seduction of a maiden were so punished; and if the maiden became pregnant, which was considered to have been sufficient proof that she was a consenting party to

Animals of
deceased
slain.

The mere
occurrence
of burnt
bones not
sufficient
evidence of
cremation,

because
some crimi-
nals were
buried alive.

⁵⁵⁸ Oober iapm fiaúra .l. gíall a muman leir ocúr do beir alan éain ocúr luró reime iapcam .l. gíall a muman leir ocúr do beir alan éain ocúr luró reime iapcam co fapcam co Tempac. an tan iapm do roét foráir in arb mic Cuair Míoi atbaé fiaúra da gúin anoirin. Ro claiúeaz áleact ocúr nolaiúeaz a feart ocúr no haonao a cluíce caenteé ocúr porcuphao a ainm ogaim ocúr no haonaiúeaz na gíall tucad a nearr ocúr ríao beo im feart fiaúra comba hail for muman do gner ocúr comba com-pama forru.—Vellum MS., *Book of Ballymote*, R. I. A., fol. 145, b.b. (middle).

⁵⁵⁹ Vellum MS., R. I. A., *Lebor na h-Uidhri*, p. 130, col. 1.

Bones from
the two
sources not
distinguish-
able;

the crime, she was burnt along with her seducer.⁵⁶⁰ It would, of course, be impossible to determine, from an examination of burnt bones, whether the person to whom they had belonged had died before the body was burned, or had been

⁵⁶⁰ The following passages establish what has been said in the text.

“After this the race of the ancestors of this holy youth, *i.e.* Barra, came from the territory of Connaught into the territory of *Muscraighe*; and he, namely, *Amergin*, son of *Dubh*, obtained family possessions and land in it, *i.e.* in *Achud Dorbchon*, in *Muscraighe*. It is there the father of Barra had his residence; and this *Amergin* was a very good smith, and he was chief *Ollamh*-smith to the king of the territory, *i.e.* to the king of the territory of *Rathlend*; and *Tighernach* was his name. . . . There was a noble lady staying with the wife of the king of *Rathlend*; and the king and his wife held her in high esteem. The king commanded his household that none of them should form a secret alliance, or commit a crime with this lady visitor. *Amergin* did not, however, hear of this warning, and he bestowed great love and affection on the lady, and her love for him was not less. It so happened that the smith and the lady had familiar intercourse with each other, and she became pregnant. Before long the news became known to the king. The king thereupon sent for the lady, and she came into his presence, and when she stood before him, he asked her how she came to be pregnant, and by whom. The lady blushed on the face, and replied: It is by *Amergin* I am so. If it be, said the king, it is right to tie and fetter you both, and after that to scorch and to burn you without respite.

“The king commanded his people to tie and to fetter the two, and to build a fire and to light a kiln, and to put them both into it. They did as the king commanded them; but God did not allow them to put them to death, for a great thunder and a heavy fall of rain and fiery flashes of lightning, and such an unusual storm of rain came at the time, that they were not able to light the fires, because the child who was then an infant in the womb of the noble lady was beloved of the Lord, *i.e.* the blessed Barra”.—*Life of St. Finbarr*, O’Curry MS. C.U.I., p. 1-2, and MS. *Book of Lismore*.

Again, the cause assigned in *Lebor na h-Uidhri* (p. 42, col. 1, bottom) for the battle of *Cnuca* was the abduction of *Muirni Muncaem* by *Cumall*, who refused to send her back, or to pay any restitution for the offence to her father, or to the king for the violation of the law. *Cumall* was killed in the battle which took place in consequence of the refusal. *Muirni* came to seek shelter from her father after the death of *Cumall*, but he refused to admit her because she was pregnant, and he told his people to burn her. This was not, however, done, as they were afraid to kill her, lest they might incur the vengeance of the monarch *Conn*. And again in the curious legend of the Courtship of *Becuma*, to which I shall presently refer, we are told that *Manannan Mac Lir*, a mythological personage of the *Tuatha Dé Danann*, recommended that *Becuma*, the unfaithful wife of another personage of that race, *Labrad* of the “swift-hand-at-sword”, should be banished or burned. The more lenient course was however adopted.

burned alive. There is reason for believing that no sepulchral monuments were erected for those burned for crimes, and we may thence infer that when cremation of the dead was practised, the ashes of criminals were not collected into urns.⁵⁶¹ In the single instance of cremation of the dead above mentioned, nothing is said of putting the ashes into an urn. There was, however, a special name for a cinerary urn, as we learn from the Irish version of the travels of Marco Polo, and one, too, apparently not borrowed.⁵⁶²

No funeral monuments to criminals.

The *Cluiche Caentech* of *Fiachra*, which, we are told in the passage above quoted, was ignited, was not a funeral pyre, though evidently used here in that sense. *Cluiche Caentech* was the whole funeral rite, and included, when cremation was practised, the burning of the body, the enclosing of the ashes in the urn, but especially the recitation of dirges, and the performance of games. The dirges constituted the *Guba*, and the games the *Cuitech Fuait*. As the ignition of the funeral pyre would be the signal for the commencement of the dirges and other rites, the term used for the whole of the operations was applied, as we have seen, to the first. One reason suggests itself for this being done. Many of the funeral rites necessarily survived the substitution of the burial of the body for cremation, and among them, no doubt, the lighting of torches with which the pyre was kindled, and which in after times were replaced by the candles put around the dead body. Hence the kindling of the torches, or the lighting of the candles, took the place of the lighting of the funeral pyre as

The *Cluiche Caentech* is not a pyre, though used to express it.

The *Guba* and *Cuitech Fuait* or dirges and games;

⁵⁶¹ A judgment attributed to a certain *Cae Cain Brethach* is preserved in the laws, which shows that a dishonoured grave was one of the modes of punishing an unfaithful wife in ancient Ireland. The judge says to the accused: "Your crime is proved, and you are found guilty. I will not put you to death, but I adjudge you a dishonoured grave with the three shovelfuls of disgrace upon your body". MS. H. 3. 18. The three shovelfuls of disgrace were: a shovelful of dog's dung, a shovelful of man's dung, and a shovelful of horse's dung.

⁵⁶² "Whenever a person who goes into that kingdom [the province of *Congign*, on the borders of Thibet] dies, they make ashes of his body, and they put them into a *Cronoc cumdaigh*, or preserving urn, in the promontories of mountains, and in the bosoms of the cliffs, so that it will not be seen by man or beast ever after". *Book of Lismore*, O'Curry's copy, R.I.A., fol. 63, b.b.

the commencement of the *Cluiche Caente* or singing of the dirges and other rites, and thus preserved a tradition of the connection between the funeral pyre and the name by which the whole of the funeral rites were called.

Whether the body were burnt or buried, the operation was accompanied by certain rites, which, as we have just stated, consisted in the recitation of dirges. One of those dirges, which specially recounted the descent and exploits of the deceased, was called, at least in medieval times, a *Cepóg*.

This dirge was chaunted by the mourning bard, assisted by his pupils and the family mourners, while the professional mourners engaged for the occasion sang the accompaniment in melancholy strains and in measured notes, to correspond with the metre of the dirge. The friends and admirers of the deceased sometimes joined in the accompaniment or chorus.

The *Mná Caoínte*, or professional mourning women, who used to attend the wakes and funerals in the Irish-speaking districts of Ireland up to the period of the famine of 1848, and perhaps still do so in some of the remoter districts of the west and south, preserve, I have no doubt, a true tradition of the ancient *Cepóg* or *Guba*. The usual number was at least four; one stood near the head of the bed or table on which the corpse was laid, one at the feet, who was charged with the care of the candles, and one or more at each side; the family and immediate friends of the deceased sat around near the table. The mourner at the head opened the dirge with the first note or part of the cry; she was followed by the one at the foot with a note or part of equal length, then the long or double part was sung by the two side mourners, after which the members of the family and friends of the deceased joined in the common chorus at the end of each stanza of the funeral ode or dirge, following as closely as they could the air or tune adopted by the professional mourners. Sometimes one or more, or even all the principal singers, were men. I once heard in West Muskerry, in the county of Cork, a dirge of this kind, excellent in point of both music and words, improvised over the body of a man who had been killed by a fall from a horse, by a young man, the brother of the deceased. He first recounted his genealogy, eulogised

the *Cepóg* or
panegyric.

Manner of
chanting the
dirges;

the *Mná
Caoínte* or
professional
mourning
women;

a modern
Cepóg.

the spotless honour of his family, described in the tones of a sweet lullaby his childhood and boyhood, then changing the air suddenly, he spoke of his wrestling and hurling, his skill at ploughing, his horsemanship, his prowess at a fight in a fair, his wooing and marriage, and ended by suddenly bursting into a loud piercing, but exquisitely beautiful wail, which was again and again taken up by the bystanders.

Sometimes the panegyric on the deceased was begun by one and continued by another, and so on, as many as three or four taking part in the improvisation. In the case of *Flaths*, *Rigs*, Panegyric of *Rigs* and *Flaths* made by bard of family. and other distinguished personages, the historian or bard of the family, or some other qualified person selected for the purpose, delivered, in ancient times, the panegyric or funeral oration, recounting the genealogy, deeds, and virtues of the dead, and the loss his friends sustained.

During the ancient *Guba*, the friends and comrades who lamented the loss of the deceased prostrated themselves on the ground with dishevelled hair, and even, in cases of excessive grief, tore their hair and beard. Prostration and plucking of hair and beard a *Guba*. The following stanzas from the lament of *Oisín* for his son *Oscúr*, and usually attributed to the former, whose last poem it is said to have been, give an example of this part of the *Cluiche Caointe*, or funeral rites:—

“Then the son of *Ronan* screams,
And he falls upon the ground;
He casts his beautiful body down,
He plucks his hair and his beard”.

“I was examining his wounds
And recounting his great deeds:
It was a great affliction to us then
That he died under our hands”.⁵⁶³

When the cremation or interment of the corpse and the *Cluiche Caointe* or mourning part of the ritual of the dead were completed, the *Cuitech Fuait*, or funeral games, commenced. Funeral Games. From the use of this word to describe the games instituted by Achilles in honour of Patrocles,⁵⁶⁴ it is probable that the

⁵⁶³ Quoted by Dr. Keating in his *Tri Bir Gaithe an Bhais*, or the “Three Shafts of Death”. Lib. iii., art. viii., Mr. O’Looney’s MS., p. 110.

⁵⁶⁴ Aicil [Achilles] buried Petrocul [Patrocles] and he made his *Fert*, and he planted his *Lic*, and he wrote his name, and he proclaimed him at his burial place, and he made his *Cluiche Cainte*, and after this the *Cuitech Fuait*.

wrestling, foot races, etc., practised at the *Aenach* constituted the *Cuitech Fuait*.

The *Nosad*.

The *Cluiche Caolnte*, or mourning, the Druidic or other sacred ceremonies, and the *Cuitech Fuait*, or games, appear to have been included under the collective name of *Nosad*, of which the *Nosad Lugnusa*, or games celebrated at *Tailté* on Lamas-day, are an example.⁵⁶⁵

Aenachs or
fairs always
held in
cemeteries.

I have already mentioned that the *Aenach*, or fair, which was, as we have seen, an assembly of the whole people of a *Tuath* or province, was always held at the place of burial of the kings and nobles. The institution of a fair at any place seems to have always arisen from the burial there of some great or renowned personage. An assembly was called together to celebrate the funeral rites, and as the principal function of those who attended was to join in the *Guba*, or mourning chorus, the assembly was called an *Aenach Guba*, or mourning assembly. The *Cuitech Fuait*, or funeral games in honour of the dead, which were performed after the funeral, were repeated on the anniversary of the funeral, or on every third anniversary, or some other stated period, if the person buried was of great distinction, or if it became the burial place of other kings and nobles. The history of the fair of *Carman* in the Appendix shows how the first *Aenach Guba* developed into a great triennial assembly held for many centuries. The great fair of *Tailté* had a similar origin, as we learn from the ancient tract on the origin of the names of places, called the *Dindsenchas*. From it we learn that the fair was instituted to commemorate the name of *Tailtiu*, the daughter of *Maghmor*, king of Spain, and the wife of *Eochad Garbh*, son of *Duach Teimin*, by whom *Duma na n-Gall*, the mound or tomb of the foreigners, at Tara was built. She requested her husband to have a fair instituted in her name, and held at her grave. When she died her *Guba* was sung, and the *Nosad*, or the rites and games, of which I have spoken above,

The fair of
Tailté.

The reason they used to make the *Cuitech Fuait* was for the good of the souls of their friends, for it was a tradition among the Gentiles that the soul for which the *Cuitech Fuait* was not made should spend one hundred years in hell.—*Book of Ballymote*, R.I.A., fol. 241, a.a.

⁵⁶⁵ POEM ON FAIR OF *Tailté*.—*Book of Lecan*, f. 258.

were celebrated by her foster son, *Lugad*, son of *Scal Balb*. This fair, though instituted in pagan times, beyond the reach of real chronology, was celebrated on the first Monday of August each year, down to the middle of the tenth century, according to one account, and to the end of the twelfth according to another.⁵⁶⁶ During pagan times *Tailte*, like the sites of all the other celebrated fairs, was the cemetery of kings, queens, and nobles. It is not quite certain whether a new mound was always erected for each king, or whether the urns of several kings were placed in the same tomb. Be this as it may, we are told in all descriptions of celebrated cemeteries, that the fair ground was covered with numerous mounds, the graves of kings.⁵⁶⁷ The periodic celebration of great fairs on the sites of

Tailte during
pagan times
a royal ce-
metery.

⁵⁶⁶ According to the *Dindsenchas*, the fair of *Tailte* was instituted 3500 years B.C. According to the *Annals of the Four Masters*, A.M. 3370. According to the *Dindsenchas*, the last fair was the black fair of *Donchadh*, the son of *Fland* [*Sinna*], son of *Maelsechlann*, who died A.D. 942. According to the *Annals of the Four Masters*, it was celebrated down to the time of Roderick O'Connor, the last king of Eriu. Of course these dates are only of value as indicating the great antiquity of the fair.

⁵⁶⁷ "The chiefs of Ulster, before *Conchobar*, were buried at *Tailte*, namely, *Olamh Folla*, and seven of his sons and grandsons, with others of the chiefs of Ulster. The nobles of the *Tuatha Dé Danand*, with the exception of seven (who were buried at *Tailte*), were buried at *Brugh*, namely, *Lug*, *Oc*, the son of *Olloman*, *Ogma*, *Cairpre*, the son of *Etain* (the poetess), *Etain* herself, and the *Dagda* and his three sons (namely, *Aedh*, *Oengus*, and *Cermai*), and many more besides of the *Tuatha Dé Danand*, *Firbolgs*, and others. The kings of the province of *Galian* [Leinster, were buried] in *Aenach Ailbi*. The kings of Munster at *Aenach Cuile*, at *Aenach Colman*, and *Fechi*. The *Cland Dedad* at *Tenair Erind*. The kings of Connaught in *Cruachan*, ut diximus".

" Fifty *Cnocs* at each *Aenach* of those ;
Fifty *Cnocs* at *Aenach Cruachan* ;
Fifty *Cnocs* at *Aenach Tailte* ;
And fifty *Cnocs* in the *Aenach* of the *Brugh*".

" Those are the three cemeteries of the Idols,
The cemetery of *Tailte* to be chosen,
The cemetery of *Cruachan*, ever pure,
And the cemetery of the *Brugh*.

" The *Cnocs* which are in the *Aenach* [of *Cruachan*]
There are under them heroes and queens,
And poets, and banquet distributors,
And pure, elegant women.

* * * * *

many of the most celebrated pagan cemeteries, during several centuries after the introduction of Christianity, as well as the vivid traditions, preserved even to our own day in topographical names and popular legends, of the founders of each *Aenech Guba*, and of the successive kings and warriors buried in the cemeteries in times beyond the reach of real chronology, is to my mind strong evidence that the great tumuli on the Boyne, and in other places, belong to the cycle of the heroic poems and tales preserved in our manuscripts, and are not pre-historic in the sense of being outside the traditions of the country. If we compare those traditions, confused as they necessarily must be, both from their great antiquity and the fragmentary character of the literature in which they are preserved, with those of the Greek or Roman heroic times, I have no hesitation in saying that while, on the whole, they are as full and as consistent as the latter, they are perhaps in a topographical sense more definite. The marked characteristic indeed of Irish legendary history is the way in which it is inseparably interwoven with the ancient topography of Ireland. In this respect Irish legends offer a marked contrast to the British, Norse, or Germanic ones, which may be described as nomadic and without any fixed habitat in the soil. This objection may, no doubt, be raised to the historic character of the Irish tumuli, that while those of the Boyne and some others in Meath are of great size, and the stones forming the *Dumai* or chambers, and the passages to them, often incised with peculiar ornaments and figures, the monuments of *Relig na Righ* at *Cruachan*, and of many other cemeteries, are comparatively insignificant, and yet according to tradition there was not much difference in point of time between the use of those cemeteries as burial places: indeed *Aenech an Bruga* on the Boyne and *Aenech Cruachain* in Connaught must have been used contemporaneously. Perhaps the greater size and splendour of the graves of the Boyne, and other monuments of a like character in Meath, are character-

Irish traditions connected with topography of the country.

“The true Ultonians before *Conchobar*
 Were always buried in *Tailte*
 Until the death of that triumphant man,
 With whom their glory passed away for ever”

Death of *Athi* or *Dathi* and his burial. *Lebor na h-Uidhri*, p. 38, col. 1.

istic of the *Tuatha Dé Danann* race, by whom, according to tradition, they were principally erected.

From the ancient laws and other sources we have direct evidence that the ritual of the dead varied with the rank, sex, and occupation of the deceased, and that it was more splendid and elaborate in the case of great men, as is shown by the monuments erected over the graves. The following passage from the tale of the battle of *Magh Tuired* establishes beyond question this fact:

“Each man of them then buried his own comrade and friend, his companion, and his mate, and his fellow pupil; and they made *Dumai* upon their *Daighdaine*, or nobles, and *Leaca* upon their *Laechra*, or heroes, and *Fearta* upon their *Feneda*, or warriors, and *Cnoc*s upon their *Curada*, or champions”.⁵⁶⁸

In this passage we get the names of some of the monuments of the dead of the ancient Irish. Adding the others not mentioned, it will be convenient to discuss each kind of monument in the following order:—the *Derc*, the *Fert*, the *Liac* or *Lic*, and the *Leacht*, the *Dum*, the *Cnoc*, and the *Carn*.

The *Derc* was a hollow, a pit, or hole, dug in the ground, in fact, a simple grave.⁵⁶⁹ The word is cognate with *Dergud*, frequently used in Irish manuscripts in the sense of a bed. When the *Derc* was shallow, it was frequently faced inside with dry masonry, and covered with small flags like a sewer, upon which the earth was then laid. When the body was buried, and not burned, the corpse was laid in the *Derc*, with the feet towards the east and the head to the west.

There is some doubt about the true meaning of the second term in the above list—the *Fert*. A rectangular chamber, composed of a number of upright stones, on the top of which were laid horizontally other flags erected over a *Derc*, is usually called a *Fert*.⁵⁷⁰ Such a naked stone chamber was, however,

⁵⁶⁸ First Battle of *Magh Tuired*, MS. T. C. D., H. 2. 17. p. 91. See Addenda for a list of monuments mentioned in this tract.

⁵⁶⁹ Second Battle of *Magh Tuired*, *Harleian MSS.*, Brit. Mus. 5280, O'Curry's copy. See Addenda for the passage.

⁵⁷⁰ “*St. Senan* died at the age of one hundred and eighteen years, and was buried in *Inis Carthaigh*, at the north-west side of *Teampall Muire*, where the *Feart* is, which is called *Derc Senain*”. *Vita Senani*, Mr. O'Looney's MS.; p. 38, top.

the *Fert*; more correctly called an *Indeibh Cloich*, the term *Fert* being applied to a ridge or embankment, a mound or artificial eminence at a fair or other place of assembly,⁵⁷¹ and a wall or earthen rampart around a camp, a house, or a church. The term *Fert* might therefore be applied to the kind of monument referred to in the following passage from a work of Dr. Keating: "The second mode [of burial] was to bury the dead under ground, and to raise small *Raths* of the *Claide*⁵⁷² around them, and not to have a *Liag* (flag-stone) or a *Leacht* (*i.e.* a stone monument) over them; and there are three other classes who are usually buried in those small *Raths*, namely *Aos Ealadna* [men of science], women, and children". He goes on to say: "There are two other modes in which such persons were buried in Eiru in addition to that just mentioned, as may be inferred from the following stanza:

" A *Fert* of one door for a man of science,
 A *Fert* of two doors upon a woman,
 A *Fert* with doors also
 Upon boys, upon maidens.
Cnoacs (mounds) upon distinguished foreigners,
 And *Murs* upon [those who died of] great plagues".⁵⁷³

The *Ferts* here spoken of could scarcely be mere mounds of earth; they must have been rather small chambers of stones or flags, such as the structures sometimes called *Ferts*, which are met with in different parts of Ireland. Dr. Keating describes the first mode of burial in Ireland as follows: "They used to make a *Fert* in the earth corresponding in length and breadth with the corpse; they then deposited the corpse therein, with the soles of his feet turned to the east, and the

⁵⁷¹ *E.g.* *Ferta na n-ingen*, or the mound of the maidens at Tara; and *Fert Maigin nó Aonaig*, the mound of the sanctuary or fair of the Laws. MSS. II. 3.18, p. 318, b.; *Book of Lecan*, 182, a. The *Fert* mentioned in the following passage is clearly a mound of earth piled over the *Derc* or grave.

"I shall die of that, said she, and I shall go with you to-morrow upon the *Magh* (plain), in order that you may plant my *Lia* and dig my *Fert*. And it was so done, and hence *Lia n-Othain*".—*Book of Lecan*, fol. 251 b.b.

⁵⁷² That is, the earth and other stuff which was dug out of the graves. It is evident that the *Raths* here spoken of were small mounds formed of the earth dug out of the grave, just as is done in making graves at the present day.

⁵⁷³ *Tri bir gaithe an Bhais*, MS. cit. These lines as given by Keating are manifestly incomplete; there should be two lines more to make a couplet of

crown of the head to the west; and put a *Carn* of stones over it, which was called a *Leacht*, such as the *Fert* of *Maothagan* in *Ui Fathach*".

Among the superstitious practices prohibited in the Anglo-Saxon laws of Canute is one called *Fyhrt*,⁵⁷⁴ which Mr. the *Fyhrt* of Anglo-Saxon law; Thorpe, the editor, regrets his inability to explain. Could this word be the same as the Irish *Fert*, and mean a grave? The prohibition in the Saxon laws may have referred, therefore, to the use of some part of the pagan ritual of the dead connected with this particular kind of grave, or to visits paid to it at night to conjure the spirits of the dead. I am strengthened in this explanation of the word by finding a similar prohibition in the Laws of the Northumbrian Priests,⁵⁷⁵ which applied to the same district, where the officer called a *Ferdin-gus* or "Ferthingman" existed. The latter word I have already shown to be almost pure Irish, and, did space admit of it, I might give many examples of names from early Norman charters and other documents relating to the same ground, which, if not Irish, are those of a people who spoke the same, or a very closely related tongue.

The word *Leacht* seems to have been a general term applied the *Leacht*, to stone sepulchral monuments consisting either of unfashioned stones of every size piled up over a simple grave, or over an *Indeilb cloich* or stone chamber, or of a number of large eight lines. They occur in a complete form in the *Book of Lecan* (f. 258, a. b.), but they differ somewhat from Keating's text. Thus, according to the latter, the *Fert* of boys and maidens has doors, but according to the *Book of Lecan*,

"A *Fert* without doors, without *Trennai*
For boys and for maidens".

The missing lines, which are the fifth and sixth, are interesting:

"A token of pillar stones (*Cairti*) upon widowers
To keep their burial place of the dead".

⁵⁷⁴ (Secular Laws). "5. And we earnestly forbid any heathenism; heathenism is, that men worship idols; that is, that they worship heathen gods, and the sun or the moon, fire or rivers, water wells or stones, or forest trees of any kind; or love witchcraft, or promote *morth-work* in anywise; or by *blot* or by *Fyhrt*; or perform anything pertaining to such illusions".

⁵⁷⁵ (Laws of Northumbrian Priests). "48. If any one be found that shall henceforth practise any heathenship, either by sacrifice or by *Fyhrt*, or in any way love witchcraft or worship idols, if he be a king's Thane let him pay X half marks; half to Christ, half to the king".

upright flags upon which was placed a great block of stone. The latter kind of *Leacht* is the monument popularly known as a "Cromlech". A simple flag marking a grave was called a *Leac* or *Liacc* (plural *Leaca*). When a number of persons were buried beside each other, their *Leaca* were placed in a circle around the graves.⁵⁷⁶ Similar circles of *Leaca* or upright flags were put around the *Leachts* formed of piles of stones. Pillar stones or *Cairtí* were also used to mark graves, and sometimes the name of the dead person was cut in *Ogam* upon them. The word *Leacht* occurs frequently in topographical names, as for instance in *Tamleacht*, modernized in one case to Tallaght, a place near Dublin, but unchanged in *Tamlacht O'Crilly* in the county of Londonderry. *Tamleacht* may be translated as the *Leacht* of plague, and, so far as I know, consisted of several graves marked by a head and a foot stone, or covered over by a *Múr cloiche* or stone *Múr*, and, where there were a number of them in the same place, surrounded by a circle of *Leaca*. The sepulchral monument called a *Múr*, consisted of a block of dry masonry of not less than two feet in height which covered the whole grave. When stones could not be readily obtained in the neighbourhood to make a *Múr cloiche* or stone *Múr*, a similar block or wall was built of square sods called *Dartaire*. According to the stanza quoted above, *Múrs* marked the graves of those who died of pestilential diseases. It is interesting to find that in the years 1847 and 1848 the graves of some of those who died of the famine fever were covered by *Múrs*, as an indica-

⁵⁷⁶ "*Fercu*, an exile who was in exile with *Ailill*, heard this: he went to fight *Cuchulaind*; thirteen men besides were his company. *Cuchulaind* killed them, and also *Fercu*, at *Cingil*. Their thirteen *Leaca* are there".—*Táin Bó Chuailgne* in *Book of Leinster*, fol. 55, b. col. 1. Dr. Keating seems to have recognized a distinction between the *Lia* or *Liac* and the *Leacht*, for he says: "Another mode in which they used to be buried, *i.e.* with a *Lia* and a *Leacht*, and numerous are those graves in Eriu". *Op. cit.* They are also distinguished in the following passage from the *Táin Bó Chuailgne*: "An illustrious champion went next day, *Ualad* was his name, he took a great stone with him to try to cross the water; the flood drove him back. With his flag upon his belly, his *Leacht* and his *Lia* is [are] upon the road at *Conglais*, *i.e.* *Lia Ualand* is its name".—Vellum MS. *Leb. na h-Uidhri*, p. 65, col. 1. See also poem of *Oisín*, *post*, p. cccxli.

tion that such graves should not be opened before the expiration of a certain time,—understood to be three years at the period in question. The term *Múr* occurs in some of the oldest tales, sometimes applied to a sepulchral monument, as in the case of the grave of *Tailtiu*, wife of *Eochad MacErc*, a Firbolg king or deity, and in whose honour the *Aenach* or Fair of *Tailté* was instituted,⁵⁷⁷ and sometimes to a simple mound or platform like the *Múr*, which was erected for *Tea*, wife of *Eremon*, son of Miliesius, to view the surrounding country, and from which *Teamur* or *Teamair*, now Tara, the ancient residence of the *Ard Righ Erind*, or paramount king of Ireland, is said to have been derived.

As the Gauls, Germans, and Slavonians practised human sacrifice, it is very improbable that the Irish had not a custom which seems to have been universal among all the other European branches of the Aryans. Human sacrifice;

We have seen from the passages quoted above, that some traces of the slaying of hostages and animals have survived. Of direct sacrifice, unconnected with funeral rites, O'Curry tells us he found no trace in Irish records, but that he found one case of the kind among the Britons. The case to which he refers in his Lectures,⁵⁷⁸ is to be found in Nennius. Gortigern having failed to erect a *Dun*, the materials which he had collected for the purpose having been carried away by supernatural agency, has recourse to his druids, who advise him to seek a boy who had no father, and having found him, to slay him and sprinkle his blood on the site of the proposed *Dun*. A similar druidical rite is, however, to be found in the Irish tale of the "Courtship of *Becuma*", in the visit of *Conn Ced Cathach* to *Tir Tairngire*.⁵⁷⁹ Indeed the analogy of the British and Irish legends is so complete that there can be little doubt that they are connected with religious sacrifices, practised in early times by all Aryan peoples, like that of Iphigenia by the Greeks when proceeding to the Trojan war. *Becuma Cnes gel*, or *Becuma* of the "fair body", wife of a Legend of Gortigern;
similar legend of Conn and Becuma.

⁵⁷⁷ Poem on Fair of *Tailté*, *MS. Book of Lecan*, R.I.A., f. 258.

⁵⁷⁸ Vol. I. p. 222.

⁵⁷⁹ Vellum MS. *Book of Fermoy*, R.I.A., f. 89, a. a.

Legend of
Conn and
Becuma.

celebrated *Tuatha Dé Danann* personage, *Labrad* of the "quick-hand-at-sword", having committed adultery with *Gaiar*, one of the sons of *Manannan Mac Lir*, is condemned by the latter to be burnt or banished. His council having recommended the more lenient alternative, *Becuma* is placed in a boat and sent adrift alone on the sea. She succeeds, however, in reaching the Hill of Howth, where she finds the monarch of Eriu, *Conn* of the "Hundred Battles", in great grief for the loss of his wife *Eithne*, who had recently died. Assuming the name of *Deilbh Caemh*, or "the comely form", and representing herself as the daughter of a certain *Morgan*, a British prince, she induces *Conn* to marry her.⁵⁸⁰ During her first year's residence at Tara a blight comes on the country, and there is dearth of corn and milk. The druids, on being consulted, assign as the cause of the blight the crime of *Conn's* wife, and that it could only be removed by slaying the son of an undefiled couple, or in other words the son of a virgin wife, and sprinkling his blood on the doorposts and land of Tara. *Conn* accordingly goes in search of such a youth, and after wandering over the sea, he comes to an island where he finds one. By false representations he induces him to accompany him to Ireland, and his parents to sanction his journey. As the youth is about to be slain, a cow with two bellies, followed by the mother of the boy wailing, appears on the scene. The woman recommends that the cow should be killed instead of the boy, and its blood sprinkled on the doorposts of Tara, which was accordingly done.

The similarity between the British and Irish legends is very singular. In the British legend the boy Ambrose, whose blood was to consecrate Gortigern's *Dun*, asks the druids what was beneath the floor upon which it was proposed to build the *Dun*. They confess their ignorance. Whereupon the boy tells them that a lake was there. On digging up the ground the lake is found. The questioning proceeds, and two chests are brought up, and a sailcloth which was between them. This

⁵⁸⁰ A somewhat similar story is told of *Cenethryth*, wife of *Offa*, King of Mercia. This lady, who is said to have been a Frank, having committed some atrocious crime, was, according to tradition, sent to sea in an open boat, and having been found by the youthful *Offa* he was induced to make her his wife.

on being opened out is found to contain two maggots asleep, a white and a red one. The maggots, on awaking, attack each other, the white one being defeated and driven into the lake. Ambrose tells the druids that the lake is the kingdom of the whole world, and the sailcloth the kingdom of Gortigern, the red maggot the power of the Saxons, and the white that of the Britons, who were to be eventually defeated.

In the Irish legend the woman asks the druids to explain the two bellies of the cow, which they are unable to do. She accordingly tells them to cut open the bellies when they should have killed the cow, and that in one of them they would find a one-legged bird, and in the other a twelve-legged one. When the birds are taken out, they fight until the one-legged bird conquers the twelve-legged one. The woman then tells that the former represented her son, and the latter the druids. To complete the parallel between the two legends, the misfortunes of Gortigern are supposed to be mainly due to his having married his own daughter.⁵⁸¹

A *Cnoc* or hill was, as the name implies, a rounded hill or sugar loaf mound; while the *Duma*, or true tumulus, seems to have been a similar kind of mound or hill having a chamber or *Dum* (cf. Lat. *domus*) containing the ashes or bodies of the dead in or under it. The *Cnoc*;

The *Carn* was a mere pile or heap of stones, generally made over a grave, but sometimes having no immediate connection with one. the *Carn*; The following passage from the ancient tale of the *Brudin Da Derga* contains so much curious information about the manner of making a *Carn*, and about one at least of the objects of it, that I shall give it here in full.

“The *Dibergaib* (or plunderers) started from the coast of *Fuibhirbe*, and each man took with him a stone to make a *Carn*, for such was the custom of the *Fians* when going to make a plunder or a general battle. It was a pillar stone they planted when going to give a general battle, and it was a *Carn* they made when going to make a plunder. It was a *Carn* they made this time, because it was [to be] a plunder; [and it was made] at a distance from the house, so that they would not be

⁵⁸¹ See Addenda for another reference to human sacrifice.

use of *Carn*
to ascertain
number of
those slain

heard or seen from the house. The two purposes, then, for which they made the *Carn* [were], namely, because *Dibergs* were accustomed to make *Carns*, and in order that they may know their losses at the *Brudin*. Every man who survived used to take away his stone out of the *Carn*; and the stones of those who were slain there remained—this is how they used to ascertain their losses. And it is what is stated by the learned in history that it was a man for every stone in *Carn Leca* that fell of the *Diberg* at the *Brudin*, and this is the *Carn* called *Leca* in *Ui Cella*".

"Every one of them who escaped from the *Brund* went to the *Carn* which they had made the preceding night, and they brought a stone for every living wounded man out of it, so that the number of those who were slain at the *Brudin* was a man to each stone that is in *Carn Leca*".⁵⁸²

instances of
Carns placed
over corpse
of a warrior,

In this passage we have distinct evidence that the *Carn*, though erected to commemorate the slain in a battle, was not necessarily erected over their graves. In the following instances from the ancient tale of the battle of *Magh Tuired*, the *Carn* was erected either over a grave in which the whole body or the head of the warrior was buried. At the end of the first day's fight, during which one warrior distinguished himself particularly by bearing the brunt of the fight until he was slain, when *Eochad*, king of the *Firbolgs*, told his people of the achievements of the single warrior, "they then brought a stone, each man of them, to the well, and they raised a great

⁵⁸² Vellum MS. *Lebor na h-Uidhri*, Royal Irish Academy, p. 86. col. 2. The following are additional examples of the manner of making a *Carn*.

"*Carn Mail* in *Magh Uladh*, why so [called? Answer, or [it is called] *Carn Lugdach*, i.e. *Lugadh Maí*, who was banished out of Ireland, [and who came] with the companies of seven ships from *Alba* into Ireland again [together] with the great military adventurers of *Alba*; and they gave battle to the *Ultonians* and routed them before them. A stone was brought by every man who came into the battle with *Lugadh*; and it was of them the *Carnd* was made; and it was upon this *Carnd Lugadh* was while the battle was being fought. Hence it was called *Carnd Lugaidh*, and *Carn Mail*".—*Dindsenchas* of *Carn Mail*, *Book of Lecan*, fol. 25, a b. bottom.

"*Carn Furbaide acus Eithne*. . . . *Lugadh* went to be revenged of *Furbaide*, and killed him on the summit of *Sliabh Uillen*, and he, made his *Carn* there, i.e. a stone by every man who was with *Lugadh*", etc. *Book of Lecan*, fol. 252, a.a.

Carn over him, and that is called *Carn an aen fir*, or the 'One Man's *Carn*', to this day".⁵⁸² At the end of the second day's fight, we are told that, "when night approached, the *Firbolgs* were routed beyond their lines of battle: each man of them carried with him, however, a stone and the head of a man, in the presence of their king, *Eochad*". At the end of the third day's fight, "after the fall of the battle champion, *Cirb*, the *Firbolgs* retreated to their encampments, but the *Tuatha Dé Danand* did not pursue them beyond their lines of battle. Each man of them carried with him a head and a pillar stone, and the head of *Cirb* among the rest, and they buried it in *Carn Cinn Cirb*, or the '*Carn of Cirb's head*'".⁵⁸³

These two last passages seem to show that one use of a *Carn* was probably to protect the heads of fallen warriors. It was the custom of the pagan Irish to cut off the head of those slain by them in battle, and carry it off as a trophy of victory.⁵⁸⁴ The brain was sometimes taken out and mixed with earth, to form a *Tathlum* or missive ball, of which a good deal is told in the Lectures. No doubt in early times the skull was used as a drinking cup, as was the custom among the other northern nations of Europe. When the retreating friends of a fallen warrior succeeded in cutting off his head before his enemies could secure it, and in piling a *Carn* of stones over it, it was saved from being a trophy, for, independent of the difficulty of removing the stones in the face of the enemy, the *Carn* was regarded as a sanctuary for the remains of the fallen warriors, which should not be violated without dishonour, and besides,

⁵⁸² MS. T. C. D., H. 2. 17. p. 91.

⁵⁸³ *Ibid.*

⁵⁸⁴ One of the three royal houses at *Emain Macha*, the seat of the Ultonian kings, was called the *Craeb derg*, or "Red Branch", or "*Cro-derg*", blood red, because the trophies of the heroes of Emania, i.e. the heads and tongues of the slain, were kept there. See *Book of Leinster*, H. 2. 18. T.C.D., f. 69, b.b., and *Lectures*, vol. I. p. 332. The Scandinavians, like the Huns and Slavonians, cut off the heads of their slain enemies and fastened them to their stirrup leathers, even so late as the eleventh century. *Haralds Saga hárfagra*, c. 22; *Heimskringla Olafs Saga Trygvass.*, c. 95; *Biarnar Saga Húdoelak*, n. 67; *Fóstræðra Saga*, A. c. 18. See also Weinhold, *Alt. nord. Leben.*, 310.

The *Carn*.

there was no doubt a religious prejudice against disturbing a grave, a *Carn*, or other sepulchral mounment, once made.⁵⁸⁵

⁵⁸⁵ "There is a passage in the fragment of the *Tain Bó Chuailgne* in the *Lebor na h-Uidhri*, which illustrates, among several other customs of the ancient Irish, the practice of cutting off the heads of the slain warriors as trophies of victory. When *Cuchulaind* went out to boast before *Medb* and her women, we are told that "he then put on his *Diallait Oenaig*, or assembly cloak". He wore two coverings on that day, namely, a beautiful, well-fitting, bright crimson, bordered, five folding *Fuan*. A white brooch of bright silver, inlaid with burnished gold, was on his fair white bosom; [it was] bright, like a flashing luminous lamp, so that the people could not look upon it, owing to its splendour and brilliancy. A *Cliabh Inar*, or jerkin of silken cloth, [fitting close] to his skin, covered him down to the top of his *Berbrocc*, or apron, of champion's brown red kingly silk. A brownish red shield, with a *Coicroth* of gold and a rim of *Findruinne* upon him. A gold-hilted long sword, with trappings of red gold in full array of combat upon his girdle. A long green edged *Gai*, and also a woundful *Faga* of battle, with rivets of gold, and inlaid with gold, [were] in his chariot. He carried nine heads in one of his hands, and ten heads in the other hand, and he used to shake them out defiantly towards the hosts. These were *Cuchulaind's* night trophies. It was then the [young] women of Connaught were raised above the companies [*i.e.* on the shields and shoulders of the men]; and the wives of the men repaired thither to behold the form of *Cuchulaind*. *Medb*, however, covered her face, and did not attempt to look at his features, but concealed herself under the *Dam Dabach*, or concavity of a great shield, through fear of *Cuchulaind*. It was on that occasion *Dubthach Dael Ulaah* said:

"If he be the *Riastartha*,
 Corpses of men shall be of him.
 There shall be mourning around *Lisses*:
 There shall be imbecility in houses.
 There shall be pillar stones in *Lechts*:
 There shall be a carnage of royal beeves.
 Not well shall they fight the battle
 In the field with the *Noenenach*
 I behold the form of valour—
 Eight [nine] heads in his outstretched hand.
 I behold, cut off in their cloth-shrouds,
 Ten heads [held out in the other hand] in rapid succession.
 I see that to him our women show forth
 Their countenances over the heroes of valour:
 I see our maidens in admiration of him.
 They do not come to vindicate the fallen braves".⁵⁸⁶

⁵⁸⁶ *Tain Bó Chuailgne, Lebor na h-Uidhri*, p. 81, col. 1. *Riastartha* was a name given to *Cuchulaind* by the people of Connaught; it signifies the gigantic distorted, and refers to the curious distortion and outswelling of *Cuchulaind* by which he became a great gigantic form,

Although, when first made, the size of a *Carn* indicated the number of those slain in the battle or fight which was the occasion of its being raised, it is questionable whether it always continued to do so, as it was the custom for the relatives, admirers, and followers of the slain to add a stone to such piles whenever they passed by it. I remember, when a boy, the practice of "putting a stone upon the dead man's grave" was still a living custom, and of having been rebuked once for not adding a stone to a considerable heap which covered a grave on the wayside, said to have been that of one of the United Irishmen executed there in 1793. In this case the heap of stones was more properly a *Leacht* than a *Carn*. Such graves are usually called in Irish *Leacht an fhir mhairbh*, or the dead man's *Lecht*. Perhaps this custom did not apply to the true *Carn*.

Stones subsequently added to *Carns*.

The *Carn* is generally mentioned in Irish tales in connection with the *Firbolgs* and other Hiberno-British races. In all the extracts which I have quoted on this subject, the *Carn* was invariably erected by the *Firbolgs*. In the following passage, taken also from the account of the Battle of *Magh Tuired*, the *Carn* of the *Firbolgs* is directly contrasted with the *Liac*, or headstone of the *Fomorians*. At the end of the fourth day, the tale tells us that king *Eochad*, accompanied by one hundred warriors, having left the field in search of water, was pursued by the sons of *Nemid*, and killed on the strand of *Eochail*. The sons of *Nemid* also fell in the fight. The tale proceeds to tell us that "his men raised a *Carn* over *Eochad*, which is called *Carn Eochach*, or *Eochad's Carn*, to this day".⁵⁸⁷ And further on we are told that "*Leaca mic Neimhid*", or the grave-stones of the sons of *Nemid*", are "on the western end of the strand".⁵⁸⁸

The *Carn* always connected with the *Firbolgs*

Warriors buried with their arms, etc.

The custom of burying a dead warrior standing upright,

⁵⁸⁷ *Carn Eochach* was looked upon as one of the wonders of the world, according to the *Book of Ballymote*. See also O'Flaherty's *Ogygia* (Hely's edition, vol. ii., p. 176), and *Transactions of Ossianic Society*, vol. v., p. 250.

⁵⁸⁸ Vellum MS., II. 2. 17, p. 91.

as described in the "Fight of *Ferdial*" in the *Táin Bó Chualigne* (See vol. ii. App. p. 449). Cf. Middle High German *Riese*, New High German *Riese*, Old Norse *Risi*, a giant. *Noenenach* was one of the names of the goddess of war, and is probably connected with *Nanna*, the wife of *Baldr*, Gothic *Nanþó* Old High German *Nandū*, Anglo-Sax. *n Noȝe*.

Warriors
buried
with their
arms, etc.

with all his ornaments, armour, and arms, was also practised among the ancient Irish, according to a statement of Dr. Keating. The only authority which he gives for this custom is a stanza in which no reference is, however, made to the upright position of the corpse.⁵⁸⁹ No example of such a grave has, so far as I know, been discovered in Ireland. What he refers to was not, perhaps, a mode of burial. but the cremation of the corpse; that is, the corpse, instead of being laid on the pyre, was supported in an erect position, or on horseback, and the pyre built up about it. This method of cremation was practised in the Baltic provinces down to the beginning of the thirteenth century.

⁵⁸⁹ "Another mode of burial which they had in Eriu in the time of the pagans was to bury the dead standing, and to make up *Carns* of earth and stone over them in a circular form all round; and to bury their arms with them. It was in this way many of the nobles of Eriu were buried in ancient times, and moreover, *Moghaid Neid*, as may be read in the battle of *Magh Tualaing*, by *Dearg Damhsa*, the druid who made this *Rann*".

Before giving the stanza here referred to, I shall give, by way of a preface to it, a short passage from the Battle of *Magh Leana*:

[After the death of *Mogh Neid*] *Eogan* sent *Dearg Damhsa* the druid back to *Magh Siuil*, to request time for counsel from *Conn*. When the druid reached *Conn's* camp, he begged of the latter to allow him to raise a *Fert* for *Mogh Neid*. *Conn* granted that permission. He [the druid] stood over the body of *Mogh Neid*, and began to bewail the irresistible force that had been exerted against him. He said that *Conn's* battalions were *tualaing*, or mighty over the nobles of *Munha* (Munster) upon that plain; and it is from that word the name *Magh Tualaing*, or the Plain of Might, has been given to it. And *Dearg Damhsa*, the druid, made a capacious yellow-sodded *Fert* for *Mogh Neid* on the plain, and he buried him in it with his arms and with his clothes, and with his armour; and he made the following lay. *Battle of Magh Lena*, Mr. O'Looney's MS.:

"The *Fert* of *Mogha* is on *Magh Tualaing*,
With his lances at his shoulders,
With his coat of mail, renowned for valour,
With his helmet, with his sword". *Op cit.*, p. 745.

The following passage also alludes to the custom of burying the arms of a warrior with himself:

"*Carn Feradach*. He killed *Feradach* after that. The good son of *Rocuirp*; according to rule, until his death, he brandished his arms, which are under the *Duma* of the beautiful *Carn*. *Feradach* was killed in the battle of *Carn Feradaig*, and this here is *Feradach's Fert*".—*Book of Lecan*, fol. 240, a.b.

When the burial of the dead succeeded cremation, the corpse seems to have been wrapt in a grave cloth, as we find the special name *Rochull* for it.⁵⁹⁰ This name does not seem to have been borrowed from the Latin, and consequently the custom may, perhaps, have been pre-Christian.

The *Rochull* or grave cloth.

Although it is not my intention to discuss the subject of Ogamic inscriptions in this Introduction, that subject not having been at all treated of by Professor O'Curry in his Lectures, I cannot help saying a few words on the use of such inscriptions in connection with monuments of the dead. We find in several of our oldest tales, that the writing of the name of the deceased in *Ogam* formed an essential part of the burial rite. Thus when *Fergus* brings back the body of *Etercomol*, slain in combat by *Cuchulaind*, we are told that they dug his grave or *Fert*, they planted his *Lia*, or head-stone, they wrote his name in *Ogam*, and they made his *Guba*.⁵⁹¹ It does not appear from this passage, whether the Ogamic inscription was cut upon the *Liace* or headstone, or on a twig, which was twisted round the stone, as is stated in another place in the *Táin Bó Chualgne*. In the vellum manuscript known as the *Book of Leinster*,⁵⁹² there is, however, mention of an *Ogam* in connection with a *Lia* placed over a *Leacht*—a position in which many inscribed stones are found—which looks to me as an example of a lapidary Ogamic inscription. This poem is ascribed to *Oisín*, and consequently possesses much additional interest, as it affords us unquestionable evidence that there was in the twelfth century, not merely a tradition of the existence of such a bard, which is sometimes denied, but of poems ascribed to him.⁵⁹³

Writing the name of a deceased person in *Ogam* part of burial rite.

Ogams generally cut in wood in pagau times,

but sometimes cut on stone.

⁵⁹⁰ *Lebor Brecc*, fol. 17, a.a.

⁵⁹¹ *Táin Bó Chualgne* in *Lebor na h-Uidhri*, p. 69, col. 1.

⁵⁹² Class H. 2. 18 in the Library of Trinity College, Dublin.

⁵⁹³ An *Ogam* in a *Lia*, a *Lia* over a *Lecht*,
 In a place whither men went to fight.
 The son of the King of Eriu died there,
 Killed on a white steed by a sharp spear.

Cairpri hurled a fierce cast
 From off the back of his horse, good in battle;
 Anguish keen it quickly brought
 To *Oscur*—it killed his right hand.

Ogamic writing seems, from the ancient tales, to have belonged as much to Ulster and Leinster as to Munster, and yet very few Ogam-inscribed stones have been found in Leinster, and so far as I know, not one has yet been discovered in Ulster. I have already pointed out the connection which seems to exist between stone buildings and *Ogam*-inscribed stones. If all the stone-built forts and houses in Ireland belong either to Christian times, or the period of the Roman occupation of Britain, there can be little doubt that the cutting of *Ogam* inscriptions on stones is not older. But such a conclusion is not inconsistent with a very high antiquity of the practice of incising

Ogams cut on stone, if pagan, probably not older than the Roman occupation of Britain.

Old Germans cut their runes on rods or tablets of ash.

Ogamic inscriptions on wood. We have the distinct testimony of Venantius Fortunatus, that the barbaric peoples, that is, the

Oscur hur'ed a mighty cast
 With fierce anger at him,
 And he killed *Cairpri Ua Cuind*
 Before they gave way in the conflict of battle.

Great the ardour of the youth
 Who received their death in that battle.
 Soon after they had [first] taken their arms,
 More numerous were their dead than their living.

I too was in the battle
 On the right side of a gray steed.
 I killed twice fifty heroes ;
 It was I that killed them with my hand.

I used to handle the *Corbach* with skill
 When my courage was high ;
 I was wont to kill the bear in the wild wood,
 And to catch birds, the roe and the stag.

That *Ogam* which is in the stone,
 Around which the heavy hosts have fallen,
 If the battle-fighting *Find* had lived,
 Long would the *Ogam* be remembered.

From the fragment of the Battle of *Gabra*, in
 MS. H. 2. 18, fol. 109, b. a.

According to the poem on the *Fair of Carman* contained in the same MS. the "recitation of Fenian tales of *Find*" formed an "untiring entertainment of that assembly". Vol. ii., App. p. 543.

Germanic nations, cut their *Runes* on tablets of ash.⁵⁹⁴ It is indeed, probable that the Germans and Scandinavians did not cut runes on stone until they had become acquainted with Roman lapidary monuments. But whether Ogam and Runes were first cut on stone or wood, the constant reference to Ogamic writing in our oldest tales is certainly favourable to the opinion that it was known in pagan times.

Some persons are of opinion that the *Ogam* was a kind of cryptic writing used by a people acquainted with the Latin tongue, and perhaps with the Scandinavian Runes. There seems to be some reason for believing in the existence of a method of cryptic writing in Ireland in early times; but the use of an alphabet for such a purpose implies a knowledge of ordinary writing. Without more evidence than has yet been adduced, I am not, however, yet prepared to admit that all the Ogam inscriptions incised on stones which have been found, are cryptic, or that the names inscribed on pillar stones, or on some of the upright stones forming the chambers sometimes called *Ferts*, are other than the ordinary names of the individuals commemorated. On the other hand, one can understand the use of cryptic writing in religious rites or in incantations.⁵⁹⁵

⁵⁹⁴ "Barbara fraxineis pingatur runa tabellis
Quodque papyrus agit, virgula plana facit".

Carm. viii, 18 et seq.

The *Duille feda* mentioned in the poem on the *Fair of Curman* were probably tablets like those referred to by Venantius Fortunatus.

⁵⁹⁵ The following passages show the practice of cutting *Ogams* on sticks, and their use for giving notice to an advancing enemy :

Said *Ailill*: "Let us leave off this for the present; they reached *Magh Mucceda* after that. *Cuchulaind* cut an oak before him there, and he wrote an *Ogam* on its side, and this is what it contained when it was seen: 'he who passes this shall meet with his fate from a hero of one chariot'. *Táin Bó Chnailgne* in *Lebor na h-Uidhri*, p. 63, col. 2.

"They [*i.e.* *Medb* and the Connacians] then marched until they rested in *Granairud* [the present *Granard*] of northern Taffia. After having made a muster-march of the host over *Grellach*, and over *Shruthru*, *Fergus* made a friendly excursion into Ulster. They were all in their debility, except *Cuchulaind* and his father, *i.e.* *Sualtan*. *Cuchulaind* and his father went, on the arrival of the scouts from *Fergus*, until they settled in *Irad Cuilland*, waiting on the watch for the [advancing] host. I have the courage of hosts to-night, said *Cuchulaind* to his father, let us pounce upon them, and chase them off *Ulad*. I must go to meet *Fedelm Nuacruthach* (*i.e.* to meet her handmaid,

Why *Ogam*
inscriptions
may show
traces of
Latin.

The Irish did
not borrow
the *Ogam*
from the
Norse *Runes*.

As the only *Ogam* inscriptions we possess are those inscribed on stones, and as all monuments of this class are probably posterior to the occupation of Britain by the Romans, we can understand how it may be probable that the writers were acquainted with Latin. The close connection which I have shown throughout this Introduction to exist between the ancient Irish and the Scandinavians and the North Germans, points to a common origin of the Irish *Ogam* and the Scandinavian *Runes*, without any necessity of assuming direct borrowing in mediæval times on either side.

who was awaiting *Cuchulaind* in concealment to entrap him into danger); she [*i.e.* the handmaid] had gone for her. He then made an *Id Ercomal* before coming, and he wrote an *Ogam* on its side, and he twisted it around the head of the pillar stone"—p. 57, col. 1.

* * * * *

Having marched over several places, "They came into the place where *Cuchulaind* was; they saw the ground bare where *Sualtan's* horses had eaten off the grass, so that the ground was white. *Cuchulaind's* two horses had licked [*i.e.* stripped] the ground down to the earth, after the grass [had been eaten off]. They then sat down until the hosts came up, and the strings of their musical performers were strung. The *Id* was put into the hand of *Fergus Mac Roich*, and he read the *Ogam* which was in the *Id*. Said *Medb*, when she arrived, wherefore stay ye here? Said *Fergus*, because of that *Id*; there is an *Ogam* in its side, and this is what is in it: come not beyond until you ascertain who the man is who cut this with one hand, and in one rod it is; and let my friend *Fergus* be questioned [as to who he is.] Said *Fergus*, true it is *Cuchulaind* that did it, and it was his steeds that grazed this plain. He gave it into the hand of the Druid. And *Fergus* spoke this lay which follows:

"An *Id* here, what does it reveal to us?
The *Id*, though long its secret,
What number has come here?
Is it one, or is it many?
Will it do evil to the host
If they shall pass it by?
Inquire, O Druid! as to the cause of that,
Wherefore was the *Id* left?
A consummate warlike champion,
Who is full of enmity to heroes,
It is a royal hero, fierce in conflict,
It is one man with his one hand that wrought it.
Though the hosts of the king are not under his sway,
I wonder if they will withstand the test

INTERIOR ARRANGEMENTS AND FURNITURE OF ANCIENT IRISH HOUSES.

The internal arrangements of Irish houses, whether round or oblong, were very simple, and in most respects very similar to those of Anglo-Saxon, Scandinavian, and German houses. The principal house, even of kings, had but one room, in which the family and household lived and slept, and to which when the house was of an oblong form, there were generally two doors, which faced east and west.⁵⁹⁶ In some of the large

Principal house; it had but one room;

Until you send from yourselves alone
 One man like the man who wrote it.
 I know not more than that
 The *Id* does not belong to the stone”.

“Said *Fergus* to them: If you face the *Id*, or if you pass it over, whether it be in the hand of a person, or locked up in a house, the man who wrote the *Ogam* in it will meet you, and he will slay numbers of you before morning unless one of you send an *Id* like it”—p. 57, col. 2.

“*Cuchulaind* then went around the host, and continued to view them; he cut a forked pole there with one blow of his sword, and he stuck it down in the middle of the stream so that no chariot could pass it to the right or to the left. He killed *Err* and *Inell*, *Foich* and *Fochlainn*, the two [recte four] charioteers. He cut the heads off the four of them, and he placed them on the four points of the pronged pole. And hence the name *Ath n-Gabla* (i. e. at *Beloch Caelli*), more by *Cnogba* on the north.

“The steeds of those four men came forward to the hosts with their coverings blood-red upon them, so that you would think there was a battle awaiting them in the ford. A party went from them to see the ford; they saw nothing there but the track of the one chariot, and the pronged pole with the four heads upon it, and a name in *Ogam* written in its side. The whole host came there instantly. Are those heads belonging to our people? said *Medb*. They are of our people and of our followers, said *Ailill*. A man of them read the *Ogam* which was in the side of the pronged pole, i. e. one man that cut the *Gabal* with his one hand; and you shall not pass it until a man of your people (exclusive of *Fergus*) draws it with his one hand”—*Táin Bó Chuaingne*, *Lebor na h-Uidhri*, p. 58, col. 1.

The *Ogam* cut on the oak twig, mentioned in the first of the foregoing extracts, must have been written in the ordinary language, or at least in one generally understood, as otherwise it would have been an unmeaning puzzle to the enemy. The whole proceeding about the *Id* has the air of necromancy or druidical incantation about it; the *Ogam* in the *Id* was therefore naturally cryptic, as we may gather from the account of it, and could only be read by *Fergus*, the master of *Cuchulaind*, and therefore, we may presume, possessed of the key.

⁵⁹⁶ See for example the “Sick Bed of *Cuchulainn*”, *Atlantis*, vol. ii. p. 104.

number and
position of
doors;

banqueting halls, or "ale-houses", as well as in many, if not all, the round houses, there seems to have been but one door which faced south, west, or east, and sometimes, though rarely, north. Thus according to the *Crith Gablach*, the door of the royal house there described seems to have faced west; while in the *Tech Midchuarda*, or banqueting hall, of Tara, it probably faced south. German houses had, as a rule, but one door, while the Norse ones had two, which opened either east and west or north and south. The former must have been the most frequent, as the doors of Walhalla were supposed to be in that position.

The famous *Brudin* of *Da Derg* was of a peculiar construction as regards doorways, for it had seven of them; but only one door, which was put in the doorway at the side from which the wind blew. It is probable that in very large houses, and especially in the houses of *Brugh Fers*, where guests were generally to be found, openings were left in the wicker work or boarding at intervals, all round the house, which, though usually closed up, could, according as the wind shifted, be made the doorway, or several of them could be opened in fine weather. I suspect that the one door for the seven doorways in *Da Derg's Brudin*, is only a poetical way of saying that his house was always open to the traveller, who could see the fire blazing through the open portals.

position of
fire;

When the house was oblong, which was perhaps the exception rather than the rule, the house was divided roughly, in the direction of its length, into three parts by two rows of pillars, which supported the roof. The fire was placed in the central division, which was the largest—about two-thirds of its whole length; the candelabrum being placed between the fire and the door, and generally towards the middle of the house. In round houses the fire was placed near the centre. The narrow divisions at each side of the central hall were occupied by the *Immdai*, or couches, which formed recesses between the pillars. In the circular houses they went all round the room, from one side of the door to the other. The *Crith Gablach* distinctly fixes the number which should be in the house of each grade of *Flath*. Thus in the kingly house there

position of
Immdai or
couches;

should be twelve;⁵⁹⁷ that of the *Aire Tuisi* should have eight. Twelve was the number in the royal house of *Emania*, exclusive, apparently, of the *Immdai* of King *Conchobar Mac Nessa*. The celebrated house of *Bricriu* had nine, and the royal house of *Ailill* and *Medb*, at *Cruachan*, seven. The royal house described in the *Crith Gablach* may perhaps have been oblong, but the others appear to have been circular, notwithstanding that the royal house of *Emania*, and the house of *Bricriu*, are said to have been like the *Tech Midchuarda*, or "Mead circling house", of *Tara*.⁵⁹⁸ There is, however, some room for doubt as to whether the ancient house so called by this name is the same as the oblong one referred to by poets of the tenth, eleventh, and twelfth centuries, and so fully described in the valuable essay of Dr. Petrie, "On the History and Antiquities of Tara Hill", which marked an era in Irish archæology.

The account of the ancient *Brudin* of *Da Derg*, contained in the tale of that name, explains, I think, why only seven *Immdai* are mentioned in the description of the Royal House of *Cruachan* quoted above. The *Brudin*, as I have stated, had seven doorways, and between every two doorways were seven

⁵⁹⁷ Vol. ii. App. p. 508, *et seq.*

⁵⁹⁸ "The Royal House of *Emania* was like the *Tech Midchuarda*, *i.e.* nine couches from the fire to the wall in it; thirty feet was the height of every *Airinech* or frontage of *Creduma* (bronze) that was in the house. Carved fronts of red yew in it. It was panelled at the base, and covered overhead with shingles. The couch of *Conchobar* was in the front of the house. It had pillars of *Creduma*, with capitals of gold on their heads, and gems of *Carmocall* in them, so that the day and the night were equally lightsome in it [the house]. It had a *Steill* or canopy of silver over the king, extending to the *Ardliss*, or top of the kingly house. When *Conchobar* used to strike the *Steill* with a kingly silver rod, the Ultonians all became silent. The twelve couches of the twelve champions encircled that couch all round. All the warrior chiefs of the men of *Ullad* used to find room in that house drinking; and no man of them used to be taking counsel with the others"—*Tochmorc Emere*, in *Vellum MS. Brit. Mus.*, Egerton, 5280, and *Lebor na h-Uidhri*, p. 121, col. i.

Bricriu's house was also built on the plan of the *Tech Midchuarda*. "It is how this house was made now on the plan of the *Tech Midchuarda*. Nine couches in it from the fire to the limit (*i.e.* the wall); thirty feet was the height of every frontage of *Creduma* of them, with an ornamentation of gold upon them all"—*Fled Bricrind*, in *Lebor na h-Uidhri*, p. 99, col. 1.

Position and
number of
Immdai, or
couches.

Immdai, or couches, or in all forty-nine. From the account of the royal house of *Cruachan* in the *Táin Bó Fraich*⁵⁹⁹ it appears that seven compartments constituted only one-fourth of the house, which may consequently have had four doorways, each quadrant constituting to a certain extent a separate house. The *Immda* of *Ailill* and *Medb* was in the centre of the whole house supported between four bronze pillars, that is, no doubt, between the four beams upon which rested the centre of the great roof, and which being ornamented with bronze work, is particularly described as being composed altogether of bronze. *Ailill* and *Medb*'s throne or seat constituted consequently the principal *Fochlu* for each quadrant of the house, each of which had its own special one looking towards the central one. There are some discrepancies between the accounts of the Royal House of *Cruachan* given in *Lebor na h-Uidhri*, and in the *Book of Leinster*, which show us that they refer to ideal houses based upon traditions of the real one. Thus, according to the first named manuscript, the house was of oak, and had twelve windows, while according to the second named manuscript, it was made of *Giuis*, or pine, and had sixteen windows. As both descriptions are of considerable antiquity, it does not much matter, so far as my present purpose is concerned, whether the descriptions related to

The Royal Houses of *Cruachan*.—"The Ultonians came into the *Dun*, and the royal house was appropriated to them, as we shall mention, namely, seven circular divisions in it; and seven couches from the fire to the exterior limit (wall); a frontage of *Creduma* and carvings of red yew upon them; three *Steills* of *Creduma* in the body of the house, a *Tech darach* or oak house with a roof of shingles; twelve windows with doors of glass to them. The couch of *Ailill* and *Medb* [was] in the middle of the house; a facing of silver all around it, and a *Steill* of *Creduma*; a wand of silver in front of the couch before *Ailill*; it would reach the middle of the *Liss* of the house to pacify the household at all times. The valour arms of the men of Ulster occupied the circle of the house from one [side of the] door to the other of the royal house. Their professors of music played for them while they were being feasted. Such was the extent of the house that all the chief nobles of the valour heroes of the whole province found room in it together with *Conchobar*. *Conchobar*, moreover, and *Fergus Mac Roich* occupied *Ailill*'s couch, and nine of the valour heroes of the men of Ulster with them"—*Lebor na h-Uidhri*, p. 107, col. 1.

⁵⁹⁹ See Addenda for this passage.

ideal or real houses, as the writers were no doubt acquainted with similar houses.

The fronts of the *Immdai* were ornamented with carved yew, and even silver and bronze pillars are mentioned. They had also canopies. The heads of the couches were towards the wall; and so far as one can gather from the vague descriptions which have come down to us, the ends of them towards the fire served as a bank to sit upon, and below which was a foot bank with matting. There appears to have been also a foot-bank, with skins for enveloping the feet in cold weather. Among the fines payable for damaging the furniture of a *Brughfer*, we are told "that if the feet of his couch are stripped, good shoes are to be paid", that is, a covering for the feet is to be given as compensation.⁶⁰⁰ The foot bank was also used by the Norse, and was called the *Fótpallr*, and was covered with some kind of rug or mat called a *Dýna*, a word which is almost identical with the Irish word *Didhna*, coverings. Banks or divans like the Irish and Norse were also known in France, where they continued for a long time in use in the south, but in the north they went rapidly out of use.⁶⁰¹

The *Fochlu*, or seat of the *Rig* in a kingly house, and in front of it was the *Fochlu Fenid*, or champion's seat. This seat, as well as that of the chief of household in the houses of *Aires*, appears to have been generally placed at the north side, about two-thirds of the way from the door, that is, near the hearth. In the round houses it seems to have been placed behind the fire and fronting the door. In the royal house described in the *Crith Gablach* the *Fochlu* was in the north side; and that this was the usual position is shown by a passage in the laws, which says: "The good man of the house sat at the north side, with his face to the south".⁶⁰² From the position assigned in the note below to the couch of *Mongan*, the chief seat was in some cases on

decorations
of *Immdai*;

the *Fochlu*
or seat of
chief of
household;

⁶⁰⁰ Vol. ii., App. p. 489. In a letter of St. Bonifacius to St. Egbert (*Epist.* lii.), allusion is made to a covering for the feet, as if it were usual to sit with the feet wrapt up.

⁶⁰¹ Le Grand d'Aussy, *Histoire de la Vie Privée*, iii. 148.

⁶⁰² An elevated bank of this kind is alluded to in the *Nibelungen Lay*

the eastern side⁶⁰³. The *Fochlu*, or master's seat, was elevated above the others, and those near him were also somewhat more elevated than the ones at the opposite side. The *Fochlu*, and the elevated seats near it, correspond to the *Oendvegi* of the Norse houses; while those on the opposite side corresponded to the lower *Oendvegi*.

birth or rank
determined
position of
occupants of
Immdai as
regarded the
Fochlu;

Birth or rank determined the position in the house of the occupants, whether they belonged to the household or were guests.⁶⁰⁴ One of the highest honours which the master of a house could confer upon a guest was to give him a place against the wall, or at least a place where no one sat between him and the wall.⁶⁰⁵ In the kingly house described in the *Crith Gablach*, the occupants of the six *Immdai* on the northern or *Fochlu* side of the house, beginning at the western end near the door, were: The janitors, or armed apparitors; next, the *Saer Ceiles* of the king, who formed the officers of his household and his companions; then the hostages, which every king held for the fealty of the *Fines* under him and observance by them of the laws, and in the case of a *Rig Mór Tuatha*, or a provincial king, for the fealty of the sub-kings; next to these came judges; then the *Rigán* or queen, or the king's chief judge; then came the king himself; and at the other or left side

(Lachman's ed.) 616; see Schmeller, I., 5772; and *Du Cange*, in *v. Suppedaneum*.

⁶⁰³ "As they were there in this way, the arrival of a man was announced to them, coming to the *Rath* from the south. His cloak was folded around him, and in his hands [he held] two broken spear shafts. He jumped by means of these shafts over the three *Raths*, until he came upon the floor of the *Liss*; from that until he came upon the floor of the royal house; and from that until he came between *Mongan* and the wall upon the pillow of his couch. The poet was in the west of the house with his face eastward to the king"—*Lebor na h-Uidhri*, p. 133, col. 2.

⁶⁰⁴ "They afterwards reached the house, and each person occupied [a place according to] his birth in the kingly house, both kings, and *Righdamas* (princes) and *Aires*, and *Octhigernd* (young lords), and youths"—*Fled Bricind*, in *Lebor na h-Uidhri*, p. 100, col. 2.

⁶⁰⁵ "The youth returned again and recited the lay for *Conaire*. Follow them, said *Conaire*, and offer them seven *Dam* (oxen) and seven *Tini* (bacon-pigs), and my leavings and gifts to-morrow, and that as long as they are in my *Teglech* (household) no person shall come between them from the fire to the wall"—*Bradan Da Derga*, in *Lebor na h-Uidhri*, p. 83, col. 2.

of him sat kings, if any were present, and *Rigdamnas*, or royal princes; and at the extreme end, near the eastern side of the wall, forfeited hostages or pledges in fetters. The occupants of the six couches on the south side, following the same order, were—The special body guard of the king; then one of the hostages, specially pledged for the good conduct of the other hostages; next to him sat two wardens in charge of the pledged hostages; next to the wardens was the *Immdai* of the poets; after which came in succession those of harpers, pipers, horn-players, and fools and jugglers. No mention is made of the *Rechtaire*, or house steward, in the *Crith Gablach*, but, judging by other sources, his seat was in the back or eastern part of the house, where he could oversee everything done in the house.

Besides the *Immdai*, which served the double purpose of beds and couches, there were also a number of benches on a lower level than the *Immdai*. Thus, in the house of the *Aire Tuisi*, there were six such banks. Their position is not indicated in the *Crith Gablach*, but some were no doubt near the fire for the use of the king and his *Aires*, and others for the lower officers of the household. One of these was probably the long bank near the fire, corresponding to the Norse *Brugge*, upon which the king and his household quaffed their ale, and to which I shall return hereafter. Some of those banks seem to have been constructed in the form of long boxes, with backs, which were either used as chests for holding clothes and other objects, or were capable of opening out at night, and forming beds, like the settle-beds of modern times, which no doubt originated from the earlier bank.

The drink distributors, table attendants, and all the meaner household, appear to have occupied places in the neighbourhood of the house steward, or in the *Evlarchairh*, or fore-hall, corresponding in some respects to the *Golf* of the Norse houses. According to the plans of the banqueting hall of Tara, contained in two vellum manuscripts, the *Book of Leinster* and the *Yellow Book of Lecan*, and of which Dr. Petrie has given fac-similes in the essay above referred to, there were two rows of seats at each side of the central passage in which the candelabrum, fire, and ale vat were placed. One of these corres-

position of
the seats of
the members
of the house-
hold of a *Rig*
Tuatha;

ponded evidently to the *Immdai* against the wall, and the other to a lower range of benches, on the level of the fire, upon which sat the *Cerds* or goldsmiths, the blacksmith, shield maker, and other artificers of the king, physicians, jugglers, drink bearers, and other persons belonging to the household. These artificers are not mentioned in the description of the kingly house in the *Crith Gablach*, nor are indeed the banks and benches, as distinguished from the elevated *Immdai*. We may assume, however, that such benches were there, especially as they are enumerated as part of the furniture of the *Aire Tuisi* and other *Fla'hs*, as we have seen above.

seats of
Rigán or
queen and
other
women;

The queen occupied a place near the king. No mention is, however, made of the king's daughters, or of the wives and daughters of the officers of the household. There may have been a special place for women in the eastern part of the house, near the *Rechtair* or house steward, corresponding to the *Quinnabenkr*, or woman's bank, or, as it was also called, *þverpaller*, or cross bank of Norse houses. In the tale called the *Fled Bricrind*, or "*Bricriu's Feast*", we are told that the men were at one side and the women at the other.⁶⁰⁶ In this case, however, the women were all of queenly rank. In some accounts of the royal house of *Cruachan* we are told that *Ailill* sat in his royal seat with *Médb* at his left, their daughter *Fíndabar* at the left of the queen, another daughter, *Lendabar*, at the left of *Fíndabar*, and the rest of the illustrious women in the order of rank after them. It is plain from this that the women at *Cruachan* were at one side exactly as in *Bricriu's* house. The almost invariable absence of any reference to a place for women in the *Cuirmtech* or ale house, or general hall of Irish kings and *Fla'hs*, seems to show that the women of the upper classes had always a separate house, and did not share in the revels of the men. Even the *Rigán* or queen does not seem to have been always present, for the place to the right of the king is mentioned as being for her or the chief judge.

⁶⁰⁶ "And they were happy after that, consuming the feast, namely, the kings and the chieftains on one side with *Conchobar*, the illustrious, the great, the noble high king of Ulster. The queens, moreover, were on the other side, namely", etc.—*Fled Bricrind*, in *Lebor na h-Uidhri*, p. 103, col. 2.

The *Immdai* were provided with feather beds and with pillows stuffed with feathers. The poorer classes and the followers of *Aires* used straw or the chaff of oats instead of feathers. The coverlets in early times were skins, and *Brothachs* or woollen blankets. Linen sheets and ornamental coverlets appear to have been in use at a comparatively early period, as we find them mentioned in a manuscript actually written before 1106.⁶⁰⁷ In England and Germany during the middle ages, skins, blankets, or simply a mantle, were also the usual coverings of beds.⁶⁰⁸ The walls at the back of the *Immdai* were sometimes fully wainscotted. In general, however, they appear to have been only covered with matting, which also hung behind the benches placed against the wall. This matting was no doubt replaced in later times by woollen hangings in the houses of the wealthy. I have not met with any reference to tapestry.

Feather beds and pillows in *Immdai*.

Blankets and coverlets.

Covering of walls at back of *Immdai*.

In all the houses, with the exception, perhaps, of the kingly ones, the entire family—master, mistress, children, and servants of both sexes—lived and slept in one room. When night came, straw, dried rushes, heath, or dried ferns, were spread upon the floor; and those unprovided with beds or couches laid themselves down, each under the bench or table upon, or at which, he or she sat. The men and women lay separated, but a light always burned through the night in the houses of *Aires*. One of the essential articles of furniture in the house of a *Bó-Aire* being “a candle upon a candlestick”.⁶⁰⁹ This picture of the custom of all the members of a family sleeping together in the same apartment applies also, without the change of a word, to the Anglo-Saxons, Germans, and Scandinavians. Traces of this practice even among the highest classes in Germany, may be found here and there, through the courtly medieval German poems.⁶¹⁰ Persons even of the highest rank slept on the floor, or on a bank near the fire, in the manner above described, as is proved by a picture in the Pfalz MS. of Chunrat’s “Song

The whole family slept in one room;

this custom common to Anglo-Saxons, Germans, and other northern nations;

⁶⁰⁷ “The couches fully furnished with white sheets and beautiful coverings”.

—*The Navigation of Maeldun’s Boat*, in *Lebor na h-Uidhri*, p. 23, col. 1.

⁶⁰⁸ See for instance the *Eneit* of Heinrich von Veldeck, 1264.

⁶⁰⁹ *Crith Gablach*, Append., vol. ii., p. 486.

⁶¹⁰ For instance, in the *Tristan* of Gottfried von Strasburg.

of Kaiser Karl", or *Ruolandes Liet*, representing the Emperor Charlemagne sleeping on the floor.⁶¹¹ In the north of Europe the custom came down, at least partially, to modern times.

The universal prevalence of the custom of sleeping together in the same room amongst the nations of north Europe, effectually disposes of the late Mr. Du Noyer's hasty parallel between the habits of the builders of the ancient stone edifices near Dingle, in Kerry, and the Esquimaux, a view which O'Curry has somewhat warmly discussed in his twenty-second lecture.⁶¹² This custom is quite compatible, as indeed we know it was, with the simplest and purest morals. Many of the early marriage customs of the northern nations are intimately connected with this system of living together, and can only be properly understood by the light which the internal arrangements of the ancient homesteads are calculated to throw upon them. As towns grew up, and the civilization of the south of Europe advanced northwards, separate sleeping places for the sexes were provided in the houses of the higher classes in France and Germany. At first the master slept in the midst of the male servants, the mistress among the women and maidens. Gradually, but slowly, the separation of the master and his wife and children from the retainers and servants took place. A similar change may be traced in the households of the ancient Irish. The *Aire Desa*, or lowest grade of *Flath*, was bound to have separate beds not only for the different sexes, but also for different ages and classes; and from the account of the *Oc Aire's* house we learn that the beds were separated from each other by a partition of oak⁶¹³.

In the earliest huts of all the northern nations, the smoke made its exit through cracks in the roof; it must have certainly done so in the smaller circular wicker houses. So long as the fire was made in the centre of the house the smoke must have escaped through cracks in the roof, and consequently no second story could have been made in the house. There is indeed no evidence that houses of two stories were built in Ireland before the introduction of mortar buildings in Chris-

marriage
customs con-
nected with
this custom.

Early houses
had no
chimneys,

⁶¹¹ Weinhold, *Op Cù*.

⁶¹² Vol. ii., p. 67 *et seq.*

⁶¹³ *Crith Gablach*, vol. ii. Appendix, pp. 496 and 480.

tian times. The expression in the Alemannian law, that a child had lived if it had seen the four walls and the roof, shows that the same remark applied to ancient Germany. When the fire was put at one end of the house, and a separate exit or flue provided for the smoke, lofts (Old Norse, *Lopts*) were put up as store-rooms. The elevated bedsteads placed along or around the walls, formed as it were so many lofts, under which were recesses in which many things could be stored-up; but the true lofts must have been accompanied by a chimney. The introduction of the loft naturally led to the part of the room under it being cut off by a partition, a separate room being thus formed, which was probably reserved as the special sleeping apartment of the family.

The majority of the Irish homesteads, even of the higher *Aires*, had no sleeping house, and consequently the general living room contained not only the beds, couches, and benches, but all the other household furniture in use at the time, suitable for each class of house, except the culinary furniture, which were kept in the kitchen. On the walls were hung the arms of the master, and of his armed retainers when of sufficient rank to have them.⁶¹⁴ With the arms were also hung up the bridles and other trappings of riding and war steeds. The quality of the bridle was, as we learn from the *Crith Gablach*, a special token of a man's rank. Thus the *Briughfer* had one of *Cruan*, the *Aire Desa* had a silver one together with four green ones, that is, four of *Cruan*, and the *Aire Tuisi* a golden bridle and a silver one. In a convenient place were shelves on which were placed the wooden platters upon which the cooked meat was placed on the tables in front of the couches and settles, and the *Lestra* or drinking vessels of yew, some of which were also suspended from hooks. These *Lestra* were of different sizes, such as the *Ardans*, or piggins,⁶¹⁵ the *Cuads*, or

⁶¹⁴ Hostages, however, had no arms in the house, as the following passage clearly shows:—"And it is only with the knuckles, or the fist, or the foot they [the Fomorian hostages] shall kill each man; for they are not allowed to bring arms with them into the house, for they are in hostageship at the wall, lest they should do any misdeeds in the house"—*Brudin Da Derga*, in *Lebor na h-Uidhri*, p. 90, col. 1.

⁶¹⁵ Cf. Gothic *Pug*, a pocket or *Bag*. *Pigin* was the common name in the south and west of Ireland for the wooden vessels used by the peasantry at the

mugs, the *Medars*, or larger mead and beer vessels.⁶¹⁶ In the houses of the higher classes, *Cuachs*, or cups of bronze, silver, and even of gold, were to be found displayed on the shelves on festive occasions. Among the larger vessels of yew which rich persons had in their houses, may be mentioned *Milans*, or large cups on a foot, *Cilorns*, or pitchers with handles. *Curns*, or horns made of ox-horns, were also much used for drinking ale, instead of yew-wood vessels; such drinking horns were frequently mounted in silver and set with gems, cut *en cabochon*. A few of these ornamented horns are still preserved.

Evidence of the use of the compass and lathe in the vessels, etc.

Larger vessels made of staves bound by hoops.

Some of the *Lestra*, or drinking vessels of yew-wood, were certainly turned in a lathe, and the hammered and cast bronze work exhibits evidence of the use of the compass; but I have found no reference to either by name.⁶¹⁷ The art of the cooper was also practised with great skill at a very early period. The *Jans* or vats, and the *Dobachs* or tubs, and the *Brotha* or barrels, were made of staves held together by hoops. In the tale of the "Navigation of *Maelduin's* Boat", already referred to, the neck *Torcs*, which were hung upon the walls of the house of a *Dun* in one of the islands visited by the voyagers, are compared to the hoops of large *Dabhachs* or tubs.⁶¹⁸

beginning of this century for drinking milk, etc. The *Pigín* was a wooden vessel formed out of small staves or laths and bound with a broad band or hoop of ash; one of the laths projecting above the others formed the handle. The wooden mugs smaller than the *Pigín*, and generally turned out of one piece of wood, were called *Sebíns*.

⁶¹⁶ In the *Amhra Chonrai* (See Vol. ii. p. 152) a drinking vessel called a *Bollan* is mentioned. This is evidently a loan-word, probably from the Old Norse *Bolli*, a bowl, which occurs in the *Rígsnál* (cf. Anglo-Saxon *Bolla*, English *Bowl*, German *Bolle*). The Irish *Medar* corresponds to the O. Norse *Mjödškarm* or mead-Karm, a mead-bowl. *Ker* is another name for a bowl, and connected with *Karm*. *Medar* may be a loan-word.

⁶¹⁷ *MS. Lebor na h-Uidhri*, p. 23, col. 1. The invention of hooped vessels is sometimes attributed to the Gauls. Be this as it may, they were acquainted with them at a very early period. Caylus (*Recueil d'Antiquités*, t. v.) gives a figure of a kind of wagon or *Plaustrum Majus*, from a bas-relief on a tomb near Langres. Upon the wagon is a barrel made of staves and hoops exactly like a modern wine barrel. The driver wears a kind of tunic with a *Cucullus* or *Cucullio* and long hair. Langres was in the ancient Belgia, which was sometimes called *Gallia Comata* or long haired Gaul.

⁶¹⁸ The story of *Cuchulaind's* Shield given in the *Lectures* (vol. i. p. 329),

For the purposes of the toilet there were *Scadeircs*, or mirrors, leathern wallets, or *Tiags*, which were often ornamented with embossed patterns, in which ladies kept their veils, diadems, earrings, and other personal ornaments. The Irish ladies appear to have been acquainted at an early period with the use of cosmetics and scented oil, for we find mention of a *Pait Foilethi*, or leather bottle, with its *Crand Bolg*, out of which apparently a small quantity of oil could be pressed. A *Long Foilthe*, or bathing basin, is also mentioned in the *Crith Gablach* as one of the necessary articles of furniture of the house of a *Bruighfer*; and in several of the oldest tales large tubs of water are brought for the ablution of travellers at a *Dun*. In the account of the visit paid by the three Ultonian heroes, *Loeghaire Buád-hach*, *Conal Cernach*, and *Cuchulaind*, to *Cathair Chonrai*, in order to submit to the decision of *Curoi Mac Daire* the question as to which of the three was entitled to get the “*Curathmir*”, or “champion’s share” at the feasts at the Palace of *Emania*, we are told that *Blathnat*, the wife of *Curoi Mac Daire*, supplied them with baths and bathings, and with intoxicating liquors, and with noble beds until they were thankful”.⁶¹⁹ When the same personages went on the same errand to *Ailill* and *Medb* at *Cruachan*, we are told that when *Medb* saw them approaching the *Dun*, she ordered among other things *Dabcha* or tubs of cold water to be prepared for them, and on their arrival she asked them to choose whether each warrior would have a separate house, or the three occupy one house. *Cuchulaind* accordingly decided that each should have a house for himself.⁶²⁰

Leather bottles; Leather bottles were used for other purposes besides that just mentioned. It is probable that wine was imported in them. But that they must have been very generally used in the country, and made there, is shown by the reference to the *Paitire*, or leather bottle maker, in the *Lectures*.⁶²¹ In the curious tale of the “*Navigation of Maelduin’s Boat*”, men-

indicates, as O’Curry has shown, that the compass was not unknown even in very early times.

⁶¹⁹ MS. R. I. A., *Lebor na h-Uidhri*, p. 111, col 1.

⁶²⁰ *Lebor na h-Uidhri*, p. 107, col. 1.

⁶²¹ Vol. ii., p. 117.

tion is made of *Paits* in such a way as to show that they were in common use for carrying supplies of water and other liquids in voyages. When *Maelduin* and his companions arrived at a certain island on the second day of their voyage, we are told that "they dined, and drank, and slept. They then put the remainder of the *Liun* (gen. *Leanna*, ale or other fermented drink) into the *Paits*, and they collected the leavings of the food".⁶²² The following passage (I. *Kings*, xxv. 18) from the fragment of the translation, or rather paraphrase, of the Old Testament in a vellum MS. in the Library of the Royal Irish Academy, confirms this use of the *Pait*: "The women gave him five sheep and two hundred loaves, and two *Paits* of wine".⁶²³ The Irish *Pait* represents the Anglo-Saxon *Bytta* or *Butta*, a *Boot* and a wine *Butt*. The middle Latin *Buticula*, a little *But* or bag, gave rise to the French *Bouteille*, English, *Bottle*. The cellarer in charge of the wine was called a *Buticularius*, literally a leather bag-man, then *Butellarius*, whence French *Buteiller*, or bottle-man, and English *Butler*. The German *Beutel*, a purse, and the Bohemian *Pytel*, a sack, on the one hand, and the French *Botte*, English *Boot*, on the other, give us examples of derivatives having two distinct secondary meanings.⁶²⁴ Besides the *Pait*, or leather bottle, and the *Tiag*, or leathern wallet, there were other kinds of leather bags used for holding articles, such as the *Criol*, or bags made of pieces of leather stitched together with thongs, spoken of in the *Lectures*,⁶²⁵ and which were used for covering shrines, books, etc. The book-wallet was also called a *Tiag*, but the more usual name for that article was *Polaire*, which was sometimes also given to the books carried in them. Thus the psalm-book of St. Ciaran was called a *Polaire*, because it was generally kept and carried in one.⁶²⁶ The *Pes Boig*, or foot-bag, also

other leather
bags and
book-
wallets

⁶²² *Lebor na h-Uidhri*, p. 23, col 2.

⁶²³ *Lebor Brecc* f. 55, a.a.

⁶²⁴ If these words are connected, as is generally supposed, with the Sanskrit root *Pâ*, to drink, the Irish *Faut* comes closer to the Sanskrit than any of the cognate forms. There are many words in Irish derived from *Pait*, or which may be referred to the root *pâ*, such as *poiteach*, thirsty, *poit*, a great drinking; *poiteoir*, a drunkard; *poitre* is still a common name for a tippler.

⁶²⁵ Vol. ii., p. 117. ⁶²⁶ *Book of Lismore*, R.I.A., fol. 78 a. b. bottom.

called a *Cir Bolg*, or combing bag, that is a bag in which the wool to be combed or carded was put, and which the carding woman placed under her feet, and drew from according as she wanted the wool.

Small boxes, or *Cusals*, made of yew—sometimes of a single piece—with a loose handle, were also employed for the same purpose as the leather wallet. Larger chests and bins were placed in convenient parts of the room, for holding the spare bed clothes and the clothes of the family, especially the dresses for appearing at public assemblies, and for holding meal, bread, and other provisions. Some of these formed, as I have already stated, settles or benches; others were fixed in recesses in the walls.

Except in the houses of kings and of the higher nobility, who had a special Ale House or *Cuirm Tech*, the distaff, the spinning wheel, the reels for winding the warp and weft, and probably the loom also, formed part of the household furniture of every free man's house.

In the kitchen of the higher classes there was the *Caire*, *Umae*, or bronze boiler or preserver, in which cooked meats were kept in readiness at all times. There was also a *Scabal Cocuis*, or cooking pot, and the *Caire*, hung over the fire by the *Erna*, or irons—and a proper supply of *Inbiur* or spits, and *Lorgga* or skewers, flesh forks, *Heisedars* or ladles for broth, *Ians* or vats for brewing ale, *Brotha* or small casks for holding it, provided with *Cuisles* or tubes for tapping them; *Dobcha*, or tubs for distributing porridge or broth; *Escrai*, or water vessels, and *Loiste* or kneading troughs, and griddles for baking the *Bairgins* or cakes. In the smaller homesteads the furniture of the kitchen was confined to kneading troughs, griddles, tubs, and other wooden vessels, and a *Scabal Cocuis*, or great cooking pot. Even the latter was not necessarily to be found in every house, for the *Crith Gablach* tells us that the *Oc Aire* had only a share in one.

In the laws mention is made of the different parts of the mill, from which we can see that the old mills differed little from the small country mills which were to be found all over Europe a few years ago, and still exist in many places. There was the *Tobar Tuinde* or mill pond, the

*Oircel*⁶²⁷ or sluice, the *Lia Mol* or shaft stone, which formed the bearings of the shaft, the wheel and shaft, the *Milairé* or the pivot in the lower stone, and upon which the *Clochuachtair* or upper stone turned, the *Cúb* or cup in the cross bar in which the *Milairé* or pivot worked the *Comla* or door, a hole in the upper stone through which the corn was admitted from the hopper. Different kinds of sieves were also used in cleaning the corn and separating the husks. The common sieve, the hoop of which was made of ash was called a *Criathur*, a fine kind of which was called a *Criathur cumang* or narrow sieve. A hair sieve, *Criathur cairceach*, was used for preparing flour to dust over buns, cakes, etc., to prevent them cracking or burning on the griddle. The ancient Irish, like the Anglo-Saxons, Norsemen, and other northern nations, made their bread exclusively of meal. The latter was also largely used for stirabout, and *Menedach* or "meal and milk", a kind of food which has come down to the present time.

Bread made exclusively of meal

The quern or handmill;

The old tales afford abundant evidence, however, that the *Bró*, Quern, or hand mill, was exclusively used to prepare meal during the period to which those tales relate, and that mills belong either to Christian times or to the period of the Roman occupation of Britain. Indeed Irish tradition attributes their first introduction to *Cormac Mac Airt*, who is said to have lived in the second century. In the households of the richer clans the hand querns were worked by slaves, as in other countries. Like weaving, dyeing, and similar labours, the work of grinding meal appears to have been done exclusively by women.⁶²⁸ In the fragment of the *Táin Bó Chuailgne*, contained in the vellum manuscript in the Library of the Royal Irish Academy, known as *Lebor na h-Uidhri*, we are told that when *Mac Roth*, the herald of king *Ailill* and queen *Medb*, was sent to *Cuchulaind* to induce the latter to forsake the

was worked by women who were slaves among the rich.

⁶²⁷ This word is also applied in the *Lebor Brecc* to a small hut described as a *Iech caoel Cumang*, a slender narrow house, and to the shed in which Christ was born. *Oircel an fionn* was a wine cellar. *Aracol*, a room or compartment of a house (*Leb. na h-Uidhri*, p. 107), is perhaps connected. Cf. also Gothic *Aurkeis*, Angl. Sax. *Orc*; a bowl, Lat. *Urceolus*, and the Gallo-Roman *Orea*, a kind of vessel, applied by Varro (*Re Rustica*, I. 13) to wine vats or jars.

⁶²⁸ Instances of the continued employment of bondwomen in grinding

Ultonians and become the vassal of *Ailill* and *Medb*, *Cuchulaind* during the discussion says: "I would not do it, for if our bondwomen were taken away from us, our free women would be obliged to work the querns; and we should be without milk if our milch cows were taken away from us. Again he came to him, and said: You shall get the bondwomen and the milch cows. I will not, said Cuchulaind, the Ultonians may bring bondwomen into their *Leirgs* or beds to them, and base children may be born to them after that, and they may satisfy the want of milk by means of meat as they do in winter".⁶²⁹ This passage shows that the child followed the lot of the slave mother, and not of the free father. Among the minor *Aires* and poorer branches of a *Fine* who could not keep bondwomen, the daughters ground the meal in querns even after the introduction of mills. The laws expressly ordained that the daughters of the *Fine* should be trained to the use of the quern, the sieve, the kneading trough, and other appliances for baking. It is probable, therefore, that the quern formed an article of household furniture of all such persons as had not a mill or a share in one; and that its use in this way came down to comparatively modern times, and probably even to our own day in some parts of the country.

The *Crith Gablach*⁶³⁰ gives a list of the tools which every Tools. *Brughfer* was bound to have: these were *Scena* or knives, a *Tál* or adze, a *Turathar* or auger, a *Tuirese* or saw, a *Dias* or shears, a *Fidba* or bill-hook, a *Bial*, a billet axe or hatchet, a *Lia Forcaid* or grinding stone. These tools were necessary for cutting firewood, repairing the house, injured chariots, etc. Although it is not stated that the *Aires* were obliged to have

meal, may be found down to the tenth century. In the Life of St. Bridget in the *Lebor Brecc* (p. 63, col. 1) the following curious passage in the early life of that saint is mentioned:—"Dubthach became so displeased with Bridget his daughter, because she distributed so much of his property in charity. He and his wife [Bridget's step-mother] decided to sell Bridget as a slave, and so he went into his chariot, and took Bridget with him; and he said to her—It is not through honour or regard for thee, that I am bringing thee into a chariot, but to take thee and sell thee to grind at the quern, for *Dunlang*, son of *Enda*, the king of *Laigen*".

⁶²⁹ MS. *Lebor na h-Uíbhri*, p. 68, col. 1.

⁶³⁰ Vol. ii., App. 486.

all the tools above mentioned, there can be no doubt that they formed part of the necessary furniture of all large homesteads. In the *Baile* of each *Brugh* was a smithy, and the *Brughfer* was bound to have a sack of *Guail*⁶³¹ or charcoal, for forging "the irons", for being public hospitaller he was bound to have the necessary charcoal always ready in case of accidents to the horses and vehicles of travellers. Every *Tuatha* had its chief smith, and each *Fine* had also its own forge and smith, whose rights and dues are given in the laws.

FOOD AND DRINK OF THE ANCIENT IRISH.

The food of a people is so intimately connected with their agriculture, that in order to give a satisfactory account of the former, it would be necessary to enter into some detail as to the state of the latter. This, however, I cannot do here, and I must content myself with referring to the subject as occasion may arise in the following brief account of the food of the ancient Irish.

The ancient Irish a pastoral people more than an agricultural one.

Eight kinds of corn grown:

wheat;

barley and oats.

Secul and *Ruadan*;

The ancient Irish were more a pastoral than an agricultural people; every occupier of a homestead, however, ploughed annually a certain amount of land, and sowed corn, the general name for which was *Arba*, plural *Orbainn*. Under this term mention is made of eight kinds of corn or seed. *Cruitnecht*, *Eorna*, *Corca*, *Secul*, *Ruadan*, *Seruan*, *Maelan*, and *Fidbach*. *Cruitnecht*, one of the names of wheat, *Triticum Sativum*, appears to contain the same root as the Greek *κριθή*, barley. *Tarai*, sometimes written *Tuirnd* or *Tuirnn*, was another name for wheat,⁶³² which M. A. Pictet compares with Sanskrit *Tr̥na*, herb in its general sense; he also mentions the curious fact that the Mongolian name of wheat is *Taràn*. *Eorna* and *Corca* are still the names of barley and oats respectively. It is very difficult to determine now to what plants the remaining names were applied. *Secul* is probably a loan-word from the Latin *Secale*, rye; but was it applied to the same plant in Ireland as in Italy? If so, what was *Ruadan*? This is certainly an older word than *Secul*, and if we could venture to compare it with the Lettish *Rudzi*, rye, may have been the true ancient

⁶³¹ Cf. German *Kohle*.

⁶³² *Lebor Brecc*, f. 110, a.a.

name for that kind of corn, which in Ireland as elsewhere seems to have been gradually displaced by wheat. If the spelt wheat (*Triticum spelta* was) cultivated in Ireland, it may have been known by either of the names in question, perhaps by that of *Secul*. *Seruan* may not have been a variety of corn at all. Pliny has the term *Saurion* for mustard, which is very close to the Sanskrit *Sârî*, *Sinapis nigra*, and may be Celtic rather than Greek. It is, no doubt, very dangerous to make comparisons between words merely because of similarity of form, yet it is hardly possible to avoid doing so in this case, especially as the only other Aryan name of corn like it with which I am acquainted, belongs to a species which we have no evidence for supposing was ever cultivated in Ireland, namely, *Sora* (plural *Soros*), the Lithuanian name of millet. *Maelan* was, I believe, a leguminous plant, and not a cereal one, as is shown by the name *Maelan milce*, being applied to the tuberous bitter vetch, *Orobus tuberosus*, the tuberous roots of which were formerly much prized for making a kind of drink by the Highlanders, and used in times of scarcity as food. The *Orobus niger*, or black bitter vetch, which is said by some to have supported the Britons when driven into the forests and fastnesses by the Emperor Severus, was also called *Maelan*. *Fidbach* is literally wood-gland, *bach* being cognate with Sanskrit *bhag*, Greek *φαγω*, and may have been applied to the hazel nut or the acorn, both of which were used as food.

From the frequent reference to oatmeal and porridge, there can be little doubt that the kind of corn most generally grown was oats. Barley was also cultivated, not only for making bread, but also for making malt. Frequent mention is also made of wheat, but wheaten bread must have been used almost exclusively by the higher classes. I have not met with any direct evidence of the use of leaven or of yeast in early times in Ireland, but I infer from incidental circumstances that the yeast of *Cuirm*, or beer, was used in the making of wheaten bread. Oatmeal and barleymeal cakes⁶³³ appear to have

Seruan;*Maelan*, a leguminous plant;*Fidbach*, probably fibert- and acorns.

Corn most generally grown.

Barley used for making bread.

Yeast or "bairn" probably used in making bread.

Unleavened oat and barley-cakes.

⁶³³ Some persons have doubted that barley was at all grown in ancient times in Ireland. There is, however, abundant evidence that it was. In the account of the *Progress of the Ultonians in the Cruachan Ai* we are told that

The *Bocaire*
or oatmeal
cake.

been unleavened, and to have been prepared as now by mixing the meal with sweet milk or buttermilk, so as to make a stiff dough, which was fashioned into flat cakes. The wheat-meal and barley-meal cakes were baked upon a griddle, but the oatmeal cakes, called *Bocaire* and *Blethach*, were always baked by being supported in an upright position before the fire by means of a three-pronged forked stick, still called *Maide an Bhocaire* or the *Bocaire* stick, or the *Cranachan*, which, however, included also the three-legged stool upon which the cake was supported by the stick. From the latter name the *Bocaire* is sometimes called *Ciste cranachain*, or the cake of the *Cranachan*. The cakes of bread were called

The *Bairgin*
or cake.

Bairgins, a name still preserved in the "bairn breac", or cake spotted with currants, of confectioners in Ireland. There were different sizes of these cakes, but three are mentioned in the laws: the *Bairgin Ferfuine* and the *Bairgin Banfuine*, the former double the size of the latter—the larger representing the ration of a man, and the smaller that of a woman; the third was called the *Bairgin indriuc* or whole cake. This was a large cake which the mistress of a house kept whole for guests, before whom no cut-loaf should be placed. Any whole cake was, properly speaking, a *Bairgin Indriuc*, but the term was usually restricted to such large cakes as those which *Bricriu* had had made, each of which required a quarter of a *Miach*. Honey was sometimes mixed

they were allowed to choose which food their horses should get; *Conal* and *Laeghaire* said to give their horses two year old *Airthind*; *Cuchulaind*, however, chose barley (*Eorna*) for his horses". *Lebor na h-Udhri*, p. 108, cql. 2. The following passage from a law manuscript of considerable authority, out of many which could be cited, shows that barley was used in making bread:

"Three *Bairgins* of *Ferfuine* with their kitchen accompaniments of *Brechtans* every quarter, for six *Bairgins* of *Ben Fuine*; three *Bairgins* of oat[meal] in it, and the same of barley,—for it is thus the *Miach Comaithches* is paid. One half of oats in it, and the other half of barley, and their price is not the same, for the eighty-eighth part of a *Pingin* is the price of the *Bairgin* of oat[meal], and the sixty-seventh part of a *Pingin* was the price of the *Bairgin* of barley. Give these six *Bairgins* for three *Bairgins* of *Fer Fuine*. A *Feorling*, and a half, and three parts of a *Feorling*, and the tenth of a tenth of a *Feorling* is the price of [MS. defective here] in it, or of the three *Bairgins* for the trespass which the hens commit in the house this is paid". MS. *Brit. Mus.*, *Rawlinson*, 487, fol. 65, p. 2, col. b.

with the dough of bread, as appears from a curious account of the "champion's share" at the feast given by *Bricriu*, one of the heroic personages contemporary with *Cuchulaind*.⁶³⁴ Honey mixed with dough.

Meal prepared from highly kiln-dried oats, mixed with new milk or sweet thick milk, or boiled with water into stirabout, was also much used. Coarsely ground meal of this kind was called *Grus* and *Gruth*, and the food prepared from it *Gruiten*; the second form of the words is almost identical with the Anglo-Saxon *Grut*. In discussing the names of the different kinds of corn grown in Ireland in former times, I mentioned that filberts and acorns were used as food. These were crushed, so as to form a kind of meal to which the name *Maothal* was given. "Meal and milk". In early Christian times those who devoted themselves to a religious life, built their cells in remote woody districts or waste lands, which seem to have been generally covered with a scrub of hazel, judging from the quantity of hazel twigs found in turf bogs. Nutmeal naturally formed a valuable resource to these early monks, so important indeed that the word *Maothal* came in process of time to mean the meal taken on fast days, and which consisted at first of nutmeal and milk, and afterwards of oatmeal, milk, cheese, etc. Thus a Lenten dinner mentioned in the life of St. Moling consisted of *Maothla acus Loim*.⁶³⁵ Maothal or nut meal. The

⁶³⁴ "It is right to contest for the *Curathmir* (Champion's Share) of my house, said he [*Bricriu*], for it is not the *Curath* of a *Techmerage*. There is a keeve in it in which would fit three of the battle champions of the men of Ulster, and it [is] filled with good wine; there is a hog seven years old in it, * * * and a young little pig into whose mouth no food ever went but stirabout of meal and new milk in spring, pure curds and pure new milk in summer, the kernels of nuts and wheat in harvest, and meat and broth in winter. There is a *So-thaur* [cf. German *Thier*] or fat ox, whose age is fully seven years since it was a little calf; neither heath nor coarse grass went into its mouth, but pure new milk, herb grass, green grass, and *Arba* (corn). There are five score wheaten loaves kneaded with honey; twenty-five *Miachs* (sacks) also is what was consumed with those five score loaves; and four loaves that were made out of every *Miach*. That now is the *Curathmir* of my house, said *Bricriu*". Tale of *Fled Bricrind*, MS. R.I.A., *Lebor na h-Uidhri*, p. 100, col. 1. Either the *Miach* spoken of here is very different from that referred to in the passage from the MS. H. 3. 18, given in a note to the *Crith Gablach* (vol. ii., App. p. 512, note 575), or the loaves were very much larger.

⁶³⁵ MS. H. 3. 17, col. 422. See *Vita St. Coemgin*, MS. H. 4. 4. T.C.D.

use of *Maothal* was not, however, confined to monks and nuns, but formed part of the food of even the higher classes, as is proved by the finding of the nutshells in the neighbourhood of forts, and by the occurrence of the word in combination with *Cathair* and *Lis* in topographical names, such as *Cathair Moathal*, now Cathermoyle, in the county of Limerick, where full evidence was obtained of the use of nutmeal, and *Lis-maothal* now Moyhill, near Maurice's Mills, in the county of Clare.

Bruth or
broth.

Oatmeal formed also an important constituent of the porridge which was one of the chief articles of food in Ireland. When this porridge was made with water in which meat was boiled, it was the *Bruth* or broth which was distributed or served out in *Dabachs* or tubs to the retainers and servants at feasts and the eyes or circuits of kings and *Flaths*. The simple porridge as well as the broth were seasoned with leeks. Large quantities of leeks and onions were grown around the houses, and served as a substitute for pepper and other spices, introduced at a later period into Europe. Some other culinary vegetables were also cultivated in the *Murathaig* or enclosed *Gort* or garden, for we find *Lus Lubgort*, or garden vegetables, mentioned as part of the *Water cress*, *Imglaiice* or opsonia of the *Oc Aire*.⁶³⁶ The *Birur*, or water cress,

The kitchen
garden.

Water cress.

⁶³⁶ *Crith Gablach*, vol. ii., p. 478, note 507.

The following passage from the *Felire* of *Oengus Céle Dé*, is curious in many ways, but especially as showing the cultivation at a very early period of culinary vegetables in a distinct piece of ground enclosed for the purpose.

"Saint *Ciaran* of *Saighir* was an illustrious man, indeed, for his chattels were many, for there were ten doors to his *Lias Bó*, or cattle-yard, and ten *Croi*, or sheds at each door, and ten calves in each *Croi*, and ten cows with each calf

"*Ciaran* consumed but very little of the abundant produce of these cows as long as he lived, but he distributed it to the poor and to the wretched of the Lord. *Ciaran* had also fifty tamed horses for ploughing and cultivating the land: and his *Proind* (meal or supper) every evening was a small piece of a *Buirgin*, or cake of barley, and two *Mecons* (parsnips), of the *Murathaig* (lawn or kitchen-garden), and water of the spring-well. The skins of wild calves constituted his clothes, and a wet *Cuilche* (sackcloth) over them outside. It was upon a pillow of stone he usually slept".—*Lebor Brecc*, p. 83.

It is interesting to find that the parsnip, *Pastinaca sativa*, the onion and leek, were the earliest culinary vegetables cultivated in Ireland. In the time of Pliny the former was cultivated in Gaul, and is mentioned by that writer

was also used at feasts as a salad with meat.⁶³⁷ *Dulesc* (i.e., *Dulesc.* water leaf), the *Rhodymenia palmata* of botanists, was gathered on the sea shore, dried, and sold throughout the country. It is mentioned in the *Crith Gablach* as an accompaniment of the seasoned fowl to which the *Aithech ar a Threba* was entitled. *Sluican*, sloke, or laver prepared from *Porphyra laciniata* and *P. vulgaris*, as well as other marine vegetables, were also used along the sea coast.

As the principal wealth of the Irish was in cattle, flesh-meat and milk formed the most important part of the food of the *Aire* class, milk, besides being taken in its natural fresh state, and as skimmed milk, furnished butter, curds, and cheese. Butter, while abundant in summer, was preserved in small firkins or barrels for winter use, and for expeditions and feasts. Many of these vessels filled with butter are found in peat bogs, the butter being altered into a hard crystalline fat, free from salt. If salt was used in the curing of the original butter, it must have been gradually removed along with the products of the alteration of the glycerine. As butter is still made without salt in some parts of Ireland, it is probable that it was sometimes similarly prepared in ancient times. The terms *t-Saland*, applied to salted meat and butter, show that the method of curing provisions with salt was practised at a comparatively early period in Ireland.

The privileges of the lower grades of *Bó Aire*, as regards maintenance when wounded, absence from home attending their *Flath*, etc., as given in the *Crith Gablach*, show that the use of meat and butter was not universal. Thus the *Oc Aire*, when on visitation to persons of his own rank, was not entitled to butter; and only on stated days when on *Folach*. An *Aire Desa* or *Flath* was, however, entitled to butter at every meal in his own territory, while an *Aire Ard* was not only entitled to butter at every meal for him-

as one of the three culinary plants cultivated by the Germans, the others being asparagus and some kind of bulbous root, either the radish or the carrot.

⁶³⁷ *Lectures*, xxv., vol. ii., p. 150. Among the tributes to which the paramount king of Eriu was entitled were the venison of Naas, the fish of the Bcayne, and the cresses of the Brosna. *Leabhar na g-Ceart*, p. 9.

self, but also for his *Foleithe*, that is, the suitors of his Court Leet. A wounded person on *Folach*, of whatever rank, appears to have been entitled to butter only on stated days. This legal provision was, no doubt, adopted to prevent a defendant from being ruined by the expense of the maintenance of a complainant who was wounded. Curds was a favourite article of food of the ancient Irish. It was made both from skimmed milk, and *Binnit*, or rennet was used in its preparation.⁶³⁸ The curds of fresh new milk was not unlike our modern cream cheese. True cheese was also made, and seems to have formed an important element in the food of the wealthier armers, specimens of it from early Christian times have been found in bogs impressed with a cross. From a passage in the tale of the "Navigation of *Maelduin's Curach*", it would seem that even different kinds of cheese were prepared, and especially a rich kind from beestings milk.⁶³⁹

Judging by the description of the "Champion's Share" of *Bricriu's* house, and other passages in Irish manuscripts, the rearing and fattening of oxen and pigs for food was well understood by the ancient Irish. Beef naturally took the first place among the flesh meats: veal, lamb, mutton, and goat's flesh were also eaten. Mutton was boiled, and the water in which it was cooked constituted the basis of the *Bruth* or broth already mentioned, which was so freely served out to strangers off the road, that the word became almost synonymous with hospitality. Part of the beef was eaten fresh, but a larger part was cured with salt. The cattle intended for curing were fattened in autumn, and then driven in from the *Boulaghs* on the ap-

Flesh meats
used by the
ancient
Irish.

⁶³⁸ In the account of the *Biadh Prointige*, or refectory commons according to the rule of the *Céle Dé* in the *Lebor Brecc*, we are told that:—"A curds is then made for them, but *Binnit* is not put into it, and it [the curds] is not consequently forbidden after that"—p. 9, col. 2.

⁶³⁹ On the seventeenth of the many islands to which *Maeldun* and his companions came during their voyage, they saw a young woman who "gave them food in one *Ceiss* [some kind of vessel] like unto beestings cheese. She gave each three persons their share. *Every taste they desired for it, was the taste they found it had*". She attended *Maeldun* apart. She then filled a *Cilurn* on the same board and distributed it to them three by three for a while. . . . She then departed with her one *Ceiss*, and with her *Cilurn*"—MS. *Lebor na h-Uidhri*, p. 25, col. 1.

proach of winter and slaughtered. The carcass was cut up, salted, and hung up to dry on hooks⁶¹⁰ in the smoky air of the kitchen. Flesh-meat of all kinds was called *Saill*, or when Salt meat. salted, *Saillti*, or *Saill t-salnd*, the *Sialfaeti* of the Norse. Fresh pork was considered a great delicacy, as is evident from the curious poem in which *Midir* promises *Befind* a banquet of fresh pork, new milk, and ale.⁶¹¹ Young sucking pigs were roasted and were especially esteemed. Like the beef, the pork was first salted in a *Caire*, or meat vessel, which was usually kept in the *Cuil Tech*, or store-house, or in some recess used for the purpose, or when there was no special store-house in any convenient place. It was left to season for some weeks, and then hung up in the smoke. The meat of a Bacon and hams. *Muc Forais*, or house-fed pig, appears, however, to have been specially smoke-dried in the smoke of green wood, such as beech, ash, and white thorn. The general name for bacon was *Tini*, but smoke-cured hams and flitches were called *Tineiccas*. This is almost identical in form with the Gallo-Roman word *Taniaccae* or *Tanacae*, used by Varro for hams imported from Transalpine Gaul into Rome and other parts of Italy.

Puddings prepared from the blood of pigs also formed an Puddings and saussages. article of export from Gaul to Italy, as we learn from Varro.

puddings of the same kind were also made by the Irish. The *Mucriucht*, or *Caelana*, *Tona*, bottom, or belly pudding, appears to have been a black pudding of this kind, into which a little tansy (*Tanacetum vulgare*) and onions, salt, etc., were introduced as seasoning. *Moroga* was another term for puddings, and, perhaps, included those prepared with liver. Saussages were also made of different kinds of flesh. The word *Tarsun* appears to have included regular saussages and seasoned mince-meats of all kinds, and melted lard, and in this way was sometimes applied to seasoned fowl and other birds. The name *Drisechan caorach*, or as it is called in Cork, *Drisheen*, given to a kind of pudding made of sheep's blood, seems to be a corruption of the Irish *Tarsun*; the pudding itself probably affords an example of one of the ancient Irish puddings. The Cisal-

⁶¹⁰ *Cruich*, cf. English *crook*.

⁶¹¹ *Lebor na h-Uidhri*, p. 131, and *Lectures*, vol. ii. p.

pine Gallo-Roman *Tuceta* mentioned by Persius⁶⁴² and other Latin writers is perhaps a Latinized form of the Gaulish representative of the Irish *Tarsun*.

Game.

The Irish *Aire* class were expert hunters, and trained several kinds of hunting dogs, among which the wolf dog attained to even a foreign reputation, and was much sought after. The wild boar, the red deer, and other game must have also contributed to the supply of animal food. I do not know whether

Birds.

in early times the Irish, like the Britons, avoided eating the hare, the goose, and the common domestic fowl.⁶⁴³ The curious legend of *Einglan*, king of the birds, and *Mesbuachala*, the mother of *Conaire Mór*, king of Eriu,⁶⁴⁴ shows that although birds were killed as game, there must have been a tradition that at some earlier period they were considered sacred. In many of the transformations recorded in Irish legends, birds appear to have been the favourite forms into which the personages of

Fish.

the story were changed. Fish seems to have formed an important article of the food of the ancient Irish. Tales and poems are full of references to rivers abounding in fish; and we have distinct mention of the use of the commoner kinds of fresh-water fish in the life of St. Brigit, and the ancient life of St. Patrick, known as the Tripartite Life. The salmon was considered food for kings and nobles; king *Cormac Mac Airt* is said to have been choked by a bone of one which he swallowed.⁶⁴⁵ The ancient Britons are also said to have had a prejudice against eating fish, but I do not know whether in very ancient times this was shared by the Irish.⁶⁴⁶ But whatever

⁶⁴² *Pocis opem nervis corpusque fidele senectae.*

Esto age : sed grandes patinae tucetaque crassa

Annuerè his superos vetuere Jovemque morantur.—Sat. II. 41.

⁶⁴³ Caesar, *De Bel. Gal.*, v. 12.

⁶⁴⁴ “When it was night then she saw the bird upon the *Forless* approaching her, and he left his seed on the floor of the house; and he went unto her and said to her: The king’s people are coming to you to demolish your house and to carry you away by force to him; you shall be pregnant by me, and you shall bring forth a son of it, and that son *shall not kill birds*, and *Conaire* shall be his name”. MS. T. C. D. H. 2. 16. col. 717 and 739-740, in the prelude to the tale of the *Brudin Da Derga*, which is defective in the vellum MS. called *Lebor na h-Uidhri*, in the Library of the R. I. A.

⁶⁴⁵ *Lebor na h-Uidhri*, page 50, col. 2, line 36.

⁶⁴⁶ Dio Cass., lxxvi. 12.

use the Irish may have made of game, fish, etc., the chief part of their animal food was obtained from their cattle; and there can be little doubt that Cæsar's observations regarding the Britons, that they possessed "pecoris magnus numerus",⁶⁴⁷ might be equally well applied to the Irish.

The chief intoxicating drink of the ancient Irish, as of all northern European peoples, was beer, which was called in old Irish *Cuirm*, genitive *Chorma*, as in the *Crith Gablach*, where we are told that the *Brughfer* has always two vats in his house—*Ian Ais ocus Ian Chorma*,—a vat of new milk and a vat of beer. The Irish genitive is almost identical with *κόρμα*.⁶⁴⁸ the form of the word in Athenæus, as amended by Casaubon. As Athenæus quotes Posidonios, we may look upon the Greek *Korma* as a pre-Christian, and, no doubt, genitive form of the Celtic name of beer, corresponding to the Irish *Chorma*. Dioscorides has the form *κοῦρμα*.⁶⁴⁹ The banqueting hall of the *Rig Tuatha*, in which the *Sabaid* or councillors sat, was called the *Cuirmtech* or Ale house, which corresponded to a certain extent to the *Tech Midchuarda* of the *Ard Righ Erind*. In the fragment of the ancient tale of *Toemarc Emere*, or Courtship of *Emer* by *Cuchulaind*, preserved in the vellum manuscript *Lebor na h-Uidhri*, beer is called *ól n-guala*. The passage is as follows: "One time as the Ultonians were with *Conchobar* in *Emain Macha* drinking in the *Ierngualí*,⁶⁵⁰ one hundred *Brotha* of ale used to be put into it for each evening. This was the *ól n-guala*, which used to test the Ultonians, all sitting on the one bank".⁶⁵¹

The "one bank" here spoken of is evidently the long bank near the fire, which was called by the Norse the *Brugge*. In

⁶⁴⁷ *Bello Gallico*, v. 12.

⁶⁴⁸ ἄκρατος δ' οὗτος ἐνίοτε δὲ ὀλίγον ὕδωρ παραμίγνυται. παρὰ δὲ τοῖς ὑπέδαστέροις (Κελτῶν) ξύθος πύρινον μετὰ μέλιτος ἴσκειυασμένον παρὰ δὲ τοῖς πολλοῖς καθ' αὐτό καλεῖται δὲ κόρμα. Lib. iv. c. xiii.

⁶⁴⁹ Τὸ καλοῦμενον δὲ κοῦρμα, σκευαζόμενον δὲ ἐκ τῆς κριθῆς, ψ καὶ ἀντὶ οἴνου πόματι πολλακίς χρῶνται... .. σκευάζεται δὲ καὶ ἐκ πυρῶν τοιαῦτα πόματα, ὡς ἐν τῇ πρὸς ἐσπέραν Ἰβηρία καὶ Βρετανία". B. II. c. 79 (περὶ κοῦρματος).

⁶⁵⁰ Cf. Angl. Sax. *aern*, a house, a room, e.g. in *Beowulf* (138) we have *medo-aern micel*, a great mead house. *Ierngualí* means probably the coal-house or house where the wort was boiled.

⁶⁵¹ Note,—p. ccclxii.

the words *ól n-guala* the *ól* is evidently the same as the Old Norse *ól*, Anglo-Saxon *Ealu*, modern English *Ale*. *Ol* and *Cuirm* were probably synonymous, the former being perhaps a borrowed name. Possibly *ól* was a simple fermented, slightly sour decoction of malt, as it is said to have been in England before the introduction of hops, and that the wort of the *Cuirm* was boiled with some bitter aromatic herbs.

meaning of
the term;

The second part of the name has been explained in different ways. According to one gloss, the word *Guala* is the genitive case of *Gual*, that is, coal,—*ól n-Guala*, or “ale of the coal”, and was so called because the wort was boiled over a charcoal fire:⁶⁵² and *Conchobar Mac Nessa* and his warriors sat around the fire and quaffed their ale.⁶⁵³ Another gloss derived the name from the pot itself; and a third from the son of the first owner of the boiler. It must have been a difficult task in those early times to procure a boiler sufficiently large to make the ale necessary to regale the household of a king. Even the Norse gods were on one occasion in the unhappy plight of not having enough of ale, and to prevent so great a misfortune in future, it is mentioned that *Thor* carried off the

Gerg's wort
boiler;

giant *Hýmír's* big boiler. *Conchobar Mac Nessa* also went on an expedition the secret motive of which may have been a great bronze boiler which a petty chieftain named *Gerg* possessed. He succeeded in carrying off the pot and killing *Gerg* himself.⁶⁵⁴

The cak vat
or *Dabach*
Cuirm Tigi
of *Concho-*
bar, called
Daradach.

Conchobar had a celebrated brewing vat, the proportions of

⁶⁵² “*Ol n-Guala* it was called, because it was a fire of *Gual* or coal that used to be in *Emain Macha* in the house in which it was drunk. It is from it that *Loch n-Guala*, in *Damh Inis*, in the territory of *Uladh*, has been so called, because it [the boiler] in which the wort was boiled over the fire of coal is under it to-day in concealment”. H. 3. 18. 583.

⁶⁵³ The following passage from the *Fled Bricrend*, or Feast of *Bricriu*, shows that the Ultonian warriors drank their beer around the fire: “After this food and *Lind* (drink) were distributed to them, and they came in a circle around the fire; and they became intoxicated and they were cheerful”.—*Lebor na h-Uidhri*, p. 101, col. 2.

⁶⁵⁴ The following gloss in the MS. just quoted shows that the name appears to have been also given to the pot or vessel in which the wort was boiled: “*Ol n-Guala*, i.e. It was a *Dabach* (a tub or vat) of *uma* (bronze). It was it that *Conchobar Mac Nessa* brought from *Dun Geirg Faebhur Geal* after having demolished the *Dun*, and killed *Gerg*”. In the *Book of Lecan* we are told that

which befitted his wort-boiler. This brewing-vat was called *Daradach* because it was made of oak, that is, of oak staves bound by great hoops. The vat, or *Dabach*, appears to have been always placed in the principal hall, which was hence called the ale house or *Cuirm Tech*. The ale was doubtless drunk fresh from the vat as in the old breweries of Germany.

The word *Lin*⁶⁵⁵ is sometimes used for ale, but it is rather a general term for liquor than a special name for beer. Barley appears to have been the grain chiefly used for preparing the malt for beer in Ireland, though there is reason to believe that spelt wheat was also cultivated in Ireland, and also used for the same purpose. As oats was the corn crop most usually grown, it also must have been frequently used for malting, at least in the more mountainous districts not adapted for barley. The Irish name of malt was *Brach*, genitive *Braich*, or *Bracha*, corresponding to the Welsh and Cornish *Brag*, whence Welsh *Bragaud*, Old English *Bragot*, modern English *Bracket*, a kind of sweetened ale. These words contain the same root as the Anglo-Saxon *Breovan*, Gothic *Briggvan*, Old Norse *Brugga*,⁶⁵⁶ Old High German *Bracvan*, whence modern German *Brauen*, English *Brew*. As in other northern countries, beer at first consisted of a simple fermented infusion of the malt. Before the introduction of hops, attempts were made to flavour the beer with aromatic and bitter astringent plants—oak bark, it is said, among other things, having been employed for this purpose. The Cimbri used the *Tamarix Germanica*, the old Scandinavians the fruit of the sweet gale, *Myrica gale*, the Cauchi the fruit and twigs of the chaste tree, *Vitex agnus castus*. In Iceland, where hops do not grow, the yarrow, *Achillea millefolium*, was used for this purpose, and was even called *Valhumall*, or field hops.

Lin, a general name for beer.

Malt.

Plants infused in beer before hops were used.

it was called from *Guala* the son of this *Gerg*, who was killed at the battle of *Airthech*. (*B. of Lecan*, 170, a. a.) This is improbable.

The wort of porter and ale is called *Gyle* in English breweries. Could there be any relationship between this modern English word, the origin of which is so far as I know obscure, and the ancient *Guala* or *Ol n-Guala*?

⁶⁵⁵ Cf. Angl. Sax. *lið*, a beverage, wine, etc., and Old Norse *lið*, beer.

⁶⁵⁶ Whence is derived *Brugge*, the name of the seat or "ale bank" near the fire above mentioned.

Even as late as the last century, the yarrow was still used for giving a bitter flavour to beer in a district of Sweden.⁶⁵⁷ From the large quantities of the pressed and exhausted leaves and stems of the marsh plant, the buck-bean, *Menyanthes trifoliata*, which have been found in the neighbourhood of some Raths, that plant was probably used in Ireland at an early period to flavour beer. That some plant was used by the ancient Irish to flavour beer, there can be no doubt. In a curious legendary life of prince *Cano*, son of *Gartnan*, and grand-nephew of the celebrated *Oedan Mac Gabhrain*, king of the Gaedhelic kingdom of Scotland, to escape whose hostility *Cano* fled into Ireland, there is a poem in praise of the various celebrated ales of Ireland.⁶⁵⁸ We have no means of fixing the

Poem of
Cano on the
celebrated
beers of
Ireland.

⁶⁵⁷ Olafsen u. Povelsen, *Reise* 2, 106, and Weinhold, *Altnordisches Leben*, p. 88. In some parts of Norway the yellow bed straw, or *Galium verum*, is said to be used instead of hops, and is consequently called *Valhumall*, or *Voldhumle*. The Icelandic name is, however, *Madra*, or madder.

⁶⁵⁸ Though he were to drink of the beverages of *Flaths*,

Though a *Flath* may drink of strong liquors,

He shall not be a king over Eriu

Unless he drink the ale of *Cualand*.¹

The ale of *Cumur na tri n-uisce*²

Is jovially drank about *Inber Ferna*,³

I have not tasted a juice to be preferred

To the ale of *Cerna*.⁴

The ale of the land of *Ele*,⁵

It belongs to the merry Momonians,

The ale of *Fórlochra Ardaa*,⁶

The red ale of *Dorind*.⁷

The ale of *Caill Gartan Coille*⁸

Is served to the king of *Ciarraige*;⁹

This is the liquor of noble Eriu,

Which the Gaedhil pour out in friendship.

In *Cuil Tola*¹⁰ of shining goblets—

*Druam Lethan*¹¹ of good cheer,

An ale-feast is given to the Lagenians

When the summer foliage withers.

1 The parts of the counties of Wicklow and Dublin adjoining Bray. 2 The meeting of the three waters, the Barrow, the Nore, and the Suir, near Waterford. 3 The mouth of the Barrow. 4 Probably the river *Muilchearn* in the N. E. of the county of Limerick. 5 Ely O'Carroll, *i.e.* the baronies of Clonlisk and Ballybrit, in the Queen's County, and Ellogarty and other adjoining parts of Tipperary. 6 The country about Ardagh, in the county of Limerick. 7 The district of O'Boyny in Kerry. I have not been able to identify this place, which must, however, have been in the territory mentioned under the next number. 8 The territories of *Ciarraidhe Aet* near the present town of Castlelea in the west of the county of Roscommon, and *Ciarraidhe Locha na n-Airneadh* in the barony of Costello in the

exact date at which the poem was composed. According to *Tighernach*, *Cano* was killed A.D. 687, and the manuscript in which the poem is found was compiled about the year 1390. That the compiler of the manuscript was not the author of the poem is certain; and judging by the language, and by the general character of the contents of the book, the poem in its present form belongs to a period anterior to the twelfth century, and the original materials out of which the tale was worked up, to a period three or four centuries earlier. We may safely assume that in the twelfth century at least, there were many places in Ireland which enjoyed the reputation of making good ales, some, if not all, of which were red, or "red like wine". Most of those places have long since ceased to brew beer, but Castlebellingham still maintains the reputation of the ales of *Muirthemne*, and until within the last few years beer of some local reputa-

Poem of
Cano on the
celebrated
beers of
Ireland.

Ale is drunk in *Feara Cuile*,¹³

The households are not counted.¹³

To *Findia* is served up sumptuously

The ale of *Muirthemne*.¹⁴

Ale is drunk around *Loch Cuain*,¹⁵

It is drunk out of deep horns

In *Magh Inis*¹⁶ by the *Ultonians*,

Whence laughter rises to loud exultation.

By the gentle *Dalriad*¹⁷ it is drunk—

In half measures by [the light] of bright candles¹⁸

[While] with easy handled battle spears,

Chosen good warriors practise feats.

The Saxon ale of bitterness

Is drunk with pleasure about *Inber in Ríg*,¹⁹

About the land of the *Cruithni*,²⁰ about *Geigin*.²¹

Red ales like wine are freely drunk.

MS., H. 2. 16., T.C.D., col. 786.

county of Mayo. 10 In the county of Longford bordering Cavan. 11 Drumlane, in the county of Longford, on the borders of the two Brefsnes. There was another *Druim Lethan* near Ardeo, in the county of Louth, but the one here referred to seems to be the Longford one. 12 A territory in ancient Bregia, now the barony of Kells in Meath. 13 That is, the hospitality is so great that the number in a retinue is never counted. 14 The county of Louth bordering the sea between the Boyne and Dundalk. 15 Strangford Lough. 16 Lecale in the county of Down. 17 North-eastern part of county of Antrim. 18 That is, while looking on at the feats of arms in the *Liss* by torch light, smaller and more convenient vessels of beer were handed round. 19 Not identified. 20 The territory of the Irish Picts, which appears to have been co-extensive with *Dal-Araidhe*, corresponding to the county of Down and the southern part of Antrim. 21 This was the district of the *Gerg Faebhar Gael* already alluded to, whose beautiful daughter *Ferb* was courted by *Maine*, son of *Aitill* and *Medb*. The exact site of *Dun Geirg* has not been determined.

tion was brewed in Bray, which may have been the seat of the original breweries of *Cualann*, or of one of them. Among the ales mentioned in the poem is "the Saxon ale of bitterness", which deserves some attention, because it proves that England had begun to make bitter beer at a much earlier period than is usually supposed. Was the "ale of bitterness" flavoured with hops? and if not, what was the flavouring plant? These are questions which the poem of *Cano Mac Gartnain* does not help us to solve, but it certainly suggests a doubt as to the correctness of the date, 1524, assigned by Beckmann,⁶⁵⁹ Houghton,⁶⁶⁰ Anderson,⁶⁶¹ and indeed most writers on the subject, as that of the introduction of hops into England.

"Saxon ale of bitterness" mentioned in this poem.

Honey added to wort of beer.

The ancient Gauls and Germans, as Weinhold tells us,⁶⁶² mixed honey with the wort from which they brewed their beer. The ancient Irish also mixed honey with their *Cuirm*, or ale, and with other drinks included under the term *Lin*; but I cannot say whether it was before or after the fermentation. If added before, it would make the beer stronger and more intoxicating.

Brewing of beer a privilege of the *Flaths*;

The brewing of beer appears to have been the privilege of *Flaths*. The *Fer Fothlai*, or wealthy middleman who had *Ceiles* to whom he gave cattle, received his rent in corn, "for he is not entitled to malt until he is a *Flath*".⁶⁶³ The *Brughfer* must have had the privilege of brewing, in virtue of his functions as public hospitaller, as he was bound to have a vat of ale always ready for the refreshment of a *Rig*, a bishop, a poet, a judge, or other person, and their respective suites entitled to public entertainment. In Germany also the brewing of beer appears to have been in the middle ages a privilege of the

and in Germany of the nobility.

⁶⁵⁹ *History of Inventions*, iv., 325.

⁶⁶⁰ *Collections for the Improvement of Trade and Husbandry*, by Bradley, vol. ii., p. 440.

⁶⁶¹ *History of Commerce*, ii., 45.

⁶⁶² *Die deutschen Frauen*, p. 317. He adds that in the ninth century it was also added to wine. As this was a vile adulteration, we need not be surprised that it was prohibited by the council of Aachen in 817, and by that of Worms in 868. The Welsh *Bragaud* and English *Bracket* was probably an ale of this kind.

⁶⁶³ *Crith Gablach*, vol. ii., p. 490.

nobility, and in some parts this privilege came down to comparatively modern times.⁶⁵⁴

Another drink of the ancient Irish, which was only second in importance to, though perhaps considered a nobler drink than, *Cuirm* or beer, was *Mede*, or metheglin,⁶⁵⁵ the *Metu* of the Germans, the *Medu* or *Meodu* of the Anglo-Saxons, and the *Mjöd* of the Norwegians. The great banqueting hall of Tara was called the *Tech Mid chuarda*, or "mead circling house". The great attention paid to the culture of bees, as is proved by the numerous laws and legal decisions concerning them which have come down to us, and the large quantities of honey supplied as rents and tributes to the Kings and other *Flaths*, show that mead was a general and favourite drink of the ancient Irish; for although, as we have seen from the account of the "champion's share" of *Bricriu's* house, honey was sometimes used in the making of sweet cakes, there can be little doubt that the greater part of the honey produced in ancient times was fermented into mead. This drink is perhaps older than beer; but, so far as I know, there is no evidence that at any time in Ireland it was the exclusive intoxicating drink of the Irish, or that it was as generally used as beer. As in the older songs of the Edda from the Niebelungen Saga, so in all the older Irish poems and tales, the heroes drink beer. Metheglin was probably made by the ancient Irish by simply dissolving honey in water, as the Romans did,⁶⁵⁶ but in medieval times aromatic plants seem to have been added, as in France,⁶⁵⁷ and perhaps in Germany also. The brewing of metheglin in the south of Ireland came down to within my own memory, but is, I believe, now extinct there.⁶⁵⁸ It was as much esteemed in Ireland as wine, and was considered as the *éspecial* drink of women.

Mede or
Metheglin;

not exclu-
sively the
intoxicating
drink of the
Irish.

⁶⁵⁴ See F. v. Raumer's *Geschichte der Hohenstaufen und ihrer Zeit*. Dritte Aufl. 10^{ter} Halb. s. 306, where numerous authorities are quoted.

⁶⁵⁵ The name *Metheglin* came into English probably through the Welsh *Meddyglyn*, though the word approaches closer to an Irish form. It is a compound of *Med* with an adjectival suffix *-ech*, and *lin*, a beverage.

⁶⁵⁶ Pliny, *Hist. Nat.*, 14, 20.

⁶⁵⁷ Le Grand d' Aussy et de Roquefort, *Histoire de la vie privée des Français*, 2, 339; Weinhold, *Die deutschen Frauen*, 319.

⁶⁵⁸ Morewood in his *History of Inebriating Liquors*, published in 1838, says,

Nenadimin
or cider of
apples and
whorts.

The ancient Irish also made a kind of cider called *Nenadimin*, from the wild or crab apple—numbers of apple-trees being planted in hedge-rows and greatly prized. A drink bearing the same name is mentioned as being made from the “woodberry”, probably the *Vaccinum myrtillus*, and *uliginosum*, called in Irish *Fraocháin*, or *Fraochóga*, and commonly called “Frochans”,⁶⁵⁹ popularly known in Cork and in the west of England as *Whorts*. This liquor seems to have been the same as that known in later times as “bogberry wine.” The name *Beor Lochlanach*, or “Norse beer”, or more popularly “Danish beer”, given to it, shows that the Norsemen, like the modern Icelanders, made a similar drink. According to Herr Weinhold, a berry wine or acid drink is also still made in the German Alps in Carinthia.⁶⁶⁰ The “heather beer” which the Danes are supposed to have made from the common heath, is a myth. The only way in which heath could be used for making beer would be as a substitute for hops, but even for this use of it there is no evidence whatever.

“Norse
beer”.

“Heather
beer” of
Danes a
myth.

DRESS AND ORNAMENT.

The subject of the dress and personal ornaments of the ancient Irish has been so fully discussed by O’Curry, that I have little to add except in the way of comparison between the former and the dress of other ancient European nations.

The *Lena*;

Two words are used in Irish manuscripts for the garments which were worn close to the skin, namely, *Lena* and *Caimsi*. O’Curry concluded that the *Lena* was a kilt. From such brief descriptions of it as are available, it appears to have been a tight-fitting garment apparently without sleeves, which covered the upper part of the body and extended to the knees. In one case at least, that of the Ulster chieftain *Connud Mac Morna*, it

“At the present day great quantities of mead are manufactured in various parts of Ireland, particularly in the counties of Cork, Limerick, Waterford, and Tipperary” (p. 593). This was the case about the year 1824, when the first edition of his work appeared, but not in 1838.

⁶⁵⁹ Dr. O’Donovan suggests that the “heath-fruit”, *Fraechmheas* of *Bri Leith*, which formed part of the tribute of the *Ard Righ* of Ireland, were “Frochans”.—*Book of Rights*, p. 9, note p.

⁶⁶⁰ *Alt nordisches Leben*, p. 152.

descended to the calves. It seems to have been open at the side, and to have been put on like a vest or jacket. The usual material was woollen cloth, but in many cases it was linen or its material; even silk. When of linen it was white, and judging by the persons who wore white linen *Lenas*, they must have been considered the most noble. Thus *Conchobar Mac Nessa*, king of Ulster, *Conaire Mór*, king of Eriu, *Cuchulaind*, *Sencha* the orator, *Da Derga*, a king-*Brugh*, and several other celebrated personages, had white *Lenas* of linen. Woollen *Lenas* were its colour; of the most various colours. In the *Táin Bó Chuailgne*, the *Brudin Da Derga*, and other ancient tales, we find *Lenas* of the following colours mentioned: red, white with red stripes, red-spotted, brown-red, yellow, green, blue, blackish blue, variegated, striped, streaked. *Lenas* of cloth interwoven with thread of gold are also frequently mentioned. The collar was sometimes ornamented with thread of gold, and the lower end with a hem of gold thread, or a fringe. The *Lena* of *Conaire Mór* had silken borders embroidered with gold. Each *Tuath* or *Mór Tuath* appears to have had a special colour, the *Lena* of the chief only differing from those of his *Aires* in being richer and more beautiful in texture and ornamentation.

The Romans also wore a garment called a *Laena*, but whether it was a native article of dress, or borrowed from some other The Roman Laena. people, is a question which has been much debated. According to Festus, some believed it to be of Tuscan origin; others of Greek.⁶⁶¹ Strabo mentions the *Laena* in speaking of the dress of the Gauls as if it was characteristic of them.⁶⁶² St. Isidore, in an important passage in which he refers to several names of articles of dress, quotes a passage from a play of Plautus, now lost, which distinctly makes the *Laena* Gaulish.⁶⁶³ Whether originally borrowed or not, the *Laena* was in use in Rome at

“*Laena vestimenti genus habitus duplicis; quidam appellatam existimant Tusce, quidam Graece, quam κλαίηνη [al. κλαίδα, κλαμύδα] dicunt*”. *De verborum significatione*, Lib. x.

⁶⁶¹ Lib. iv. *Gallia*, Edition of J. W. Woltens, Amsterdam, 1707, p. 300.

⁶⁶² “*Quibusdam autem nationibus sua cuique propria vestis est, ut Parthis sarabara, Gallis lenae, Germanis rhenones, Hispanis stringes, Sardis mas-truceae*”. *Etymolog.* Lib. xix. cap. 23, s. 1.

⁶⁶³ “*Laena saga quadra et mollia sunt de quibus Plautus: “Lena [al. Linna] coöperta est textrina Gallia*”. *Ibid.*, xix. c. 23, s. 3.

an early date. The Flamens wore one which, so far as I can make out, did not materially differ from the Irish *Lena*. It also formed part of the dress of kings. In many passages of Latin authors, the *Laena* is spoken of as a kind of cloak, differing from the *Pallium* only in being made of thicker cloth, and in being even worn over that garment. Such a *Laena* of a scarlet colour is spoken of by Juvenal.⁶⁶⁴ Mr. James Yates, in his article on the *Laena*, in Smith's *Dictionary of Greek and Roman Antiquities*, seems to regard the *Laena* in which Virgil (*Aen.*, iv. 262) clothes Æneas as synonymous with the *Pallium*. Prof. Connington makes it a scarf:

“ A scarf was o'er his shoulders thrown
Of Tyrian purple”.

Was perhaps
different
from the
Irish one.

The Irish
Lena like
the Greek
Chiton;

and the Ro-
man *Tunica*.

The *Cris* or
girdle.

Ornamented
Lenas.

If these interpretations be correct, the Roman *Laena* was different from the Irish. The latter was in fact a simple woollen shirt reaching to the knees, and without sleeves, like the Doric *Chiton*, but, as we have seen, like the latter sometimes made of linen. *Connud Mac Morna's Lena* corresponded to the Ionic *Chiton*, which reached to the calves of the legs. The *Chiton*, like the *Lena*, was only joined at one side, and opened out sometimes in certain positions of the body (*σχιστός χίτων*.) As the Roman *Tunica* corresponded to the Greek *Chiton*, it was also like the Irish *Lena*. When first introduced—for it was not, it is said, an original dress of the Romans—it had no sleeves, but afterwards long sleeves were sometimes added; on works of art, however, the sleeves, though wide, are generally short. The *Tunica* was girt with a *Zona*, the Irish *Lena* with a *Cris* or girdle.⁶⁶⁵ A girdle worn as a scarf or sash was called a *Girsat*. This was usually a present from a lady, and was most prized when of purple. Thus *Medb* presented *Ferdiad* with, among other gifts, a *Girsat corcra*, or purple waist scarf, to induce him to fight *Cuchulaind*. The Doric *Chiton* was fastened over both shoulders by clasps or buckles, which were often of considerable size. We have the exact parallel of this

⁶⁶⁴ iii. 283.

⁶⁶⁵ This is obviously the Welsh *Crys*, though that word is translated shirt in the Welsh Laws.

in the *Lena* of *Amergin*, son of *Ecalsalach*⁶⁶⁶ and of the lady *Etain*.⁶⁶⁷ From the passage referring to the latter quoted at foot, it appears that the *Lena* worn by Irish women, like the *Tunica* worn by the Roman women, was long.

A bronze figure found in 1804 at a depth of ten feet in the Rue Rouchaud, at Besançon, the *Vesontio* of Caesar, and the principal town of ancient *Sequania*, is dressed in a kind of tunic, which corresponds exactly with the Irish *Lena*. The tunic which fits tightly to the body and adapts itself to its form, is crossed from right to left on the breast; it is ornamented by what appears a border of furs, and descends almost to the knees. It is held above the hips by a girdle, the extremities of which are not knotted, but simply turned on the girdle with a sort of grace and symmetry. The thighs and legs are covered with a tightly fitting trousers which descends to the ankles. The two hands are wanting, but other similar figures found elsewhere always hold a cup in the right hand and a spear in the left. *Grivaud de la Vincelle* considered this statuette to represent *Jupiter Taranis*, but the figures of that god were usually armed with a hammer like the German *Thor*.⁶⁶⁸ A great many similar figures have been found in France, and described by *Montfaucon*, *Caylus*, *Milin*, and other antiquaries.

Dress of
ancient
Gaulish
figure.

Whatever may have been the true character of the Roman *Laena*, the interweaving of gold thread appears to have been as common in it as we have seen it to have been in the Irish *Lena*. *Virgil* alludes to this where, describing *Æneas' Laena*, he says:

. . . . "dives quæ munera Dido
Fecerat, et tenui telas discreverat auro".—*Aen.*, iv. 263.

That there was some difference between the *Lena* and *Caimsi* is shown by the three Saxon princes—*Osalt*, *Osbrit*, *The Caimsi different from the Lena*;

⁶⁶⁶ *Lectures*, vol ii, p. 95.

⁶⁶⁷ "She had a lustrous crimson cloak of dazzling sheen; *Dualdai* of silver, inlaid with burnished gold, in the cloak. She wore a long collared *Lena*, over which was an *Inor* of green silk ornamented with gold. Wonderful clasps of gold and of silver upon her breast, upon her back, and upon her shoulders in that *Lena* all round". MS. H. 2, 16, T.C.D.

⁶⁶⁸ *Recueil des Monuments*, vol. ii, p. 22. The statuette is represented in Pl., 2, fig. x.

and *Lindas*—who were at the court of *Conaire Mór*, wearing a *Caimsi* under their *Lenas*. The Romans, both men and women, usually wore two tunics, the inner one corresponding to our shirt. The *Caimsi* of the Saxons evidently corresponded to the inner tunic. The two are mentioned in such a way in the tale of the *Brudin Da Derga* as to be liable to be confounded. Thus *Causcraid Mend Macha*, son of *Conchobar Mac Nessa*, wears a *Caimsi*, and not a *Lena*; this is also the case with his three jugglers, his three clowns, and his three poets. That the lower class of retainers should not wear *Lenas* is as it should be, for there seems little doubt that that garment was only worn by *Aires*; but it is curious to find a royal prince without one. The *Caimsi*, when worn under a *Lena*, was a true shirt, and appears to have been the same as the *Cnes-Lena*, or skin-*Lena*, or *Lena fri geal cnes*, or “*Lena* to the white skin”. When worn as an outside dress, the *Caimsi* was like a loose blouse, or long English smock-frock, reaching to the knees, and sometimes to the middle of the calves of the legs, and might be girt with a *Cris* or girdle. The *Caimsi* seems to have been worn by kings and *Aires* as a kind of loose undress; while the *Lena*, which was always tight, was more a pageant or state dress. The *Lena* in some cases did not reach the knee; in others it extended as much as three fingers below the knee.

Caimsi of the Saxons;

persons by whom the *Caimsi* was worn;

derivation of the word.

The word *Caimsi* is undoubtedly a borrowed word obtained from the medieval Latin *Camisia*, whence have come the Spanish *Camisa*, Italian *Camicia*, French *Chemise*.⁶⁶⁹ As the garment was not at all known in ancient times to the Mediterranean nations, Weinhold thinks it is of German origin, and consequently that the Romance forms are derived from *Hemidi*, or simpler *Hamo* (old Norse *Hamr*), which is any covering (indutus).⁶⁷⁰ *Lichamo* was the covering of a corpse, and has by a singular inversion of meaning come, in the form of the modern German *Leichnam*, to mean the corpse itself.

Ornamented shirts and *Lenas*.

Like the Irish *Lenas*, the shirts or smocks of the wealthy Germans were often made of silk, and the seams and hems

⁶⁶⁹ We have the same root in another name for a linen shirt—*Camsilis*. A woollen shirt was a *Sarcilis*. Gerard, *Polypt. Irmin.*, 2, 717.

⁶⁷⁰ *Die Deutschen Frauen in dem Mittelalter*, p. 430.

ornamented with gold thread; a piece of gold embroidered stuff was inserted along the breast between the plates. The neckband was also carefully worked. The latter corresponded to the Irish *Lena gel colptach co n-derg intlad óir*, or the collared *Lena*, with red ornamentations of gold. There was an arrangement at the side for fastening the shirt, which was there worked with *ór Snath* or gold thread. The *Lena* or *Caimsi*, for we are not told which it was, of *Amergin*, son of *Ecalsalach* the smith, had gold buttons in its openings and breast, and carved and interlaced clasps of *Findruine*. The shirt of the Scandinavians was called a *Skyrta* or *Serkr* (whence the English *skirt* and *shirt*) and was worn by men and women—the breast cut or opening in the shirt of the men being smaller than in that of the women, who therefore covered the neck with a neckerchief. Like the Irish *Lena* and the German *Hemidi*, the Norse *Skyrta*, especially that of the women, was frequently ornamented with gold embroidery at the breast.⁶⁷¹ The Norse *Skyrta* appears to have been adopted to some extent by the Irish, for we find in times subsequent to the Danish wars, and during Anglo-Norman times, mention made of a *Scuaird Lena* and of a *Sgiorta*.

The Scandi-
navian
Skyrta or
Serkr.

The meaner classes of people, as in other countries of north Europe, wore neither *Lena* nor *Caimsi*; they covered the upper part of their bodies with their *Brat* or cloak, and the middle portion with the *Berrbrocc*, which O'Curry translates “apron”, but which more nearly corresponded to the modern petticoat called a kilt. In the Tale of the *Brudin Da Derga*, the persons described as wearing *Berrbrocc* are: the three cooks, the nine guardsmen, the two table attendants, the three door keepers, and the head charioteers. None of the chieftains have them. In the *Táin Bó Chuailgne*, *Cuchulaind* is, however, described as putting on his *Berrbrocc* of “striped satin”, and his *Berrbrocc* of brown leather, cut from the backs of four full-grown, well-tanned ox-hides, over his battle girdle of ox-hides, and his *Berrbrocc* of “striped satin”.⁶⁷² Ferdiad

The Berr-
brocc.

⁶⁷¹ *Fornmanna Sögur*, 9, 477; *Ragnar Saga Lodbrok*, c. 5.

⁶⁷² *Lectures*, vol. i., p. 301.

also put on a *Berrbrocc* of leather, and another of iron.⁶⁷³ With the exception of the *Berrbrocc* of "striped satin", which was either an invention of the tale-writer, or part of a pageant dress, these were simply the parts of the armour which covered the abdomen, the loins, and the upper part of the thighs, and which, in the suits of armour of the fifteenth century, would be represented by the great *Brayette* or waist-piece, the *Tassets*, and the *Garde-reins* or loin-guard. These pieces taken together would form a kind of skirt, which in the skirted armour developed into a full skirt, not unlike a kilt.

There is another important article of dress, the name of which is evidently connected with *Berrbrocc*, namely, the Gaulish *Braccae*, *Bracae*, or breeches. This word is generally connected with *brecc*, speckled or checkered. The ancient Irish trousers in the museum of the Royal Irish Academy, are chequered of a large diamond pattern like Scotch plaids, and so far support the supposed connection of *Braccae* and *brecc*. These trousers reached to the ankles, and, except in being tight about the legs, are exactly like the modern dress of the same name. The breeches seem to have been worn by all the nations of northern Europe, and to have been called by names which are closely related to the Gaulish *Braccae*. Thus, in Old High German they were called *Bruoch*, Saxon, Frisian, and Old Norse, *Brok*, Russian, *Brjúki*. They were also worn by the Indians, Persians, and Scythians. The first breeched people with whom the Romans came into contact were the Gauls, and hence the *Bracae* came to be so identified with that people, that the part of Gaul which was not included in the Provincia was called Gallia Braccata. The usual name for the *Braccae* in Irish was *Truibas*, which would now be pronounced "trews", from whence, or from the cognate Welsh form, the English *Trousers* has come; the word *Breeches* being derived from one of the Teutonic forms, *Bruoch*, *Brok*, etc.

The Gaulish
Bracae and
German
Bruoch.

The *Truib-*
as or trou-
sers.

The *Ocrath*
or greaves.

Among the articles that formed *Mac Conglindé's* wardrobe, as described in the *Lectures*,⁶⁷⁴ was the *Ocrath*. O'Curry

⁶⁷³ Vol. ii., p. 307.

⁶⁷⁴ *Ibid.*, p. 103-105.

considered it to have been pantaloons or trousers. I do not think this opinion correct. The word is evidently borrowed from the Latin *Ocrea*, a greave, and the article itself must have corresponded in some respects to the German *Hose*, Old Norse *Hosa* or stocking. The latter, however, covered the knee, overlapping the end of the *Bruoch*, and at first reached the ankle, and afterwards covered the whole foot. The Irish *Breeste gairid*, that is, the short or knee breeches, and the *Stocuidhe ruileire*, or thick roll stockings, generally worn during the last century and in some places to the present day, corresponded exactly to the *Bruoch* or *Hose*. The Scandinavian *Brók* or breeches and the stockings sometimes formed one garment, which was called an *Oekul*, or *Hökulbroekr*, and extended to the ankle. This combined garment must have been almost identical with the old *Truibhas* in the museum of the Royal Irish Academy. Sometimes the breeches and hose had legs, as in the *Leistabroekur*, which were much valued for travelling.⁶⁷⁵ The hose was frequently made of leather, so as to form a regular gaiter. When the breech became long the hose became short, that is, became a *Sockr* or sock, also called a *Leistr*. The *Ocrath*, on the contrary, did not reach the knee, and did not go below the ankle; it was like the leggin of the modern Highlander, except that it was bound round with thongs or bands. The passage from the laws quoted by O'Curry⁶⁷⁶ shows clearly that the ankle was bare between the *Ocrath* and the *Assai* or shoes. In the Heidelberg and Wolfenbüttel manuscripts of the *Sachsenspiegel*, which belong to the fourteenth century, are many pictures which show the dress of the Germans. The Wends, for instance, are represented with long hose without feet, but with different coloured socks; the hose are bound around with bands like the Irish *Ocrath*.⁶⁷⁷ In the old Welsh Laws, we find the words, *Hosevaus*, a hose; *Hosaneu*, a trunk-hose. The words, as well as the articles of dress, are probably borrowed. It would appear from the account of *Mac Conglinda's* wardrobe,

The hose or
stocking.

True nature
of the
Ocrath.

⁶⁷⁵ *Nials Saga*, c. 135.

⁶⁷⁶ *Lect.*, xxiii., vol. ii., p. 107.

⁶⁷⁷ Kopp, *Bilder und Schriften der Vorzeit*. Bd. I., Bilder zu 55, 64, 98, 105, 125, 126. See also Weinhold, *Die deutsche Frauen in dem Mittelalter*, 433.

that the *Ocrath* were worn, in his case at all events, without a *Truibhas* or *Trews*. He was in fact dressed to a great extent like a modern Highlander.

The *Inar* or jacket;

The Irish, both men and women,⁶⁷⁸ wore over their shirt a kind of jacket called an *Inar*, which was bound round the waist by the *Cris* or girdle, and below which hung the end of the *Lena*, forming the kilt. There was a tight fitting variety of it called a *Cliabh Inar*, or body jacket, which is always spoken of as fancy coloured and as forming part of a splendid dress.

corresponded to the Norse *Kyrtil*;

The *Inar* corresponded to the Norse *Kyrtil*, which was also bound round the waist by the *Lindi*, *Beltis*, or belt. The *Inar* was made of cloth of various colours, especially green and scarlet, or crimson.⁶⁷⁹ The latter seems to have been selected by important personages as the colour for the *Inars* worn at assemblies, or which were bestowed as *Taurcrech* or free gifts.⁶⁸⁰ The *Inars* of distinguished heroes are usually spoken of in the Tales as being made of silk or satin. Among the *Taurcrechs* and Tributes of Irish kings *Inars* with hems of gold are also mentioned.⁶⁸¹ Among the Norse also a scarlet *Kyrtil*, or one of silk, was considered suitable for public occasions.⁶⁸² The buff-jerkin worn under armour appears to have been called an *Inar*.⁶⁸³ from this we may form some idea of what it was like. The Gaul defending his house on the Column of Antoninus appears to have been dressed in an *Inar* with tight sleeves.

materials and colours of *Inars*.

The German *Rock* and English *Frock* the Irish *Rucht*.

It is uncertain whether the Germans had at first any article of dress strictly corresponding to the *Inar*. The Teutonic names for a tight fitting coat or jacket, O. H. German and Anglo-Saxon *Roc*, modern German *Rock*, Old Norse *Rockr*, English *Frock* and *Rocket*, are evidently related to the Irish *Rucht*, an ancient name for the *Inar*.⁶⁸⁴ Is the Middle Latin *Roccus* of Germanic or Celtic origin, or, in other words, is the

⁶⁷⁸ See note 667, ante p. cclxxxvi.

⁶⁷⁹ *Lect.*, vol. ii, p. 160.

⁶⁸⁰ *Ibid.*, p. 153.

⁶⁸¹ *Leabhar na g-Geart*, p. 151.

⁶⁸² Weinhold, *Alt. nord. Leben.*, 165.

⁶⁸³ "Cuchulaind's charioteer put on his charioteer's dress, consisting of his beautiful *Inar* of the skins of roebucks, light and airy, spotted and striped, and sewed with deer-leather [thongs], so as not to impede the use of his hands outside", etc. *Sickled Chariot of Cuchulaind*, *Lebor na h-Uidhri*, p. 78, col. 2.

⁶⁸⁴ *Lect.*, vol. ii., p. 153.

Irish *Rucht* an original or borrowed word? The Old Norse verb *hrucka*,⁶⁶⁵ to fold, and English, *ruck*, a fold, sustain the opinion that *Rucht* is a loan-word.

Both men and women wore over the *Inar* an outer garment called a *Brat*,⁶⁶⁶ which appears to have been a general The *Brat* ; name for the different varieties of the cloak. In its simplest form it consisted apparently of an unfashioned piece of cloth thrown around the shoulders, and fastened on the left shoulder by a brooch, or in the case of the meaner sort of people, by a *Delg* or thorn, the name applied to a plain pin. One of the varieties of the *Brat* was called a *Fuan*; it does not seem to the *Brat* called a *Fuan* ; have differed materially from the ordinary *Brat* except in being more ample and splendid. The *Diallait Oenaig*, or assembly cloak, mentioned in a previous note, was a five-folding *Fuan*. When *Cuchulaind* went to make love to *Emer*, his future wife, he wore a purple *Fuan*.⁶⁶⁷ The same hero is represented in another place as wearing a crimson *Fuan*, with a fringe of silver⁶⁶⁸ *Brats* were also ornamented with fringes and tassels and trinkets of gold and of silver.⁶⁶⁹

The colours of the *Brat* were various, more so even than colours of the *Brat* ; those of the *Lena*. The following colours are mentioned in the *Táin Bó Chuailgne*, *Brudin Da Derga*, and other ancient tales: Crimson, red, green, dark green, greenish gray, blue, yellow,

⁶⁶⁵ Cf. Old Slavonic *Rucho*. Perhaps *Rochul*, a shroud, is to be connected here.

⁶⁶⁶ The Welsh name of cloth was *Brethyn*; the plaid or cloak of the Welsh was called *Vryccan*, from which we may conclude that it was originally checkered like the corresponding *Breccan*.

⁶⁶⁷ "A beautiful five-folding purple *Fuan* around him; a bright brooch of gold in the second opening, for loosening it off when he required to use his full force [in dealing] his blows; a white collared *Lena*, with red interweavings of burnished gold; seven red dragon like gems on the middle of his two *Imcaisen*"—*Tochmorc Emire*, *MS. Lebor na h-Uidhri*, p. 122, col. 2.

⁶⁶⁸ "A *Fuan* of blue crimson around him, with borders of pure white silver upon it; a pin of red gold upon his breast, which extended over each of his two shoulders; a white collared *Lena* upon him, with red ornamentations along the borders. Gold hilted bright swords hung upon his thighs. A broad-gray *Manais*, or trowel-shaped spear, upon a mid-slender haft, in his hand. A sharp-pronged aggressive *Foga* near it; a crimson shield, with a boss of silver, and trappings of gold over his shoulders"—*Phantom Chariot of Cuchulaind*, *MS. Lebor na h-Uidhri*, p. 113, col. 2.

⁶⁶⁹ *Lectures*, vol. ii., p. 157, n. 234; and p. 190, n. 275.

buff, white, gray, variegated,—red and white, red and blue, gray and green, white and yellow, green brown, and crimson. Several are also mentioned as being striped, checkered, gray streaked, and green spot-speckled. An Ulster chief is described as having a black cloak of the *Brat* type. Among the *Taurcrechs* and tributes enumerated in the *Book of Rights*, are purple and blue *Brats*, and others with borders of gold.⁶⁹⁰ Of all the preceding colours, red and green are most frequently mentioned, red being looked upon as the regal and most noble colour.

the *Brat*
was the
Sagum.

The cloak of the northern nations, called by the Romans a *Sagum*, was evidently the same as the Irish *Brat*, or at least differed very little from it. Tacitus tells us that the cloak of the Germans was fastened with a fibula, or in its absence with a thorn,⁶⁹¹ and that it was variegated.⁶⁹² From a passage in Isidore, who makes the word *Sagum* itself Gaulish, it would appear that it was an unfashioned square piece of cloth.⁶⁹³ As among the Irish, the regal colour was purple, and was bestowed as a mark of honour.⁶⁹⁴ The *Sagum* of the Romans themselves was more like a true cloak than the *Brat*, but like the latter it was open in front, and in some cases fastened across the shoulders by a clasp or brooch, in others not.⁶⁹⁵ This seems to indicate that there were two kinds of Roman *Sagum*,

⁶⁹⁰ *Leabhar na g-Ceart*, edited by Dr. O'Donovan, pp. 149, 155, 167.

⁶⁹¹ "Tegumen omnibus sagum, fibula, aut si desit, spinâ consertum", *Germania*, 17.

⁶⁹² *Hist.*, ii., 20 (Caecinae) ornatum municipia et coloniae in superbiam trahabant, quod versicolori sagulo, braccas, tegmen barbarum, indutus, togatos alloqueretur. See also v., 23.

⁶⁹³ "Est autem vestis militaris, cujus usus Gallicis primum expeditionibus coepit e praeda hostili. De qua vox est illa senatus: 'Togis depositis Quirites ad saga conversi fuerunt'. Sagum autem Gallicum nomen est; dictum autem sagum quadrum eo, quod apud eos primum quadratum, vel quadruplex esset". *Etymolog.*, xix. 24. See also *Veg. Milit.* iv., 6, and *Veg. Veter.* i., 42.

⁶⁹⁴ "Munera, quæ legati ferrent regi, decreverunt: sagula purpurea duo cum fibulis aureis singulis et lato clavo tunicis, etc". *Livy*, xxx, 17. "Sanguinei patrium saguli decus (sc. Gracchi consulis)". *Silius Ital.*, lx., v. 518, and xvii., v. 527.

"Te cadmea Tyros, me pinguis Gallia vestit,

Vis te purpureum, Marce, sagatus amem?"—*Martial*, *Ep.* vi. 11.

⁶⁹⁵ "Duo saga ad me velim mittas, sed fibulatoria". *Trebellius Pollio in Claudii Imp. epist. in xxx. Tyrannis*, x.

but we do not know in what they differed, possibly one was like the true Gaulish men's cloak.

After the commencement of the intercourse, at one time The *Matal*; hostile, at another friendly, between the Norsemen and the Irish in the beginning of the eighth century, we find frequent mention of a kind of mantle or cloak, called a *Matal*. This is the name used all through the *Book of Rights* for the rich mantles given by the higher kings to the minor kings, as part of their *Taurerech*. No mention is made in the *Book of Rights* of the colour of the *Matal*; but *Donncha Cairbreach O'Brien*, son of *Domhnall Mór O'Brien*, is described as wearing a dark brown-red one at his inauguration in 1194.⁶⁹⁶ Like the *Brat* and *Lena*, it was sometimes embroidered. Thus, the *Taurerech* of the *Flath of Cualand* included eight gold embroidered *Matals*.⁶⁹⁷ The *Matal* is evidently the Norse *Möttull* or Mantle, was the Norse Möttul. also called the *Skickjá*. The Norse *Möttull* was worn by the higher classes, and was made of the finest materials, such as scarlet cloth or silk, and was often trimmed with furs and bordered with lace, especially about the neck. Such a laced *Möttull* was called a *Tiglar Möttull*.⁶⁹⁸ *Möttulls* were given by the Norse kings to their trusty vassals as gifts; they were also, on account of their costliness, sometimes bestowed on poets.⁶⁹⁹ Mutual influence of Irish and Norse on each other's dress, etc. The Norse in turn imitated the dress of the Irish and Scotch. King Magnus, surnamed the Barefooted, who reigned in Norway from A.D. 1093 to 1103, adopted the kilt and *Brat*, and went about barekneed, hence the nickname of *Berfaeta* given to himself and his followers. His kilt was simply a *Kyrtil*, made like an Irish *Lena*, reaching to his knees. The Irish names of many Norsemen who are mentioned in the Norse Saga, afford strong evidence of the frequent intermarriage of Norsemen with Irish women.⁷⁰⁰ These intermarriages must have contributed to bring Irish costume into fashion among the Norse nobility.

In the descriptions of dress in the Tales of the *Táin Bó Chu-*

⁶⁹⁶ *Lectures*, vol. ii., p. 153-4.

⁶⁹⁷ *Op. Cit.*

⁶⁹⁸ *Fornmanna Sögur*, 5, 292.

⁶⁹⁹ *Olafs Saga Tryggvas.*, c. 160; *Haralds Saga harthratha*, c. 20; *Gunnlaugs Saga*, c. 7; see also Weinhold, *Altnordisches Leben*, p. 167.

⁷⁰⁰ *Laxdoela Saga*, c. 28, 31., etc.

The *Cochal*
or *Cucul-*
lus.

ailgne and the *Brudin Dá Derga*, certain classes of persons are described as wearing a kind of coat called a *Cochal* (or in the more ancient form *Cocul*), thus charioteers are always described as wearing one. We also meet the word *Cochline*, which appears to be merely a diminutive of the former. The *Cochal* was a short cloak or cape, with or without a second skirted cape over the first, and having arm holes, or sleeves, sometimes reaching only to the elbow,⁷⁰¹ and at others covering the whole arm. The *Cochal*, like other articles of ancient dress, appears to have been made of various colours. According to the Tale of *Brudin Dá Derga*, the Picts who were with *Conaire Mór*, had black ones reaching to the elbows; *Conaire's* charioteers had crimson ones.⁷⁰² Belonging to, but not always attached to the *Cochal*, was a *Cenuid* or conical hood, sometimes of the same colour as the cape, and sometimes of a different one, and having a tassel at its apex.⁷⁰³ This hood has generally been confounded with the cape, so that the word *Cochal* gave rise to the English *Cowl*, and is almost universally used for a hooded cloak or cape.⁷⁰⁴ I should, however, mention that a small conical bag net for landing fish is called along the southern and western coasts of Ireland a *Cochal*. I am unable to say whether this is an original term given to a net so formed, or whether it is merely a name borrowed from the cape or cloak having a similarly formed hood. The latter supposition is the more probable.

The *Cochal* was the Gallo-Roman *Cucullus*, sometimes occurring also in combination, as *Bardo-Cucullus*, which was used by Romans of loose morals, but who, nevertheless, wished to keep their vices secret.⁷⁰⁵ The figures of Priapus found in

⁷⁰¹ *Laegh*, the charioteer of *Cuchulaind*, is described in the Phantom Chariot of *Cuchulaind* as having "a winged little *Cochal* on him, with its openings upon his two sleeves". *Lebor na h-Uidhri*, p. 133, col. 2.

⁷⁰² *Lectures*, vol. ii., p. 113

⁷⁰³ See the account of the Britons at the *Brudin of Da Derg*. *Ibid.*, ii. p. 150.

⁷⁰⁴ The use of the word *Cochal* to designate a vestment of a priest, most probably the cope or *Pluviale* (*Cochal Oifrind* or *Cochal* of the mass) shows clearly that the *Cochal* was originally the cape and not the hood.

⁷⁰⁵ " ——— quo, si nocturnus adulter

Tempora Santonico velas adoperta cucullo?"

Juvenal, *Sat.* viii. v. 144.

Gaul are always clothed in the *Cucullus*. Grivaud de la Vincelle gives^{705a} a figure of this kind, in which the *Cucullus* Gaulish Figures with the *Cucullus*. appears as a short mantle reaching only to the hips with a hood. Underneath this mantle is a short tunic, which appears to correspond to the Irish *Inar*. In another place⁷⁰⁶ he gives a figure of the same personage—the “Dieu des Jardins”—which is of great interest, as the cape and hood appear as in the Irish *Cochal* to have been separate. The cape has a kind of band or collar ending in long lappets,⁷⁰⁷ which are tied across the breast. In the same work⁷⁰⁸ there is a representation of a monument found at Carcassonne, made of local stone. On this piece of sculpture there is a figure, the sex of which it is difficult to make out; it is dressed in a short tunic bound with a girdle round the hips; over this is a mantle or cape with a collar which covers the shoulders; the head is covered with a hood, which, in front, looks like a turban. A scarf falls from right to left, and passing beneath the girdle, hides the right hand. The hair is short and thin; the feet are covered with shoes, exactly like the Irish *Cuarans*, and the legs with the *Bracae* or tartan-like trousers.⁷⁰⁹

The Irish *Cochlin* or small hooded capes appear to represent the Roman or Gallo-Roman *Cucullio*, gen. *Cucullionis*. The *Cochlin* or *Cucullio*.

“Sumere nocturnos meretrix Augusta cucullos”.

Ibid., Sat. vi. v. 118.

A scholiast on Juvenal describes the cucullus as “galerum fuscum et horridum ardeliunculum, quales sunt latrunculorum”. This shows that it must have been made of a heavy coarse brown cloth, and also that it was the hood and not the cape which was understood to be the *Cucullus*.

^{705a} *Recueil des Monuments*, Pl. x. fig. 1 and 2. ⁷⁰⁶ *Ibid.*, Pl. xi. fig. 5.

⁷⁰⁷ These lappets probably represent the *EO*, or *h-EO*, attached to Irish cloaks.

⁷⁰⁸ *Recueil des Monuments*, Pl. xiv. fig. 3.

⁷⁰⁹ The *Cucullus* sometimes reached to the calves of the legs. In a cellar discovered in the fourteenth century on Mont Brigitte, which overhangs the eastern side of Besançon, figures of two druids or priests were found carved in a cement which covered the walls. One of them had a tunic or *Cucullus* which reached the calves, and the extremity of which was fringed; the hood covered the head. The hood was, however, sometimes used with other kinds of cloaks, such as the *Lacerna* and the *Birrus*, so that it is not always easy to determine in the case of figures and bas-reliefs whether the outside garment is the true *Cucullus*, or one of the many hooded cloaks like it. *Antiquités Séquanaises, Beaumont MS. Griv. de la Vincelle, op. cit. vol. i. p. 164.*

Use of
Cochal con-
fined to
monks.

The latter, like the fuller mantle, was much used at night and in travelling, especially in rainy weather.⁷¹⁰ The *Cucullus* seems to have been adopted at a very early period by the clergy, as we see by a letter of Sidonius Apollinaris.⁷¹¹ In the eighth century its use was practically confined by synodal decree to monks bound to it by a vow, and occasionally to priests in very cold weather.⁷¹² Thenceforward the *Cucullus* became the special garb of monks, though still used in some parts of the Mediterranean, for instance in Corsica, by sailors, boatmen, and shepherds. In the eighth century the *Cochal*, in the Latinized form of *Coccula*, was considered in Wales and other countries as a characteristic Irish dress,⁷¹³ and the coarse long-napped woollen cloth of which it was made continued to be an important export of Ireland up to at least the middle of the fourteenth century. As an article of men's dress the *Cochal* has long ceased to be used in Ireland. The hooded cloak, until lately so common there, and still much worn by women in the south and west of Ireland, may be regarded as a modified descendant of the ancient *Cochal*. The Irish frieze still corresponds to the description given of the ancient material in the note quoted below.

The *Cucullus* became in Italian the *Cocolla*; in Spanish the *Cugulla*; and in German the *Gugel*, *Kogel*, or *Kugel*. From the passage quoted in connection with funeral dirges it appears that the *Gugel* was used by the mourners at funerals in many parts of Germany. The Norwegians used several articles of

⁷¹⁰ "Qui nocte vagabantur obtecto capite cucullione vulgari viatorio".—*Jul. Cap. in Vero*, c. iv.

⁷¹¹ De cætero, libertos tuos, causis quas injunxeras expeditis, reverti puto; quos ita strenue constat rem peregisse, ut nec egerint adjuvari; per quos nocturnalem cucullum, quo membra confecta jejuniis, inter orandum cubandumque dignanter tegare, transmissi: quanquam non opportune species villosa mittatur hieme finita, jamque temporibus aestatis appropinquantibus"—*Epist.* vii. 16.

⁷¹² "Ut nemo utatur cuculla, nisi qui se monachi voto constrinxerit, aut si necessitas proposcerit propter frigorem religiosus sacerdos utatur".—*Statuta Rhispacensia et Frisingensia*, ann. 799.

⁷¹³ ——— iuba in tua coccula, quod vulgariter vocatur quoddam genus indumenti quo Hibernenses utuntur, de foris plenum prominentibus ibis seu villis quae in modum crinium sunt contextae".—*Vita S. Cadoci Cambrensis* apud Spelman.

dress of the *Cochal* class. There was first the *Kâpa*, *Kâpi*, or cape with sleeves, and reaching sometimes to the feet, and having a cover for the head, namely, a special kind of the *Hottr*, or hat; and sometimes a cover for the face, the *Gûma*. The *Hottr* could be thrown back like the hood of a *Cochal*. The German *Kappa* was a wide overcoat or cloak with sleeves, which enveloped the whole person, and was sometimes made of scarlet cloth, and was worn by men and women. The Scandinavian *Kâpa* must have been somewhat different, as the Norseman *Glum*, we are told, had a black and white *Vesl*, another kind of cloak, over a green *Kâpa*,⁷¹⁴ so that it must have been a comparatively tight fitting dress. The *Kufl* was wide and long like the *Kâpa*, and had a hood sometimes of a different colour from the cape: thus, in one case, a black *Kufl* had a reddish-brown hood.⁷¹⁵ The monk's habit with a cowl was called a *Kufl*, a fact which enables us to form a clear idea of what its general character in other cases was. In the ship of *Thorfinn Karlsefnisson*, the Icelander who discovered America, were two Irishmen who wore what were called *Kiafals*. These coats had no sleeves, but only arm holes, and could be buttoned down between the legs.⁷¹⁶ Weinhold thinks there was some difference between the *Kufl* and the *Kiafal*, the latter being similar, he thinks, to the Styrian *Loden-tappert*.⁷¹⁷ There seems to have been very little difference between the *Kâpi* and the *Kufl*, except as regards the material. The lord wore the former, the servant the latter.⁷¹⁸ The Norwegian *Hetta*, Danish *Hätta*, was another hooded garment. From Weinhold's account, it must have been either identical with the *Kiafal*, or merely a shorter variety of it.⁷¹⁹

Hooded
cloaks of the
Norse.

⁷¹⁴ *Vîga Glums Saga*, c. 16.

⁷¹⁵ *Gonguhrolfs Saga*, c. 6.

⁷¹⁶ *Antiquitates Americane*, p. 140.

⁷¹⁷ The *Tappert*, also called *Trapharte* and *Trapperta*, M. H. G. *Tapfart*, was the middle Latin *Tabardum*, whence Spanish *Tabardo*, Italian *Tabarro*, French and English *Tabard*. It seems to have been a round-cut, long coat, without sleeves, but sometimes with half sleeves, and even with full long sleeves which could be buttoned. A long piece usually trailed behind. Women gathered up theirs with a kind of girdle called a *Dunfings*.

⁷¹⁸ *Saga Gísla Súrssonar ved K. Gíslason*, *Nordiske Oldskrifter*, viii. p. 37.

⁷¹⁹ Weinhold derives *Kufl* from A Sax. *Cufla*, English *Cowl*; and *Kiafal* from Welsh *Coif*. He also adopts Diez's derivation of A. S. *Cufla* from

Dress of
Irish women.

The dress of the Irish women differed, as we have seen, very little from that of the men, except that they wore their *Lene* longer, and did not wear either *Triubhas* or trousers, or, so far as I can make out, *Ocrath* or greaves. They were, however, distinguished from the men by wearing a veil which covered the head. This veil was the *Caille*, which formed an essential part of the legal contents of a lady's work bag. In a passage from the Laws quoted in the Lectures,⁷²⁰ it is called "a veil of one colour", as if variegated ones were sometimes used; the colour is not mentioned, but, like the old German *Hulla*,⁷²¹ a word with which the Irish *Caille* is almost identical, it was probably in most cases white; though veils of other colours, especially black, are also mentioned.⁷²² It was more properly a head cloth than a veil, as another German name expresses—*Houbittuoch*. Priscian, indeed, speaks of the long fine white veil, or rather head cloth, worn by the Gothic women. The white linen cloth still worn by nuns represents exactly both the Irish *Caille* and the German *Hulla*. The practice which Irish countrywomen have of covering the head loosely with a white muslin kerchief, is a tradition of the old custom of covering the head with the *Caille*.

The *Caille* or
veil.

A picture painted for the Longobardic Queen Theudlind in her Pfaltz or *Dun* at Modicia, or Monza, in North Italy,⁷²³ shows the manner of wearing the *Hulla* or veil with a

O. H. G. *Kuppa*, *Kupha*, *Kuphja*, a cup, and figuratively a cap, through the L. Latin *Cosea*, *Cuphia*, whence Italian *Cuffia*, *Scuffia*, Spanish *Cofia*, *Escofia*, Portuguese *Coisa*, Old Provençal *Escoifia*, French *Coiffe*, Welsh and English *Coif*. The *Kveif*, a kind of Norse hood which was not a cowl, as appears from passages in *Konungs Skuggsjá* (c. 30, 40), a conclusion to which Weinhold has also come (*Alt. nord. Leben*, p. 179), and not the *Kiafal*, represented the Welsh *Coif*. The latter corresponded no doubt to the Irish *Coipe* or *Coife*, which consisted of a simple cap with a *Caille* or veil, or a kerchief worn by women. The *Kiafal* had no resemblance to the *Coif*. There is no reason too why the name of a garment worn by Irishmen should be derived from Welsh rather than from Irish, the language of the wearers.

⁷²⁰ *Lectures*, vol. ii. p. 113.

⁷²¹ The more modern German name for a veil, *Schleier*, is cognate with the Old Norse *Sveigr*. *Rochul*, funeral clothes, may be connected with *Caille* and *Hulla*; i.e. *Rochul*, corpse-veil, from *Rocht* the body, and *Caille* a veil.

⁷²² *Caille*, i.e. *Breid dubh*, a black veil. MS. H. 3. 18. T. C. D. p. 524.

⁷²³ A figure of it is given in *Muratori, Rerum Ital. Scriptores*, I. 460.

crown, and may help us to explain the story of the *Mind* or diadem of *Mairend Mael*, recounted in the Lectures,⁷²⁴ without supposing it, as O'Curry does, to have covered the whole head. Theudlind is clothed in a mantle which hangs free on her shoulders, and is drawn up under both arms towards the bosom; it is ornamented at its lower side with a border. Her undergarment reaches to the feet, and is girt around the waist by a cord, the tasselled ends of which hang down to the knee. A broad border ornaments the inner garment about the neck and down along the bosom, upon which there is also a row of buttons. On her head she has a crown, and over this the *Hulla* or veil.

The principal coverings for the head beside the *Cenuid* or Coverings for the head; hood of the *Cochal*, and the *Caille* or veil, were the *Culpait*, the *At*, and the *Barr*.⁷²⁵ The *Culpait* was some kind of hood the Culpait; for covering the head, but I do not know in what it differed, if at all, from the *Cenuid* or hood of the *Cochal*. The *At* is clearly cognate with the German *Hut*, English *Hat*, Old the At; Norse *Höttr*. The latter was worn with the *Kápa* or cape, while the *Hufa*, German *Haube* or hood, was worn by women.⁷²⁶ The old Irish gloss which explains *Cleitme* to have been a *Righbarr* or *At*, seems to show that the latter was not a mere woollen cap, like that preserved in the Museum of the Royal Irish Academy, and the common Scotch cap, but rather a large hat of felt or other materials, perhaps even of gold, somewhat like the round hats of the peasantry in some parts of Europe, or the Spanish hats.

The *Barr* was evidently the most stately kind of head-dress, as the Barr; we may judge from the combinations *Righbarr*, or Royal *Barr*, *Cathbarr*, or battle *Barr*. On the west face of the principal cross at Clonmacnoise are several figures armed with spears and having conical caps, apparently without brims, on their heads. These caps are evidently war casques, similar to the iron conical casques of the ninth, tenth, and eleventh cen-

⁷²⁴ Vol. ii. p. 193.

⁷²⁵ See *Fis Adamnan, Leb. na h-Uidhri*, p. 27, col. 1.

⁷²⁶ *Hood* appears to be radically connected with *Hut* rather than with *Haube*.

turies, except that the latter had nose-pieces and sometimes neck-guards. The groups of horse soldiers on the south base of the market cross of Kells, and the soldiers armed with lance and buckler, who are represented in combat on the west face of the base of the same ancient cross, so far as one can make out from the rude sculpture, which time has not improved, have helmets very like a burgonet, with *Cleitmes*, or crests. The horsemen's helmets look as if they were provided with the shade which characterized the burgonet; that of the foot men is without it; but the *Cleitme* or crest seems more marked on the helmet. It is impossible to say what these casques and helmets were made of, but it is probable they were of iron. Whatever material they consisted of, it is important to know that anterior to the Anglo-Norman invasion casques and helmets were in use in Ireland.

The French *Barrette*, O. Spanish *Barrete*, modern Spanish *Birreta*, Provençal *Berreta*, *Barreta*, Italian *Barretta*, French *Birret* or *Barrette*, German *Pirete*,⁷²⁷ are obviously cognate forms of the Irish *Barr*, and approach still more closely the the *Barréd.* Irish *Barréd*, which is still applied to a warm covering for the head worn in cold and wet weather by women. In the lowest compartment on the east face of the principal cross at Clonmacnoise, are carved two figures, one of a man and the other of a woman. The man has a bordered *Lene* and apparently an *Inar* fastened at the waist by a *Cris* or girdle, and a short sword having a handle exactly like those usually called Danish swords, suspended at his left side by a swordbelt apparently hanging from his right shoulder. The feet appear to be naked; at least no evidence of shoes can be detected. The head is uncovered, but the hair is twisted into a "glib" which appears to end in a ball. The woman has also a bordered *Lena*, reaching however to near the ankle. Over this she wears a kind of cloak, which has a cape or hood hanging on her back. On her head she has a covering not

⁷²⁷ The state dress of the Town Councillors or Raths of Augsburg in 1368, consisted of wide black overcoats or cloaks trimmed with fur, and black *Pireten* on their heads. Paul von Stetten, *Kunst u. Handwerks-geschichte der Reichsstadt Augsburg*, ii. 83.

unlike a modern round hat, which probably represents the *Barréd*. Diez derives all these forms from the Latin *Birrus*,^{The Bar-} red. a coarse kind of cloth, or a coarse mantle according to Vopiscus. The Irish word suggests, however, a much more rational meaning, namely, *Baar*, top or head. The simple *Barr* was, probably, a square cap like the old French *Birret* and Spanish *Barrete*. Another kind of quadrangular cap called a *Tenne* is mentioned in the Lectures.⁷²⁸ The nine pipe players of *Conaire Mór* are described as wearing them. In several old miniatures we meet with figures of musicians having a square kind of crown. These figures are always supposed to represent King David playing the harp or other instrument; they may, however, be simply ordinary musicians wearing the *Barr*, called a *Tenne*.

The term *Barr* seems also to have been applied to a head-gear made altogether of metal, and which was not a *Cath-barr*, or war hat, as the curious story of the *Barr* of *Brunn*, the son of *Smetra*, told in the Lectures,⁷²⁹ shows. The hiding of this *Barr* in the well reminds us of the custom of the Gauls of throwing gold and golden ornaments into wells, lakes, and rivers. The Tectosages threw in this way an incredible amount of gold into a lake near Toulouse.⁷³⁰ The burial of gold in lakes, fountains, and marshes was part of the ancient Druidic cultus of water.

The most ancient form of covering for the feet was the kind of rude shoe called a *Brócc* or *Cuaran*. In its most primitive form it consisted of a piece of raw hide with the hair outward fastened about the foot with thongs. This was the *Brócc eile* or thong stitched shoe.⁷³¹ They were cut out of the "green" hide, and fastened on while fresh, so as to assume the form of the foot as they dried. This description agrees perfectly with that given by Sidonius Apollinaris of the shoes

⁷²⁸ Vol. ii p. 139.

⁷²⁹ Lect. xxix. vol. ii. p. 199.

⁷³⁰ *Strabo*, iv.; Cicero, *De Natura Deorum*, iii. 9; P. Oros. 5, 15, etc.

⁷³¹ In the Battle of the Second *Magh Tuired* the *Daigdaí* is described as wearing *Di Broicc di croicne capoil*, two shoes of horses skin with the hairy side out.

Concealment
of treasure
under water.

Different
kinds of
shoes: the
Cuaran or
Brócc;

of the Burgundians, or some western Gothic people of the fifth century.⁷³² The shoes found on a corpse exhumed in 1817 in a Friesland bog were of the same kind.⁷³³ Examples of a like kind have been found in Swabian graves at Lupfen. Sometimes the *Cuarans* or skin-shoes were tanned after they had assumed the shape of the foot. Such tanned shoes were often ornamented with designs cut into the leather. Similar ornamented shoes have been found in Danish turf bogs. The older shoes had no soles; but in the eighth century they must have been already in use, as the "seven doubles of brown leather" in *Mac Conglinde's Cuarans* show.⁷³⁴ The shoes of the Lombards in the seventh century, or about a century before the time of *Mac Conglinde*, were still made of one piece, and consequently open nearly to the toes, but they had thick soles.⁷³⁵ The pagan Franks, although not ignorant of shoes, did not generally wear them; their stockings reached to the joints of the toes.⁷³⁶

the *Ass*.

Shoes made like modern ones appear to have been called *Assai* (sing *Ass*), if we may conclude from the use of that term to describe the shoes made of sheet bronze, of which examples are to be found in the Museum of the Royal Irish Academy.⁷³⁷ One pair at least of those in the Academy's museum belonged to a Bishop; but shoes of *Findruine*, worn by women as well as by men, are frequently mentioned in the tales, and lives of the saints. According to the ancient preface to the *Táin Bó Chuailgne*, the shoes worn by the *Tuatha Dé Danann* were called *Ialachrand*. This was probably only another name for the *Cuaran* or *Brócc*.

The *Ialachrand*.

The dress of the Anglo-Saxons, Franks and other Teutonic nations changed so rapidly during the middle ages—that of the

⁷³² See note *post*, p. cccxcix. for the original passage.

⁷³³ Spangenberg, *Neues vaterländisch. Archiv*, 1822. 2. 59; and Weinhold, *Deutsche Frauen*, 433.

⁷³⁴ *Lectures*, xxiii. vol. ii. p. 105. ⁷³⁵ Weinhold, *Deutsche Frauen*, 433.

⁷³⁶ *Ibid.* The Riparian Franks appear, however, from the laws to have worn boots.

⁷³⁷ *Mael Ass Findruine*. The *Beirn Brócc*, or boat shaped shoes worn by the herald *Mac Ioth* in the *Táin Bó Chuailgne* (Vellum M.S., H. 2. 18, T.C.D. f. 50, b. col. 2) did not differ apparently from the *Ass* in the shape; and was the prototype of the modern *Bróg*.

ancient Gauls had wholly disappeared even before the Frankish invasion—that the costumes which are represented in illuminated manuscripts seem wholly unlike the dresses of the Irish above described. There exist, however, a few descriptions of early Germanic costume, before it became modified to any great degree by the influence of the Roman and Byzantine dress, and the general development of civilization, which it is worth while comparing with those of early Irish costume.

One of the earliest of these descriptions is a brief picture of the bridal procession of a son of some German king, probably a Burgundian, given by Sidonius Apollinaris in one of his letters. The bridegroom has a scarlet cloak embroidered with gold and white silk, red hair and fair skin. The warriors that formed his suite wore tight fitting parti-coloured tunics scarcely reaching to the knee, and having short sleeves, the fore arm being uncovered; the legs, knees, and calves were naked; over the tunic they had a green mantle which was bordered below with purple; their feet were enclosed to the ankle in pieces of skin with the hair still on; their swords were suspended from their shoulders by a sword belt of stamped rein-deer hide; in their right hand they carried hooked lances and hurling axes; and suspended on their left shoulders they had white-orbed and yellow bossed shields.⁷³⁸ In one of his poems, Sidonius Apollinaris pictures the dress of the freemen of the Western Goths as they went to the armed assembly. They wore a mean linen shirt or tunic, over which was a skin which only reached to about the knees; the legs were bare; their feet were

⁷³⁸ "Illum equus quidem phaleris comptus, imo equi radiantibus gemmis onusti antecedeant, vel etiam subsequebantur: cum tamen hoc magis ibi decorum conspicietur, quod precursoribus suis, sive pedisequis, pedes et ipse medius incessit, flammeus cocco, rutilus auro, lacteus serico, tum cultui tanto, coma rubore, cute concolor. Regulorum autem, sociorumque comitantum forma et in pace terribilis: quorum pedes primo perone setosus talos adusque vinciebantur; genua, crura, suraeque sine tegmine. Praeter hoc vestis alta, stricta, versicolor, vix appropinquans poplitibus ex sertis, manicae sola brachiorum principia velantes, viridantia saga limbis marginata puniceis: penduli ex humore gladii balteis supercurrentibus striuxerant clausa bullatis latera rhenonibus. Eo quo comebantur ornatu, muniebantur: lanceis uncatis, securibusque missibilibus dextrae refertae, clypeis laevam partem adumbrantibus, quorum lux in orbitibus nivea, fulva in umbonibus, ita censum probebat, ut studium". *Epist.*, *Libr.* iv. 20.

covered with a high shoe made of raw horse-hide (*pero equinus*), fastened over their legs by a miserable thong.⁷³⁹

compared
with that of
the Irish.

The dress of the bridegroom's companions agrees very closely with that of the Irish *Aires* of the same period. The tight fitting vest or tunic represents the *Lena*, combining shirt and kilt; the green purple-bordered cloak is the Irish *Brat*; the legs and knees are bare, as were those of the early Irish nobles; their shoes, as I have already pointed out, were exactly like the Irish *Broccs* or *Cuarans*. The term *versicolor*, applied to the vest or *Lena*, does not mean parti-coloured in the sense in which the term is used in the times of chivalry; that is, a coat made up of pieces of different coloured cloths, but a stuff woven with different coloured threads, like the Scotch tartans.

Art of dye-
ing among
the ancient
Irish;

I shall end what I have to say on the subject of dress by a few observations on the dyeing of the ancient Irish. That they were acquainted at a very early period with cloths dyed of various colours is unquestionable, and there is abundant evidence, both direct and indirect, that they themselves dyed most, if not all, the colours used by them. In the earlier tales, purple girdles, *Lenas*, and other garments, seem, from the high estimation in which they were held, to have been either of foreign workmanship, or, if dyed in Ireland, that the materials were scarce and the process of dyeing difficult. This is certainly true of the richer crimsons and scarlet shades of red, but not of the blueish red or violet tints, which appear to be the shades usually meant by the term *Corcar*. This word is still used in Ireland and in the Highlands of Scotland, as the name of the purple dyeing plants *Lecanora tartarica*, and *Lecanora parella*, or the cudbear and crabseye lichens. These plants were undoubtedly used, even down to quite recent times, to dye a purple, somewhat like the shade

739 " *Luce nova veterum coetus de more Getarum
Contrahitur; stat prisca annis, viridisque senectus
Consiliis; squalent vestes, ac sordida macro
Lintea pinguescunt tergo, nec tangere possunt
Altatae suram pelles, ac poplite nudo
Peronem pauper nodus suspendit equinum.*

Carmen vii. (Panegyricus avito Augusto socero dictus).

which archil gives. But I believe the process is now altogether extinct. The Swedes used to prepare from this plant a kind of archil of considerable repute called *Byttelet* or *Boråsfärg*, and may do so still in the remote districts of Sweden. Although in the absence of positive evidence it is hazardous to assert that the use of this dye-stuff was known to the pagan Irish, yet there is much indirect evidence to show that it was. The preparation of blue, violet, and blueish red colouring matters from lichens by the action of the ammonia of stale urine seems to have been known at a very early period to the Mediterranean peoples, and the existence down almost to the present day of such a knowledge in the more remote parts of Ireland, Scotland, and Scandinavia, renders it not improbable that the art of making such dyes was not unknown to the northern nations of Europe also. Several other species of lichens, besides those above mentioned, were used for dyeing, such as the two species called *Crotal*, the *Parmelia saxatilis* and *Parmelia omphalodes*, which give a kind of yellowish brown.

Lichens
used as dye-
stuffs.

Moss, called in Irish *Canach* and *Mointeach*, was also employed for dyeing wool, and one species of it, the *Hypnum cupressiforme*, is still used for this purpose in the county of Mayo, where by a very simple but ingenious process stockings are dyed by means of it of a rich reddish brown mottled with white. The white woollen yarn to be dyed is made into skeins; these are tied at short intervals by very tight ligatures of linen thread, and then put into the dye liquor. The ligatures prevent the colour of the dye-stuff from penetrating the part of the yarn squeezed by the linen thread, so that when the ligatures are removed, after the skeins have been washed from the adhering dye-stuff, those parts are white, while the other parts are of a rich orange brown colour. When this thread is knitted into stockings it produces a pretty mottled pattern. This process represents no doubt one of the ways in which the speckled and spotted garments mentioned in Irish tales were produced.

Use of moss
for dyeing
wool.

One of the principal dye-stuffs used for producing red was undoubtedly the root of the yellow bedstraw, or *Galium*

Red and
yellow dye-
stuffs :

Galium
verum;

verum,⁷⁴⁰ which contain apparently the same colouring matter as the madder to which it is allied, both being of the family of the Rubiaceae. Indeed it is said that it equals or even exceeds madder in the quality of the colour it yields. The Highlanders are said to still use it for dyeing wool and woollen stuffs red. The Icelandic name of the bedstraw is *Madra* or madder, a fact which seems to show that the plant originally called *Madder* was the *Galium verum*, and that consequently the use of it as a red dye-stuff by the Norse and Anglo-Saxons was anterior to the introduction of the *Rubia tinctorum* into North Europe. The flowers and stem dye a brilliant yellow. In both cases alum must be employed as a mordant, and consequently the use of mordants, and of alum, or of some substitute for it, must have been known to the ancient

Madder;

Irish at least as early as the sixth century. There is reason to believe that true madder, *Rubia tinctorum*, was also used in dyeing, and was cultivated in ancient times in Ireland. I have already quoted from the *Laws* a passage which shows that a certain quantity of *Ruu* or *Rud* should be cultivated in the gardens of a homestead. Although the bed-straw is still called by the Irish and Scotch *Rú*, it is hardly probable that the ancient Irish would have taken the trouble, or the law enjoin the task, of cultivating a native plant which grows in most parts of Ireland so abundantly. The *Ruu* which is mentioned in connection with purple and red in the *Book of Rights*, as part of the tribute due to the king of Leinster, by a certain class of *Daer Ceiles* or villeins, called *Cocarts*, may be either the cultivated madder or a supply of the roots of the native plants sufficient for the king's dye-house, but taken in connection with the fact of the special cultivation of a dye stuff called *Ruu* or *Rud*, it is more probable that the tribute of the *Cocarts* was

⁷⁴⁰ This plant is also known as the "cheese-ricing", from the property which it possesses of curdling milk, a property from which its generic name *Galium* is derived; it appears to have been sometimes called in Irish also *Bimnet*, or *Binidean*, that is, rennet. Perhaps the latter form of the name may be the explanation of the colour name *Bindean* in the laws and *Leabhar na g-Ceart*. If this be so, it would be the special kind of yellow produced by the flowers and stalks of the be.-straw.

true madder.⁷⁴¹ In the "Reasons and Motives" presented by king James the First to the "Incomparable city of London", to induce it to undertake the Plantation of Ulster, we find the following passage, which shows that madder and another dye-stuff, woad, of which I shall speak presently, must have been cultivated in the north of Ireland previous to the Plantation: "It is held to be good in many places for madder, hops, and woad". This is scarcely the statement of a mere speculative opinion, but the result of inquiries made as to the natural productions of the country, and of the crops which were known to have been cultivated there.

Garments dyed yellow with saffron are constantly spoken of by modern writers as characteristic of the Irish. There is no evidence, however, that saffron was at all known by the ancient Irish, and *Lenas* or *Inars* of a yellow colour are only mentioned two or three times in the principal ancient tales. From what has been shown in the Lectures and in this Introduction, about the colours of the ancient Irish dress, it will be evident that there was no national, as distinguished from clan-colour, for the *Lena*; a saffron dyed one, if at all used in ancient times, would be peculiar to a single clan.

Blue was dyed with the plant called woad (*Isatis tinctoria*). Before the introduction of indigo into Europe this plant was cultivated very largely in various parts of it, and in Ireland also. The *Isatis tinctoria* yields true indigo, but it contains only about one-thirtieth of the quantity found in the *Indigofera tinctoria* and the other species of the same genus cultivated for indigo in India. The leaves of the woad are ground in a mill into a paste, which is allowed to ferment during from eight to twelve days; after which it is formed into balls or loaves, and then dried. In ancient times, before the growth of large towns, and the consequent division of labour, the pasty mass was directly used for dyeing. During the putrefactive fermentation of the woad, ammonia is formed and hydrogen evolved. The latter, while in the nascent state, reduces the blue indigo to the state of white indigo, which, being

Saffron not used by the Irish.

The blue dye-stuff, *Glaisin* or woad,

⁷⁴¹ *Lectures*, vol. ii., pp. 119-120; and O'Donovan's *Leabhar na g-Ceart* published by the Celtic Society, p. 219.

soluble, can penetrate the wool or cloth to be dyed where it is deposited in the insoluble state, as blue indigo, on being exposed to the oxygen of the air.

was the
Glastum of
the Gauls.

The Irish name of woad was *Glasiin*, the Gallo-Roman *Glastum*, which Pliny⁷⁴² tells us was used by several nations for tattooing their bodies, and by the Britons for painting their whole body blue. This custom of painting and tattooing appears to have continued down to the seventh century,⁷⁴³ indeed it is not yet extinct, as the anchors, ships, and other objects which sailors are in the habit of inscribing by means of indigo or gunpowder on their arms and breasts, may be regarded as a direct tradition of the ancient custom. Caesar and Pomponius Mela also mention this custom of tattooing, but they call the colouring matter *Vitrum*.⁷⁴⁴ If the latter word signifies glass as well as a colour, it reminds us in a curious way, as Diefenbach has also observed, of the similar relationship of *Glaesum*, amber, and *Glastum*, the blue dye stuff. If *Glasiin* or *Glastum* were really the substance used for staining the body blue, the Britons must have either been able to prepare the indigo as a substantive pigment, or they must have dyed the skin and not painted it.

Legend
about St.
Ciaran and
the *Glasiin*.

The curious legend concerning St. *Ciaran* and dyeing with *Glasiin*, related in Lecture xxiv.,⁷⁴⁵ is of great interest, as showing the origin of myths from natural phenomena, and as affording glimpses of an ancient custom which has otherwise faded from tradition. The mother of St. *Ciaran* was one day preparing *Glasiin*. *Ciaran*, then a child, was present, and it being deemed unlucky that a male person should be present, she bade him to go out, whereupon he uttered what looks like a malediction, "may there be a dark gray stripe in it". And the cloth in dying ac-

⁷⁴² Illinunt certe aliis aliae faciem in populis barbarorum fœminae, maresque etiam apud Dacos et Sarmatas corpora sua inscribunt. Simile plantagini *Glastum* in Gallia vocatur, quo Britannorum conjuges nurusque toto corpore oblitae, quibusdam in sacris et nudae incedunt Aethiopum colorem imitantes'—*Hist. Nat.*, xxii. c. 2.

⁷⁴³ Labbei, *Concil.*, t. vi. p. 1782.

⁷⁴⁴ "Omnes vero se Britanni *vitro* inficiunt, quod caeruleum effecit colorem; atque hoc horribiliore sunt in pugna adspectu", etc. *Bell. Gal.*, v. c. 14.

(Britanni) incertum ob decorem, an quid aliud, *vitro* corpora infecti". *De Situ Orbis* iii. c. vi.

⁷⁴⁵ Vol. ii. p. 120.

cordingly exhibited a dark gray stripe in it. The *Glasin* was again prepared, and again he was requested to leave the house, his mother adding at the same time a wish that this time there may not be a gray stripe. *Ciaran*, however, wishes that it may be whiter than bone or curds, and it was so. The *Glasin* was prepared a third time, and *Ciaran's* mother asked him not to spoil it, but on the contrary to bless it. This he did with such effect, as we are told, "that there was not made before or after a *Glasin* as good as it, for what remained in the vat would not only colour all the cloth of the *Cinel Fiachrach*, but made the hounds and the cats and the trees which it touched blue. The two failures attributed to the curse of St. *Ciaran* are simply the failures which result from imperfect fermentation and over-fermentation of the woad-vat, accidents to which it was always very liable, especially when prepared as it was in ancient times from the fresh leaves in different stages of growth, and at one period of the year, when the weather was warm and changeable. The dyeing of the hounds and cats reminds us of the custom of dyeing pet animals, practised in India, where a blue dog is an especial favourite. Does this allusion to the powers of the woad-vat of St. *Ciaran's* mother point to a tradition of an ancient custom once common to all the branches of the Ayrán race?

Ancient custom of dyeing animals.

The ancient Irish greens were no doubt produced by dyeing the cloth yellow with bed-straw, or some other yellow dye-stuff and alum, and then passing it through a vat of woad. The process of dyeing black has been fully described in Lecture xxiv.⁷⁴⁶ The yarn or cloth, we are told, was boiled with twigs of the *Alnus glutinosa* or alder, which is called in Irish *Ruaim*,⁷⁴⁷ by which it acquired a reddish brown colour. When the rimed yarn or cloth was boiled with a black peaty mud found in certain holes in bogs and the peaty brinks of lakes, it was dyed of a black colour. The *Bugherane*, bog-bean or buckbean (*Menyanthes trifoliata*), and the roots of the common bramble or blackberry (*Rubus fruticosus*), give brown colours like the twigs of the alder; the bramble roots are still occasionally used in the west of Ireland

Green dyes.

Black and brown dyes.

⁷⁴⁶ Vol. ii. p. 119.

⁷⁴⁷ In the south of Ireland the *riming* operation was performed, in prepara-

for dyeing stockings and other home-made woollen fabrics black.

Mordants
used by the
ancient
Irish.

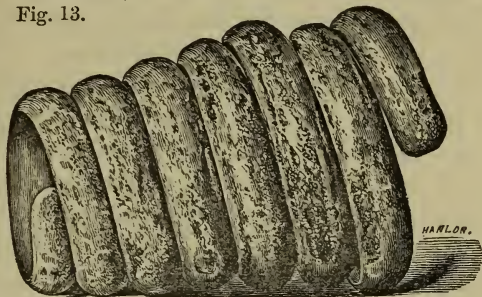
The description of the process of dyeing black shows how the iron mordant was procured. In some bog-holes a large quantity of iron is found in the mud, partly in combination with peat acids, and owing to the gradual decay of the organic matter chiefly in the ferrous condition required to produce a black. It is not so easy to explain whence the alum was obtained. According to the usually received accounts, the process of making that salt was not known to the Europeans before the fourteenth century, if even so early; what was used by European dyers previous to that time having been imported from the Levant. Some of this Oriental alum may have been brought into Ireland from Gaul in the sixth and subsequent centuries. The great price which we know was charged even in Italy in the beginning of the fourteenth century for Turkish alum would explain the high value set upon red cloaks in Ireland, where alum, if brought from the Levant, must have been very costly indeed. Crystallized alum is not however absolutely necessary for dyeing reds and yellows: other aluminous compounds may be employed as mordants. Thus, for example, the saline incrustations which form on decomposing carboniferous shales, such as those of the coast of Kerry and of Clare, would serve for this purpose, were it not for the iron with which they abound; but this may be precipitated by long-continued boiling in an open vessel. There is every reason to believe that these aluminous compounds were used as mordants in comparatively early times. I have not space to pursue this line of inquiry further, nor have I as yet sufficient materials to entitle me to enter into the discussion of the question at all.

There are many points connected with the subject of the

tion for dyeing black by means of logwood and copperas, by boiling the yarn or woollen fabric with the *Rumex acetosa* or common sorrel. Is there any connection between *rumuad*, which expresses the process, and the Latin *Rumex*? As the original name of alder was *Fearnog*, the secondary name *Ruaim* may have been derived from the use to which it is put.

personal ornaments of the Irish which I could find materials to make some observation upon; but the length to which this Introduction has already run reminds me that I must stop somewhere. Fortunately it is the part of O'Curry's

Fig. 13.



Lectures which requires least elucidation. I shall therefore content myself with giving the accompanying figure (figure 13) of the *Buidne* for the hair from the Petrie collection, now in the Royal Irish Academy, described by O'Curry in Lecture xx. The engraving is taken from a photograph given to me by Miss Stokes before the *Buidne* itself was exhibited to the public.

The hair
Buidne.

THE SOURCES AND COMPOSITION OF THE ANCIENT BRONZES OF EUROPE.

When the Lectures "on Weapons of Warfare", comprised in these volumes, were delivered, thirteen years ago, Prehistoric Archaeology was just becoming one of the special scientific questions of the day. Human time began to be divided, after the manner of geological time, into epochs characterized by fossils. These fossils are the tools, weapons, and other objects fashioned by man. The tools and weapons of stone marked in the new science, what we may call the palæo-anthropic epoch; those of bronze the meso-anthropic, and those of iron the kaino-anthropic epoch. Crude hypotheses and hasty generalizations are almost inseparable from the first beginnings of every new science, and Prehistoric Archaeology was not an exception to this rule. A change in the human fossils was supposed to indicate not merely an advance in the culture, but a change in the race itself. The stone man disappeared before the bronze man, and the latter before the iron man. Notwithstanding that the succession of stone, bronze, and iron weapons was regarded as evidence of the successive developments of mankind, the

The three
epochs of
Human
Time.

bronze man was made to spring ready-armed into existence, like Athene from the head of Zeus: and in like manner appeared the iron man. The Ethnologists forgot to inform the world where the bronze and iron men lived—the first, while passing through the stone incarnation, and the second, while passing through the stone and bronze ones. The bronze man was a Celt, the iron man was necessarily a Teuton. Wherever a bronze spear or other implement of the same material was found, a Celt had passed there; an iron weapon was a sure mark of the footsteps of an Anglo-Saxon or some other branch of the great Teutonic stem.

Distrust of the crude views of writers on prehistoric archaeology.

The ignorance of even the most elementary archaeological and historical facts, and the want of critical judgment displayed by many ethnologists and geologists who had first entered the domain of the archaeologist, led sober investigators like O'Curry to look with suspicion upon their classification of prehistoric antiquities according to the three "ages". Those whose pursuits and experience render them best qualified to judge of historical evidence, are not, however, necessarily those best able to decide a geological question; and Prehistoric Archaeology had now advanced to a stage in which it was necessary to combine both historical and geological investigations. When, therefore, I first thought of writing an Introduction to this work, the inducing cause was the necessity which I felt that the subject of the three ages of human culture should be discussed in connection with Irish archæology from this double point of view. In the interval which has elapsed since then, so great an advance has, however, taken place in this new branch of inquiry, that there exists no longer any special necessity for discussing the question.

The subject of the "three ages" my original object;

This subject need not be discussed now.

Discovery of metals an era in human culture.

No evidence that bronze was known before iron.

While, on the one hand, no one can deny that the discovery of the use of metals marked an era in human culture, and that previous to that discovery the tools and weapons were made everywhere of stone, bone, and horn; on the other, there is no real evidence that the art of making bronze or even copper preceded that of making iron. According to the results of linguistic palæontology ascertained by M. Adolphe Pictet, the Aryans, at the period of their dispersion, were not only

acquainted with the four metals, gold, silver, copper, and iron, but knew how to make bronze, a fact which M. Pictet thinks implies a knowledge of tin. With respect to the latter metal, he admits that language cannot aid us, the rarity of the metal and its restricted use having, as he suggests, caused the more ancient names to be forgotten.⁷⁴⁸ Lead, he thinks, was also, no doubt, known, the greater divergence of the names for it in the different Aryan languages being, perhaps, due to the little use made of that metal in very early times. If we admit M. Pictet's conclusions—and whatever difference may exist as to certain steps in the analysis, there is no doubt that they are in the main correct—all the branches of the Aryan race carried with them, as they migrated from the original home of the race, a knowledge of the principal metals. The Greeks, Romans, Celts, Germans, and Slaves, all alike knew iron; and consequently the use of the terms "stone age", "bronze age", or "iron age", are, except in a very limited sense, incorrect as regards those branches, though they might be strictly true, if applied to the parent Aryans.

Pictet's re-
searches on
the metals
of the
Aryans.

Iron known
to all
European
Aryans.

But although the discovery of iron may have preceded that of copper and bronze, it did not necessarily come into general use for weapons of warfare until mining and metallurgy had considerably advanced, and population had become concentrated in towns and cities. It would require considerable time, skill, and good anvils and other tools, to make steel from iron ores, to forge it into serviceable swords and spears, and to repair them when bent and broken. A single spear or sword

Bronze
swords easily
made.

⁷⁴⁸ The Irish *Sdan*, tin, is a loan-word from the Latin *Stannum*, but *Ume*, copper, is a native term. The name for bronze in our oldest tales is *Cred-uma*, or *Cred-ume*, that is, *Cred-copper*: but what is *Cred*? This word occurs isolated. Thus in the *Tochmore Emere* we are told that the *Cret* or body of *Cuchulaind's* chariot is of *Cred*, and in the *Bruighen da Choga* the Timpan of *Cormac Condlonges* is thus spoken of, "Thy Timpan of *Cred* of riches worth" (MS. H. 3, 18, p. 711). In both these cases *Cred* undoubtedly means some specific substance, yet nearly all the glosses upon it make it, as they do *Cruan*, some kind of mixed colour. There is one gloss, however, which distinctly makes it a metal: *airgetlach* .i. meir iarpoim, no h-ummai, no creoa, no airgto, no oir, no folais-fiann. "*Airgetlach*, i.e. an ore of iron, or of *Ume*, or of *Cred*, or of silver, or of gold, or of *folach-fiann*" (MS. H. 3. 18. 146-370). The position of *Cred* in the gloss, and its combination with *Ume* in the name of bronze, clearly point to tin.

may be, and is, indeed, made in Central Asia, in the most primitive smithies, but no large numbers could be thus made. Bronze spears and swords, though requiring a really advanced metallurgic skill, can be made by much simpler and more portable apparatus, and when broken or damaged, can be recast or mended in a few hours close to a battle field; and we know that it was the custom in Ireland, at least in ancient times, to have ambulatory smithies close to the field of battle for the repair of the damaged weapons. This facility of rapidly making weapons ready for immediate use, and superior to those which could be made under similar circumstances from iron, led to the general use of bronze weapons during a certain period. If we use the term "bronze age" to distinguish the period in Europe when, for the reasons just stated, and not from ignorance of iron, bronze weapons were almost exclusively used, the term is unobjectionable. But if by "bronze age" we imply a period in the history of any of the Aryan peoples in Europe when iron was unknown, the use of the term is wrong. This view of the question is illustrated by the uses to which iron was put by the Greeks, as described by Homer, at a time when weapons of warfare and defensive armour were made, perhaps, exclusively of bronze. As soon as a skilled civic population grew up in the Mediterranean countries, iron began to be made on a large scale, and to be used for arms which were superior to the bronze ones. In the time of Polybius, the friend and tutor of the second Scipio Africanus, born B.C. 202, all the Roman arms were made of iron and steel, bronze being used only for defensive armour.

True use of the term "Bronze Age".

Manufacture of bronze known to all European Aryans.

Error of making all bronze weapons, etc Celtic.

If the primitive Aryans knew how to manufacture bronze, this knowledge must have been common to all the European branches of the race—Greek, Roman, Celtic, Germanic, Slavonic. In every part of Europe occupied by those peoples, bronze weapons, tools, and ornaments have been more or less abundantly found. These articles, though occasionally offering peculiarities of form and ornamentation, are yet, on the whole, so similar, that many archaeologists have made them all Celtic, whether found on the so-called Celtic ground—Gaul, Britain, or Ireland,—or in parts of Germany, Denmark,

Scandinavia, and Russia, never occupied by the so-called Celts. There can, however, be no doubt now that the peoples who occupied north Europe, from the Ural Mountains to the Atlantic Ocean, about two centuries B.C., whether we call them Slaves, Germans, Scandinavians, or Celts, used bronze exclusively for making weapons. Did each of these peoples make their own arms? Although, as I have said, there is a general similarity between the weapons of each type found in different countries, there is, nevertheless, within certain limits, a great diversity of form and ornamentation, which seems to show that they are not the products of one place or of one people. A spear or sword may, however, be made of imported bronze, so that the fabrication of weapons and ornaments in a country does not necessarily imply the preparation of the bronze itself, much less that of its constituent metals from their ores. Copper ores occur in almost every part of Europe where bronze weapons have been found; tin is rare. In those countries where tin does not occur, bronze must have been imported, or one at least of its constituent metals.

According to a very prevalent view, the greater part, if not all the bronze of antiquity, was made by the Phœnicians, who obtained the necessary tin for the purpose from the Scilly Islands and Cornwall. The bronze thus made found its way, by exchange, into the interior of Europe from the sea-board frequented by Phœnician traders. Even the bronze found in Britain itself is supposed not to have been made there, but to have been given by the Phœnicians to the Britons in exchange for tin. It is probable that Tyrian and Carthaginian ships did reach the south-west of England by the Straits of Gibraltar: it is even possible that a regular trade in tin may have been carried on by sea between the Mediterranean and England in very early times. The existence of such a trade rests, however, on mere assumption. Of positive evidence there is none. It is much more probable that the early Phœnicians obtained their tin from the East rather than from the West. The Egyptians must have obtained the materials of their bronzes from Asia, and we know that the Tyrians carried on a considerable trade with Southern Asia

Hypothesis
of Phœni-
cian origin
of bronze.

Phœnician
trade with
Cornwall a
mere as-
sumption.

Phœnicians
obtained
their tin
from Asia.

by the Red Sea, and, there is good reason to believe, with Central Asia by caravans. Large quantities of tin exist in the Caucasus, and some may have been found in the rivers which flow into the Black and Caspian seas. Some tin is also found in the north of Spain, which, there seems no reason to doubt, was visited by vessels from the Mediterranean before Roman times; and, as all the tin of antiquity was probably obtained as stream-tin, the quantity found in old Galician and Asturian stream washings was much larger than the present state of those districts would lead us to suppose.

The analysis of the bronzes found in different countries ought to throw considerable light on the origin of European bronzes, as well as on the mining and metallurgic skill of the peoples of Europe in prehistoric times. The early analysts of bronze articles only sought to determine the relative proportions of tin and copper, and paid no attention to the other substances present in small quantity, unless in the case of lead and zinc, and then only if they happened to be present in notable quantities. A considerable number of analyses have, however, been made within the last few years, in which every constituent has been determined. Among those may be mentioned the analyses of Mallet, Berlin, Phillips, but especially those of von Fellenberg and von Bibra. The latter has also done good service by collecting together and tabulating the results of nearly all the analyses hitherto published.⁷⁴⁹ Notwithstanding the labours of these and other chemists, our information on the whole subject is scant and unsatisfactory. In most cases no archaeological information is given about the object analysed; even that given by von Fellenberg and von Bibra, especially in the case of prehistoric bronzes, is not always sufficient to make the chemical information of as much value as it might otherwise be for archaeological investigation. We want a series of analyses of all the different types of spears, swords, and axes found in each country and preserved in public museums, especially of authentic specimens, whose whole

Tin abundant in the Caucasus.

Use of analyses of bronzes;

early analyses defective;

newer ones more complete;

present information unsatisfactory;

new analyses wanted;

⁷⁴⁹ *Die Bronzen und Kupferlegirungen der alten und ältesten Völker mit Rücksichtnahme auf jene der Neuzeit*, von Dr. Ernst Freiherrn von Bibra, Erlangen, 1869.

history is known, accompanied by photographs of the objects analysed, or at least references to the catalogues of the museums where the object has been figured. But what we especially want are many more analyses of Egyptian, Phœnician, Carthaginian, Persian, Indian, Greek, and Spanish bronzes. Until these are made, we must look upon the conclusions drawn from the comparative composition of ancient bronzes as provisional.

It is unfortunate that among the published analyses there is, so far as I am aware, not one Spanish example, either pre-historic, Carthaginian, or Roman. Even early Italic bronzes have scarcely been at all examined. Incomplete as is our knowledge of the chemical composition of ancient bronzes, it is nevertheless sufficient to indicate, if not to definitely establish, several conclusions of great archaeological value. Before stating those conclusions, it is necessary to say something on the probable sources of the materials of bronze in ancient times, the classification according to chemical composition of those analyzed, and the geographical distribution of the several types of composition established by chemical analysis.

The copper ores which exist in sufficient abundance, and widely diffused enough to be employed as sources of metallic copper may be classed into two groups: 1. sulphuretted ores; and 2. non-sulphuretted ores. The principal ores of the former class are Copper Glance or Vitreous Copper, Erubescite or Variegated Copper, Chalcopyrite or Copper Pyrites, and Tetrahedrite or Gray Copper. The principal ores of the second group are: Native Copper, Red Copper or Cuprous Oxide, Malachite or Green Carbonate of Copper, and Azurite or Blue Malachite. Native Copper may have, indeed probably did, suggest the first use of the metal. In North America all the ancient weapons are made from Lake Superior Native Copper, apparently by simple hammering, and without having subjected it even to the operation of fusion. Where Red Copper and Malachite were found in abundance, they may have been employed by ancient peoples in their first rude metallurgical operations. Leaving out of consideration the American tools and weapons of unfused Native Copper just mentioned, the

majority of ancient implements of bronze and copper afford unmistakable evidence, however, of having been made from metallic sulphides. Of the sulphuretted ores of copper above named, the two first, if unmixed with other ores—and large masses of them are frequently found comparatively free from other minerals—would yield a more or less pure copper; the second or Copper Pyrites would give, when treated according to the necessarily rude processes of early metallurgists, a metal containing a large quantity of iron. Gray Copper is a very complex ore; it contains antimony or arsenic, iron, zinc, silver, etc.; the copper made from it should contain more or less of those metals.

foreign
minerals
mixed with
copper ores.

Where the purer ores occurred abundantly, the early metallurgists appear to have picked them; but in those localities where the ordinary ores contained many other associated minerals, such as Tin Pyrites—a sulphuret of tin which sometimes contains zinc to the extent of ten per cent.—Bournonite, a combination of sulphur, antimony, lead, and copper; Ullmannite, a mineral containing sulphur, arsenic, antimony, and nickel; Gersdorffite or Nickel Glance, a combination of arsenic, sulphur, nickel, iron, and cobalt; and Copper Nickel, or Arseniuret of Nickel, the manufactured metal should contain small quantities of the metals contained in those minerals.

Composition
of crude
copper.

The extent to which the character of the ores affects the composition of crude coppers may be seen from the analyses of crude copper, known by the German name of *Schwartz-Kupfer*, and by the English name of “blister” copper given on the next page.

Only two of these specimens contained tin. It appears, however, to be a constant constituent of crude copper, prepared from ores from stanniferous districts. Thus Napier found it in three specimens of Swansea blister copper, and Le Play not only in the copper but in the “roaster” and “refinery” slags. Even in districts where tin ores are not found, at least in any quantity, some tin may occur in copper ores, such as Gray Copper. According to analyses made by Herr G. vom Rath, the Fahlerz of Kotterbach contains from 0.64 to 0.75 per cent. of tin; and, as I shall show presently, tin has been found in Norwegian refined copper.

	Wales (Le Play) 750	Mansfeld (Baumann.) ?	Borsbaanya (Lil)	Hungary	Freiberg (Lampadius.)	Ätvidaberg Sweden.	
Copper,	86.5	87.61	92.68	81.31	81.43	67.14 ⁷⁵¹	94.39
Tin,	0.7	—	—	—	—	—	0.07
Lead,	—	6.63	1.87	8.48	7.51	20.75	0.19
Zinc,	—	—	1.72	0.86	0.80	0.91	1.55
Nickel	} 3.2	} 3.94	0.62	0.44	0.44	} 3.40	} 0.63
Cobalt,			0.62	0.44	0.44		
Iron,	—	0.47	1.93	4.76	6.50	3.31	2.04
Antimony,	—	—	—	0.70	0.84	1.53	—
Arsenic,	1.8	—	—	1.13	0.85	2.00	trace.
Silver,	—	0.06	0.11	0.32	0.32	0.41	0.11
Bismuth,	—	—	—	trace.	trace.	0.30	—
Gold,	—	—	—	trace.	trace.	—	—
Sulphur,	6.9	0.73	0.99	0.88	0.80	0.25	0.80
Total,	99.1	99.44	100.54	99.32	99.93	100.00	99.78

From the preceding table it is evident that a considerable quantity of lead may exist in a bronze derived from the copper of which it was made, and not advisedly added to it. As much as 42.66 per cent. has been found by Herr Leschner in a specimen of black or crude copper from one of the Freiberg furnaces.

Bronzes may contain lead as an accidental ingredient.

In most cases the copper produced by the imperfect methods of the old smelters was about the degree of purity represented by the German *Schwartz-kupfer* and English "blister" copper, the analyses of some of which are given in the preceding table. It is from crude copper of this kind that bronze was made. So little use was made of unalloyed copper that it is not likely they were acquainted with our delicate process of refining copper. The mere melting of "black copper" diminishes notably the foreign substances which it contains. In fact, re-melting copper two or three times is equivalent to refining it, as the more volatile and oxidizable metals, antimony, zinc, iron, etc., evaporate or burn out. The nearly pure metal of the copper weapons occasionally found, was, no doubt, the result of several re-meltings. The following table shows the great similarity in composition between modern refined copper and the copper anciently used for coinage, tools, and weapons.

Ancient coppers.

⁷⁵⁰ Black copper from reverberatory furnace in working "blue metal" and "roaster slag".

⁷⁵¹ The actual amount of copper is not given by Lampadius, who states that it varies from 64 to 70 per cent. in the black coppers of the copper works of Mulden. That here given is estimated by difference.

Constituents.	A.—COPPERS CONTAINING TIN.										B.—COPPERS NOT CONTAINING TIN.					
	Refined copper.		Siberian objects.		Coins.			Northern Antique objects.			Refined copper.			Ancient copper.		
	1	2	3		5	6	7	8	9	10	11	12	13	14	15	16
Copper,	99.61	99.460	99.00	92.04	97.83	99.13	99.24	99.32	98.17	99.73	99.31	99.78	99.68	98.98	99.71	
Tin,	0.27	trace	0.32	2.94	0.62	0.22	0.10	0.15	0.94	—	—	—	—	—	—	
Lead,	trace	trace	—	1.02	0.62	trace	0.46	—	—	—	—	—	—	trace	—	
Zinc,	—	—	—	2.93	trace	—	—	—	—	—	—	—	—	—	—	
Silver,	trace	0.06	—	—	—	—	—	0.22	—	—	—	—	—	—	—	
Antimony,	—	—	—	0.10	trace	0.32	—	0.14	—	0.03	0.10	0.05	—	—	—	
Iron,	0.62	0.11	0.34	0.72	0.62	trace	0.20	0.14	0.89	—	—	0.02	—	0.42	—	
Nickel,	—	0.11	—	0.25	0.31	0.32	trace	—	—	—	0.10	trace	0.42	0.10	—	
Cobalt,	—	—	—	—	—	—	—	—	—	0.10	0.28	—	0.42	0.50	—	
Sulphur,	—	0.017	—	—	—	—	—	—	—	—	—	—	—	—	0.28	
	100.50	99.57	99.66	100.00	100.00	100.00	100.00	99.97	100.00	100.11	99.92	100.00	100.42	100.00	99.99	

1. Norwegian refined copper (Genth). 2. Årvidaberg refined copper (analysed at mining school of Fahlun), made from the crude copper from the same place mentioned in preceding table; this specimen also contains 0.0015 of gold; the nickel includes the cobalt also. 3. Knife from Siberia (Struve). 4. Part of a clasp from Siberia (v. Bibra). 5. Coin of a Greek city circa B.C. 400 (v. Bibra). 6. Coin of Vespasian, A.D. 60 to 79 (v. Bibra). 7. Coin of Caligula, A.D. 37 to 41 (v. Bibra). 8. Axe from Kirch-Jessar, near Hagenow, in Mecklenburg, represented by fig. 2, Pl. xxxiii. of Dr. Lisch's work (v. Fellenberg). 9. Axe from Schaffhausen (v. Fellenberg). 10. A sickle from Weissing (v. Bibra). 11. Refined copper from Manstead (v. Bibra). 12. Refined copper, Reichelsdorf (Genth). 13. English sheet copper (Abel and Field); this specimen also contained 0.09 per cent. of bismuth, and 0.08 of arsenic; the copper estimated by difference; it is not stated whether any sulphur was present. 14. Drops of melted copper from the bed of the Ache, near Bruck, in the Pinzgau (v. Fellenberg). 15. "Palstave", Bavaria (v. Bibra); this specimen contained a trace of tin. 16. An Irish lance head (Phillips).

The tin in the stanniferous specimens in the foregoing table might be derived either from the copper ores, as in the case of the "black" coppers above mentioned, or from the addition of a little bronze in re-melting the crude copper, or it might be the copper of a bronze from which the greater part of the tin had been burned out by repeated fusion. The effect of repeated fusion, especially upon small quantities of bronze, in throwing off the tin, is well shown by some experiments of M. Dussaussoy. He found that an alloy containing 90.4 per cent. of copper and 9.6 per cent. of tin was reduced by six fusions to 95 per cent. of copper and 5 per cent. of tin.

Herr Wibel⁷⁵² and others think that not only the copper of the articles containing some tin, but even of those not containing tin, as well as the ancient ingots of copper, may be regarded as secondary products in the preparation of bronze. According to him, bronze was formed not by melting together the constituent metals, copper and tin, but by smelting copper and tin ores together. He thinks that almost pure copper sometimes resulted from not adding sufficient tin ore, or from unequal mixture of the ores. Von Bibra also believes that at an early period of the "bronze age", bronze was not made by melting the reguline metals, but in the manner suggested by Herr Wibel, by mixing copper and tin ores. There can be no doubt that bronze can be produced in the way suggested, as is shown by the presence of tin in even refined copper. Wibel's hypothesis is, however, wholly untenable. Apart from the impossibility of producing by any empiric mixtures of different ores, bronzes of the definite types which I will show were made, the hypothesis almost necessarily implies that bronze was only made in the districts where copper and tin ores are both found. There seems no doubt, however, that copper was made in countries where no tin is found, and this copper could only be made into bronze by the addition of imported metallic tin or tin ore.

It seems to me probable that the greater part of the bronze of antiquity was produced by treating crude copper like German

⁷⁵² *Die Cultur der Bronze Zeit Nord und Mittel-Europas*, von Dr. F. Wibel, Kiel, 1865.

Bronze probably made from "crude" copper and tin stone.

Schwartzkupper or English "blister copper" with tin stone in the same way that it was treated with Smithsonite or carbonate of zinc, or by zinciferous flue sublimate to produce brass. By this process it would be possible to produce more or less definite alloys economically. The oxygen of the tin-stone would help during the reduction of the ore to burn out the sulphur, iron, arsenic, zinc, and other volatile metals in the crude copper. In this way the greater part of the foreign metals would be thrown off and very little tin lost.

The impurities of bronze help to indicate the ores from which it was made.

The metals found in bronze as impurities, and all of which are apparently derived from the copper, serve to indicate in some cases at least the character of the ores of copper used. Thus it seems reasonable to suppose that the bronze of the axe from Kirch-Jessar in Mecklenburg (marked No. 8 in the last table) was made from gray copper associated with tin pyrites or other stanniferous mineral, as happens in the Erzgebirge, while the lance head (No. 16 in the same table) was made from copper glance or from copper pyrites. Both those ores occur in Ireland, where they are very rarely found associated with minerals containing antimony, nickel, etc., so that the character of the copper of the implement under consideration affords presumptive evidence that it was made in Ireland.

Göbel's Classification of alloys of copper.

Professor Göbel⁷⁵³ classifies the alloys of copper used in ancient times into: 1. copper and tin or true bronzes; 2. copper, tin, and lead; 3. copper and zinc or common brass; 4. copper, zinc, and tin; 5. copper, zinc, tin, and lead. For strictly antiquarian purposes it is, however, only necessary to distinguish three classes of copper alloys, namely: 1. true bronzes, composed of copper and tin; 2. lead bronzes, or alloys of copper and tin containing so much lead as to afford presumptive evidence either that it had been probably directly added, or at least of the general use of certain plumbiferous ores; and 3. zinc alloys, including those consisting of copper and zinc only, copper, tin, and zinc, and copper, zinc, tin, and lead.

True bronze the oldest alloy.

The most ancient copper alloys, in Europe at least, are the

⁷⁵⁴ *Ueber den Einfluss der Chemie auf die Ermittlung der Völker der Vorzeit*, Erlangen, 1843.

true bronzes; and as the materials from which they were made occur in several parts of the north and west of Europe much more abundantly than in the Mediterranean countries, there can be little doubt that bronze was a native product with which the Phœnicians had nothing whatever to do. Tin is found in greatest abundance in Cornwall, and in workable quantity in the Saxon Erzgebirge (Altenberg, Zinnwald, Geyer, etc.), in the Bohemian Erzgebirge (Schlaggenwald, Joachimsthal, Eybenstock, etc.). It also occurs in small quantity near Giehren in Silesia, at Findbo in Sweden, at Vaulry and Puyles-Vignes near Limoges, at Pyriac near Croisic in the neighbourhood of Nantes, at Villeder in Morbihan, and in Western Asturias and Galicia, especially in the neighbourhood of Monte-Rey. Of these the most important mines are those of Cornwall; a good deal of tin is, however, annually obtained from the Saxon and Bohemian mines. The Spanish mines are now scarcely if at all worked; in ancient times I have no doubt they yielded quantities of tin which for those times were very large. In France the amount of tin ore discovered is not sufficient to make it profitable to work it. This was not the case formerly, however, for M. Allou, who carried out the searches for tin ore in France under the French administration of mines, discovered at Vaulry near Limoges, ancient tin workings, slags still containing tin, and an ancient vase made of that metal.⁷⁵⁴ It is certain, therefore, that tin was anciently worked in France and Spain as well as in Cornwall; and it is very probable that the tin mines of the Erzgebirge furnished some of the tin of the "bronze age". I do not know whether Scandinavia furnished any tin during that period. But as the tin ore of Findbo in Sweden contains as much as twenty-four per cent. of Tantallic acid, the detection of the presence of some of the very rare metal tantalum in an ancient Swedish bronze, may help to solve the problem.

European
localities of
tin-ore.

Von Fellenberg, Wibel, and others think that the ancient bronzes are of such variable composition that the old bronze workers had no notion of definite composition, and in smelting the ores mixed them in an arbitrary manner. A comparative

Composition
of ancient
bronzes
definite.

⁷⁵⁴ *Mineralogîe Appliquée aux Arts*, par C. P. Brard, t. i. p. 508.

study of all known analyses, including some of my own, has led me to precisely the opposite conclusion.

Classifica-
tion of anti-
que bronzes.

The antique real bronzes may be classified into four groups: I. Golden yellow, hard, somewhat malleable and tenacious alloys, containing from four to six per cent. of tin: the typical bronze of this period might be represented by the formula $Cu_{35}Sn$, which should contain about five per cent. of tin. II. Gun-metals consisting of from eleven to eight parts of copper to one of tin. Eight parts of copper and one of tin form a hard, slightly malleable bronze, represented by the formula $Cu_{15}Sn$, and consisting of 89 per cent. of copper and 11 per cent. of tin. III. Bell-metals, the typical one being $Cu_{10}Sn$, a yellow, very hard, and more or less malleable alloy, having the composition 84.33 per cent. of copper, and 15.67 per cent. of tin. IV. Speculum metals, consisting of brittle very hard alloys, containing above eighteen per cent. of tin. The bronzes of each of these types are subject to variation, especially those of the second. The variation is due, chiefly, to two causes: first, the separation of the constituent metals in the fused mass, and the accumulation of the tin in the lower portion of the casting; and second, the throwing off of the tin by oxidation when the alloys are re-melted. I have already pointed out the serious effect of repeated fusions on the relative proportions of copper and tin. There can be little doubt that the apparent absence of definite composition in ancient bronzes is largely due to this cause.

Number and
classification
of analyses
of bronze
weapons.

In estimating the relative numbers of objects made of alloys of each of the foregoing types, I will confine myself to weapons of war, because: 1. I am only concerned with such objects at present; 2. because weapons are perhaps the most ancient bronze objects; and, 3. we can best judge from them whether the old bronze workers aimed at making definite alloys. The total number of analyses of swords, spears, and javelins, axes, and so-called "celts" and "palstaves", known to me, is one hundred and eight. The following table shows the distribution of these objects according to the three-fold classification of: kind of weapon, character of alloy, and, if true bronze, the type to which it belonged.

Classification of Ancient Bronze Weapons.

Kind of weapon.	Copper.	TRUE BRONZES.					Lead Bronzes	Zinc Bronzes and Brass	Grand Total
		Type I.	Type II.	Type III.	Type IV.	Total.			
"Celts" and "Pal- staves" }	—	10	19	2	—	31	1	1	33
Axes	1	5	7	1	2	15	1	—	17
Spears and Javelins	1	1	9	3	—	13	9	—	22
Swords	—	4	17	9	1	31	2	2	35
Total	2	20	52	15	3	90	13	3	108

In classifying the true bronzes, I have included in Type I. all weapons containing less than eight per cent. of tin; in Type II. all bronzes containing between eight and twelve per cent. of tin; and in Type III. all containing between thirteen and seventeen per cent. of tin. The single axe placed under the head "copper" was, perhaps, originally a true bronze, but has had its tin thrown off by repeated fusions, until the per-centage was reduced to 0.94. Although, therefore, containing nearly one per cent. of tin, I have regarded it as copper, because, as we have already seen, nearly as much as that may exist in raw copper, even at present, when so much care is bestowed upon the picking of ores, and the processes are so much more perfect than in ancient times. Under the head lead bronzes, I include only such objects as seem to contain lead as a normal, and not as an accidental constituent. The table of the results of analyses of crude coppers given above, shows that as much as twenty per cent. of lead may occur as an accidental ingredient in crude copper: it is consequently very difficult to decide whether the lead found in an ancient bronze has been intentionally added, or is an accidental ingredient derived from plumbiferous minerals mixed with the copper ores. True lead bronzes, that is, those in which the lead was introduced advisedly, generally contain very little iron or other accidental metals. One of the two lead-bronze swords in the preceding table was found in Ireland; it contained as much as 8.35 per cent. of lead, yet, as it also con-

Per-centages
of tin in each
type of
bronze.

Difficulty of
determining
whether
lead be acci-
dentally
or inten-
tionally
present.

tained 3 per cent. of iron, the lead may be an accidental and not a normal constituent.

Localities of the lead bronzes analysed.

The whole of the lead-bronze spears analysed are from Scythian graves at Nikopol and Alexandropol, on the Dniepr (about the fourth century B.C.), and from pre-Christian graves on the same river. Lead bronzes belong to the Mediterranean, and are especially characteristic of Egypt, of republican Rome, and of Etruria. The use of lead indicates a knowledge of the separation of silver by cupellation. Herr von Fellenberg states that in the Swiss lake dwellings, at Hallstadt, in Mecklenburg, and other places, silver is not found with the true bronzes, while gold frequently occurs; and he argues from this circumstance that those who did not know silver did not know lead as a separate metal, inasmuch as in ancient times all the silver in use was obtained from argentiferous lead. As the researches of Pictet on the linguistic palaeontology of the Aryans have rendered it almost a matter of certainty that they knew silver before their dispersion, the rarity of that metal in Germany and Switzerland is not to be taken as a proof that it was not known. Silver ornaments were comparatively abundant in Ireland, and appear to belong to the same period as the gold ones. They are continually referred to along with gold and bronze ornaments, weapons, and other objects, in the most ancient and pagan of the Irish historic tales and poems. The Irish *airgat* or *argat* is believed by Ebel to be borrowed from the Latin *argentum*, but this is doubtful. Nevertheless, as there is no positive evidence that any of the silver articles found in Ireland are older than the Roman occupation of Britain, I do not like to hazard an opinion as to whether the Irish knew silver before that period.

The use of lead indicates a knowledge of silver.

Silver ornaments mentioned along with gold and bronze ones in Irish MSS.

Zinc bronzes of Roman origin.

Zinc bronzes are later than lead bronzes, and appear to be altogether of Roman origin. Brass was made as early as the third century B.C., by adding Smithsonite⁷⁵⁵, or flue sublimate from furnaces in which ores containing zinc were smelted, to melted copper, with the view of giving the latter a yellow

⁷⁵⁵ The carbonate and silicate of zinc were formerly called *Calamine*, but that name is now confined to the silicate, the carbonate being called *Smithsonite*.

colour. It was, however, about the time of Cæsar that the use of brass became general.

Notwithstanding that the number of analyses of ancient alloys made up to the present time is small, as I have above stated, and that there are many countries not at all represented, we may venture in the following summary to indicate some general conclusions which may already be drawn from the published analyses as to the geographical distribution of the different kinds of alloys included in the last table.

Constitution
of the
bronzes of
different
countries :

Egyptian. Egyptian bronzes are, with few exceptions, lead bronzes : as regards the proportion of tin in them, they belong chiefly to Types I. and II., and a very small number to Type III.

Niniveh. I know of only four analyses of Niniveh bronzes, all made by von Fellenberg. Two of these are good examples of Type II., another belonged to Type IV. The fourth was a peculiar alloy, containing 88.03 of copper, 0.11 of tin, 3.28 of lead, 4.06 of iron, 3.92 of antimony, and 0.60 of arsenic, which represents the composition of a crude copper made from Gray Copper ore.

Assyria ;

Carthage. With the exception of a few coins, we know nothing as yet of the constitution of the Carthaginian bronzes. These coins are bronzes, having a low per-centage of tin, and containing some lead, and in one case antimony also.

Carthage ;

Greece. The early coins of Greek cities are true bronzes of Types I. and II. ; those of a later period, from about B.C. 300 to B.C. 150, are chiefly true bronzes of Type II., and also some lead bronzes, some of which contained above fourteen per cent. of lead. The Greek coins of the early Roman times appear to be nearly all true bronzes ; those of the Roman Emperors, coined in Greek provinces, are either lead or zinc bronzes. The coins of Philip of Macedon, and of Alexander and his successors, are true bronzes, chiefly of Type II., but in many cases passing into bell-metal, or Type III. The Sicilian coins from the fifth to the third century B.C. were true bronzes, chiefly of Type I. ; some are also lead bronzes. Greek statues, vases, and other objects of art of a similar kind, are chiefly true bronzes of Type II. ; there are, however, some lead bronzes rich in lead. Fragments of armour, spears, etc., from pre-Christian Greek graves in the Crimea, the peninsula of Taman, etc., are, with the exception of a few examples of zinc bronzes, chiefly true bronzes of Type II.

Greece ;

Scythia. Buckles, wire, and coins of pre-Christian times from

Scythia; ancient Olbia on the Borysthenes (Dniepr), were true bronzes of Type I., and lead bronzes containing very little tin, ornaments, vases, weapons, harness, etc., from Scythian graves at Nikopol and Alexandropol on the Dniepr, from Old Tanais at the mouth of the Don, were in part true bronzes, chiefly of Type II., and others of Types I. and III., and in part lead bronzes containing from three to seven per cent. of lead.

Rome; *Rome.* With the exception of one copper coin and one true bronze one of Type II., all the coins of the Roman Republic which have been analyzed are lead bronzes. Even so far back as B.C. 500, lead bronzes were used for the coinage. With very few exceptions the Roman coins of the Empire from Julius Cæsar to Gallienus and the Thirty Tyrants (A.D. 265-268) contained so little lead that it may be considered as an accidental constituent. The per-centage of tin was also very low during this period, while the zinc was often very considerable, many are simply brass. Some seem to have been made of a bronze so often melted that the greater part of the tin had been thrown off. After the period of the Thirty Tyrants the per-centage of tin is in general low, and zinc almost disappears as a normal constituent; the lead too is generally low, the alloy being in many cases so poor in white metals as to justify us in ranking them as crude coppers. Roman ornaments and other objects were either lead or zinc bronzes, true bronzes being very rare.

Russia; *Russia.* Russian bronzes may be classified into four groups: group 1, south Russian bronzes of about the second or third century of the Christian era, such as those found at Nowo-Tscherkask, near Old Tanais, on the Don, are all true bronzes; 2, those found in graves of the eleventh century in the government of Wladimir are all zinc bronzes containing a low per-centage of zinc; 3, those found in the Baltic Provinces: these are brasses containing a very small per-centage of tin, and sometimes a good deal of lead; and 4, Siberian articles of undetermined age, chiefly true bronzes; a few are also zinc bronzes.

Scandinavia and Denmark; *Scandinavia and Denmark.* Scandinavian bronzes are true bronzes, chiefly of Type II. In a Swedish ingot as much as 4.31 per cent. of zinc was found. This is the only case where the zinc might have been intentionally added.

Bohemia and Eastern Germany. *Bohemia, Saxony, Silesia, and Eastern Germany.* The bronzes of these districts are true bronzes of Types II. and I. A few lead bronzes, some of them being very rich in lead, also occur.

Northern Germany: Baltic Region (Schleswig-Holstein, Pomerania, and Mecklenburg). The bronzes found in this region are true bronzes belonging to Types I., II., and III., about two-thirds belonging to Type II. Among the specimens which have been analysed are two of zinc bronze found associated with iron, and having, therefore, probably an Imperial-Roman or medieval origin

Northern
Germany—
Baltic
region;

Northern Germany: North Sea Region (Hanover, Oldenburg, Anhalt, etc.). The bronzes found in this region are true bronzes belonging to Types I., II., and III., but the majority are of Type II. Zinc, varying from 0.62 to 3.99 per cent., was found in nearly all the Anhalt bronzes. It is probable that the zinc in these bronzes, and in others of the same kind found in other parts of this region, was an accidental constituent, derived from zinciferous copper ores.

Northern
Germany—
North Sea
region;

Bavaria and Central Germany. The bronzes of this region are true bronzes, chiefly belonging to Type II., the others belong to Types I. and III., and one to Type IV. Small quantities of zinc occur in some, but evidently as an accidental ingredient. In a few cases it however exceeded 4 per cent., and in one it reached 6.81 per cent.

Bavaria and
Central
Germany;

Rhine Land. In this region weapons, tools, ornaments, etc., of true bronze, zinc bronze, and brass are found—the latter being especially characteristic of Roman settlements.

Rhine land;

Austria. The Austrian bronzes are true bronzes of Types I., II., and III., the majority being, however, of Type II. Most of the specimens analyzed were from Hallstadt, where bronze and iron weapons are found together.

Austria;

Switzerland and Savoy. The bronzes of this region are chiefly true bronzes, those of Type II. predominating; a few lead bronzes, and two specimens of zinc bronze have also been examined. Zinc also occurs in three other bronzes, but evidently as an accidental ingredient.

Switzerland
and Savoy;

France. Very little is known about the composition of bronzes found in France. Of the rich collections of Gaulish coins not one, so far as I know, has been analyzed. As regards the few French articles examined, they were all, with one exception, true bronzes; that exception was a zinc bronze axe, containing no less than 29.58 per cent. of zinc. An old bronze article (the kind of article not stated) from the Longerie bone cave in Dordogne, was found to contain 12.64 of tin. The Abbeville turf bronzes are all

France;

true bronzes of Types I., II., and III.; owing to the small number analyzed, it is not possible to say which type predominates. The other French bronzes examined are distinguished by their richness in tin. Type III. seems to predominate among the Gallo-Roman bronzes.

England; *England.* Very few of the bronzes found in England have been analyzed. Those that have been, belonged to two categories: first, those which, from the circumstances under which they were found, may be considered British; and second, Roman bronzes. The former were true bronzes of Type II. The Roman bronzes were zinc bronzes, with the exception of one lead bronze which contained 1.44 per cent. of zinc.

Scotland; *Scotland.* The number of Scotch bronzes which have been analyzed is also very small. All those examined contained lead; in two cases (both being vessels) the lead exceeded 5 per cent. (5.88 and 8.53); they appear to have been true lead bronzes. As regards the proportion of tin, the bronzes belonged to Types I., II., and one to Type III. Although too few have been analyzed to entitle us to say definitely which type predominated, there seems little doubt that it was Type I.

Ireland; *Ireland.* When we consider the great abundance of bronze articles found in Ireland, and the importance of the archaeological and historical questions upon which a numerous series of systematic analyses would be likely to throw much light, the number of analyses made is very insignificant. The majority of the specimens examined were true bronzes of Types I. and II., and several of an intermediate quality containing about eight per cent. of tin, apparently originally belonging to Type II., but from which part of the tin had oxidized out in re-melting. The majority of the specimens contained some lead, one, a so-called "celt", and another a sword handle, contained somewhat more than three per cent. of lead. This lead was probably an accidental ingredient. There was, however, one specimen which contained 9.11 per cent. of lead, and may be considered as a true lead-bronze. This specimen is described as a horn, and was doubtless one of those numerous horn and trumpet instruments found in Ireland. Are all such instruments lead-bronzes? If so, they may probably be of Roman origin. Here is a very interesting question, which it is very desirable should be solved. A lump of bronze was found to contain 30.62 per cent. of tin, 0.13 of silver, 1.91 of antimony, 0.11 of arsenic, and 0.11

of sulphur. This specimen was undoubtedly made from Gray Copper, and may have been produced by smelting that ore directly with tin stone, and so far would support the view that bronze was always made from the mixed ores of copper and tin. Such an alloy might equally well result, however, from the addition of a large quantity of tin stone to a very impure crude copper prepared from Gray Copper. This, as I have said before, was probably the general process followed by ancient bronze makers. Among the Irish specimens analyzed, was a spearhead of almost perfectly pure copper, containing 99.71 per cent. of copper, and 0.28 of sulphur. This metal was unquestionably made from a pure ore, either sulphuret of copper or copper pyrites, such as many of the copper ores found in Ireland.

Reviewing the whole question, and taking into account the composition of all the alloys of copper used in ancient times for every purpose, I think the following conclusions may be legitimately drawn from the facts.

General conclusions deducible from all chemical facts at present known concerning ancient bronzes.

1. The northern nations in ancient times used only true bronzes of greater or lesser purity, according to the kind of ores used.

2. Many of those bronzes contain small quantities of lead, zinc, nickel, cobalt, iron, and silver, derived from the copper from which the bronze was made.

3. Though some bronzes may have been produced directly by melting a mixture of copper and tin ores, the usual mode of making them was by treating fused crude copper with tin stone. In later times bronze was made by mixing the two metals together.

4. Bronzes were not formed of variable proportions of copper. The makers aimed at the production of definite alloys by mixing the ingredients according to empiric formulæ. There were four types of true bronzes, according to the relative proportions of tin and copper. The predominant alloy used by all the northern nations of Europe was a gun metal containing from nine to twelve per cent. of tin, the typical alloy being composed of eleven per cent. of tin and eighty-nine of copper.

5. The great variation in composition of many bronzes which has led to the belief that the ancient bronze smiths did not aim at the production of alloys of definite composition, that is, mixed the ingredients in an arbitrary manner, arises from the re-melting of the original bronze by which a portion of tin was oxidized out each time the metal was melted.

General conclusions deducible from all chemical facts at present known concerning ancient bronzes.

6. Copper appears to have been always made from sulphurets, including such complex minerals as Gray Copper. This implies a considerable amount of progress in mining and in metallurgy.

7. The tin ore used was chiefly stream-tin, and was obtained in at least four districts of Europe: Cornwall, the Erzgebirge of Saxony and Bohemia, the present Vaulry in France, and Western Asturias and Galicia in Spain.

8. The copper of the ancient bronzes seems to have been smelted in many different localities.

9. There is no evidence of the existence in Europe of what is called a "copper age". There is every reason to believe that the Aryans knew how to make bronze before their advent in Europe.

10. The bronzes of the early Greeks were true bronzes; those of the Egyptians and early Romans were lead bronzes, that is, contained lead as a normal constituent. The Romans appear to have learned the use of lead from the Etruscans, probably a Semitic people.

11. We have no analyses of Phœnician bronzes to enable us to positively assert that they were lead bronzes. But as the Phœnicians received all their civilization, letters, and arts from Egypt, and had continual intercourse with that country, it is scarcely probable that the cheaper and more fusible lead bronzes should be unknown to them, especially as a kindred people, the Etruscans, knew the use of lead.

12. The general use of lead bronzes in the Mediterranean countries, from at least 500 years B.C., except in Greece, which appears to have got its tin from Central Asia, renders it highly improbable that the nations of northern Europe received, at least to any great extent, their bronze arms, tools, etc., from the south of Europe. The presence of lead in some bronze musical instruments and ornaments, points to a southern origin of those articles, or at least southern influence in their manufacture, and consequently in their use. The view that the Phœnicians came to Britain, bringing with them bronze and taking away tin, appears to me to be wholly untenable; for, besides that there is no certain evidence of any kind that the Phœnicians ever directly traded with Britain, it is very unlikely that so shrewd a people, as von Bibra remarks, would export pure bronzes to Britain, while a cheaper lead bronze was in general use in the Mediterranean.

13. Towards the end of the Roman Republic zinc bronzes came

into general use in Rome, and are to be found in all the places occupied by them in Gaul, Britain, and Germany. The pure bronzes of northern Europe are not, therefore, of Roman origin. So far as the analyses hitherto made entitle us to express an opinion, no zinc bronzes have been found in Ireland, and consequently, though British bronze implements, arms, etc., may have, and certainly did, come into Ireland during the Roman occupation of Britain, no true Roman zinc bronze ones found their way thither.

General conclusions deducible from all chemical facts at present known concerning ancient bronzes.

14. The bronze weapons and tools found in the Baltic Provinces are very rich in zinc, a fact which, Professor Göbel thinks, proves that the material at least is of Roman origin. Professor Kruse,⁷⁵⁶ however, thinks, for many reasons, among which may be cited the occurrence with them of Arabian, Anglo-Saxon, Byzantine, and German coins, that these bronzes belong to the period from the ninth to the eleventh century. This opinion is in harmony with all we know of the state of those provinces as late as the twelfth century, in which a large part of the population were still armed with stone weapons.⁷⁵⁷

15. Judging from the character of the silver ornaments themselves found in Ireland, and the style of ornamentation, there can be no reasonable doubt that gold, silver, and bronze were contemporaneously in use in Ireland. This view is fully borne out by the mention of the three metals in old Irish tales, as may be seen from many of the passages quoted throughout the Lectures. Silver was certainly obtained from Irish ores at a very early period, as is proved by traces of mining operations in localities where argentiferous ores occur, and by the existence in our topographical nomenclature of words indicative of the occurrence of silver. Although some native silver is occasionally found in Ireland, it is so small in quantity that it is not likely to have been a source, at all events the principal source, of Irish silver. It is probable that von Fellenberg's opinion, that all silver made in Europe in ancient times was obtained from argentiferous lead, is correct as applied to Ireland also. It may be objected, that if the ancient Irish knew how to extract silver from lead ores, we ought to find many specimens

⁷⁵⁶ *Urgeschichte des estnischen Volksstammes*, 1846; see also Göbel's *Ueber den Einfluss der Chemie auf die Ermittlung der Völker der Vorzeit*. Erlangen, 1843, and Von Bibra, *op. cit.*

⁷⁵⁷ See *Das Steinalter der Ostseeprovinzen*, von C. Grewingk, Dorpat, 1865 (Schriften der gelehrten estnischen Gesellschaft, No. 4), s. 105-108.

of lead in Ireland. This need not be so, however, as the process of extracting silver from argentiferous galena might be well known and extensively practised without any use being made of the lead, all of which would be burnt away into litharge in separating the silver, and rejected. If silver were largely extracted from galena in Ireland, it may have happened that some of the argentiferous lead was used as a substitute for tin in making bronzes, and that the lead in certain Irish bronzes may be due to this, and that such bronzes were native products, and not derived from some Mediterranean people. To this, however, it may be fairly objected, that we have no certain evidence that the process of separating silver from lead was known to the Irish before the Roman occupation of Britain.

16. And lastly, that all the Aryan peoples of Europe used bronze, and that attributing all bronze weapons and implements, wherever found, to the so-called Celts, is an error. On the contrary, Germans and Scandinavians, as well as Gauls and Britons, made use of bronze weapons of warfare before they learned from the Romans the manufacture of better arms of steel.

WEAPONS OF WAR OF THE ANCIENT IRISH.

Professor O'Curry illustrated his Lectures on the "Weapons of Warfare of the Ancient Irish" by a series of large drawings of the more remarkable specimens of bronze weapons in the Museum of the Royal Irish Academy, which the Council of that body had lent him for the purpose. He endeavoured by means of these drawings to identify the various types of swords, spears, etc., in the museum with the different kinds of weapons described in Irish manuscripts. It is evident from this that he believed that if a certain weapon was at one time made of bronze, it always continued to be so. There can be little doubt, however, that in many cases the names of tools, weapons, and other objects, did not change, though the material of which they were made did. It is very difficult to determine when the different weapons of war were made of bronze, and when iron began to be substituted for the latter. It is also difficult to say when any particular type of weapon first came into use. Those who first committed the traditional forms of the ancient legends and accounts of battles to writing,

Difficulty of determining nature or material of weapons called by certain names.

sometimes substituted one or more of the weapons of their own day for some of the old ones which had become obsolete, and sometimes increased a warrior's outfit by the addition of new weapons, unknown when the hero lived. In this way the most incongruously armed warriors sometimes appear together on the stage in an Irish tale, some in the fashion of Brennus, and others in that of mediaeval knights. There is a good instance of this kind in the tale of the *Brudin Da Derga*, where *Srubdaire* and two other warriors appear armed with iron flails of the true mediaeval pattern.

Whether the use of iron weapons was contemporaneous or not with that of bronze ones, frequent mention of weapons of both materials is made throughout the most ancient and authentic of the Irish historic tales. The use of bronze for vessels, personal ornaments, the rims of shields, horse furniture, the ornamentation of scabbards, and similar purposes, came down certainly to very recent times. Bronze weapons also were in actual use immediately before Christian times, as I shall show presently, and there is good reason for believing that they continued in use even into Christian times. On the other hand, the use of iron weapons is of much greater antiquity in Ireland than is generally supposed. There is a curious legend in the tale of the *Brudin Da Derga* about the spear of an Ulster chieftain, *Dubthach Dael Ulad*, which proves this. According to the legend, this spear had been in the battle of *Magh Tuired*, and had come down from warrior to warrior until *Dubthach* got it. When the spear got excited to slaughter, it had to be plunged into a black liquid to keep it cool.⁷⁵⁸ The origin of

Frequent mention of bronze and iron weapons in MSS.

Use of iron weapons of considerable antiquity.

⁷⁵⁸ The following is the passage referred to in the text, which I think worth giving in full. "I saw the *cuch* which is nearest to *Conaire*; three prime champions in it; three dark gray *Lenas* on them; each limb of theirs was rounder than the body of a man. They had three great large swords; each of them was larger than the lath of a weaver's loom; they would split a hair on water. The middle man had a large *Laigin* or lance in his hand, which had fifty rivets through it; its haft is larger than the yoke of a plough. The middle man so shakes that spear that it is a wonder that its *uirc ecgi* (rivets) do not fly out of it; and he strikes its haft three times upon his palm. A large vessel is placed in front of them—large as a *Caire colbthaige* [that is the meat boiler of a *Brugh*]; in it is a hideous black liquid. The spear is plunged into that black liquid to cool it whenever it is excited to slaughter. A blaze

this legend is obviously the tempering of steel. It shows how phenomena, although common, when strange or not understood, may become the sources of myths. This legend must have been already old when the manuscript which contains it, the *Lebor na h-Uidhri*, was written, for the tempering of steel was at that time too common and well known a process to originate a myth.

Evidence of
the ancient
use of iron
weapons.

Nor is other evidence of the use of iron weapons wanting. Thus in the tale of the battle of *Magh Tuired*, *Sreng*, the *Firbolg* chief, is described as armed with an iron club or mace; and that warrior, after his return to his own people from his interview with *Breas*, the *Tuatha Dé Danand* chief, describes the spears of the latter people as "sharp, thin, and hard";⁷⁵⁹ a description which seems to imply that they were of iron. In the tale of the *Táin Bó Chualigne* the Ulster chief *Cethern* has an iron shield and an iron *Bir*.⁷⁶⁰ This word literally means a spit, but appears to have been applied to a kind of slender

issues from its haft so that you would think that there is a fiery pit in the top of the house. Identify these, O *Ferrogan*. I know them. They are the three best valour-holding heroes of Eriu, namely, *Sencha* the beautiful, son of *Ailill*, *Dubthach Dael Ulad*, and *Goibniu*, son of *Lurgnech*; and it is the *Luin Celtchair mic Uithidir* or spear of *Celtchar*, son of *Uthidir*, which was in the battle of *Magh Tuired*, that is, in the hand of *Dubthach Dael Ulad*. It practises that feat when it foresees the shedding of the blood of an enemy by it; it requires a boiler with poison to allay it when intent on a deed of manslaughter. Unless that be ready, its haft will blaze, and it [the spear] will pass through the man who holds it, or through the high chief of the royal house"—*MS. Lebor na h-Uidhri*, p. 95, col. 1.

This spear is much celebrated in Irish legendary history, and still further proves the antiquity of steel swords in Eriu. It was carried off from the court of the king of Persia by the sons of *Tuirend Bicrend*, whose exploits in winning the different objects that formed the *Eric* imposed upon them by *Lugad Mac Ethlend*, king of the *Tuatha Dé Danand*, for the murder of a personage named *Cian*, represent the labours of Hercules in Irish mythology. The sons of *Tuirend* were *Brian*, *Iuchar*, and *Iucharba*, and were gods of the *Tuatha Dé Danand*. The spear appears again in story as the *Gae Buafnech* or poisoned spear, and came into the possession, among others, of the celebrated king of Eriu, *Cormac* son of *Art*.—*Lectures*, vol. i., p. 324. Prof. O'Curry has published the Tale of the Children of *Tuirend* with a translation in the *Atlantis*, vol. iv., p. 157.

⁷⁵⁹ Vol. i., p. 235.

⁷⁶⁰ Vol. i. p. 314.

iron lance, like the Roman *Pilum*, or perhaps the lance of the Swiss foot soldiers in the fifteenth century. *Bir* is also the word used to designate the lance of the Dalcassians at the battle of Clontarf.⁷⁶¹ In the same tale another warrior has “a sword of seven layers of remelted iron”, and “a great gray spear”, which is another way of saying an iron spear.⁷⁶² The welding of seven layers of iron implies a knowledge of the process of damascening in Ireland, if not in the time of *Conchobar Mac Nessa* and Queen *Meibh*, at least at the date of the manuscript containing the tale. *Cuchulaind* is also recorded to have used iron balls in his sling.⁷⁶³ Again, among the weapons which his cuirass was intended to repel were *Iaern*, which, from the context appear to mean iron javelin heads. In the tale of the *Brudin Da Derga* the swords of the Britons at the court of *Conaire* appear to have been of iron.⁷⁶⁴ In the same tale “one hundred blue-coloured death-giving spears” are mentioned as part of the *Taurcrech* of *Conaire* to *Da Derg*.⁷⁶⁵ The spear of *Mac Cecht*, the champion of *Conaire*, who accompanied the latter to the house of *Da Derg*, must have been of iron, and

Evidence of the ancient use of iron weapons.

⁷⁶¹ Vol. i., p. 348.

⁷⁶² Vol. i., p. 317.

⁷⁶³ Vol. i., p. 292.

⁷⁶⁴ “I saw a couch there, and three times nine men in it; they had flowing fair yellow hair, and were equally beautiful; a black *Cochlin* or cape on each, a white hood on each cloak, and a red tuft on each hood; each man of them had under his cloak a huge black sword which would split a hair on water; and shields with scolloped edges. Identify these, O *Ferrogan*. I know them. They are exiles; they are three times nine *Mic Baísi* of the Britons”.—*Lebor na h-Uidhri*, p. 96, col. 2. See for an explanation of the term *Baísi*, *ante*, p. ccl.

⁷⁶⁵ The passage in which these spears are mentioned contains so good an example of the nature of a *Taurcrech* that it may be worth giving the whole. “There was a friend of mine in this country, said *Conaire*, could we but find the way to his house. What is his name? said *Mac Cecht*. *Da Derga* of Leinster, said *Conaire*. He came to me indeed to ask gifts, nor was it a coming for a refusal: I gave him a gift of one hundred cows of *Bó Tana*; and a gift of one hundred pigs of *Muccglassa*; and a gift of one hundred cloaks with their corresponding suits of clothes; and a gift of one hundred blue coloured death-giving spears; and a gift of ten red brooches of gold; and a gift of ten keeves, of superior noble vessels; and a gift of ten slaves; and a gift of ten ewes; and a gift of three times nine pure white hounds in their silver chains; and a gift of one hundred coursing steeds—in horse-racing fletcher than reobucks. It was not as a perpetual gift I gave them, though he has them still

Evidence of
the ancient
use of iron
weapons.

not of bronze, for we are told that "he bends that spear until its two ends meet". The spear of *Cailte Mac Ronain*, one of the favourite warriors of *Find Mac Cumhail*, appears to have been also of iron, according to a story relating the manner of death of *Fothaid Airgdech*.⁷⁶⁶ The famous sword said to have belonged to *Cuchulaind*, which formed the subject of a well known cause pleaded before *Cormac*, son of *Art*, by a certain *Socht*, son of *Fithal*, *Cormac's* judge, must have been of iron, from the account given of its qualities, one of which was that "if its point were bent back to its hilt, it would become straight again like a dart".⁷⁶⁷ I shall only notice one other weapon, in order to bring down the tradition of iron weapons to historic times, namely, the spear of *Baedan*, son of *Ninné*,

He will depart from the common usage if he shall act niggardly to me this night".—*MS. Lebor na h-Uidhri*, p. 83, col. 1.

⁷⁶⁶ Vol. ii., p. 174, and *Lebor na h-Uidhri*, p. 133-134.

⁷⁶⁷ Vol. ii., p. 322. There is a curious description of an armourer's forge in a legendary account of the battle of *Magh Mucruimhe*, in which *Art*, the father of *Cormac*, was killed. This battle is said, according to the computation of Irish annalists, to have been fought in A.D. 195, between *Art*, who was then *Ard Rig Erind*, or paramount king, and a certain *Mac Con*, head of the Ithian race of Munster, and who while in exile had collected an army of foreigners, among whom are mentioned Saxons, Franks, and Albanachs, that is, Scotchmen, Scotland being in ancient times called *Alba*. Both armies having met, a truce was agreed to in order to enable the combatants to arm themselves. On the last day of the truce, King *Art* "rose early and went forth to the chase on the western *Duma* (slopes) of the plain. He chanced to stray and wander from his path, but had not gone far when he saw the branchy, thick-foliaged wood, and heard what surprised him much, the great thunder, the heavy tramp, great loud rattle, and reverberating sounds and commotion of simultaneous marching close by. He looked around him on all sides, and he saw the boarded spear factory (*Gabrach cclairioch*), with its clean bordered smoke chimney (*Smolcaomhna*)⁷⁶⁸ upon it. It was extensive, broad-yarded, and had seven noble wide doorways to it. This great abode was not, however, a place of entire ease and rest, owing to the active rubbing of the blades on the *Liomhbron* (grinding stones), the expert working of the tongs (*Luth*), the noise of the working of the bellows, the sledges, and the anvils, the roar of the fires on the hearths, the hissing screech of the edged weapons when being tempered [getting the *foghairt*], the shrill noise or clashing of the hard-tempered, tough-bending swords when being rubbed with the irons [files], and the simultaneous exertion of the *Felmacs* (pupil-armourers), the *Foglomantai* (apprentices), and the brave men working with

of Tory Island, on the north-west coast of Ireland. This spear is described in the account of the battle of *Magh Rath*, fought in the year A.D. 634, as "a black darting spear".⁷⁶⁹

Three words are employed in Irish poems and historic tales, in the description of swords and spears, which require to be noticed in connection with the question of bronze and iron, namely, *dubh*, *gorm*, and *glas*. I think there can be no doubt that *dubh* or black always implies iron. *Gorm* always signifies blue, and is the term applied to the swords given by *Conaire* to *Da Derg*, and which I have assumed to have been iron. "Blue shining spears", "blue heavy spears", are spoken of in the *Táin Bó Chuailgne*. Does blue always imply iron, and if so, what is the difference between those which are described as black and those which are called blue? This is an interesting question, but one which I am unable to answer. If *Glas* be related to *Glaisin*, it must have originally meant some shade of blue. It is, however, very frequently understood to mean gray, and sometimes even green. *Glas* with the latter meaning would be correct enough as applied to bronze weapons covered with green patena. But it is very unlikely that weapons were allowed to rust in order to acquire a green colour. It is more probable that bronze articles of all kinds were kept clean and bright. I have already pointed out that the blue dye-stuff *Glastum*, a name which bears considerable resemblance to *Glaesum* or *Glessum*, the name given by the *Æstii*, a people who inhabited the present Baltic coast of Prussia, to amber,⁷⁷⁰ was also called *Vitrum*. The Teutonic forms of Glass are all derived from *Glaesum*, a fact which appears to establish an important but obscure con-

The words
dubh, *gorm*
and *glas*
applied to
weapons.

those tools, so that endless black smoky opaque clouds, enveloping and concealing everything, and showers of red fiery sparks, were emitted from the broad sides and great flanks of that *Ceardcha* (forge)". From Andrew Mac Curtin's copy from the *Book of Munster*, now in the possession of Mr. B. O'Looney.

There can be little doubt that the weapons supposed to be made in this forge were of iron, and this passage would consequently establish the use of iron weapons in the second century, if the account from which the foregoing passage has been taken were written soon after the battle.

⁷⁶⁹ Vol. i., p. 342.

⁷⁷⁰ Tacitus, *Germania*, c. xlv.

nection between the blue dye-stuff, amber and glass. The relationship of the two latter with each other is plain enough, but that between them and the dye-stuff is so obscure that I believe there are two words *glas* in Irish, one related to *Glaisin* (*Glastum*) meaning blue, and the other from *Glaesum*, amber, and signifying yellow. The following gloss bears out this view: "*Glas i.e. Crón or yellow*".⁷⁷¹ *Crón*, which seems to be the same as *Cruan*, is the name of amber, so that it is almost certain that in this instance *glas* is from *Glaesum*. The *glas* in *Cuneglassus*, a Latinized form of an old British proper name, is also derived from *Glaesum*, as Gildas explains it by *lanio fulvus*. *Cune* is more probably related to the Irish *cu*, genitive *coin*, or *Conn*, a hound, which is often found in Irish men's names, as in *Conglas*, which is identical with the British name; so that on this view *Cuneglassus* would be yellow or tawny hound. The epithet *Glas* does not help us therefore to decide whether a weapon was steel or bronze.

Evidence of the use of bronze in historic times.

In order to enable the evidence as to the use of bronze within, if not historical, at least traditional times, to be compared with that of the use of iron, I shall mention here a few examples from ancient tales in which bronze is either directly named or indirectly referred to. In the narrative of the fate of *Redg* the satirist, who, in virtue of his privilege as a poet, demanded from *Cuchulaind* his *Cletin* or spear, and was slain by the latter being hurled at him, we are told, "there is also a ford near on the east of it, called *Ath Tolomset*, where *Redg* fell, there the *Umai* or bronze was taken off the *Cletin*; *Ummairrith*, or bronze stream, is the name of that ford".⁷⁷² In the tale of the Feast of *Bricriu* the spear of *Laeghaire Buadach* is described with its "full glow of red flames",⁷⁷³ and the arms of the troops of *Ailill* and *Medb* as "bright golden".⁷⁷⁴ These words may, it is true, have been used to express the

⁷⁷¹ ḡlar .i. crón no burœ.

⁷⁷² Lect., vol. i., 229; *Lebor na h-Uidhri*, p. 70, col. 2. ⁷⁷³ *Ibid.*, p. 106, col. 1.

⁷⁷⁴ "Cuchulaind set up at the *Fert* in *Lercaib*, convenient to them, and his charioteer kindled a fire for him on the evening of that day, namely, *Laeg* son of *Riangabra*. He (*Cuchulaind*) saw from afar the gleaming splendour of the bright golden arms over the heads of the four provinces of Eriu at the closing of the clouds of the evening". *Ibid.*, p. 77, col. 2; and MS. H. 2. 18. f. 53, col. 2.

sheen of the arms in the setting sun, as may be seen from the passage quoted below, and would be equally applicable under the circumstances to arms of steel. In other parts of the same tale, however, we meet with similar expressions which cannot be so explained. Thus a warrior has a *Sleg* or light spear "flaming red in his hand";⁷⁷⁵ another, a "gold-shaded *Sleg*".

Although the comparative study of the various ancient tools and weapons of Europe is as yet too little advanced to admit of the origin of each type of weapon being determined with certainty or even probability, the attempt of O'Curry to refer certain forms of them to particular races is deserving of attention, and suggests an inquiry into the circumstances under which these types are found. On this account I came to the conclusion that it would be worth giving figures of the weapons which he thought he could say belonged to each given race, and which he connected with the names of weapons used in Irish manuscripts. He left no reference in his Lectures, however, to the figures of the weapons which he believed he had identified, which would have enabled me to recognise them. My friend Mr. John Edward Pigot, who had lent his kindly aid to O'Curry in every publication of his, and who was thoroughly acquainted with his ideas, selected a number of spears, swords, and other weapons in the museum of the Royal Irish Academy, of which illustrations are to be found in the Catalogue of that collection by Sir William Wilde, and which he believed to represent the chief types of form that O'Curry endeavoured to connect with the descriptions in the ancient tales. Through the liberality of the Royal Irish Academy I am enabled to give figures of most of the types thus selected, and to which O'Curry refers in his Lectures.

O'Curry's attempt to refer different types of arms to different races.

The weapons mentioned in Irish manuscripts, as far as can be gathered from the passages quoted in the Lectures, or in the notes of this Introduction, are the following.

Weapons mentioned in Irish MSS.

SPEARS AND JAVELINS. The *Craisech* or thick handled spear of the *Firbolgs*; the *Fiarlan* or curved blade of the same race; the *Goth Manais* or broad spear; and the *Sleg* or light spear of the *Tuatha Dé Danand*. The *Fogad*, *Fogae*, and *Gae* of the

⁷⁷⁵ Lect. vol. i. p. 317.

Milesians; the *Laignen* or Gaulish lance of Leinster; the *Cletin*, a name used for the spear of *Cuchulaind*; the *Bir* or spit; the *Fuga Fogablach* or military fork; the *Slegin* and *Gothnad*, or small javelins or darts, and the *Goth n-Det* or bone darts of the warrior just mentioned.

SWORDS AND DAGGERS. The *Claidem*, gladius, or glaive, which was common to all the races who colonized ancient Ireland; *Claidbin* or little sword, and *Colg-det* or tooth-hilted dagger of *Cuchulaind*.

STONE WEAPONS. The *Lia Lamha Laich*, or champion's hand-stone; and the *Liic Tailme*, or sling-stone.

SLINGS. The *Tailm*, the *Crann Tabhaill*, and *Tabal Lurg*, the *Deil Clis*.

MISCELLANEOUS WEAPONS. The *Fersad*, *Lorg-Fersad-iarain*, or sharp-pointed iron club of the *Firbolgs*; the *Suist Iarain*, or iron flail.

The
Craisech.

Figure 14 represents what O'Curry believed to be the great, pointless, thick, sharp-edged *Craisech* of the *Firbolgs*. He was of opinion that the shaft was probably flattened thin, and mounted with a thick plate or ferrule, on which the rivets were flattened at both sides, else the wood would have been in danger of splitting.⁷⁷⁶ He was further of opinion that the handle was fastened by rivets in the same way as that of the *Colg* or dagger, represented in the annexed figure 14, from a drawing by the late G. V. Du Noyer, of one in the Rouen Museum. Two such daggers, having the handles riveted in the same way are now in the Museum of the Royal Irish Academy, one of which has been figured by Sir William Wilde.⁷⁷⁷ Lindenschmidt has also figured several examples of riveted daggers from Rhenish Hesse.⁷⁷⁸

The
Fiarlann.

Figures 16 and 17 are supposed to represent the *Fiarlann*. No specimen of a *Craisech*, or of

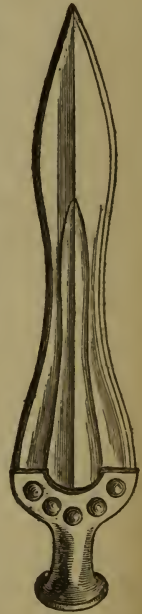


Fig. 14.

⁷⁷⁶ *Lect.*, Vol. i., p. 240.

⁷⁷⁷ *Cat. fig.* p. 458.

⁷⁷⁸ *Die Alterthümer unserer heidnischen Vorzeit*, Bd. I. Heft. ii. Taf. 4

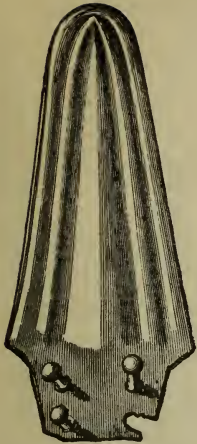


Fig. 15.



Fig. 16.



Fig. 17.

a *Fiarlann* attached to a handle in the manner supposed by O'Curry, or having the plate or ferrule attached to the rivets, has, so far as I know, been found. On the other hand, many blades similar in size and shape to figures 15 and 16, have been found mounted as *Colgs* or daggers, or as small swords. The description given in Lecture xi.⁷⁷⁹ of one kind of *Craisech*, certainly corresponds with fig. 17, which represents a The sharp-pointed Craisech. weapon mounted like a *Firbolg* one, and pointed like a *Tuatha Dé Danand* one. This weapon was, perhaps, a sword, though O'Curry seems to think it was a spear. Lindenschmidt has figured two undoubted daggers, which bear a striking likeness to the Irish weapons represented in figures 15 and 16.⁷⁸⁰ These weapons may, however, have been also mounted on long shafts, as was the case frequently with swords. A blade like fig. 16, mounted as a spear, may have been the prototype of the *Glaive Guisarme*—a weapon which probably goes back

⁷⁷⁹ Vol. i., p. 241.

⁷⁸⁰ *Op. cit.*, 1st Bd. Heft. xi., Taf. 2, figures 1 and 2. No. 1, corresponding to fig. 2 in the text, is from a tumulus in the forest of Carnoël, department of Finisterre, and now in the Hotel Cluny, Paris. No. 2, resembling No. 6 of the text, is from a Lake Dwelling near Lattringen, on the lake of Biel.

to the bronze times, and about which I shall have something more to say presently.

The *Sleg*. The *Sleg*, or light, narrow, sharp-pointed spear, represented



Fig. 18.



Fig. 19.



Fig. 20.



Fig. 21.



Fig. 22.



Fig. 23.



Fig. 24.



Fig. 25.

by figures 18 to 22, possesses the qualities attributed to the *Tuatha Dé Danand* weapons.

Lindenschmidt has given figures of a number of bronze spears found in different parts of Germany (Hanover, Bavaria, etc.), which are clearly of the same general type as fig. 18, which appears to have been one of the most widely diffused bronze lances of Central Europe. Figures 23 to 27 represent a mixed The Goth-manais. type between the *Sleg* and trowel-shaped spear called the *Goth-manais*, of which figures 28 and 29 may be considered to represent, in O'Curry's opinion, examples.



Fig. 26.



Fig. 27.

The word *Goth* or *Gath* which occurs in the name of the last-mentioned spear, and in other compound names, as well as separately as the name of a spear, a javelin, or dart, suggests a closer relationship with Anglo-Saxon *gúð*, war, Old Norse *Guthr*, Bellona, war, than even with the Irish *Cath*, war, battle. Such a relationship, if it be real, would be of much interest, from the fact of the spear of which it formed part of the name, being a weapon of a people of undoubted Germanic origin.

The *Foga* or *Fogad* The Gae, Foga, or Fogad. was rather a javelin for

hurling than a thrusting lance. The second part of the latter word represents the older *Gaisatias*, the *s* of which has been lost between the vowels,⁷⁸¹ while the *ga* or *gai* of *Foga* was the older *Gaisas*, the *s* being lost in the same way. *Ga*, *Gai*, or *Gae*, with or without the particle *fo*, was the general name for all light spears of the *Sleg* and javelin kind in

⁷⁸¹ Stokes, *Irish Glosses*, 216.

Milesian times. There can be no doubt that in all these words we have the representatives of the Latin or Gallo-Roman *Gesum*, which we know was a light spear or javelin used for hurling as well as thrusting.⁷⁸² The word was Latinised at a very early period, if indeed the stem was not originally Latin as well as Gaulish. The Gaulish spear is, however, almost invariably termed a *Gaesum* by Roman writers. Thus Virgil, describing the Gauls of Brennus, gives each two *Gaesa*.

The Gallo-Roman *Gaesum*.

Virgil arms his Gauls with two *Gaesa*.

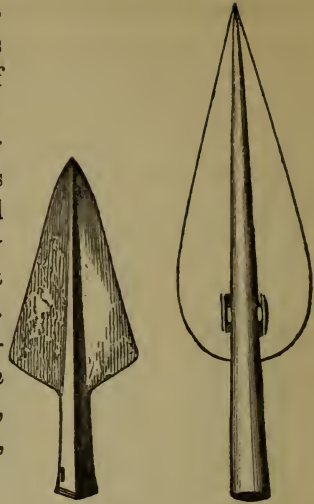


Fig. 28.

Fig. 29.

“Golden their hair on head and chin:
Gold collars deck their milk white skin,
Short cloaks with colours checked
Shine on their backs: two spears each wields
Of Alpine make: and oblong shields
Their brawny limbs protect”.⁷⁸³

⁷⁸² “Lapides gaesaque in vallum conjicere”.—Caesar, *Bel. Gal.*, iii. c. 4.

⁷⁸³ *Æneid*, viii. 657 *et seq.* Connington’s translation. The original is as follows:—

“Aurea caesaries illis atque aurea vestis;
Virgatis lucent sagulis; tum lactea colla
Auro innectuntur; duo quisque Alpina corruscant
Gaesa manu, scutis protecti corpora longis”.

Claudian, apparently imitating Virgil, thus describes the transalpine Gauls of the fourth century:

“Tum flava repexo
Gallia crine ferox, evinctaque torque decoro,
Binaque gaesa tenens, animoso pectore fatur”.

In primum consulatum Fl. Stilichonis, Lib. ii. v. 240 *et seq.*

The weapons of the Belgians are also described as *Gaesa*.

“Claudius Eridanum trajectos arcuit hostes
Belgica cui vasti palma relato ducis
Virdumari; genus hic Rheno jactabat ab ipso
Nobilis e tectis fundere gaesa rotis.

The Irish warrior is also represented as being armed with two *Gae*. Thus a poet, speaking of the pursuit of a certain *Carr*, tells us that:

Irish warriors also carried two *Gae*.

The track of his two spears through every marsh

Was like the ruts of a car over "weak grassy stubbles".⁷⁸⁴

The *Gesum* gave rise to the *Gaisatoi* of the Greeks, and the *Gessatorii* of Latin writers, who were mercenary soldiers from the Alps and the district about the Rhone, armed with the *Gaesum*, whence they derived their name.⁷⁸⁵ Many proper names are probably connected with this weapon, such as *Gessoriacum*, the present Boulogne-sûr-Mer, and *Gisacus*, a God-appellative found at Vieil-Evreux.⁷⁸⁶

Two medieval Latin names for weapons of war of the same kind are derived from the Latin or Gallo-Roman *Gaesum*,^{Medieval Gesa and O. French Gèse.} namely *Gesa*, whence old French *Gèse*, a pike, and *Gisarma* or *Guisarma*, whence Old French *Guisarma*, a weapon made like a long pointed lance or partisan.⁷⁸⁷ The *Guisarma* must not be confounded, as is usually done, with the *Glaive-Gisarme*, which was a combination of the *Guisarma* proper and the *Glaive* or knife.⁷⁸⁸ *Glaive* is properly a sword, being derived from the Gaulish form of the Irish *Claidem*, by the aspi-

The *Guisarma*.

Illi virgatis jaculantis ab agmine bracis
Torquis ab incisa decidit unca gula".

Propertius, *Eleg.* iv. 10 v. 39, *et seq.*

⁷⁸⁴ MS. H. 3. 18, p. 636. The car here alluded to was no doubt one like the *Car sliunain*, or low sliding car, which was used on soft meadow lands, bogs, etc., and which left a track or rut. The sliding car is not yet obsolete in remote districts. The "weak grassy stubbles" of the passage above quoted mean the rich aftergrass of soft meadows.

⁷⁸⁵ Polybius, ii. 22. "Consternatus senatus defectione Cisalpinæ Galliae, cum etiam ex ulteriore Gallia ingens adventare exercitus nuntiaretur, maxime Gessatorum, quod nomen non gentis, sed mercenariorum Gallorum est"—*Orosius*, iv. c. 13. See also Zetuss, *Die Deutschen und die Nachbarstämme*, p. 246, and Diefenbach, *Origines Europæae*, p. 351.

⁷⁸⁶ See other examples in Diefenbach, *op. cit.* p. 354.

⁷⁸⁷ Old French *Pertuisane*, probably from *pertuiser*, to pierce. Demmin's explanation, that the name *Guisarma* comes from *Guisards*, followers of the house of Guise, is untenable (*Weapons of War*, Black's translation, p. 430).

⁷⁸⁸ Olivier de la Marche, a chronicler of the fifteenth century, thinks that the *Guisarme* (that is no doubt the later form, or *Glaive-Gisarme*) originated in the habit of fixing a dagger on the blade of a battle-axe. (*Ibid.*, p. 430).

The German
Gleefe.

ration of the *d* and *m* as in modern Irish, and is cognate with Latin *Gladius*. The origin of the use of the word *Glaive* in the sense of a curved knife with one or more spikes, as in *Glaive-Guisarme*, may be traced perhaps by the assistance of the Welsh *Gelef*, which was a large curved knife. This is manifestly the German *Gleefe*, the name of the *Glaive-Guisarma* or *Ross-Schinder*, with which German foot soldiers were at one time armed. The Scotch call a similar curved knife a "gully": is this a corruption of a British form of the Welsh word, or of the Irish *Scian gailia*, or war-knife? The *Fiarlann*, fig. 16, represents the glaive part of a German *Gleefe*, and if a *Bir* or spike were attached to it, would be the complete weapon, and may, as I have already suggested, be the prototype of the medieval weapon. Demmin⁷⁸⁹ states that the Welsh called the *Glaive-Guisarme* a *Llawmawr*; the latter being itself derived from "cleddy" or "gleddy".⁷⁹⁰ The Welsh *Llawmawr* is almost the same word as the Irish *Claidhem mór*, which should be pronounced as it is by the Scotch, "Claymore", which means simply a large sword, which I have no doubt was the meaning of the Welsh word also, and not a *Glaive-Guisarme*. The Welsh *Cledyf*, a sword, is the exact equivalent of the Irish *Claideamh*.

The Irish
Gae was
long
handled.

Zeuss⁷⁹¹ mentions a Gothic *Gáis*, but I do not know where he found it. In the Germano-Latin glossaries of the fifteenth and sixteenth centuries, we have *Ges-us*, *Ges-a*, *Ges-um*, and *Geza*, etc., explained by the German *Kule*, *Streite-Kewl*, that is the *Streitkeile*, a name by which the weapons called "Celts" and "Palstaves" are known in Germany. An old writer, Guillaume Le Breton, however, clearly distinguishes it from the true *Keile*.⁷⁹² The shaft of the Irish *Gae* was of considerable length, at least in the time of the Danish wars, as we learn from the Norse saga.⁷⁹³

Tradition assigns to *Labrad Loingsech*, a high-king of Ire-

⁷⁸⁹ *Loc. cit.*

⁷⁹⁰ The Welsh *Gleddy* had nothing to do with the *Llawmawr*, but was probably the same as the Irish *Gled*, a cane sword used by a class of bullies at fairs and other places of public assembly called *Gleidires*. A hard or obstinate fight is also called in Irish a *Gletten*, which is no doubt connected with *Gled*.

⁷⁹¹ *Op. cit.*, p. 246, note.

⁷⁹² Diefenbach, *op. cit.*

⁷⁹³ "þo at *Irar* hefði háskipt spjót sem á skóg oxí". *Fóstbræðra Saga*, i. c. 8.

land, who reigned, according to Irish annalists, at the end of the fourth century before the Christian era, the introduction into Ireland of a body of Gaulish mercenaries armed with a weapon called *Laigen lethan-glas*, which has been translated "broad-green spear". We have no information as to the metal of which the *Laigen* or Gaulish spear was made, unless, as I have already mentioned, we are to understand *glas* as yellow, that is, amber or bronze coloured. O'Curry translated the term *glas*, as applied to spears, green, while Keating used it in the sense of gray,⁷⁹⁴ and regarded the term when applied to a spear as an indication that it was made of iron. *Glas* in the sense of green is equally inapplicable to bronze and iron; in the sense of blue it might certainly be correctly applied to polished iron or steel. Iron spears were not, however, large, so that the term "broad" would not be applicable to a small iron lance-head. So that on the whole, I am disposed to think that *Glas* is yellow here, and to agree with O'Curry that the *Laigen* was made of bronze. The term itself is of great interest, inasmuch as it has given a name to one of the provinces of Ireland, *Laighen* or Leinster. The *Laigen* was a kind of *Sleg*, perhaps like that represented by figure 29, and which has been referred to as a *Goth-manais*, and was probably hurled with the *Amentum*, though it must have been sometimes used also for thrusting.⁷⁹⁵ In the "Fight of *Ferdiad*" we are told that the *Slegs* were provided with hard strings of flax, that is with *Amenta*. *Laigen* seems to be cognate with the Roman *Lancea*, and the Greek *λόγχη* and *λόχα*. The Roman weapon, according to Isidore, was also used with the *amentum*.⁷⁹⁶

The *Cletin* was a javelin: the term seems, however, to have been applied to very different kinds of that weapon. In the story of *Redg* the satirist, already referred to, *Cuchulaind's*

⁷⁹⁴ *Glas*, when applied to a field or a plain, undoubtedly meant green, but in other cases it must have meant gray, i. e., *cú caol glas*, a slender gray-hound; *capal mór glas*, a large gray horse.

⁷⁹⁵ The spear which Longinus thrust into the side of Christ on the cross is called a *Laigen* in the *Leabhar Breac*, f. 70 a. a. R.I.A. edition, p. 159, col. 2.

⁷⁹⁶ "Lancea est hasta, amentum habens in medio; dicta autem lancea, quia aequa lance, i. e., aequali amento ponderata vibratur".—*Etymolog.*, xviii. c. 7.

The *Laigen*,
or lance.

The *Cletin*,
or feathered
javelin.

spear is called a *Cletin*. In the "Fight of *Ferdiad*" we are told that *Cuchulaind* took his eight *Cleitini* or short spears, as O'Curry translates the word. The number as well as the diminutive form of the word, and also the circumstance of these weapons being mentioned in connection with other small javelins, show that a *Cletin* was a small javelin, differing from the *Sleigini* or small *Slegs* in being feathered, as, I think, the name implies.⁷⁹⁷ It corresponded, perhaps, with the feathered *Wurfpfeil* of the German so much used in boar-hunting.

The *Bir*, or
spit.

The Military
Fork.

The *Bir* was, perhaps, the true sharp pointed iron lance, called by the Norse a *Spjot* or spit, which is also the meaning of *Bir*. The terms *Gablach*, *Gabalca*, and *Foga Fogaib-laige* are derived from *Gabal*, a fork or instrument armed with prongs, and were military forks, like the *Sturm-gabel* of the Germans. This instrument is usually supposed to have begun to appear towards the end of the fifteenth century, whereas the Irish evidence carries us back to a much earlier period, for forked weapons are mentioned in the earliest of our existing Gaedhelic manuscripts. The occurrence of different names compounded of *Gabal*, a fork (cf. German *Gabel*), suggests that there were different kinds of military weapons of this type. Thus, *Lug*, son of *Ethlend*, a *Tuatha Dé Danand* warrior, or rather god, was armed with a *Foga Fogaib-laigi*, in addition to a *Sleg*.⁷⁹⁸ *Illand*, son of *Fergus*, is

⁷⁹⁷ From *cléti*, a quill or large feather. Perhaps the name of the burdock, in Old High German *Chlatto*, acc. *Chletton* or *Chlettun*, as well as the old French *Gleton*, for the same plant, are connected with the Irish *Cletin*.

⁷⁹⁸ While at the *Fert* in *Lercaib*, *Laeg* the charioteer tells *Cuchulaind* that a man was approaching from the north-west by the *Dun* of the men of *Eriu*, erected in the *Brisleach Mór*. "What sort of man is he?" said *Cuchulaind*. "He is a large handsome man; he has a wide beard and flowing yellow hair; a green cloak wrapped around him; a bright silver brooch in his cloak over his breast; a *Lened* of kingly silk with red ornamentations of red gold embracing his fair skin, and extending down to his knees; a black shield with bosses of hard *Findruini* upon him; a flesh-mangling *Sleg* in his hand; a *Foga Fogaib-laigi* near it".—*MS. Lebor na h-Uidhri*, p. 77, col. 2; 78, col. 1. *Lug*, son of *Ethlend*, is made in this episode of the *Táin Bó Chuailgne* relating to the sickled chariot of *Cuchulaind*, to come from the *Sidh* or fairy mansions of the *Tuatha Dé Danand*, whither that people are reputed to have retired

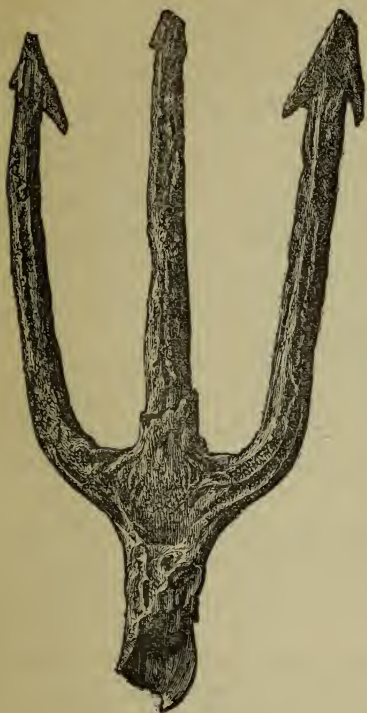
The Military
Fork.

Fig. 30.

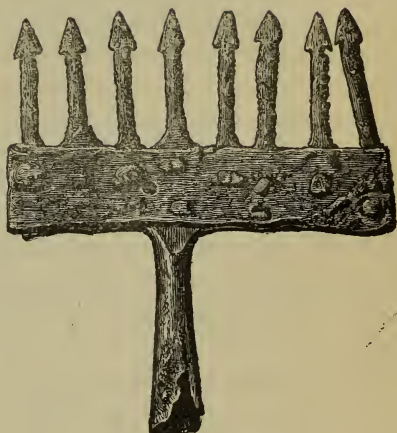


Fig. 31.

described in the tale of the *Táin Bó Chuailgne* as armed with the same instrument.⁷⁹⁹ On the other hand, the forks with which the swine-herds of *Conaire Mór* are armed in the tale of the *Brudin Da Derga*, are called *Gabalgici*.⁸⁰⁰

The military fork is always referred to as a native weapon;

in former times when defeated by the Milesians. *Lug* is probably related to the Norse *Loki*, German *Logi*, son of *Nál*, a goddess who appears to have personified the Earth, as the form *Nálgund*=*Tellus* occurs. Elsewhere we find the *Foga* without the addition of *Fogablaigi* spoken of as a double spear, that is, a fork: "*Ailill diabalgai*, that is, *Ailill* of the double spear, because it was by him the *Foga* was first carried along with the large *Gai* (spear)". M.S. *Book of Lecan*, R. I. A., f. 221, a. a.; MS. H. 3. 18, T. C. D., etc. The word *Foga*, when not qualified by *diabal* or *fogablaigi*, always meant, however, a javelin, as I have described.

⁷⁹⁹ Vol. ii., p. 98, note.

⁸⁰⁰ Vol. ii., p. 145.

that is to say, the persons who are armed with it in the ancient tales are always Irishmen. I do not remember a single case of its use by a foreigner. There can be little doubt that its use is of considerable antiquity, and though all those which have come down to us are of iron, they may have been contemporary with bronze spears. It is indeed probable that the fork was always an iron weapon. Figures 30 and 31 represent the two most distinct types of the military fork which are to be found in the Museum of the Royal Irish Academy. Fig. 30 is one-third of the actual size, and fig. 31 is also drawn on a scale of about one-third.

There is not an example of the *Diabalgae*, or simple two-pronged fork, in the Museum of the Royal Irish Academy, but the following passage descriptive of the *Faga Fogablach*, is, except in the number of prongs, singularly applicable to the fork represented by fig. 31:

“The reason why this has been called *Faga Fogablach* was because it was five prongs or barbs that were on each side of it, and each sickle or barb of them would cut a hair against a stream”.⁸⁰¹

These forks have hitherto been considered as harpoons, eel-spears, etc., but the evidence which I have brought forward, and which, if it were needed, I could multiply, proves beyond doubt that they were Military Forks.

Light
javelins.

The lighter missile weapons of the javelin class are not so described as to enable us to determine the special character of each with certainty. The word *Slegin* being merely the diminutive of *Sleg*, we may assume that the weapons so called were only small *Slegs*. O'Curry translates *Gothnada* by “little darts”, and *Goth-n-det* by “ivory darts”. That they were missiles of the same kind as the *Sleigini* or little *Slegs*, is probable; the names of both contain the word *Goth* or *Gath*, a dart or javelin, which I have already connected with Irish *Cath*, Anglo-Saxon *Guð*, and Old Norse *Guthr*, battle; *det* means tooth, or bone, and was used specially to designate the tooth of the walrus or sea cow (*Trichachus Rosmarus*), and

⁸⁰¹ MS. *Book of Lismore*, O'Curry's copy, R. I. A., 237, a. a.

the narwhale (*Monodon monoceros*). The *Goth n det*⁸⁰² appears therefore to mean a bone or walrus-ivory pointed javelin. *Goth-nada* I can only conjecture to have been a generic name for darts of various types and materials, and included especially flint-headed ones.

In the list of weapons which I have given above no mention Battle axes. is made of battle axes, though numerous axe-like instruments, which may have been weapons as well as tools, are to be found in the museum of the Royal Irish Academy. Among those are the so-called "Celts" and "Palstaves", many of which might



Fig. 32.

⁸⁰² Teeth of one or more cetaceous animals, most probably the walrus and the narwhale, are very frequently mentioned in Irish MSS., and must have been a regular article of commerce. They were probably among the articles imported by the Norsemen. They may, however, have been a product of the native fishery, which was much more considerable than is generally supposed. The voyages of Irish mariners extended even to Iceland before it was discovered by the Norsemen.

Battle axes. have been mounted as spear-heads. Indeed there seems little doubt that this was sometimes the case. Figures 32 to 39 represent axes of what O'Curry would call the *Firbolg* type; and figures 40, 41, and 42, those of the *Tuatha Dé Danand* type.

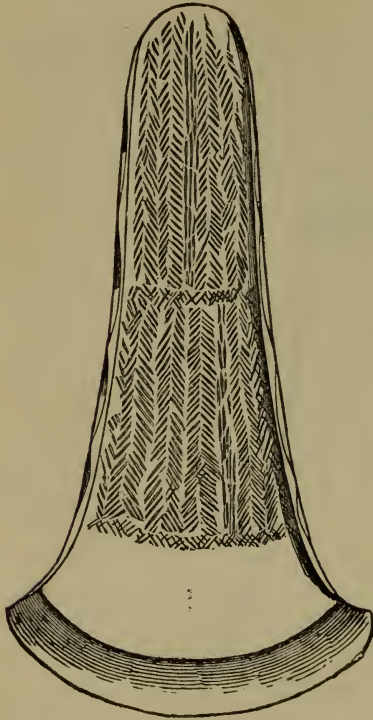


Fig. 33.

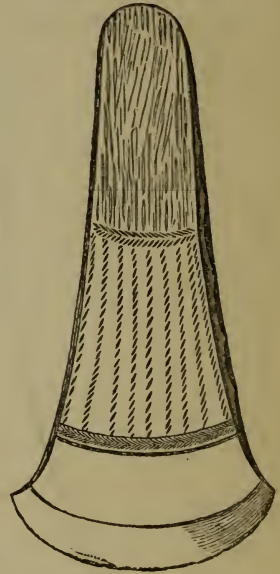


Fig. 34.

It is singular, O'Curry remarks, that no heavy axes of what he considers the *Tuatha Dé Danand* type are to be found in our collections. The explanation of this fact may perhaps be found in the use of stone for all axes above a certain size, not only during the period when weapons were made of bronze, but even after iron had universally replaced the latter metal.

Figures 37 and 39 represent the kind of weapon called a "Palstave" by many British antiquaries, and a *Paalstab* by German writers. This application of the word is obviously wrong, as the name implies a pointed instrument, and not an axe. Indeed the Old Norse *Pálstafir* was a harpoon consisting

of a simple staff shod with iron and having a strong thorn or Battle axes. point.⁸⁰³ German antiquaries include the so-called "celts" (figures 40, 41, and 42) and the "palstaves" under the term

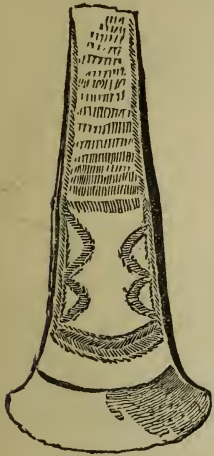


Fig. 35.

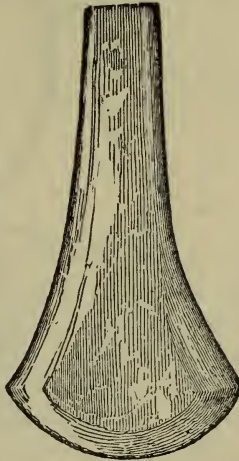


Fig. 36.



Fig. 37.

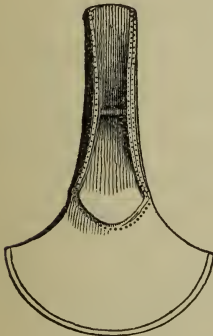


Fig. 38.

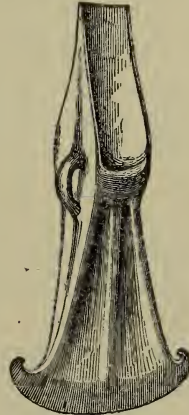


Fig. 39.

Streitkeile or battle axe, to which reference has been made above. Among the various forms of axe used by the Scandinavians there was an Irish one called by the Northmen a *Spärða*.⁸⁰⁴ ^{The} *Spärða* This word is evidently from the same root as Irish *Spara*, English *Spear*, O. N. *Spior*. There is also an Irish word

⁸⁰³ Weinhold has also pointed this out; see his *Altnordisches Leben*, p. 195.

⁸⁰⁴ Weinhold, *ibid.*, 204.

Spardha, which looks like a loan-word. I do not know what kind of axe the *Sparda* was.



Fig. 40.



Fig. 41.



Fig. 42.

Bows and
ARROWS.

O'Curry believed that the *Fírbolgs* or *Tuatha Dé Danands* did not use arrows, and that the flint-barbed arrow heads found in Ireland belonged to comparatively late historic times, and were made by people well acquainted with the best types of metallic weapons. The *Saget-bolc* was, however, I think, a bow. The word *Saget*, if not a loan-word from the Latin, is certainly closely connected with *Sagitta*. The word *bolc* indicates the belly or are produced by the drawn bow. In the description of the second battle of *Magh-Tuired*, the twang of the bows seems to me to be alluded to in the following passage: "The music and harmony of the *Saget-bolc*; and the sighing and winging of the *Fogaid* and the *Gabluch*". When there exists room to doubt even the existence of any form of bow at all, it would be waste of time to speculate whether the *Saget-bolc* was an ordinary bow or a cross-bow.

In the *Táin Bó Chuailgne* and other similar ancient tales, the description of the combatants in a battle is confined to the chiefs, and of the events of the battle to the single combats of chiefs and nobles; there is no detailed account of a general engagement, where alone we should expect to find mention of the arms of the common soldiers, as well as of the leaders; hence no mention is made of the arrows, or they are so vaguely referred to that it is difficult to say whether arrows or light javelins are meant.⁸⁰⁵ It is important too that the *Saget-bolc*, and in-

⁸⁰⁵ The three times nine skewers of holly which *Nathchrantail*, one of Queen *Medb's* warriors, shot at *Cuchulaind* (*Lebor na h-Uidhri*, p. 69, cols. 1 and 2, and MS. H. 2, 18, T.C.D.), may have been arrows. On the other hand the spike of holly with which *Cuchulaind* killed *Ferbaeth* must have been a javelin.

deed darts of all kinds, are mentioned only in accounts of general engagements, such as the second battle of *Magh Tuired*, or that of the Fomorians,⁸⁰⁶ the battle of *Aenach Tuaille*,⁸⁰⁷ a battle fought by Callaghan Cashel.⁸⁰⁸ The absence of arrows from graves has been relied upon as a proof that they were not used in warfare. It should be remembered, however, that tunuli were raised over chiefs, and should therefore contain

Bows and
arrows.



Fig. 43.



Fig. 44.



Fig. 45.



Fig. 46.

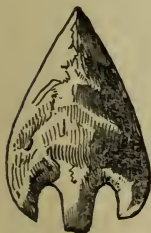


Fig. 47.



Fig. 48.



Fig. 49.

only their arms, among which we should not be likely to find bows and arrows; and further that the northern nations used those weapons more in the chase than in war.

The word *Diubarcu*, which we meet with in some of the oldest tales, and in the best manuscripts, seems to be the general name for darts of all kinds, but especially for true arrows shot with a bow. A curious form of verb has also been formed from it, *Diubarcan*, which is used to express the operation of

⁸⁰⁶ *Lect.*, vol. i., p. 253.

⁸⁰⁷ *Ibid.*, p. 275.

⁸⁰⁸ *Ibid.*, p. 276.

shooting. Examples of the use of both words will be found in the Fight of *Ferdiad* in the Appendix. In the story of the Progress of the Ultonians to *Cruachan Ai* in *Lebor na h-Uidhri*, we are told⁸⁰⁹ that *Cuchulaind* went up to the women of the household of *Medb*, and took their three times fifty needles, which he shot one after another, putting the point of one into the eye of the preceding one. The verb used to express this operation is that just mentioned, and the whole feat indicates the use of the bow and arrows. One of the clearest examples of the use of arrows under the name of *Diubarcu* is, however, to be found in the *Dindsenchas* of *Brigh Leith*, quoted in the Lectures.⁸¹⁰

As chalk-flints occur only in a limited district of the north-east of Ireland, all the flint arrow-heads found in Ireland must either have been made there or imported from the south-east of England. Figures 43 to 49 represent the chief types of arrow heads found in Ireland.

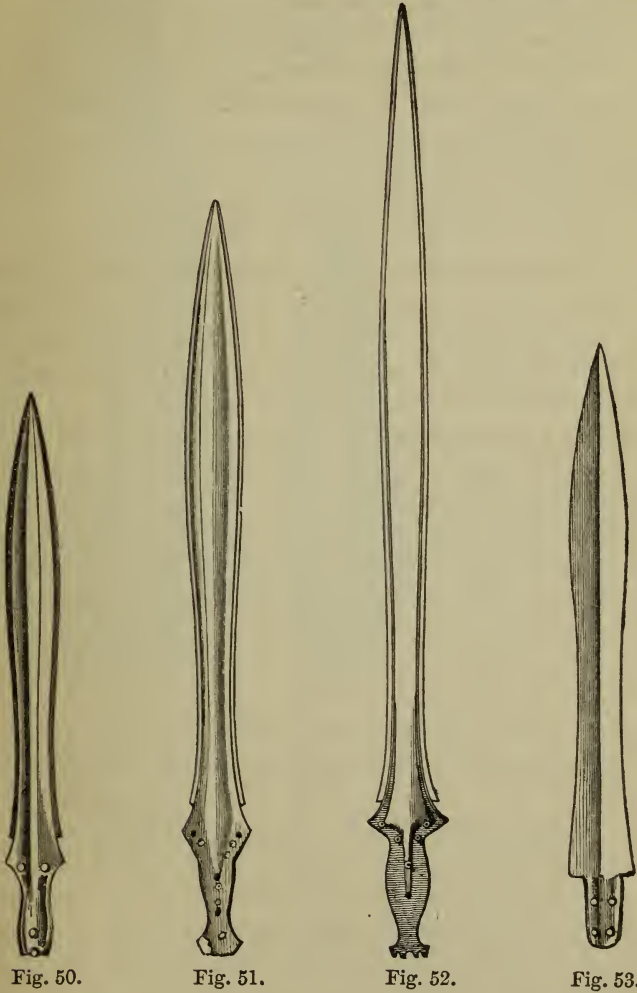
The *Claidem*,
or sword.

The sword was in Irish generally called *Claidem*, which comes very close to the Latin *Gladius*. By the aspiration of the *m* this became *Claidemh*, which would be pronounced almost like *Cledyf*, the Welsh form of the word in the twelfth and thirteenth centuries. By the aspiration of the *d* the word became *Claidhemh*, or, as the Irish *e* is generally represented by the English *ea*, *Claidheamh*, the form it has usually in O'Curry's Lectures. This would be pronounced almost as if written *Cleeve* or *Glaive*. In speaking of the *Glaive-Guisarme*, I have assumed that the word "Glaive" came from the Celtic form, and not from the Latin *Gladius*, as Diez thinks, through Provençal *Glazi* (*z=d*). The sword of distinguished warriors was called a *Cland*. It was a badge of their championship or knighthood; if they travelled without it, they were deemed cowards, and were only entitled to the *Enecland* or honour price of a churl, and they likewise forfeited their position among their companions in arms.⁸¹¹

None of the swords preserved in the museum of the Royal Irish Academy possess the character of rounded or blunted tops ascribed to the *Firbolg* weapons, whence O'Curry con-

⁸⁰⁹ Page 108, col. 2. ⁸¹⁰ Vol. ii. p. 456. ⁸¹¹ *Leb. na h-Uidhri*, p. 72, col. 2.

cluded, either that that character did not extend to the swords, ^{The *Claidem*}
 or else that no specimen has come down to us. Figures 50 to ^{OR SWORD.}
 53, represent the usual form of the swords corresponding to the
 descriptions given of the *Tuatha Dé Danand* weapons.



These were riveted to the hilts, as is shown by examples of complete swords found at Mainz on the Rhine, in Mecklenburg, Lower Bavaria, and other parts of Germany, as well as

in France. Indeed the swords described by O'Curry as "flagger" shaped, are practically identical with the common form of the ancient British, Gaulish, and German swords.

The *Colg*.

Several types of daggers were used by the ancient Irish, such as those having blades answering to the description of the blades or heads of the *Firbolg Craisech*, and not unlike in general form the *Anelace* or Verona daggers of the fifteenth century; those having a more sword-like blade, but riveted like the preceding to a metal handle, and of which fig. 14 is an example; and the *Colg-det*, or small sword, having a tang like the sword blade, of which figures are given on p. ccclv, fitting into handles of deerhorn or walrus and narwhale tooth. The latter type seems to have been in every respect like the *Claidem* or sword, except that it was much smaller. The name *Colg* is sometimes, but incorrectly, restricted to daggers; it was a generic name for all kinds of edged weapons, especially swords. But a true stabbing poinard is not a *Colg*.

Stone
Weapons :

Stones were employed as weapons of war by the ancient Irish in five ways. First as unfashioned missiles which were thrown from the hand, as was done by the Gauls, Germans, and other imperfectly armed ancient peoples, and of which we have an example in the "Flag fight of *Amargin* in the *Táin Bó Chuailgne*";⁸¹² secondly, as specially fashioned stones, one of which was kept in the hollow of the shield, and hurled from the hand on certain occasions; this was the *Lia lamha laich*, or "champion's hand-stone"; thirdly, as javelins and arrows; fourthly, as axes and hammers; and fifthly, as sling stones.

the "Cham-
pion's hand
stone ;

Figures 54 and 55 represent typical examples of what O'Curry considered to be the *Lia lamha laich* or "champion's hand-stone", so fully described in the Lectures. There is however no doubt that similar stones were used as axes when inserted into handles of horn or wood, or held merely in a withe. Some stones of this shape have indeed been found having a groove about their middle by which they could be better secured by the withe. Besides these sharp stones, which might be described as hammers as well as axes, there are others which were blunt and constituted the true war-hammer.

The stone war-hammer seems to have been one of the earliest weapons of all Aryan peoples. *Thor*, the war-god of the Scandinavians, and the corresponding Gaulish god *Taran*, are

The war-hammer;

always represented armed with a hammer. Although true war-hammers are not so frequently found in Ireland as the "champion's hand-stone" or axe, they were nevertheless much used. In the account of the first battle of *Magh Tuired*,

already referred to, and so fully described in the Lectures,⁸¹³ we are told that certain *Tuath Dé Danand* warriors were armed with rough-headed stones held in iron swathes.⁸¹⁴ This is important evidence that stone weapons were used by a people who knew the use of iron. The old Bohemians also used a stone hammer called a *Mlat*, which they afterwards replaced by one

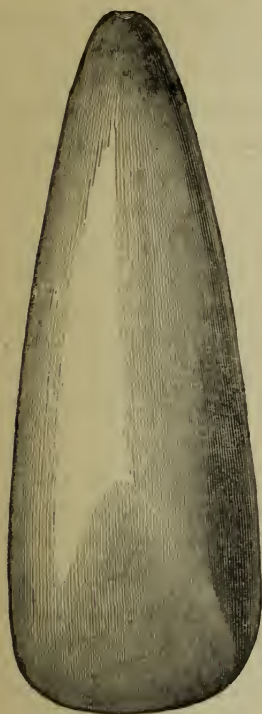


Fig. 54.



Fig. 55.

of iron. I do not know when the *Mlat* was first made of iron, but there seems no doubt that the stone ones were used

⁸¹³ Vol. i., p. 235, *et seq.*

⁸¹⁴ The passage in which reference is made to the rough-headed stones is so important in other respects, that I am tempted to give the whole of it.

"Forth came the magnanimous *Tuatha Dé Danand* in close arrayed veteran bands, with their vengeful arms. They arranged themselves into one great red gleaming battalion, under their red-bordered, speckle-coloured, firm-clasped, well-bound shields. The order of battle was made by the leaders: they placed quick-wounding veterans on the flanks and in the front [ranks of] battle; after them were placed aged warriors to aid and succour the veterans; armed youths were drawn up near those fierce, stalwart heroes; the *Galgada* and the *Gillaunra* were placed in the rear of the youths; their wise men and their seers were upon their pillar stones and upon their benches of magic.

The war-
hammer;

in Germany as late at all events as the eighth century. For we have undoubted evidence that in that century, and consequently long after iron weapons had replaced bronze ones, stone hammers were used by German warriors of distinction. In the oldest poem in the German language, "the Song of Hildebrand and Hadubrand", these two warriors, armed with spear, sword, and hauberk, are described in single combat as springing at each other, their stone axes clanging and hewing heavily their white shields.⁸¹⁵ The term *Staimbort*, used in the original, shows that it was rather an axe than a hammer.⁸¹⁶

If we can rely on a passage of Guillaume de Poitiers, quoted by M. de Caumont and others, the use of stone weapons—either hammers like those of the *Tuatha Dé Danand* at the battle of *Magh Tuired*, or axes like those of Hildebrand and Hadubrand, came down even to the eleventh century in England, where some of the soldiers of Harold appear to have been armed with

Their poets were also there in order to recount their great deeds and write their story. *Nuada* likewise was in the very centre of the battle array, his warriors and chiefs gathered around him, and the twelve sons of *Gabran* from Scythia [together with] the sons of *Nuada* [himself], namely, *Tolc*, *Trenmiled*, *Garb*, *Glacedh*, *Gruasalt*, *Duirb*, *Fonnam*, *Foirsem*, *Teidm*, *Finnargam*, and *Teascach*. Whomsoever they wounded never again tasted of life. These are the heroes who slew the sons of *Finntan*; and it was the sons of *Finntan* who in return slew them. Thus arranged they made a warlike crash of battle on their body-protection with rough-headed stones with iron swathes, and they rushed forward until they reached the appointed place of battle". MS. T.C.D. H. 2. 17, p. 91, *et seq.*

The presence of druids with an army, and the practice of necromancy by them before and during the battle, is often mentioned in ancient tales; but this is the only instance I have met of pillar stones or benches being fixed near the field of battle for their special use. Perhaps the pillar stone alluded to in the passage quoted from the tale of the *Brudin Da Derga*, p. cccxxxv, was for the chief druid; this may have also been the purpose of *Carnd Lugaidh*, mentioned in note 582, p. cccxxxvi, and upon which *Lugad* stood during the battle.

⁸¹⁵ Do stoptun tosamane, staimbort chlundun,
Hewun harmlicco huitte scilti.

Die beiden ältesten deutschen Gedichte aus dem achten Jahrhundert: Das Lied von Hildebrand und Hadubrand, etc., herausgegeben durch die Brüder Grimm, Cassel, 1812.

⁸¹⁶ German *Barte*, as in *Hallebarte*, a halbert, M.H.G. *Helmbarte*, or in the Rhenish dialect *Halumbard*.

them at the battle of Hastings.⁸¹⁷ In the fourteenth century ^{the war-hammer;} the war hammer was in general use, and was often of considerable weight. The foot soldiers had it fixed on a long pole, whence the name "Pole-hammer", given to it in England. The horseman's hammer, or *Reiterhammer*, was short-handled and carried at the saddle-bow, like a mace. The Bohemian iron *Mlat* or hammer was in use even as late as the Thirty Years' war.

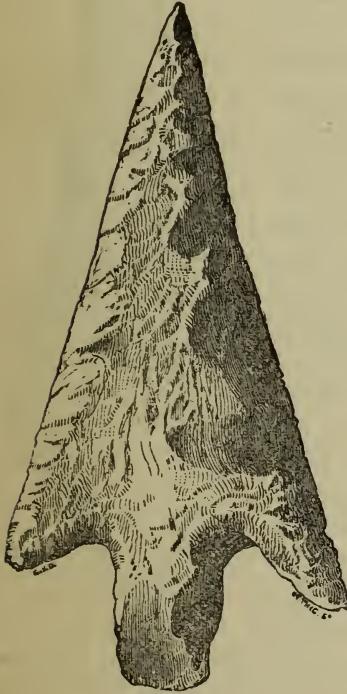


Fig. 56.



Fig. 57.

Size is almost the only characteristic for distinguishing between ^{stone javelin} stone arrow heads and stone javelins. The flint objects repre-
heads;

⁸¹⁷ "Jactant Angli cuspides et diversorum generum tela, sævissimas quoque secures et lignis imposita saxa". *Cours d'antiq. mon.* III. partie, p. 221. See also M. l'Abbé Cochet's *La Seine-Inférieure Historique et Archéologique*, p. 15.

sented by figures 43 to 49 are certainly arrow heads; but the objects represented by figures 56, 57, and 58, are probably the heads of light javelins included under the term *Goth nada*.

Slings :

The sling is a weapon of great antiquity, and was formerly used by most nations. It continued in use in Europe down to the sixteenth century, when grenades were thrown with it. There were two principal forms of the sling: the simple sling, consisting of a socket or piece of leather to hold the projectile, attached to two thongs or cords, the ends of which the slinger held in his hand, while he whirled the sling round until he had given it the highest swinging speed, when he let go one of the thongs or cords, so as to let fly the projectile; the second kind of sling was the staff-sling, called by the Germans *Stock-Schleuder*, and by the French *Fustibale*, consisting of a rod or staff about a yard long, to one end of which was attached by one of the thongs an ordinary sling. Sometimes a socket or strap was attached by two strings to two points towards one end of the staff. A kind of staff sling was used in local fights in the city of Cork, down to about thirty years



Fig. 58.

ago, which differed somewhat from the ordinary one just described. It consisted of a flexible rod, usually an osier twig about a yard long, to one end of which was attached a string with a loop made of a thong, or sometimes simply a strip of leather. This loop or strip of leather came close up to the point of attachment of the string; the latter was shorter than the staff, and was terminated by another loop of leather. When used, a flat, and more or less round, stone was inserted between the upper loop or flat piece of leather and the rod at the point at

which the string was fastened to the rod; the staff was then Slings: caught in the right hand and bent like a bow, until the right thumb could be inserted into the lower loop. The stone was projected when the right arm was moved rapidly, as in making a sword cut, and letting slip the loop off the thumb. The range of this instrument when used by a strong and skilful slinger was considerable.

The *Deil Clis* was, perhaps, the common sling; the *Crann* the Deil clis; *Tabail* was the French *Fustibale*, middle Latin *Fustibalus*, and the German *Stock-Schleuder*. All these words are equivalent. *Crann*, *Fustis*, and *Stock* mean a stick or rod, and the *bal* in *Tabail* is cognate with the Greek $\beta\acute{\alpha}\lambda\lambda\omega$ whence the *bal* in *Fustibalus* is derived. The *Crann Tabail* was, perhaps, the Crann Tabail; not properly a sling, but a kind of cross-bow for shooting stones or metal balls, like the German *Ballestre* and French *Arbalète à galet* of the sixteenth century. The story of *Furbaid's* mode of practising with his *Crann Tabail*, in order to make sure of not missing queen *Medb*, whom he intended to kill, as given in the Lectures,⁸¹⁸ as well as other examples of the use of the *Crann Tabail*, support this view. It is difficult to say what kind of sling the *Tailm* was; there seems little doubt, the Tailm. however, that it was a kind of staff-sling, perhaps like the Cork one, and for which stones of every form were not apparently suitable, as *Liic Tailme* or "stones of the *Tailm*" are specially mentioned. Balls of brass and iron,⁸¹⁹ and the composition balls, or *Tathlum*, made of the brains of enemies, mixed with clay, were also thrown with the *Crann Tabail*. These corresponded to the *Glandes* of the Roman slinger, and the $\mu\omicron\lambda\upsilon\beta\delta\acute{\iota}\delta\epsilon\varsigma$ of the Greeks. These, which were only about the size of acorns, were, however, thrown by the common sling.

"Non ocior illo

Hasta, nec excussae contorto verbere glandes".⁸²⁰

Slingers constituted an important element of the Roman, Carthaginian, and Greek armies. Nearly the whole of the armies of the Gauls and Germans were made up of spearsmen and slingers. As the descriptions of the equipments of soldiers in Irish tales are almost exclusively confined to those of the

⁸¹⁸ Vol. i., p. 290.

⁸¹⁹ Vol. i., pp. 291, 292.

⁸²⁰ Ovid, *Met.*, vii. 777.

chiefs, we can only infer what that of the troops was from allusions here and there. We may, however, assume that, like the Gauls, who, according to Cæsar, filled a valley with javelins and stones, the Irish armies were made up chiefly of spearmen and slingers. Even distinguished warriors were trained to the use of the *Tailm*, the *Deil Clis*, and *Crann Tabail*.

The *Lurg Fersad*, or "morning star".

The *Firbolgs* are said to have used a kind of weapon called a *Lorg Fersad Iarain* or mace, armed with iron spikes like the medieval German *Morgenstern* or "morning star". This is very probable, although no weapon of this description is to be found in the museum of the Royal Irish Academy. Fragments of such weapons have, however, been found in other countries. Figure 59 represents a curious weapon of the mace class, which, although made of bronze, O'Curry believed to be later than the *Firbolg* iron *Fersad*, because the handle was inserted into a socket. There are several other examples of bronze maces, in the Museum of the Royal Irish Academy, more or less like the one represented in the figure. Lindenschmidt has also figured several of them. Bronze weapons of this kind appear to have been used in early times by all the northern peoples.



Fig. 59.

The *Suist*, or Iron Flail.

The *Suist*, Flail, or "Holy Water Sprinkler", though not used by the Irish, at least to any extent, was known to them at a very early period, as we find it described in the tale of the *Brudin Da Derga*, which is contained in a manuscript of the early part of the twelfth century. The earliest references to this weapon hitherto known do not go beyond the eleventh century. The "knout" or flail described in the Irish manuscript, is, moreover, a very perfect one, belonging to the "Armed Whip" or "Scorpion" type. Among the groups of warriors in the house of *Da Derga* with *Conaire Mór*, are three persons described as giants—*Srubdaire*, *Concend*, and *Scene*, who were captured by *Cuchulaind* in the siege of *Fer*

Falga, which is supposed to have been the Isle of Man. So The Suist,
or Iron Flail. far as one can make out from the obscure description of the persons of those giants or warriors, they were clothed in skins. The flails had seven chains, with a heavy iron ball at the end of each; there is no evidence as to whether these balls were spiked. The number seven may be a fiction due to the partiality of the Irish for that number; on the other hand, as many as six chains have been used on "Scorpions". The "Scorpion" used in the Hussite wars in Bohemia usually had four chains terminated by rings.⁸²¹

The generic name of the shield in Irish was *Sciath*. It was made of wicker work, like the shields of the Homeric heroes

⁸²¹ The following is the entire passage in which the flail is described: "I saw a couch there, and three men on it,—three great large manly brave men. No one could look at them, so hideous were they—[they had] three ugly ill-shaped faces. Those who look on them are terror-stricken on seeing them. [They have] a thick covering coat of coarse hair over their whole bodies; their beards are curled; their eyes are most terrific. They have three fierce *Finnu Ferb*, and are without clothes: they are covered all the way down to their heels. They have three great wonderful flowing heads of hair reaching down to their hips. They are furious warriors; they ply hard-smiting swords against enemies; they strike furiously with three iron flails, having seven chains on them, with cross pins through their eyes, and head-balls of iron—[one] on the end of each chain; each [ball] of them heavier than a good house-fed hog. They are three great brown men, having great black flowing poles of hair on them reaching to their two heels: two thongs, [each] one-third of an ox-hide, on the middle of each, and each quadrangular clasp that closes them is thicker than a man's thigh. The clothes they have on them is the fur which grows through them. Each man holds a tress of the long hair of his pole, and a club of iron, long and stout as the yoke of a plough, in his hand, and an iron chain at the head of each club, and an iron pin, long and stout as the middle of a yoke, in the head of each chain. They are *Brucs*⁸²² in the house, and it is disgusting to behold them; there is not in the house one who is not in dread of them. Identify these, O *Ferrogan*. *Ferrogan* paused. I can identify them. I know not of living men who they are, unless they are the three giants whom *Cuchulaind* saved in the *Forbas Fer Folga*; they killed fifty heroes when being captured; and *Cuchulaind* did not allow them to be killed on account of their greatness. The names of these three men are: *Srubdaire* son of *Dordbraigh*, *Concend Cind Maige*, and *Scene*, son of *Scipe*. Three hundred men shall fall by them in their first combat, and they shall accomplish equal deeds with any three men in the *Brun*; and if they come forth on ye, the powdered fragments of your bodies will be fit to pass through the sieve of a corn kiln, from the manner in which they will pound you with those iron flails". *MS. Lebor na h-Uidhri*, p. 95, col. 2.

⁸²² Cf. Angl. Sax. *brōga*, O.H.G. *bruogo*, terror; Angl. Sax. *bregdan*, subigere, nectere, etc.

Defensive
Armour :
the shield.

and of the old Germanic and Scandinavian warriors, and covered with several layers of skin or tanned hide, and those at least of the chiefs strengthened by a rim of metal. The Irish, like the Scandinavians, used two forms of shields,—oblong or oval and round: One form of the oblong shield was ellipsoidal, somewhat truncated at one end and pointed at the other and lower end, and sometimes slightly truncated at both ends of the longer axis. A Gallic shield sculptured on the sarcophagus found in the Vigna Ammendola, is a doubly truncated ellipsis; that on a bas-relief on the Arch of Orange is a simple ellipsis. The originals of these sculptured shields seem to have been of metal, probably of bronze. In the British Museum there is a beautiful oblong bronze shield ornamented with the trumpet-pattern so characteristic of many ancient Irish objects; the ends are rounded and the sides curved inwards. This unique shield, which was found in the river Thames, has been described by Mr. Franks in *Horae Ferales*.⁸²³ The Meyrick collection of arms contains an oblong bronze shield found in the river Witham, the sides of which are straight.⁸²⁴ Osier shields were convex or bulged out in the centre. When wood replaced wicker work, they were made flat or semi-cylindrical. Hence the name *Συρῆός*, from *Σύρα* a door, given by the Greeks to such shields. This is the word used by St. Paul in his Epistle to the Ephesians (vi. 16), and which Ulphilas translates by the Gothic *Skildas*,⁸²⁵ so that in the fourth century there must have

⁸²³ Pl. xv.

⁸²⁴ *Ibid.* Pl. xiv., fig. 1.

⁸²⁵ Old Armoric *Scoit*-, or *Scoet*-; Welsh (Dimetian Code), *Ysgwyt*; Latin, *Scut-um*. The Teutonic names are: Gothic, *Skildas*; Anglo-Saxon, *Sceld*, *Scyld*; Old High German, *Scilt*; Middle High German, *Schilt*; New High German, *Schild*; Old Norse *Skiöldr*. In the account of the battle of *Magh Tuired*, one shield is described as a *Skilda óir*, or golden shield. *Skilda* is obviously a loan-word from some of the Teutonic forms. If Grimm's suggestion, that the Gothic *Skildus* may have arisen by metathesis from an older *Skidlus* or *Skidilus*, be admitted, we should have a common root for shield in the Latin, Celtic, and Teutonic languages. The Alemannian *Scudilo*, *scutariorum*, *tribunus*, mentioned in Ammianus Marcellinus (14, ii.), gives considerable weight to Grimm's view. In the Venedotian Code, which represents the Welsh of North Wales, the shield is called a *Taryan*; this word is very important in connection with the derivation of *Target*. If the latter word, as is sometimes assumed, be derived from the Arabic, we could scarcely avoid attributing a similar origin to the

been some general resemblance between the Germanic shield and the Roman *Scutum longum*, for that no doubt was the shield implied by the term *Συρῆός*. Forms of shield. The oblong Roman shields, with which Virgil arms his Gauls,⁸²⁵ were either more or less oval or quadrangular and curved, and generally without an umbo or boss. The ordinary *Scutum* is said to have been Sabine rather than Roman.

The round shields which corresponded to the Greek *ἀσπίς*, and the Roman *Clipeus*, were either bulged or flat. The bulged or convex ones, which were doubtless the oldest and largest, were made of osiers, the flat ones sometimes of osiers, but in later times more generally of wood. The general form of the bulged or convex round shields may be gathered from the term *Cuar Sgiath*, a hollow humpy shield formed like the *Cuacleithe* or humpy cup roof, the name given to the roof of round wicker houses, such as those represented by fig. 1, p. ccxcviii. Wooden shields. Wood does not appear to have ever replaced osier to the same extent in Ireland as in Gaul and Germany. It is probable that the only shields made of wood in Ireland were the small round or slightly elliptical shields called *Sciatha Clis*, or missive shields, of which I shall speak hereafter. The wood used in these shields appears to have been chiefly yew.⁸²⁶ The Germans used lime-wood for the same purpose, hence one of the names of the shield was *Linde*.

The round shield had usually a boss of metal, and was bound with a rim of metal. Rims of shields. In Norse shields the rim was of iron, but in the descriptions of shields to be found in Irish poems and prose tales, the material of the rim is almost always *Find*-Welsh word. It is difficult, however, to admit that an Arabic name for a piece of defensive armour so well known in some shape as the shield, should have found its way into the Welsh at so early a period as to have already supplanted in the twelfth or beginning of the thirteenth century the native name. Is the Old Norse *Targa* borrowed from the Irish *Targu*, or the converse? Is the middle Latin, *Targa*, borrowed from the Norse or the Celtic, or these from the Latin, and if from the Latin, is *Targa* derived from the Latin *tergore*? The word *Sdarga*, applied to the light shields of *Raghallach's* horsemen (Lect. xiv., vol. i., p. 344), shows the early use of the *Targu* in Ireland. If the word be originally Norse, it is quite possible that it came into West Europe through the Norse commerce with the East.

⁸²⁵ *Aeneid*, viii. 662.

⁸²⁶ See for an instance of the use of this wood to make a shield, *Lectures*, vol. i., p. 330.

ruini.⁸²⁷ Bronze, and even silver⁸²⁸ and gold⁸²⁹ rims are, however, mentioned. *Findruini* was probably bronze coated with tin or some white alloy, like that of tin and lead, which, according to Pliny,⁸³⁰ the Gauls applied to articles to prevent them from becoming coated with verdigris. Sometimes a shield had several small bosses or pinnacles, besides the large central boss. Thus *Lug*, son of *Ethlend*, is described in a passage already quoted, as having a black shield with bosses of *Findruini*; and *Ferdiad's* great shield had no less than fifty, besides the central one of gold.⁸³¹ Sometimes the coating of skins or leather was fastened to the shield—which in this case was, no doubt, always of wood—by rivets, the heads of which formed prominences on the face of the shield, like the blood-red shield of *Conal Cernach*.⁸³² When the shield was made of a disc of bronze, imitations of these nail-heads were produced on the face of the shield by hammering.

Sharp and
wave edged
shields.

The rims of some shields appear to have been scalloped or wave-edged. Thus in the account of the Progress of the Ultonians to *Cruachan Ai*, *Conal Cernach's* shield is described as having a scalloped rim of *Creduma* or bronze.⁸³³ The great shield of *Cuchulaind* in the Fight of *Ferdiad*, was also

⁸²⁷ Thus one of the great Ulster heroes, *Laeghaire Buadach*, is described in the Feast of *Bricriu* as having a mottled shield with a white rim of *Findruini*.—*Lebor na h-Uidhri*, p. 106, col. 1. See also *Lectures*, i., 316. *Findruini* is sometimes written *Finnbruthine* or *Finnbruinni*, this suggests another possible derivation, *find*, *finn*, white, and *bruinni*, boiled, that is a white tinned or plated surface. The Gaulish process of tinning the surface of metals was not unknown in Ireland.

⁸²⁸ Vol. i., 316.

⁸²⁹ *Ibid.*, 317.

⁸³⁰ *Hist. Nat.*, lib. xxx., c. 19; lib. xxxiv., c. 48. ⁸³¹ *Lectures*, vol. i., p. 307.

⁸³² "A blood-red shield thickly speckled with rivets of *Findruine* between devices of gold". * * * "That blood-red shield which is upon his hand, it is speckled with rivets of *Findruini*, so that *Brec* [i.e. speckled] is the name given to it by the Ultonians, i.e. *Brecriu Conaill Cernach*"—*Lebor na h-Uidhri*, p. 90, col. 2. It is probable that all the shields described as "speckled", were riveted shields of this kind.

⁸³³ *MS. Lebor na h-Uidhri*, p. 106, col. 1. The only shield or target which I have met with, or seen noticed, having a scalloped or serrated rim, is a German target, of the fifteenth century, with a gauntlet and lantern attached. This target which belongs to the type called *Rondaches*, has a rim like a cog-wheel. It is now in the Musée d'Artillerie at Paris, and is figured in Demmin's *Weapons of War*, p. 297.

scolloped-edged, and so sharp as "to cut a hair against a stream".⁸³⁴ Shields with sharp edges are frequently mentioned in Irish manuscripts; the object of making the rims sharp being, no doubt, to prevent a warrior from grasping the shield of his opponent, and tearing it from his arm. O'Curry thought that the *Sciatha Clis*, or the small shields which he calls "missive shields", were used to hurl at an enemy. It is not likely that shields were ever used for such a purpose; the epithet "missive" could only have been justified by their being used as bucklers against arrows and light javelins. These small shields or bucklers seem to have been flat, and to have been used by a warrior when fighting from his chariot—his large *Sciath* or shield being only put on when he fought on foot with his great thrusting spear and sword. The bucklers were sometimes made entirely of bronze instead of wicker work or wood covered with leather, and several examples of such round bronze shields have been found in Denmark and in Great Britain, and are to be seen in collections of arms. Shields of iron were also not unknown.⁸³⁵

A very beautiful bronze shield of this class has recently been found in a bog forming a peninsula or island in Lough Gurr⁸³⁶ in the county of Limerick. The Royal Irish Academy having purchased this beautiful shield from M. Lenihan, Esq., of Limerick, it is now in the national museum. It is a flat disc two feet three and three-quarter inches in diameter. It has six concentric rings formed by about two hundred small hollow bosses about an inch in diameter; and in the centre a large somewhat flattened boss, six inches internal diameter, called by the French *Ombilic d'Umbo*, and by the Germans the *Schildnabel*. The rim is an inch and three-quarters in width. The handle is fastened across the back of the central boss. On the back of the shield in the third circle from the rim are two bits of bronze so riveted that the heads of the rivets

Bronze
shield in
Museum of
R. I. A.

⁸³⁴ *Lect.*, vol. i., p. 301.

⁸³⁵ *Iliach*, son of *Cas*, is described as having an iron shield.

⁸³⁶ Anciently *Loch Gair*. A *Dun* on the hill of Doon over the lake was erected, or strengthened by *Brian Borumha* in the tenth century. The island spoken of in the text, and which is now connected to the mainland by the peat bog in which the shield was found, was also fortified by him.

Bronze
shield in
Museum of
R I A.

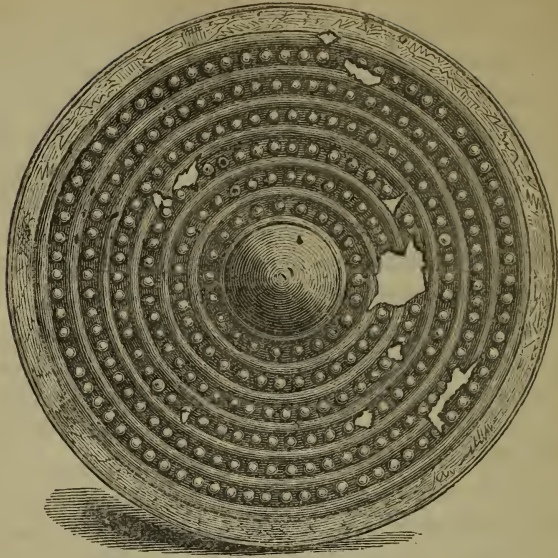


Fig. 60.

form two of the small obverse bosses. These bits of bronze served to sling the shield over the shoulders. Figures 60 and 61

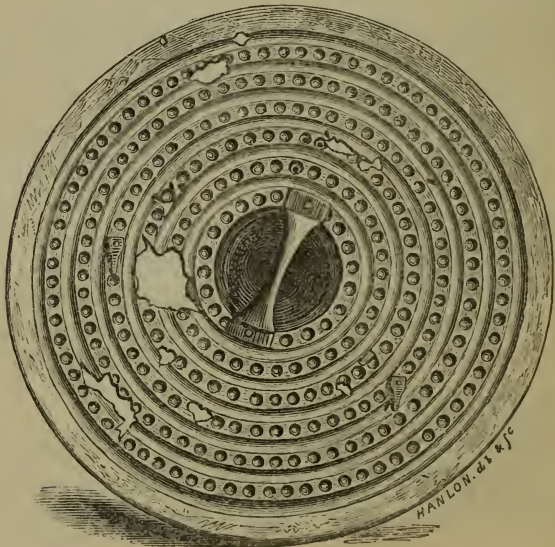


Fig. 61.

represent the face and back of this shield. The central boss or umbilicus of some Irish shields must have been formed by a spike which could be thrust into the face of an enemy. This was perhaps the *Gilech cuach coicrindi* or flesh mangling cup-*Gilech* or cup-spear, which was on the speckled blow-dealing shield of *Laeghaire Buadach*.⁸³⁷

Very large shields are mentioned in Irish manuscripts. Thus, the *Dam Dabach*, or "ox-tub" shield, under which queen *Medb* concealed herself while looking on *Cuchulaind* while boasting before her army, must have been of ample size; the name indeed implies that the cavity of the shield was as large as a tub that would contain an ox.⁸³⁸ The great black red shield of *Cuchulaind* himself, in the hollow of which we are told a full-grown hog would fit;⁸³⁹ and the great shield of *Ferdiad*, which had fifty bosses on it besides the central one.⁸⁴⁰ The North Germans also used very large shields, which, while they continued to be made of osiers, were most probably of the same shape as the Irish *Sciath*. Those German shields were covered with metal plates, and had no bosses, which seems to have been the rule everywhere with the ancient long *Sciaths*, while round shields were usually bossed. If this view be well founded, *Cuchulaind's* shield must have been oblong, and *Ferdiad's* round and comparatively flat. The Danish shields seem to have been round, and of the *cuachcleithe* or humpy shape, with a spike in the centre. The Frankish and Anglo-Saxon shields probably belonged to the same type. In one of the miniatures of the *Codex Aureus*, a manuscript of the eighth or ninth century, now in the library of St. Gall, there is a representation of a round shield, having a boss and ribs apparently of metal, answering completely to the description of the ribbed-shields of the Irish. The figures are dressed in what may be called the Irish fashion.

Large shield
used by the
Irish.

German and
Danish
shields.

⁸³⁷ *Leb. na h-Uidhri*, p. 106, col. 1 2.

⁸³⁸ According to a passage in the *Táin Bó Chuailgne* in the *Book of Leinster* (MS. H. 2, 18, T.C.D., f. 67 a. (recte 68 a.), col. 2), the soldiers of Queen *Medb* protected her in her retreat after the last battle of the *Táin* by making a *Dam Dabach* with their shields. That is the *Testudo* of the Roman soldiers. The *Dam Dabach* of the text was probably the same thing.

⁸³⁹ Vol. i., 301.

⁸⁴⁰ *Ibid.*, p. 307.

Colours of
shields.

The custom of painting or colouring shields, which Tacitus ascribes to the Germans,⁸⁴¹ was common to all the nations of northern Europe. In Ireland this custom came down to at least the eleventh century, as we find that the Dalcassians, or North-Munster clans, at the battle of Clontarf, had "bright, many coloured shields, with bosses of red bronze".⁸⁴² The most usual colours were white, crimson-red, brown-red, yellow, and black. The ancient Germans and Scandinavians had chiefly white and red shields. The Cimbrian horsemen had white shields.⁸⁴³ White shields are frequently mentioned in the Norse Saga,⁸⁴⁴ and were looked upon as a symbol of peace. The white *Frithskjöldr*, when held up, was a sign of truce. On the other hand, red was a symbol of war, and therefore the favourite colour of distinguished warriors. White appears to have been a common colour of Irish shields, at least in time of peace, as a curious passage in the tale of *Bricriu's Feast* seems to show.⁸⁴⁵ One of the shields, painted white in the passage here referred to, was that of *Cuchulaind*. Whenever that warrior appears in battle, however, his shield is crimson or brown-red. *Sencha*, the poet and judge of the Ultonians, is described in the *Táin Bó Chuailgne* with a white shield, as if that colour was emblematic of the functions of a judge.

Ornamented
shields.

The shields of the ancient Irish appear to have been ornamented with devices which seem to have been peculiar, if not to each *Tuath*, at least to each chief, as is indicated by the legend of the shield-smith *Mac Enge*, narrated in lecture xv.⁸⁴⁶ According to this legend, the Ultonian knights of *Conchobar Mac Nessa* determined that each of them should have a silver shield with differently designed devices. When *Cuchu-*

⁸⁴¹ "Scuta tantum lectissimis, coloribus distinguunt"—*Germ.*, vi.

⁸⁴² Vol. i. p. 348.

⁸⁴³ Plut. in Mar. 25.

⁸⁴⁴ *Atlaq.*, 7; *Sverris saga*, c. 117; *Haralds saga harf.*, c. 19; *Olafs Saga hins helga*, c. 55.

⁸⁴⁵ "And they [i.e. *Læghaire Buadach*, *Conall Cernach*, and *Cuchulaind*] took up their shields then, and they drew their swords to encounter each other, so that one side of the kingly house became a burning mass of fire from the refulgence of the swords and the edges of the *Gais*; and the other side as one white sheet from the *cailc* (chalk) of the shields". *M.S. Lebor na h-Uidhiri*, p. 101, col. 2.

⁸⁴⁶ Vol. i. p. 329.

laind, who happened to be at the time in Scotland, returned and saw what was being done, he ordered *Mac Enge* to make a shield for himself. This shield was cast in a mould formed of forge ashes, the designs being made by means of an instrument described as a fork, but which was manifestly a compass. These shields were, no doubt, pageant shields, the device upon which corresponded to the later coats of arms. The devices were, probably, at that time personal, as among the old Norse, and not hereditary, as they subsequently became. The gloss quoted by O'Curry⁸⁴⁷ on *Lumman*, one of the names for a shield in Irish, which explains that word to be *Leoman*, a lion, may likewise be referred to here. I, however, attach very little value to this gloss written in the year 1390, when the use of armorial devices on shields was universal.

Rims, bosses, ribs, and devices of bronze, silver, and even gold, are liberally bestowed by Irish legendary story on the shields of princes and heroes, gold being especially combined with red, as was the case among the Norse also. These legends were, however, unquestionably based on truth. We know that the shields of the Norse were sometimes ornamented with enamel.⁸⁴⁸ The dark blue richly gilt shield of *Thorleif Kimbri*;⁸⁴⁹ and the shield divided into compartments by ribs of gold and precious stones, and having each of the compartments of the shield so formed, painted with pictures from the old saga, bestowed by Hakon Jarl of Norway, on *Einar Skallaglam*, in reward for his poem of the *Velleklá*, show that the use of gold and gems for adorning shields was not confined to Irish story. Irish princes also sometimes bestowed shields on poets, as we learn from the story of *Corb's* gift of a shield to the poet *Ferberna*, son of *Regaman*, related in the Lectures.⁸⁵⁰ It would appear from the legend referred to, that when a warrior was buried, his body was sometimes covered with his shield

Shields, like swords and spears, were heirlooms, and were handed down as such through several generations, or passed from one warrior to another as valuable trophies. The shields

⁸⁴⁷ Lect. xv., vol. i., p. 327.

⁸⁴⁸ The *Smeltir Skildir* of *Grettis Saga* (c. 59), and others.

⁸⁴⁹ *Eyrbyggja Saga*, c. 13. ⁸⁵⁰ Vol. i. 327.

of great warriors were also personified, and received often expressive and poetical names. Thus, *Conchobar Mac Nessa's* shield was the *Ochone Chonchobair*, or "*Conchobar's groaner*", *Celtcar's*, the *Comla Catha*, or "*gate of battle*".⁸⁵¹

Defensive
Armour :

The Romans at a comparatively early period were acquainted with metallic defensive armour. Coats of mail were already in such general use in the time of Augustus, that Virgil could, without committing too glaring an anachronism, make Helenus present Æneas with a

"*Loricam consertam hamis auroque trilicem*".⁸⁵²

the Lorica,
or cuirass of
the Romans ;

The Hastati, or legionary soldiers, at the commencement of the Christian era wore a bronze or brass cuirass, composed of a corslet and shoulder pieces, greaves, and an iron or leather helmet. The horsemen wore a flexible cuirass, which was made of iron or bronze scales sewed on linen or leather—the *Lorica squamata*, or of metal chains—the *Lorica hamata*, at least this was so in the time of Trajan and Septimus Severus.

used by the
Gauls ;

not used at
first by
ancient
Germans ;

The Gauls must have acquired at an early period a knowledge of the defensive armour of the different Mediterranean civilized nations, and when they came under the dominion of Rome, must have adopted the Roman armour. It is not probable that the Germans had any defensive armour, except the shield, before their contests with the Romans. Although Plutarch states that the Cimbrian cavalry wore bronze armour,⁸⁵³ yet, in the time of Tacitus, scarcely any of the western Germans wore cuirasses or helmets.⁸⁵⁴ It is probable, however, as Weinhold⁸⁵⁵ suggests, that the Cimbrian armour was Gaulish booty. A tribe of eastern Germans, the Quadi, wore cuirasses of plates or scales of horn, the knowledge of which came not from the Mediterranean countries, but from their Sarmatian neighbours.⁸⁵⁶ Other eastern Germans are spoken of by Tacitus himself as wearing hauberks of leather or iron.⁸⁵⁷ The

subse-
quently
adopted by
them ;

⁸⁵¹ Several names of shields are given in the Lectures, vol. i. p. 333.

⁸⁵² *Æneid*, iii. 467.

⁸⁵³ *Marius*, 25.

⁸⁵⁴ "*Paucis loricae: vix uni alterive cassis, aut galea*"—*Germ.*, vi.; *Annal.*, ii. 14.

⁸⁵⁵ *Altnordisches Leben*, p. 209.

⁸⁵⁶ *Amm. Marcel.*, 17, 12.

⁸⁵⁷ *Tacitus, Hist.*, i. 80; *Strabo*, vii. 3, 17.

manufacture of a suit of armour for a chief merely implies the existence of one or more skilled smiths, but not necessarily a high condition of the metallurgic arts. On the other hand, the general use of armour by considerable bodies of troops affords a certain proof of a highly developed metallurgy. This explains the slowness with which the use of metallic defensive armour penetrated into northern Europe. In the ninth century the Anglo-Saxons wore only a tunic or hauberk made of hides, which fitted close to the body, and the lower end of which was indented or cut into the form of leaves. Hence, the name *Cuirass* (German *Kürass*, Italian *Corazza*), from the Latin *Corium* through the French *Cuire*, leather. The chiefs and distinguished warriors had their cuirasses covered with rings of iron sewed flatly side by side. This ringed hauberk was borrowed from the Gauls. The French called it *Mael*, from the verb *mailler*, to hammer, which is itself derived from the Latin *malleare*. From the French *Mael* has come the English word *mail*, as in coat of mail. The hauberk or shirt of mail was called in Old French *Broigne*, *Brunie*, Provençal, *Bronha*, and in medieval Latin of the year 813, *Brugna*. The Gothic name was *Brunjó*, Old High German *Brunjá*, Modern High German *Brünne*, Anglo-Saxon *Byrne*, Old Saxon *Brunjo*, Old Norse *Brynja*, Old Slavonic *Brnja*, *Bronja*. All these words are evidently but modifications of one primitive form: was this Celtic, Teutonic, or Slavonic? Grimm pronounced in favour of the Teutonic, the Gothic form, according to him, being derived from *Brinnan*, to glitter, to burn. Dobrowsky,⁸⁵⁸ and before him Frisch,⁸⁵⁹ looked upon the Slavonic forms as the parents of all, and pointed out the existence of several cognate words in the Old Slavonic, e.g. *braniti*, to fight, Polish *broníc*, *bron'*, a weapon. That Grimm's derivation cannot be the true one is evident from the following considerations. The earliest cuirasses were not made of shining metal plates, but of dull leather, and consequently could not derive their name from their metallic lustre;⁸⁶⁰ even after bronze and iron armour came into use, the greater part of the defensive

Anglo Saxon
cuirass;

the *Broigne*
or hauberk;

supposed
derivations;

⁸⁵⁸ *Institutiones linguæ slavicæ*, 115. ⁸⁵⁹ *Deutsch-latein. Wörterbuch* i. 146.

⁸⁶⁰ See Weinhold, *Altnordisches Leben*, 209.

armour continued to be made of leather; the hauberks called by the Saxon, Anglo-Saxon, and several other cognate forms of the name *Brunjó*, were undoubtedly made of leather; and lastly, as metallic armour first reached the western and northern Germans through Gaul, it is very likely they borrowed the name as well as the thing itself from the Gauls.

true deriva-
tion--*Bruine*
the breast.

The Gothic *Brunjó* was a hauberk, a jacket, or rather shirt, which protected the back and breast, as the German form of the word clearly indicates—*Halsberg*, “neck protector”. Now the Irish name for the part of the neck and breast protected by the *Brunjó* or hauberk, is called *Bruine*, which comes very close to the old French form of the name of the hauberk, *Broigne*, and *Brunie*. I believe that the name of the armour came from that of the part protected, like the Greek $\theta\acute{\omega}\rho\alpha\zeta$, and that the Gaulish form of the Irish *Bruine*, was the true parent of *Brunjó* and all the sister forms in European languages.

Defensive
armour for
the body of
the Irish.

The foregoing brief sketch of the gradual spread of defensive armour into north Europe enables us to understand the position of the ancient Irish in this respect. With the exception of the reference to the “crash of battle on their body-protection with rough-headed stones”, quoted in a note, p. ccclviii. I have not met with any reference to defensive armour, except the shield, in the account of the first battle of *Magh Tuired*.⁸⁶¹ In the fragment of the *Táin Bó Chuailgne* in the vellum manuscript, *Lebor na h-Uidhri*, we are told that *Loch*, a warrior who fought on the side of queen *Medb*, and who was slain in single combat by *Cuchulaind*, had defensive armour.⁸⁶² In the account of the fight of *Cuchulaind* and *Ferdiad*, which is found in the more complete copy of the *Táin*, in the Book of Leinster, both the combatants are described as using defensive armour of leather. *Cuchulaind*'s, for instance, consisted of a cuirass made from seven well-tanned ox hides, and a waist-piece⁸⁶³ made of the backs of four full-grown well-tanned ox

⁸⁶¹ See vol. i., p. 253, as to defensive armour of the Fomorians at the second battle of *Magh Tuired*.

⁸⁶² “He cast the *Gae-Bolg* at *Loch*, and it pierced the protection of his body, for *Loch* had a *Conganchnes* when fighting with men”, p. 71, col. 1.

⁸⁶³ *Berrbrocc*, the *Vorderschurz* of the Germans, and the large *Brayette* of the French.

hides.⁸⁶¹ *Ferdiad*, in addition to a waist-piece of leather, had one also of iron. No mention is made of his cuirass in the description, which is very imperfect in other respects also.⁸⁶⁵ After the Roman occupation of Britain, the Irish must have obtained metallic defensive armour as booty during their frequent expeditions. But notwithstanding this source, and the great abundance of bronze in Ireland, there seems very little doubt that until about the tenth century very little defensive armour was used even by the chiefs.

I could not well end this section "On the Weapons of War of the Ancient Irish", without saying something about their chariots, notwithstanding that the materials for such a purpose are not only scanty, but also obscure. We need not discuss whether the ancient Irish used wheeled carriages, as the frequent reference to chariots in the oldest tales, and in the Irish lives of the saints, and their sculptured representations on the most ancient of our monumental crosses, place the matter beyond dispute. That these wheeled vehicles were used for war as well as for peace is also undeniable; but from the brief and imperfect descriptions of the vehicle which the great warlike champions used—descriptions of the common vehicles of the country are, of course, not to be expected—the use of war chariots belongs, perhaps, altogether to Irish heroic times, and certainly not to a later period than the second or third century of the Christian era.

The ancient Irish had wheeled carriages;

they were used in peace and war.

There are only four Irish names for vehicles having any pretension to antiquity: *Cap*, *Carr*, *Fén*, or *Fedhen* and *Carpat*. The first of these, *Cap*, is mentioned in a gloss in *Cormac on Capall*, one of the names for horse: "*Capall*, that is, *Capp a Carr*, and *Pell*, a horse". It also occurs in the following passage in the second part of the Introduction to the *Amra Coluim Cille*: "May thy *Leacht* be in a shroud after thy fight—
A silken motion.

Irish names of vehicles:

the *Cap*;

⁸⁶⁴ *Lectures*, vol. i., p. 301.

⁸⁶⁵ In the "Fight of *Ferdiad*" (vol. ii. App. p. 450-451) I have translated *Conganchnes* "Skin protecting armour"; but *Congna* (plural of *Congan*) certainly means horns (*Lebor na h-Uidhri*, p. 63, col. 1). Did *Ferdiad* and *Loch* (see note 862, p. cccclxxiv.) wear cuirasses of plates of horn like the German Quadi? This suggests a very interesting line of inquiry which I cannot enter upon here.

Thy wife, O man, shall be borne in a *Cap* (bier) after a *Pell*—
To her native church”⁸⁶⁶

M. Pictet compares the word to the Greek *καπάνη*, a Thessalian vehicle, and refers it to the Sanskrit root, *cap*, *camp*, to go, etc.

the *Carr*;

The second word is, so far as I know, always applied in Irish manuscripts to a kind of sledge or cart without wheels, for farm produce, the first kind of vehicle among all primitive nations, such as the *Helice* of the Greeks, and the *Traha*, *Trahea*, or *Traga* of the Romans. The *Carr Sliunain* (cf. German *Schleife*) or sliding car, used in mountainous districts, and the variety of it consisting of a low narrow frame work, provided with two low wooden tympana, or solid wheels, which I believe is still used on soft meadow lands and bogs in remote districts, brings down the tradition of this primitive vehicle to the present time.⁸⁶⁷ The stem *Car* is probably common to the Latin, the Germanic, and the Celtic languages; at all events, there is no reason to suppose that the Irish *Carr* is a loan-word from the Latin *Carrus*. We have no means of determining what kind of vehicle the *Fén* was. Zeuss gives the word glossed by *Plaustrum*, but whether in a special or general sense, it is, of course, impossible to say; if in the former, it would mean a framework with tympana or disc wheels, and upon which could be loaded hay or other articles, that is, a simple cart. When a body of wicker work was placed on the frame work called a *Plaustrum*, it was a *Benna*. It is more probable, however, that the gloss was general, and meant that *Fén* was some kind of wagon or cart. Whatever may have been the exact shape of the *Fén*, it seems to have been the special vehicle used as the bier or hearse of kings and warriors, and

the *Fedhen*
or *Fén*;

was used as
a bier or
hearse.

⁸⁶⁶ Rob é so léct i farthe íár so neit—
Seol siraicthe.

ruécar i carr inoisso pill so[r]pacc a rcaíl,—

Dia casemíl.—*Leb. na h-Uidhri*, p. 6, col. 2.

Farthe, a shroud, is glossed “soon”, and is sometimes understood to mean before the shroud of night passes off the sun, that is, at early dawn. *Seol siraicthe*, a silken motion, means that the dying person may glide softly from life. *Fracc*, wife, cf. O.H.G. *frouwa*, *frôwâ*, etc., a woman, the goddess *Frúa*, N.H.G., *Foran*, wife. Swedish, Danish, and New Lower German *Fröken*, a young girl, the Gothic proper name in *Smaragdus*, *Froia*, *Froga*.

⁸⁶⁷ See *Ante*, p. cccclxlii.

was drawn by two, four, or six horses, or oxen. It sometimes appears to have been also borne on the shoulders of men; but in such cases it was a temporary bier made like the body of a *Fén*. *Fén* is related to the old Norse *Vagn*, Anglo-Saxon *Waegn*, whence English *Wagon*, Old High German *Wagan*, New High German *Wagen* (cf. Lat. *vehere*), a relationship which is confirmed by the existence of the Irish form, *Fedhen*. *Fén* is not related to *Benna*, derivative forms of which are to be found in most Romance and Germanic languages, although there may, at first sight, appear to be some affinity between them. Another word, which has been connected with *Fén*, is *Covinus*, or *Covinnus*; but I agree in opinion with Diefenbach, that such a relationship is not certain.⁸⁶⁸

Fén related
to A. Sax.
Waegn;

not related
to *Covinus*;

The name given in all the old tales to the vehicle used for the conveyance of persons and for war is *Carpāt*, which I believe to be a loan-word from the Latin *Carpentum*. It is true, much may be said against this view. The ending of *Carpentum* has a Gaulish aspect, and there is the town name *Carpentoracte*.⁸⁶⁹ Florus alludes frequently to the *Carpentum* in connection with Celtic, and perhaps also Germanic, peoples.⁸⁷⁰ I think too much importance is often given to passages of this kind. Roman writers, describing the vehicles of other nations, did, no doubt, what a modern English writer does in nine cases out of ten: he used the common names of vehicles, with which he was familiar at home, that he thought would best convey an idea of the objects he was describing. The mere fact of Propertius calling the British chariots *Esseda*, and of Cicero and Caesar speaking of British *Essedarii*, is not enough to prove that the word *Essedum* is British. It may merely prove that the Britons had a kind of war-chariot like one which was known to the Romans by the name of *Essedum*,—a name which may have originally belonged to the Romans themselves, or have been borrowed from some other people. Pomponius Mela, who lived some time after Caesar, calls perhaps the same kind of vehicle a *Covinus*, that Caesar calls an

the *Carpāt*;

⁸⁶⁸ *Origines Europæae*, p. 302.

⁸⁶⁹ Pliny, *Hist. Nat.*, iii. c. 5. The British *καρπαντόριον* does not seem to have anything to do with *Carpentum*.

⁸⁷⁰ I. c. 18, 27; III., c. 3, 10, 16, and 17.

Essedum, and says not one word of the latter. Virgil, the contemporary of Propertius, makes the *Essedum* Belgic, while Lucan, who lived about the same time as Pomponius Mela, makes the *Covinus* also Belgic. The *Carpentum* was known in ancient times in Rome, and was employed in the religious ceremonies of the Romans, a strong proof that the name at least was Latin. If *Carpat* was a native Irish word, we should expect to find the equivalent of it among the Welsh in the form *Carbant*; but the Welsh have only *Cerbyd*, which is obviously a loan-word from Irish. The word *Carpat*, and perhaps also the vehicle so called, were borrowed by the Irish after the Roman occupation of Britain. The Welsh form of the word was borrowed from the Irish when Wales was conquered in the fifth century by the northern Britons, and the language and traditions of the north were imposed upon the ancient inhabitants of Wales.

name and
vehicle
Roman.

Names of
parts of the
Carpat;

the *Fonnad*;

the *Cret* or
body;

the wheels;

The names of only few parts of the *Carpat* are to be found in the descriptions in the tales. The frame of the chariot, and no doubt of all wheeled carriages, was called the *Fonnad*; ⁸⁷¹ *Fonnad*. The capsus, or body was called the *Cret*, and sometimes the *Cull* or the *Cloin*, and was generally, if not always, made of seasoned wicker work, a circumstance which suggests a connection between *Cret* and the Latin *crates*, whence the English *crate*.⁸⁷² There were two names for the wheel, *Droch* and *Roth*; the former is practically the same as the Greek *Troch-os* (τρόχος), and the latter as the Latin *Rota*. Chariot wheels were made of bronze or of iron; the former was the older material, and seems to have been only traditionally remembered when the principal tales took their

⁸⁷¹ "A *Fonnad* without a *Cull*, i.e., a chariot without a *Cloin*". *Bruighean Da Choga*, MS. H. 3, 18, p. 708.

⁸⁷² The following is the description of *Cuchulaind's* chariot, given in the tale called *Tocmorc Emere*, Courtship of Emer: "A chariot, withe-wickered, two bright bronze wheels; a white pole of bright silver, with a veining of *Fíndruíni*; a very high creaking *Cret*, or body, having its firm sloping sides ornamented with *Cred* (literally it of *Cred*, firm curved); a back-arched (*drumnech*) rich golden yoke; two rich-yellow peaked *Alls*; hardened sword-straight axle-spindles". *Leb. na h-Uidhri*, p. 122, col. 2. See for the probable meaning of *Cred*, ante note, p. ccccxix.

present form, the material then in general use being iron.⁸⁷³ The chariot wheel, whether called a *Droch* or a *Roth*, was not a mere disc, but had spokes. I know of only one passage from whence the number of spokes can be inferred: in this instance the number is five.⁸⁷⁴ The names of the nave, spokes, felloes, and tire are not mentioned so far as I know, and there is consequently no evidence as to whether wheels, made of a number of felloes and bound with a single iron tire, were known in pagan times. Even if wheels made of wooden felloes were known, it is very unlikely that they were bound with a single ring or tire of iron; at least, better evidence than is now available would be necessary before we could admit such a conclusion. It is better to assume, in the absence of positive evidence, that the surface of the wheel was protected, as among most ancient peoples, by a number of iron straps riveted on.

The axle-tree is not mentioned, but the axle-spindles are always described as hardened sword-straight *Fertsi* (sing. *Fertas*). Although this word in descriptions of the chariot

the axle-tree
and spindles;

⁸⁷³ The wheels of *Cuchulaind's* chariot are sometimes made of iron; thus, in describing his onslaught on the forces of *Medb*, with his scythed chariot, we are told in the *Táin Bó Chuaigne*: "As the iron wheels of the chariot, sank into the ground, for they passed in the same way through mud, pillar stones, rocks, and loose flags, so that its track would be sufficient to make a *Cladh criche* or territorial boundary". *Leb. na h-Uidhri*, p. 8, col. 2.

⁸⁷⁴ The passage in question is the description of *Cuchulaind's* chariot in the *Siabur Charpat Conchulaind*: The Phantom Chariot of Cuchulaind. "A stately *Brog* after that pair; two firm black wheels; two symmetrical five-spoked wheels; hardened sword-straight axle-spindles; two pliant beautiful reins; a pole of bright silver, with veinings of *Findruini*; a strong back-arched rich golden yoke; a purple awning or roof, and green hangings". *Leb. na h-Uidhri*, p. 113, col. 1.

The word *Brog* is perhaps only used figuratively for a chariot in the preceding passage; it seems to mean generally a high or commanding seat, and sometimes a citadel (cf. A. Sax. *bróga*, terror). In the following passage from the tale of the "Flight of *Etain* and the discovery of *Sidh Mac Occ* by *Midir* of *Bri Leith*", *Brog* may mean either a house or a chariot, inasmuch as it was customary to fix the heads of slain enemies on the front of the war chariot as well as over the porch of a house. *Brú* in either case would mean the front or brow, cf. A. Sax. *bruwa*, brow: "The *Mac Occ* went forth on the track of *Fuaman*, and overtook her on *Oenach Bodignai* at the house of *Bresal*, between the arms of the druid. The *Mac Occ* struck her and beheaded her, and he brought away her head and placed it on the *Brú* of the *Brog*". *Leb. na h-Uidhri*, p. 129, col. 2.

almost always means an axle-spindle, it had also the general signification of a bar or pole of wood or metal, and in one place, at least, means the pole of the chariot;⁸⁷⁵ the true name of the latter was, however, *Síbhhe*. The pole must have been always made of wood, notwithstanding that, in the descriptions of the pageant chariots of the Ulster heroes, it is sometimes said to be of bright silver, and in other instances to have been mounted in silver and ornamented with veinings of *Findruini*. The mountings consisted, we may presume, of the bolt rings and carved end, with which ancient poles were ornamented. There were two names in Irish for the yoke—*Mám* and *Cuing*; the former seems to have been applied to the simple straight yoke, known to all primitive peoples, and used by the Romans even in the time of Ovid.⁸⁷⁶ The *Cuing* was the curved yoke, and was introduced, according to the traditions preserved in Irish manuscripts, by the monarch *Eochaid Airem*,⁸⁷⁷ whose reign is placed by Irish annalists about the end of the second century B.C. Its traditional introduction is thus brought almost within the period when the Irish came into direct contact with the Romans. The yoke of a warrior's chariot is always called a *Cuing*, never a *Mám*. The curved, as well as the simple yoke, was, no doubt, made of wood. In the pageant chariots, the curved yoke is sometimes described as *dron-crda*, or strong or rich-golden, *dron-argda*, strong or rich-silvery. These terms are merely intended to give an idea of what the writer conceived would be a splendid chariot. The epithet *drumnech*, applied to the yoke of the pageant chariots of *Cuchulaind* and the other Ulster heroes, would seem to show that a very perfect curved, arched yoke, adapted to the shape of the horse's back, was known at a comparatively early period.

In one account, at least, of pageant chariots, mention is made of a *Pupall*, or awning,⁸⁷⁸ which, in the case of *Cuchu-*

⁸⁷⁵ *Lebor na h-Uidhri*, p. 122, col. 1.

⁸⁷⁶ "Tempore ruricolae patiens fit taurus aratri
Præbet et incurvo colla premenda jugo". *Trist.*, iv. El. 6.

⁸⁷⁷ Courtship of Etain, MS. *Leb. na h-Uidhri*.

⁸⁷⁸ In the *Tain Bó Chuailgne*, *Pupall* generally means a tent, a meaning which is quite in harmony with its specific use, as the name of the cover or awning of a chariot.

the *Síbhhe* or
pole;

the simple
yoke or
Mám;

the curved
yoke or
Cuing;

the *Pupall*
or covering;

laund's chariot, was purple; this chariot is also stated to have had *Fortche unide*, green hangings, so that it was not unlike a fashionable Roman lady's *Carpentum*. The word *Pupall* is a loan-word from the Latin *papilio*, and proves the Roman origin of this part at least of the Irish chariot. The chariots of *Laeghaire Buadach* and *Conal Cernach* have no *Pupall*, but instead, a *Blath n n nete gnaith*, a bird plume of the usual feather.⁸⁷⁹ Awnings or coverings, made of the wings of birds, were also put on ladies' *Grianans*, or sunny chambers, as we learn from the account of *Cred s Grianan*, given in the Lectures.⁸⁸⁰ The Saxon ladies used to protect their straw hats with a green branch, but soon learned to substitute for it a fan-like umbrella of peacocks' feathers,⁸⁸¹ evidently borrowing the fashion from their western neighbours, among whom it must have been a sufficiently ancient custom to have found its way among the Irish, perhaps even in pagan times.

One of the most obscure terms applied to parts of the chariot is the *All*. We find it used in two different senses, in the account of *Laeghaire Buadach's* chariot. We are first told that it had *d n alln  ebda imn issi*, two pliable beautiful *Alls*; here the latter word certainly means reins. But further on we are told that the chariot had *d n alln dualcha dron udi*, two rich yellow *All dualach*. Here the *All*, coupled with *dualach*, means, there is very little doubt, the projecting

the *Fortche*
or curtains;

the bird
plume;

the *All*,

had two
meanings,

it was a
reins,

or an eye for
the reins to
pass
through;

⁸⁷⁹ *Findabair* (fair browed), daughter of *Medb*, seeing from her *Grianan* the Ultonian heroes advancing towards the royal *Dun* of *Cruachan*, describes *Conal Cernach's* chariot: "A chariot wythe-wickered; two bright bronze wheels; a white pole, richly mounted in silver; a very high creaking body; a back-arched, strong proud yoke; two rich-yellow peaked *All*. . . . A bird plume of the usual feather over the *Creit Cro* of the chariot"—Progress of Ultonians to *Cruachan Ai*. *Leb. na h-Uidhri*, p. 105, col. 2. The *Creit Cro* was the highest part of the chariot, where the champion stood when he wished to show himself, and where his arms were hung conspicuously.

Findabair, on the same occasion, thus describes *Laeghaire Buadach's* chariot: "A chariot wythe-wickered; two firm black wheels; two pliant beautiful reins; hardened sword-straight axle-spindles; a new fresh-polished body; a back-arched, richly silver-mounted yoke; two rich-yellow peaked *Alls*. . . . A bird plume of the usual feather over the body of the chariot".

⁸⁸⁰ Vol. i.

⁸⁸¹ Schmeller, *Baier. W rterbuch*, i. 511; and Weinhold, *Die deutschen Frauen*, 45.

pins or eyes through which the reins passed, and which were sometimes so made as to form conspicuous ornaments on the yoke. When there were separate yoke-saddles fastened to the yoke, the eyes or rings were on them, and the whole then formed the *All*. In this sense the *All dualach* was almost identical with the *Cuirpi dualach*, peaked straddle, used in modern times, with the *Carr sluinain*, or sliding car, and not unlike the basket straddle, which may still be seen in remote districts. An occurrence is narrated in the story called the "Progress of the Ultonians to *Cruachan Ai*", which clearly proves that the *All*, in one case at least, must have been what I have just described. A mythological person called *Buan*, daughter of *Samer*, persecutes *Cuchulaind* on his way to Emania with the other Ulster heroes, and at length jumps upon the *Furis* of the chariot, "so that the small of her back came upon the *All*, and she died of it, and hence *Uaig Buana*, *Buan's* grave, is so called". As *Buan* was in advance of *Cuchulaind*, cutting ravines across his path, and doing other mischief, she must have sprung from the front upon the advancing chariot, with the object of reaching the *Furis* or seat of the chariot, and not fully succeeding, she fell back on the projections on the yoke. This is the only place that I know of where the *Furis* is mentioned. Whether it is the champion's seat, or the low seat of the charioteer, which might have served as a kind of step for mounting into the vehicle, I have no means of determining.⁶⁸²

case where
it was not a
reins.

The *Carpats*, of which I have been speaking in the foregoing account, appear to have been the ordinary war chariots, as well as the vehicles which were used for travelling, and for appearing at fairs and other places of public assembly. *Cuchulaind* had, however, a special war chariot, the *Cath Carpat*

The scythed
Carpat.

⁶⁸² The following important gloss upon the word *Cruan*, which I have elsewhere (vol. ii. app. n. 534, p. 486) concluded to be either enamelled metal or some alloy, and which I have since found to have generally meant amber, or amber set as a gem with coloured enamels, proves in the clearest way that *All* was sometimes, as I have suggested in the text, a projection of some kind :

CRUAN .i. ZEAL; ACAP MAIENE .i. DEAPG, UT EP TPI CAECA N-ALL CRUANMAIENEÉ PUI. CRUAN, i.e. white; and MAIENE, i.e. red, ut est three times fifty ALL of CRUAN MAIENEÉ upon them.—MS. H. 3. 18. p. 624.

serda, or scythed battle-chariot. The only description of this chariot with which I am acquainted is that given in the *Táin Bó Chuailgne*,⁸⁸³ and it is almost unintelligible. If the description is to be depended on, it was armed with spikes and scythes, and covered over with moveable plates, somewhat of the nature of mail, which could be opened so as to afford air and light to those within, while it protected them from the projectiles of the enemy. The horses of the chariot were also provided with some sort of protective armour. We are told in the tale that *Laegh, Cuchulind's* charioteer, threw over his horses their long iron loricas, which covered them from the points of their noses to the curves of their tails, and which were studded all over with spikes and lances and skewers, so that the horses and chariot itself slew the enemy as well as the battle champion himself. The epithet *serda* indicates the general character of the weapons with which this war chariot was armed, as it is very closely related to the Anglo-Saxon *sceran*, to shear or cut, whence old English *sheres*, modern English *shears*.

The scythed
Carpat.

MUSICAL INSTRUMENTS OF THE ANCIENT IRISH.

Like other departments of ancient Irish history and archaeology, the study of music has suffered from the views of those who attributed every vestige of civilization to the Phenicians, or of those who believed Ireland to have been in ancient and medieval times an isolated corner of the world, unaffected by neighbouring nations, and in return exerting no influence on them. Imperfect as may be the picture of the social and political organization of the Irish, which I have endeavoured to give in the foregoing pages, it is sufficient to show that, instead of seeking baseless Phenician or remote and doubtful Mediterranean affinities, our nearest neighbours are likewise our nearest relatives. This view is likewise borne out by the study of Irish music, which, as I hope to show in the following pages, throws light on the history and archaeology of music in Europe, and receives in return elucidation from the latter. My subject naturally divides itself under two heads: 1, musi-

⁸⁸³ *Lebor na h-Uidhri*, p. 80, col. 1; and MS. H. 2, 18, T.C.D.

cal instruments; and 2, nature of the music played upon them. I shall begin with the musical instruments.

Irish musical instruments.

The instruments described or mentioned in the Lectures are the following: 1, stringed instruments played with the fingers—the *Cruit*, the *Psalterium*, the *Nabla*, the *Organum*, the *Ochttedach*; 2, stringed instruments played with a bow—the *Timpan*, the fiddle; 3, wind instruments—*Bennbuabhal*, *Corn*, *Cuisle Feadan*, *Buine*, *Guthbuine*, *Stoc*, *Sturgan*, *Pipai*; 4, percussive instruments—*Crotals*, *Clocca*; 5, undetermined instruments—*Craebh ciuil* and *Crann ciuil*.

1. *Stringed instruments played with the fingers.*

The *Cruit*.

The first name in this list of instruments, *Crut*, though sometimes applied to other stringed instruments, appears to be always the special name of the harp in Irish manuscripts. For reasons which will be evident to the reader as he proceeds, a brief history of the harp and other polychord instruments of antiquity, forms a necessary preface to any inquiry into the history of the Irish harp.

The Egyptian harp.

The harp is one of the most ancient of musical instruments; it is represented in the sculptures in a tomb near the pyramid of Gizeh belonging to the fourth dynasty of Egyptian kings, which must be at least three or four thousand years old. Those early sculptured harps are ruder than those of the later monuments, and had, as well as can be made out, about six to eight strings, which were also somewhat differently fastened from those in the later harps. The other harps represented on the Egyptian monuments vary much in size, form, and number of strings. They were frequently of a large size, sometimes even more than the height of a man, and were ornamented with flowers, especially of the lotos, or with fancy devices. The harps of the royal minstrels were splendidly fitted up and adorned with the head of the monarch himself. Some harps of Osirtasen I., who reigned B.C. 1700, and who is believed by some to be the Pharaoh who governed Egypt on the arrival of Joseph, had only seven chords. But in the reign of Amosis, the first king of the eighteenth dynasty, who lived about 1570 B.C., harps having fourteen chords, and lyres having

seventeen, were in common use.⁸⁸⁴ The strings of the Egyptian harps were of catgut. A harp, somewhat of the form of the *Trigonon*, was found at Thebes in 1823. The wooden frame was covered with red leather; it had twenty catgut strings, so well preserved that they still emitted a sound after having been buried in the tomb for upwards of three thousand years.⁸⁸⁵ There is another harp in the Louvre, which appears to have had twenty-two strings. This harp approaches nearer in form to our modern harp than any of the others of which I have seen representations. Like all Egyptian harps, it differs from modern harps, in having no fore-pillar or support for the harmonic curve.

The Assyrians possessed the harp also, but they appear to have used a plectrum when playing it. Like the Egyptian harp, and indeed all Asiatic ones, the Assyrian harp had no fore-pillar. The Assyrian harps were generally about four feet high, the upper part of the frame containing the sound-box; they had in general more strings than Egyptian harps. Engel mentions harps having twenty-five or twenty-six, though some having only ten or eleven strings are also to be found on the Assyrian monuments. The Egyptian harps were, however, more powerful and sonorous, as well as more elegant in form and decoration.

The Assyrian Harp.

⁸⁸⁴ *Manners and Customs of the ancient Egyptians*, by Sir G. Wilkinson. vol. ii., p. 273. The early harp of the fourth dynasty, referred to in the text, is that from the grave No. 90, at Giseh, and has apparently six strings (*Descript. de l'Egypte*, Div. Giseh A. fig. 17; Lepsius, II. Abth. Taf. 36.). Rosellini found in a grave near Thebes a harp with four strings, and made of the Senegal Swietenia wood (*Khaya Senegalensis*) (*Monumenti dell' Egitto*,—*Monumenti civili*, LXVI. 9). This harp is now in the museum at Florence. A harp from a Theban hypogæum (the grave No. 18, near Kurnah) has twenty-one strings (*Descript. de l' Egypte*, A. II. 44, fig. 6; Lepsius, II. Abth. Taf. 236.).

⁸⁸⁵ These small triangular harps came into use under the eighteenth dynasty. The earliest figures of this class of harps are to be seen in the southern grave, No. 1, near El-Amara. King Amenhotep IV. and his wife and children are represented in the paintings, so that the grave may be considered to belong to his period. The pictures of this grave are especially interesting for the history of music, as they give us a representation of an entire music school in the palace of the king. The pictures are given in Lepsius, Abth. III., Blatt 103-106, and Bl. iii. The music school will be found on pl. 106.

Asiatic poly-
chord in-
struments
known to the
Greeks;

All the polychord instruments of western Asia, which, according to many ancient writers, included Egypt also, were known and probably used by the Greeks. Among these may be mentioned the *Pektis*, the *Magadis*, the *Epigoneion*, the *Sambuké*, and the *Trigonon*, or triangular harp, which was the original type of the whole class of harp-like instruments. Those instruments, with the exception of the *Trigonon*, were only varieties of the same instrument, differing only in name and in the number of strings,⁸⁸⁶ and similar, perhaps, to the Assyro-Hebrew Psalterium. Boeckh⁸⁸⁷ calls the *Epigoneion* a "psalterium erectum" of forty chords. It is probable that, like the Arabic *Canon*, several strings were tuned in unison, so as to increase the force of the sound, or else in octaves. The *Magadis*, with twenty strings, was tuned in octaves, and thus produced the effect of men and women.⁸⁸⁸ From this came the verb *μαγαδιζειν*, which meant to play in octaves.⁸⁸⁹ The *Sambuké* was so like the *Magadis* that Euphorion believed it originated from the latter; it was probably only the Chaldaic variety of it.⁸⁹⁰ The *Epigoneion*, with its forty strings, was, as M. Fétis first suggested,⁸⁹¹ only the *Magadis* doubled, and consequently sounded twice as strong.

they were
looked upon
as foreign;

the harp
found in the
hands of one
of the muses
on an an-
tique vase;

None of the polychord instruments ever attained in Greece the position of the lyre. Their history is not interwoven with the Greek mythology, like that of the lyre, the cithara, or the flute; nor is their invention attributed to a god, like the instruments just named. They were barbaric or foreign instruments, *ἔκφυλα*, as Aristoxenos calls them;⁸⁹² hence, except very rarely, we do not find them in the hands of Apollo or of the Muses. One of those rare instances is where three muses are painted on a beautiful vase as representatives of three types of stringed instruments—the lyre, the cithara, and the harp. The middle group on this vase consists of three figures—two

⁸⁸⁶ Athenæus, xiv. 9.

⁸⁸⁷ De Metr. Pind., 260.

⁸⁸⁸ διὰ τὸ δύο γενῶν ἅμα καὶ διὰ πασῶν ἔχειν τὴν συνφῆδιαν, ἀνδρῶν τε καὶ παιδῶν. Athen. *Deipnosoph.*, xiv. c. 9.

⁸⁸⁹ Aristotle, *Problem* xix. 18.

⁸⁹⁰ Ambros *Geschichte der Musik*, i. 474.

⁸⁹¹ *Mémoires de l'Acad. royale des sciences de Belgique*, t. 31, 1859.

⁸⁹² Athenæus, libr. iv. c. 25.

sitting and one standing; the two sitting figures represent Erato playing upon a lyre, and Polyhymnia playing on a harp; ⁸⁹³ between them stands Calliope, playing on a cithara. The harp, which has thirteen strings, by its size, its form, and especially the absence of a fore-pillar, reminds us of the Egyptian and Assyrian harps. This harp differs, however, from all those of the countries just named, of which I have seen drawings, by the sound-box being larger above than below. ⁸⁹⁴ Polyhymnia is represented as playing with both hands, the right being used for the treble or small strings, and the left for the bass or large strings.

The absence of figures of polychord instruments from ancient monuments is no proof that they were not in general use. If modern conventionalism in art could put a lyre into the hands of a statue of Handel, there is surely some excuse for a Greek artist putting into the hands of Apollo and the Muses the old national instruments, even after they had become obsolete. That some artists emancipated themselves from this conventionalism is proved by the vase above mentioned, and by a statement of Euphorion, recorded by Athenæus, ⁸⁹⁵ that a certain Lesbothemis, a sculptor of Mitylene, had put a *Sambukê* into the hands of one of the muses.

Of all these polychord instruments, the one which concerns us most here is the *Trigonon*, or triangular harp. From a passage in the lost *Mysians* of Sophocles, preserved by Athenæus, ⁸⁹⁶ we learn that the Greeks believed this instrument to be of Phrygian origin. The tragic poet Diogenes, ⁸⁹⁷ in his tragedy of *Semele*, makes the Bactrian and Lydian women go to the woods to sound the praises of Artemis on *Trigona* and *Pektides*, and to play the *Magadis*. These statements enable

absence of polychord instruments from sculptures, etc., not a proof that they were not in extensive use;

mention of a *Sambukê* in the hands of one of the muses

The *Trigonon*;

⁸⁹³ This is the usual interpretation; but the lyre player appears to me to be Polyhymnia and the harp player Erato.

⁸⁹⁴ This beautiful vase is in the old Pinakothek of Munich (No. 805), and is figured in Lenormant et de Witte's *Monuments Céramographiques*, vol. ii. Pl. lxxxvi.

⁸⁹⁵ Libr. iv. c. 25.

⁸⁹⁶ πόλις δὲ φρήξ τρίγωνος, ἀντίσπαστα, τε
Λυδῆς ἐφύμνεϊ πεκτίδος συγχορδία.—Lib. xiv. c. 9.

⁸⁹⁷ κλύω δὲ Λυδὰς Βακτρίας τε παρθένους,
ποταμῶ παροίκους "Αλυῖ, Τρωλίαν Ξεόν

us to trace the course of the migration of the harp from Assyria through the provinces of Asia Minor to the Greek Asiatic settlements. There is ample evidence to prove that the Assyrians got their polychord instruments from Egypt, and some of the Greeks themselves believed the parent country of the *Trigonon* to have been Egypt.⁸⁹⁸ If, as some believe, the Phoenician *Kinnor*, of which I shall speak presently, was the prototype of the *Trigonon*, that instrument might have found its way into Greece, not through Phrygia, but through Cyprus. Be this as it may, the *Trigonon* must have been known at a comparatively early period to the Asiatic Greeks, from the fact that the *Hetaireia* used a small variety of it at the *Hetairedeia*, or feast of good fellowship, said to have been established by Jason in his native country in honour of Zeus Hetaireios. The early Greek *Trigonon*, like its progenitor the Egyptian harp, appears to have had no fore-pillar; small *Trigona* were, however, made at some subsequent but unascertained time, with a fore-pillar and a very small sound box. They were usually strung with from eleven to thirteen strings, and their form was often ennobled by Greek artistic taste.⁸⁹⁹

Roman musical instruments.

We know very little of the musical instruments of the Romans before their conquests made them acquainted with those of the other Mediterranean countries and of the West-Asiatic nations. The musical instruments of Greece naturally found their way with Greek music into Italy, and among them no doubt the *Trigonon*, as it was modified by the Greeks. Figures of *Trigona* and other polychord instruments are however, as rare in Roman sculptures and mosaics as in Greek ones. A sarcophagus, found at Volterra, has a bas-relief of late and debased Roman workmanship, representing the adventures of the Sirens in the *Odyssey*. One of the Sirens is

Trigonon on a sarcophagus of Volterra.

δαφνόσκιον κατ' ἄλσος Ἄρτεμιν σίβειν
 ψαλμοῖς τριγώνων πηκτίδων ἀντιζύγοις
 ὄλκοις κρεκούσας μάγαδιν, ἔνθα περσικῶ
 νόμῳ ξενωθεῖς ἀλλόδς ὀμόνοϊ, χοροῖς.—Lib. xiv. c. 9.

⁸⁹⁸ Ptolemæus, *Harm.*, iii. 7.

⁸⁹⁹ Ambros. *op. cit.*, Bd. i., p. 473.

represented playing a triangular harp.⁹⁰⁰ A still more important example of an old Italian figure of the *Trigonon* is that on an Apuleian vase, and represented in fig. 62.⁹⁰¹ This harp



Fig. 62.

is very similar to our modern harps, except that it was played in an inverted position the yoke, or harmonic curve in which the pins were inserted, is below, instead of being above, as in our harps. The strings are not represented; but there seems to have been a double row of them, as some believe to have been the case with the Epigoneion, each hand playing a different set of strings, tuned an octave apart. The larger part of the sound-box is above, as in the harp on the vase in the Munich Pinakothek, while in the modern harp it is below. The most important feature of this harp is, however, the fore-pillar, which is elegantly formed of a carved figure of a heron or crane. This form of *Trigonon* is so manifestly the origin of the modern harp, that it only remains to discover when and by whom it was first used in the modern or inverted position.

and on Apuleian vase;

the latter has a fore-pillar;

and is the prototype of modern harps.

Whether the Germanic peoples were acquainted with the harp before their direct contact with the Romans, or not, we have now no means of ascertaining. But very soon after, we find them in possession of a stringed instrument, known by the name of *Harpa*, a name which occurs in the earliest literary monuments of the Teutonic races, the poem of Beowulf, and the Eddaic song, the *Völuspa*. The Britons, and, we may consequently infer, the Irish also, used a stringed instrument which Greek and Roman writers describe as a lyre.⁹⁰² Was this the modern harp, or as some suppose, a kind

The *Harpa* of Teutonic peoples.

The lyre of the Britons.

⁹⁰⁰ Overbeck, *Die Bildwerke zum thebischen und troischen Heldenkreis*. Taf. xxxii.

⁹⁰¹ E. Gerhard, *Apul. Vasenbilder*. Taf. E. 8. Not having Herr Gerhard's work at hand, I have had the figure in the text copied from *Das Leben der Griechen und Römer* by E. Guhl and W. Koner.

"Εἰσὶ δὲ παρ' αὐτοῖς καὶ ποιηταὶ μελῶν, οὓς Βάρδους ὀνομάζουσιν. Οὗτοι ἐὲ μετ' ὀργάνων ταῖς γύραις ὁμοίων ἄδοντες, οὓς μὲν ὑμνοῦσιν, οὓς δὲ βλασφημοῦσι"—*Diodorus Siculus*, lib. v. 31.

⁹⁰² "Et Bardi quidem fortia virorum illustrium facta heroicis composita versibus, cum dulcibus lyrae modulis cantitarunt". *Amm. Marc.*, lib. xv. 9.

of psalterium, or a kind of Cithara? How was the instrument called? These are the questions we have now to discuss, and if possible, to solve.

Musical instruments of Ireland, Scotland, and Wales, according to Giraldus Cambrensis.

Giraldus Cambrensis mentions the instruments of music in use in Ireland, Scotland, and Wales in the twelfth century.⁹⁰³ According to this account, the Irish had two—the *Cithara* and *Timpan*; Scotland three—the *Cithara*, the *Timpan*, and the *Chorus*; and Wales three—the *Cithara*, flute, and *Chorus*. In the twelfth century, the three countries possessed an instrument which could be described as a cithara. This instrument was called in Ireland, and no doubt in Scotland also, a *Crut*, in Wales, a *Telyn*. Of the Irish and Scotch instruments enumerated by Giraldus, two are stringed, as there can now be no doubt that the *Timpan* was a stringed instrument.⁹⁰⁴ Of the Welsh instruments only one is a stringed instrument, the *Chorus* of Giraldus being, as was first suggested by Mr. Daunev, the bagpipe. In the “Epistle to Dardanus”, which is to be found among the spurious works of St. Jerome, the word *Chorus* is used to designate a kind of bagpipe consisting of a bag or skin, with two brass tubes, one of which formed the mouth-piece, and the other the chanter.⁹⁰⁵ Gerbert has given a drawing of one from a MS. of St. Blaise of the ninth century, in

⁹⁰³ “Hibernia quidem tantum duobus utitur et delectatur instrumentis, cythara scilicet et tympano Scotia tribus, cythara, tympano et choro Gwallia vero cythara, tibiis et choro”. *Topographia Hibernia* iii. ii. And elsewhere he also mentions those of Wales: “Tribus utuntur instrumentis cythara, tibiis et choro”. *Cambria Descr.*, c. 12.

⁹⁰⁴ Roman writers use the word *Tympanum* to designate an instrument of percussion, a tambourine (Lucretius, lib. ii. 619; Ovid, *Metamorph.* iii. 28, 537; *Fasti*, iv. 183, 213, 457; C. Suet., *Oct.* c. 68). So late as the time of Venantius Fortunatus, it was still so used (*Ad clerum Parisiacum*, ii., c. 13). Dr. O’Colnor first showed (*Catalogue of Stowe MSS.*, i. 147), that the Irish *Timpan* was a stringed instrument.

⁹⁰⁵ “IX. Tympanum paucis verbis explicari potest quae minima res est, eo quod in manu mulieris portari possit: sicut scriptum est in Exodo: sumpsit autem Maria prophetes soror Aaron tympanum in manu sua (*Exod.* xv., 20): et est minima sapientia legis veteris in manu Judaeorum. Synagogae antiquis temporibus fuit chorus quoque simplex pellis cum duabus cicutis aereis: et per primam inspiratur, per secundam vocem emittit”. (*Epistola ad Dardanum de diversis generibus musicorum*, S. Eusebii Hieronymi Stridonensis Presbyteri opera omnia, Abbé Migne’s ed., t. xi. p. 213).

which the chanter has holes. Figures of such an instrument exist in several MSS., in, among other libraries, those of the British Museum, Boulogne, and Angers.⁹⁰⁶ A stringed instrument having four coarse strings, which, according to Gerson, were struck with sticks, was also called a *Chorus*. M. de Coussemaker gives a figure of an instrument which he calls by this name, from a manuscript of Boulogne of the ninth century, and observes that the form of the instrument is nearly the same in all manuscripts from the ninth to the eleventh century.⁹⁰⁷

Was the instrument called in Ireland and Scotland a *Crut*, the same as the Welsh *Telyn*, and, if so, were they of the same kind as the instrument now known as the harp, and, if not, was either of them a harp, and if so, which? It is usually assumed that the Welsh and Irish instruments were the same, and that they were true harps. I do not know whether any one has ever doubted this assumption; and yet not only has it not been proved, but it would be very difficult to do so.

Before I discuss the issues just raised, I must endeavour to settle a point connected with the Welsh name of the harp, to which Prof. O'Curry attached considerable importance, as is shown by the length at which he has discussed the word *Telyn* in Lecture xxxvi. He there quotes a passage from a History of Wales, supposed to have been written by *Caradoc* of Lhan-carvan, who lived in the twelfth century, about the reformation of Welsh music effected in the beginning of the same century by the Welsh Prince *Gruffydd ab Cynan*. In this passage we are told that the third kind of Welsh minstrels "were such as played upon musical instruments, chiefly the harp and crowd, which music *Gruffyth ap Conan* first brought into Wales; who, having been born in Ireland, and descended by his mother's side of Irish parents, brought with him thence several skilful musicians, who invented all the instruments as were plaid upon in Wales".⁹⁰⁸ It was quite natural that O'Curry should

The Welsh name of the harp, *Telyn*, and the chronicle of *Caradoc*.

⁹⁰⁶ See M. de Coussemaker's *Essai sur les Instruments de Musique au Moyen Age*, *Annales Archéologiques*, t. iv., p. 38.

⁹⁰⁷ *Annal. Archéologiques*, t. iii. p. 147.

⁹⁰⁸ Vol. ii. p. 353.

The Welsh name of the harp, *Telyn*, and the chronicle of *Caradoc*.

attach great importance to this statement coming from Welsh authorities, and that he should desire to know how the harp was called in the original Welsh of *Caradoc*. He applied, as he tells us, to several Welsh scholars for information on the point, but without success. This can be easily accounted for, there is no original. The "History of Wales, written originally in British by Caradoc of Lhancarvon, Englished by Dr. Powel, and augmented by W. Wynne, Fellow of Jesus College, Oxon.," from the first edition of which, published in 1697,⁹⁰⁹ O'Curry quotes, is simply an enlarged edition of a previous work called "The Historie of Cambria, now called Wales: a part of the most famous yland of Brytaine, written in the British language about two hundred yeares past. Translated into English by H. Lhoyd, gentleman, corrected, augmented, and continued out of records and best approved authors, by David Powel, Doctor of Divinitie, cum privilegio", published in 1584.⁹¹⁰ The basis of this work is a chronicle of *Caradoc* reaching to the year 1156, which was extended to 1270 apparently in the abbeys of Conway and Stratfleur, by borrowing largely from the extended annals made at those places. This combined chronicle was further enlarged, chiefly out of Matthew of Paris and Nicholas Trivet. Lhoyd died before he was able to put his work to press. The manuscript passed into the hands of Sir Henry Sidney, then Lord Deputy of Wales, who got Dr. Powel to edit it.

This work has been considered to be an original work of *Caradoc* by Wynne, its second editor, and by many eminent scholars such as Richard Lhwyd, Lappenberg, Pauli, and Schmid. It is not surprising, therefore, that O'Curry should have fallen into a similar mistake. Powel's work is a compilation containing much valuable information, compiled from genuine Welsh documents, and chiefly from a chronicle of *Caradoc*.⁹¹¹ The

⁹⁰⁹ A second edition appeared in 1702, a third in 1774, and a fourth or revised and corrected edition, with topographical notes, was published in 1832.

⁹¹⁰ A new edition of the unaltered work of Powel appeared, I believe in London, in the year 1811.

⁹¹¹ The *Brut y Tywysogion*, or Chronicle of the Princes, may be considered as the continuation of the *Brut y Breninodd*, or Chronicle of the Kings, which is a Welsh translation of *Gruffudd ab Awthur*, or Godfrey of Mon-

various sources from which the book was compiled are indicated in the margin. The part of the work referred to by O'Curry seems to be a note of Dr. Powel's own, describing the provisions of the laws on the musical canon enacted at a great bardic meeting held at *Caerwys* by direction of *Gruffydd ab Cynan*.⁹¹²

The Welsh name of the harp, *Telyn*, and the chronicle of *Caradoc*.

But, although there is no Welsh original of Lhoyd and Powel's book, in the strict sense of the word, there can be no doubt that in all the Welsh documents of the twelfth and thirteenth centuries, from which the book was compiled, the word which has been translated harp was *Telyn*. This is the word always used in the Welsh Laws for the instrument invariably translated harp. The manuscript which is made the basis of the text of the Venedotian or North Wales Code, is perhaps the oldest codex now extant, written in the Welsh lan-

mouth, who ends with the death of *Cadwalladyr*, who is considered to have died in the year 689, and who is looked upon by Welsh authorities as the last King of Britain. Godfrey, or Galfrid, says at the end of his chronicle, that he leaves the continuation of it to *Caradoc* of Llanancarvan. The *Brut y Tywysogion* has, on this account, been looked upon as the chronicle of *Caradoc*. In the form in which we possess the chronicle it has, however, undergone many reworkings, and has been continued down to 1280. There is another *Brut y Tywysogion* extending from the year 660 to 1196, which is very different from the one just mentioned. It was a *Brut y Tywysogion* extending to 1270, which formed the basis of H. Lhoyd's work. The first *Brut* is to be found in the *Myvyrian Archæology*, ii. pp. 391 to 467, and a notice of it in the preface to vol. ii., pp. v.-x. It is also published with a translation, but only as far as the year 1066, or the end of page 397 of the *Myvyrian Archæology* copy, in the *Monumenta Historica Britannica*, vol. i., p. 841-855, and is noticed in the preface at pp. 94 and 95. See also an excellent account of the various sources of Welsh history in Ferdinand Walters' *Das Alte Wales*. Bonn, 1859.

⁹¹² An account of the contents of these laws was first given by Dr. John David Rhys, or Rhaesius, in the appendix to his *Cambro-brytannicæ Cymrae-cæve linguae Institutiones et Rudimenta accuratè et (quantum fieri potuit) succinctè et compendiosè conscripta*: London, 1592, fol. A translation of Rhys' account was published by Rees in the *Transactions of the Cymrodorion*, vol. i., p. 283-293; he appears, however, to have added some things from other sources. Edward Jones has given an extract of the laws made out of Rhys, and two manuscripts in his *Musical and Poetical Relicks of the Welsh Bards*, second edition, 1794, p. 86. Two years after, a translation of the musical canons was given in the *Cambrian Register* (1796, vol. i., p. 293-395). There is a life of *Gruffydd ab Cynan* in the *Myvyrian Archæol.*, in which mention is made of these laws (ii. 610, note 10). The *Jolo MSS.* contain various proofs of the bardic meeting.

guage, and was certainly written before the year 1200, in the opinion of Mr. Owen, the editor of the Welsh Laws; one of the manuscripts used for collation, and in which the clauses about the harp are very fully given, was written at the end of the twelfth or beginning of the thirteenth century.^{9.3}

O'Curry's
etymology of
Telyn.

But, although *Telyn*, as the name of the harp, was in use as early at least as the twelfth century, O'Curry's suggestion that the word is derived from the buzzing sound of the ancient Welsh harp, is deserving of much attention. It appears from a passage in the Welsh Laws, that a harp strung with horse-hair was used in Wales in the twelfth century by inferior harpers, and that the chief harper was entitled to a fine of twenty-four pence from each minstrel who exchanged this hair-strung harp for, I presume, a better one on becoming a fully qualified harper.^{9.4} A hair-strung harp would produce a very buzzing sound, not at all unlike that of humble bees. Before the introduction of catgut and metal strings, horse-hair strings were probably used in all the imperfect instruments of early nations. In Finland the *Jouhi Kantele*, an instrument in shape somewhat like a guitar, is mounted with three horse-hair strings.^{9.5} In the curious Finnish legend of the invention

^{9.3} *M.S. Titus, D. II. Harleian, British Museum.* The Breton name of the harp is *Telen*. This may be either a proof that the Welsh name is very old, or that the word *Telyn* came into Wales originally in the ninth or tenth century from Brittany.

^{9.4} "Every chief harper is to have twenty-four pence from the minstrels who have left off [*al.* who will to leave] the hair-string harp, and who will become recognised minstrels and suitors; and he is to have the share of two men from every gratuity they receive, either as a boon or as a nuptial gift, whether he be present or not, if demanded by him: a nuptial gift is twenty-four pence at the first marriage of a female, and that to the bards, and he is entitled to the service of the minstrels as a man in authority over them". *Ancient Laws and Institutes of Wales. Anomalous Laws, c. ii, s. 29, p. 396 (fol. ed.)*.

^{9.5} The Fins have another *Kantele*, larger than the one alluded to in the text, and of the same form. It resembles the *Balalaika* of the Russians. This appears to be the *Kantele* of Finnish mythology. They have also an instrument called a *Harppu*, a name obviously borrowed from the Swedes; it is a kind of Dulcimer, having only five strings. Herr Engel (*Music of the most ancient Nations*,) appears to confound the *Kantele* and *Harppu* together, but they are distinct instruments.

of the *Kantele*, the strings are made of the hair of the wild horse of *Hisii*, a Finnish god.⁹¹⁶

The term *Cithara*, by which the Irish *Crut* and Welsh *Telyn* Irish and Welsh harps, called in the Latin *Cithara*; have been translated, does not help us to determine whether they were true harps, or even similar to each other. The word originally meant a different instrument, and ultimately was loosely applied to stringed instruments of all kinds. The chief source of difficulty in investigating the history of musical instruments, is the arbitrary and loose way in which the same name is frequently applied to the most widely different instruments. I shall have occasion to give examples of this fruitful source of confusion in musical nomenclature. Some of the instruments called by the name of *Cithara* are certainly very some instruments so called, very unlike the harp. unlike harps. M. de Coussemaker has given the figure of what is called a *Cithara*, from a manuscript of Boulogne,⁹¹⁷ and Gerbert⁹¹⁸ gives one of a triangular form, from a manuscript of St. Blaise. These, although having the strings free at both sides like the harp, are very unlike that instrument; the St. Blaise one is rather a kind of triangular Psalterium. In the sixth century the Britons had an instrument, known to the Romans by the name of *Chrotta*, which was not the instrument then called a harp, as is proved by a passage in a poem of the celebrated Venantius Fortunatus, Bishop of Poitiers at that period, in which he mentions several instruments as if they were especially characteristic of certain peoples. Among these he specifies the harp as a barbarian, that is, a German instrument, and the The British *Chrotta* of the fifth century;

⁹¹⁶ *Kalevala*, Neljäkymmenes Runo, 239–240, Toinen painos, p. 281. The bizarre Arabic *Kemangeh a guz*, a kind of fiddle not unlike in appearance a Negro Banjo, has two horse-hair strings. In Congo the strings of a kind of lute are made of elephants' hair or of palm fibres. The round lute-like instrument, composed of a wooden body and horse-hair strings, of which the old traveller Lemaire speaks (*Les Voyages de Le Maire aux Iles Canaries, Cap Vert, Senegal, et Gambie*, Paris, 1695), was probably an imitation of the Arabic *Kemangeh*. Captain Laing speaks of a kind of violin among the negroes of Semira, near Kuranko. The body of the instrument was a Gourd, with two quadrangular sound-holes and a single horse-hair string (*Travels through the Timanee*, etc., 1825). This instrument is like the Arabic *Marraba*, except that the body of the latter is a flat drum.

⁹¹⁷ *Op. cit.*, t. iii., p. 88.

⁹¹⁸ *De Cantu et Musica Sacra*, t. ii., Pl. xxv., No. 10. M. de Coussemaker also gives the figures, *loc. cit.*

the Irish
Crut and the
Welsh *Crud*;
the English
Crowd;

Chrotta as a British one.⁹¹⁹ There can be no doubt whatever that the word *Chrotta* is the Irish *Crut* or *Crot*, and the Welsh *Crud*.⁹²⁰ The instrument known in England in the fifteenth and sixteenth centuries, under the name of *Croude* or *Crowd*,⁹²¹ was, no doubt, borrowed from the Welsh, and, at least in name, represented the ancient British instrument. The *Crowd* was a bowed instrument, and is believed to be the violin-like instrument

the Welsh
Crwth;

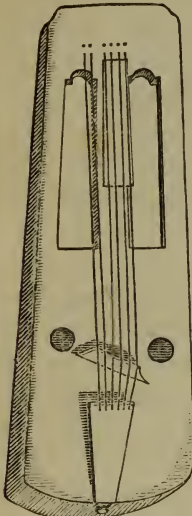


Fig. 63.

figured among the outside ornaments of Melrose Abbey, the erection of which was commenced in the year 1326.⁹²²

A bowed instrument, called a *Crwth*, was still in use in Wales in the eighteenth century. Mr. Daines Barrington, in a letter to the Society of Antiquaries in 1770, gave a description of it, illustrated by an engraving. Fig. 63 represents this instrument.⁹²³ According to Mr. Barrington's account, the *Crwth* had six-strings, two of which projected beyond the finger-board, one of these being touched by the thumb; the bridge was perfectly flat, so that all the strings were necessarily struck at the same time, and afforded a perpetual succession of chords. The bow resembled that of a tenor fiddle.

⁹¹⁹ "Sed pro me reliqui laudes tibi reddere certent
Et qua quisque valet, te prece, voce sonet;
Romanusque lyra, plaudat tibi barbarus harpa,
Graecus achilliaea, chrotta Britannae canat".

Ad Lupem ducem, miscellanea lib. vii. c. viii.

⁹²⁰ The following forms occur in the *Amra Coluim* in *Lebor na h-Uidhri* (pp. 8 and 9): nom. sing. *crut, crot, cruít,*

gen. „ *crote,*
dat. „ *chruíth,*
acc. „ *chruít,*
abl. „ *chruíte.*

The nom. pl. forms *cruti, cruíiti,* occur in the *Táin Bó Chuaigne* in the same MS., p. 56, col. 2, line 21.

⁹²¹ Wiclif (*Luke*, c. 15) spells it *Croude*; Ben Jonson (*Cynthia's Revels*, act i., s. 1) has *Crowde*; Massinger (*The Old Law*, act v., s. 1) and Butler (*Hudibras*, Part ii., cant. 2) make it *Crowd*.

⁹²² *Life of Anthony Wood, by Himself*, in Hearne's *Cat. Vindiciae*, 501.

⁹²³ This letter will be found in the *Archæologia*, vol. iii p. 30. The figure

The instrument was then almost extinct, there being but one person in the principality of Wales, John Morgan of Newburgh in Anglesea, who could play upon it. The *Crwth* described by Sir John Hawkins in his *History of Music*,⁹²⁴ differs in many respects from the one just mentioned, as will be seen from fig. 64, which is copied from the work just referred to.

According to Sir John Hawkins' account, this instrument was twenty-two inches in length, and an inch and a half in thickness; it had the same number of strings as the one described by Daines Barrington; the bridge is also placed in an oblique direction; but one of its feet goes through one of the

Sir J. Hawkins' description of the *Crwth*.

sound holes, *dd*, which are circular, and rests on the inside of the back of the body of the instrument; the other foot, which is proportionably shorter, resting on the belly before the other sound hole. Four of the strings pass down the finger-board, and under the end-board; but the fifth and sixth, which are about an inch longer than the others, do not pass over the finger-board, but are carried outside it about an inch, so that they could be freely struck through the apertures for the hand, *AA*, by the thumb or

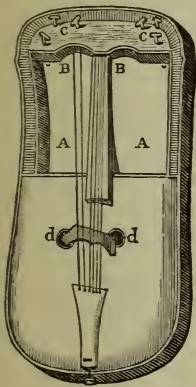


fig. 64.

finger armed with a quill. All the strings pass under the end-board, as shown at *B, B*, and are wound up by wooden *T* pegs, *c, c*, or by iron pins, turned by a wrest like those of a harp.

In the Welsh laws I have been able to find but one reference to the *Crud*, and that in what are called the Anomalous Laws. The passage, which is as follows, occurs, however, in a MS. of the twelfth century: "Every chief of song whom the Lord shall invest with office, is to be provided by the king with an instrument, to wit, a harp (*Telyn*) to one, a *Crud* to

The *Crud* mentioned only once in the Welsh Laws;

in the text is taken from the copy in the *Encyclopædia Metropolitana*, vol. xxix. (Plates iii.), miscellanies, pl. xxi., fig. 7. M. de Coussemaker has copied Daines Barrington's figure of the *Crwth* (*Annal. Archéol.* t. iii., p. 150), but unaccountably marks it "xi^e siècle.—MS. Anglais".

⁹²⁴ Vol. ii. p. 237.

not men-
tioned by
Giraldus
Cambrensis.

another, and pipes (*Pybeu*) to a third, to each according to his usage; and when they die they are to leave them to the king".⁹²⁵

It is singular that Giraldus makes no mention of the *Crud* being used in his own country, though he mentions that a very similar instrument was in use in Ireland, under the name of *Timpan*, for the evidence given in the Lectures fully proves that one kind of *Timpan* was a bowed instrument. It may be objected, that he has not mentioned the bagpipe in Ireland, although we know from the poem on the Fair of Carman, that it was in use in the eighth century, in what may be called the British or Welsh part of Ireland, or at all events at the beginning of the twelfth century, when the manuscript in which the poem is found was written. The bagpipe at that period was, however, a vulgar instrument, while the *Crud*, like the *Timpan*, belonged to the higher classes. We can easily understand how he may have omitted to notice an instrument to be heard only among the lower classes; but it is difficult to explain his omission of an instrument so ancient as the *Crud*, and which in the following centuries became one of the best known and most widely diffused musical instruments of England.

Supposed
Chrotta of a
MS. of the
11th cen-
tury



fig. 65.

M. de Coussemaker, who has done so much for the medieval history of music, taking it for granted that the bowed instrument described by Daines Barrington was the same as the medieval *Chrotta*, applies the name to a three-stringed instrument copied from a MS. of the eleventh century, an *Antiphonarium*⁹²⁶ which contains several other very rude drawings of musical instruments. The supposed *Chrotta* is to be found at f. 104 a, and is repre-

⁹²⁵ *Ancient Laws and Institutes of Wales*. Anomalous Laws, c. ii., s. xxvii., p. 397.

⁹²⁶ *MS. Fonds Lat.* 1,118, Bibliotheque Nationale, Paris. Besides the *Crwth* described in the text, the Welsh, as I have above stated, had a kind of Rebec or viol with three strings, called a *Crwth trithant*, which may have been the

sented in fig. 65, the seat of the player being omitted, as unnecessary for my purpose. There is no evidence in the MS., so far as I could see, for calling the instrument represented a *Chrotta*. M. de Coussemaker may be right in his surmise; but a comparison of the figures given above shows that the medieval instrument called by M. de Coussemaker a *Crwth* differed essentially from the modern instrument of that name.

Jacob Grimm describes the *Chrotta* as a stringed instrument of the ancient Franks,⁹²⁷ considering, no doubt, that *Chrotta* had become Old High German *Rota* or *Rotta* by the loss of the guttural. Indeed, a codex of Venantius Fortunatus in the Vatican Library has *Rotta* for *Chrotta*, in the lines above quoted. M. de Coussemaker is also of opinion that *Chrotta* is a German word; he says: "Although principally in use among the Britons, the *Crout* was of Barbarian origin, and it took the name of *Rote* among the poets and romancists of the middle ages. Several authors have thought that the name *Rote* was given to the *Vielle*; it is an error. *Rota* or *Rotta* does not come from *rotare*, but from *Chrotta*, a German word, of which the sign of aspiration, *ch*, was suppressed, as has been done in the case of many names which have had the same origin".⁹²⁸ Diefenbach, on the other hand, looks upon the Celtic origin of *Rota* as certain,⁹²⁹ and consequently that all the German forms are borrowed; but he seems to think the French borrowed their Provençal *Rota*, Old French *Rote*, not directly from the Celtic, but from the High German, and not from the Franks. If *Rotta* be derived from *Chrotta*, how does it happen that we have the aspirated and unaspirated forms in Old English and in Low Scotch? We find *Rotta* in *Sir Tristram* and other poems, while in contemporary pieces we have *Crowd*, borrowed directly from the Celtic. The word *Rote* was carried from France to England along with the instrument to which it was applied; and that that instrument

The *Chrotta* an instrument of the Franks according to J. Grimm;

M. de Coussemaker also makes it German;

and that it became the *Rote*;

Diefenbach believes the word to be Celtic;

both *Rotta* and *Crowd* occur in English.

three-stringed instrument alluded to in the text. M. de Coussemaker says that the *Crwth* is still in use in some parts of the British Islands; but in this he is misinformed, as the instrument is extinct for nearly a century.

⁹²⁷ *Deutsche Grammatik*, iii. 468.

⁹²⁸ *Annal. Archéologiques*, t. iii. p. 151-152.

⁹²⁹ *Origines Europææ*, 304.

was different from the *Crowd*, or Welsh *Crud*, is proved by the co-existence of the two names.

The *Rote* not the ancient or modern *Vièle*, nor a harp.

That the *Rote*, whatever may have been its origin, was neither the *Vièle* or *Vielle* of the twelfth and thirteenth centuries, nor the *Vièle* of the present day, formerly called a *Symphonie* or *Chifonie*, in which the cords were struck by the rotation of a wheel, nor yet a harp, is shown by many passages from Provençal poets.⁹³⁰

The passages quoted below only tell us that the *Rote* was not the *Vielle* nor the *Symphonie* or *Ciphonie*; but they do not give us any information as to whether the *Rote* was played with the fingers, or with a bow, or with a wheel. The *Vièle* and *Gigue* were both stringed instruments, played, as we shall hereafter see, with a bow, and must have closely resembled each other, as the first was the prototype of the French *Violin*, and the other of the German *Geige*, words now practically applied to the same instrument. So far as these passages go, the *Rote* may have been as much like the *Ciphonie* as the *Vièle* was like the *Gigue*, that is, may have been played with a wheel. There is no certainty that *Rote* always means the same instrument; indeed, we know, as I will show presently, that it was applied to the most various instruments, and that all through the middle ages, as I have said above, there was a great looseness in the use of the names of musical instruments.⁹³¹

The *Cithara* Teutonica.

M. de Coussemaker, speaking of the lyre, says: "The Germanic peoples also used the lyre, but supposing that they did not know it before their arrival in Gaul, they made some modifications in it. The Abbé Gerbert has taken from a MS.

⁹³⁰ The following passages are quoted by M. de Coussemaker:—

"De vièle sot et de rote

De gigue sot, de symphonie"—*Roman de Brut*.

"Et ciphones et vielles

Rotes et harpes et muselles".—*Roman d' Athis*.

"Rote, harpe, vielle et gigue et ciphonie".

Roman de Vaces. Annal. Archéologiques, t. vii., pp. 241-242.

The *Rote Vièle* and *Chifonie* are also separately mentioned in the *Prize d'Alexandrie* by Guillaume de Machaut.

⁹³¹ The *Symphonia*, or as it was called by the French, *Ciphonie*, affords an excellent example of this looseness. According to the *Schülte Haggiborim*, it was a kind of bag-pipe like the modern Egyptian *Zukkarah*. St. Isidore makes it a drum. De Muris (*Summa Musicae*, IV.), makes it an organistrum or modern viol. Praetorius (*Organographia*, c. xi. 63) makes it a keyed instrument of the *Clavicymbel* class.

of the ninth century, from St. Emeran, and from another of the same period from St. Blaise, two instruments which have the greatest analogy with the antique lyre; they are called "Cithara Teutonica".⁹³² One of those instruments is shown in fig. 66, and is not unlike the supposed *Chrotta*, the figure of which has been given above, from the MS. 1118 in the Bibliotheque Nationale, Paris. There is, however, a most important distinction between them: the latter was played with a bow, while the "Cithara Teutonica", as is clearly shown in fig. 66, was played with the fingers. Figure 67 is also a bowed instrument, and approaches nearer in construction to the modern



Fig. 66.

Welsh *Crwth* than the *Chrotta* of the MS. 1118. It is also very like the "Cithara Teutonica", fig. 66, and shows that there were two sets of instruments in the middle ages very similar to each other, the one played with the fingers, the other with a bow. The term *Rote* may perhaps have been applied to both classes. The instrument represented in fig. 67 is copied from M. de Coussemaker,⁹³³ who calls it a *Rote*. It is taken from the carvings in stone of the great doorway of the cathedral of Amiens. It rests in a horizontal position on the left hand of one of the apocalyptic figures with which the doorway is adorned. This is not the position in which it should be held to play it, but none of the nineteen figures of the doorway who have musical instruments are represented playing them.

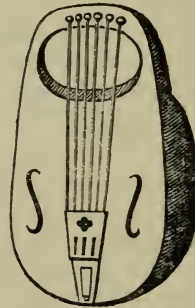


Fig. 67.

Two different kinds of instrument called *Rote* in the middle ages;

There is far more definite evidence that the term *Rote* was

⁹³² Ibid., t. iii., pp. 82-83.

⁹³³ *Annales Archéologiques*, t. vii., p. 242.

evidence
that one
kind was
played with
the fingers:

applied to instruments played with the fingers, than there is of its having been applied to bowed ones. Giraud de Colençon, a Provençal poet who flourished in the twelfth century, in a *sirvente* addressed to a jongleur to invite him to make himself skilful in playing instruments of music, and in everything that concerned his art, speaks of furnishing a *Rote* with seventeen strings.⁹³⁴ Here, as M. de Coussemaker observes, there can be no doubt that the poet had in view an instrument played upon with the fingers, and not with a bow. Some writers, among others Armstrong, who admit that the term *Rote* was applied to two distinct classes of instruments, suppose that the only difference between the one played with the fingers and the common harp was simply that the *Rote* was smaller, and that the strings were of metal, while those of the harp were of gut. M. de Coussemaker thinks there was another and more important difference, namely, that the strings, instead of being open at both sides, as in the harp, were closed on one side by a sonorous box, pierced with sounding holes. Sometimes this sonorous box occupied the whole of the space at the back of the strings, as is seen in fig. 68, and sometimes only a part.⁹³⁵

difference
between the
two kinds
of *Rotes*.



Fig. 68.

It appears from a passage in a work

⁹³⁴ "Sonetz nota e faitz la rota
A xvii cordas garnir".

MS. *Bibl. Nat., Paris, Fonds Lavalliere*, No. 14 (ancient number 2701), fol. 135a (new paging in black ink), col. 2 top, line 21. This very interesting poem, commencing "Fadet Joglar", consists of 156 lines. Raynouard has quoted some lines from the commencement of it, but has, curiously enough, omitted the second line. M. de Coussemaker has quoted (*Annal. Archéolog.*, t. vii, p. 248) the portion relating to the musical instruments, but his copy is so incomplete that it must have been taken from a different MS. For instance, he does not give the words "Sonetz nota", in the first of the lines above; indeed, the greater part of his lines are only half lines, the remainder being strangely omitted.

⁹³⁵ From a MS. of the fourteenth century, numbered 9025 in the Royal Library of Brussels, and first published by M. de Coussemaker, *Revue Archéologique*, t. vii. 249.

attributed to Notker Labeo, that the instrument called a *Rotta* by the monks of St. Gall, in the ninth and tenth centuries, was a seven-stringed Psalterium, played with the fingers, which had the sounding box at the top, while the cithara had it at the bottom.⁹³⁶ In another place, however, the Psalterium, we are told, had originally ten strings and the form of a delta. But when musicians and players had used it for their purposes, they gave it a more convenient form, added more strings, and gave it the barbaric name of *Rotta*, and changed its shape from that of the mystic symbol of the Trinity.⁹³⁷ This passage is important, because it shows, first, that there was an instrument of the harp kind in the ninth and tenth centuries, played with the fingers, having a considerable

The German *Rotta* in the 9th and 10th centuries described as a Psalterium.

⁹³⁶ "Fóne dú sínt ándero *Lírun*, únde ándero *Rótún* ið sibem sieten, unde sibene gelicho gevverbet. *De octo Tonis*, in Gerbert, *Scriptores de musica*, t. i. p. 96". *Psalterium Rotta* est genus organi, ist ein Slat orgin sangis, so also Seitspil ist, das ruoret man mit Handen. *Psalterium Rotta* habet oben an buh, *Cythara* habet niden an buh". *Codex Sancti Galli* 261, p. 131, quoted, by P. Anselm Schubiger in his *Sänger Schule St. Gallens von achten bis zwölften Jahrhundert*, p. 60. Father Schubiger says that in the St. Gall MSS. the word *Rota* is applied to the triangle, the guitar, and bells, and gives in a foot note, as his authority, the passage: "*Rottun factitium est sicut tintinabulum et clocca*". He does not give any reference as to where he found the passage. Can it be that the following passage, from the MS. of Notker's translation of the Bible, was in his mind: "*Daz saltirsanch heizet nu in dutiscum Rotta a sono vocis, quod grammatici factitium vocant, ut tintinabulum et clocca*"? There must surely be some mistake in Father Schubiger's quotation, as, notwithstanding the looseness of medieval musical nomenclature, it is scarcely possible that the term *Rotta* could, at the same time, be applied to instruments so widely different. The account of the *Nabla* in the Irish MS. in the British Museum, from which a passage is quoted in Lecture xxxi. (vol. ii., p. 238), agrees with the German accounts of the Psalterium. In this passage we are told that the *Nabla* was the Hebrew name of the Psalterium, and that the *Nabla* is a ten-stringed *Crut*; that is, which is furnished with ten strings, which are played with ten fingers, in which the ten commandments are concentrated. It is down upon it the belly is placed, and it is downward it is played".

⁹³⁷ "Sciendum est quod antiquum Psalterium instrumentum decacordum utique erat, in hac videlicet deltae literae figurâ multipliciter mysticâ. Sed postquam illud symphoniaci quidam et ludicratos, ut quidam ait, ad suum opus traxerant, formam utique et figuram commoditati suae habilem fecerant et plures cordas annectentes et nomine barbarico *Rottam* appellantes, mysticam illam Trinitatis formam transmutando". Notkerus, *In symbolum Athanasii*.

number of strings; secondly, that the parent instrument was triangular; thirdly, that the name *Rotta* was believed to be Germanic, barbaric being always synonymous with German with the writers of that period; and lastly, that nothing is said of its connection with *Crut* or *Crud*, which, considering the traditions of the monastery of St. Gall and the intercourse still kept up with Ireland, even in the time of Notker Labeo, is worthy of notice.

The *Psalterium*;

The *Psalterium*, so frequently mentioned in the foregoing pages, is an instrument of great importance in connection with the discussion about the Irish harp in the Lectures, and especially in connection with the passage quoted from Dr. Ferguson's Essay. Like most other medieval musical instruments, there is considerable difficulty in determining what the *Psalterium* was at any given time. Previous to the end of the eleventh century there appear to have been two forms of instruments to which this name was given, one square or rectangular,⁹³⁸ and having the belly or sounding box above, as we have seen from the passage above quoted from a St. Gall codex; and the second triangular. The former was mounted with ten vertical strings, and was hence called the *Psalterium decachordon*, or the *Decachordon* simply. According to the writer of the Epistle to Dardanus, and to St. Isidore, the belly or sounding box was made of wood; according to St. Basil and Eusebius, of brass. It was played upon with the fingers, and the strings were free on both sides; there is no reason to doubt that both hands were used, as with the harp. Some, however, think that the right only was used for playing, the instrument being held in the left hand. This may have been the case when it was used to play simple chords

two forms of it before 11th century;

the rectangular *Psalterium* or *Decachordon*;

⁹³⁸ " *Psalterium* quoque Hebraicè Nablion, Græcè autem *Psalterium*, Latine autem *Laudatorium* dicitur, De quo in quinquagesimo quarto [*recte*, 56] psalmo dicitur: *Exsurge, psalterium, cum cithara*. Est autem cum chordis decem, sicut scriptum est: *In Psalterio decem chordarum psallam tibi* (Psalm cxliii., 9 [*recte*, 10]): forma quadrata. *Psalterium* itaque cum decem chordis, id est, cum decem verbis legis contritis contra omnem haeresim, quadrata per quatuor Evangelia potest intelligi". Epistola ad Dardanum, *loc. cit.* This account of the *Psalterium* agrees very closely with that given in Lecture xxxi. (vol. ii., p. 238), from an Irish manuscript in the British Museum (*Harleian*, 5250, p. 11).

as an accompaniment to the voice. Figure 69 represents a quadrilateral Psalterium which king David is represented playing upon, in a beautiful miniature in a MS. said to belong to the ninth century, in the library of Boulogne.⁹³⁹

The quadrilateral Psalterium was sometimes made with inwardly curved sides which terminated above, at the narrow end, in volutes turning inwards, and giving the instrument a lyre-like appearance. This seems to have been the "*Psalterium in modum Clypei*". One of this kind, having apparently twenty strings, is represented in fig. 70, after M. de Coussemaker, from a MS. of the ninth century, in the library of Boulogne.⁹⁴⁰ This instrument has some resemblance to one form of the ancient bronze shields of the Britons and Gauls. In the latter, however, both ends were curved, though not as much as in the psaltery. In another MS. an instrument of the same kind is called "*Nabulum filii Jessi*", a circumstance to which I shall advert hereafter.

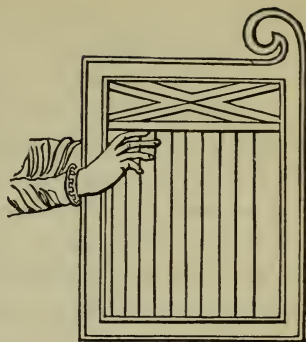


Fig. 69.

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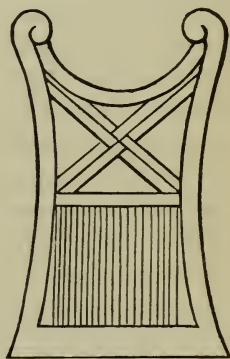


Fig. 70.

From ancient times down to the twelfth century, square, quadrilateral instruments of the harp kind appear to have been very common, as may be seen from the paintings, sculptures, and painted vases of Pompeii,⁹⁴¹ and medieval illustrations of the harp-kind in common use down to 12th century;

⁹³⁹ See *Annal. Archéologiques*, t. iii. p. 76.

⁹⁴⁰ *Annal. Archéolog.* t. iii. p. 85. A codex of St. Blaise of the twelfth century contains several figures of Psalteriums; an explanation is appended to a quadrilateral one,—"*psalterium decachordum in modum clypei quadrati*". It is probable that all quadrilateral Psalteriums were considered to be in "*modum clypei*". See Gerbert, *op. cit.* II. pl. 29 and 30.

⁹⁴¹ In the Museo Borbonico four-sided instruments are very common; thus in vol. i., Tav. xxx, xxxi., vol. vii., Tav. lxi., vol. x., Tav. vi., vii. In vol. v.,

these were ecclesiastical instruments.

minations. This four-sided Psalterium seems to have been especially the instrument of ecclesiastics, while the harp, previous to the twelfth century, was reserved for lay purposes. This explains why King David is always represented in manuscripts from the ninth to the eleventh century playing upon the four-sided Psalterium, and generally upon that known as "in modum clypei", which was, perhaps, the most ancient form.

The harp replaced the Psalterium in church music after the 12th century.

After the twelfth century the harp replaces the Psalterium. This change was, perhaps, brought about by the development of the religious drama, which introduced into the church service the musical instruments, which until then were only used for lay purposes. Connected with this change it may be right to mention that in the manuscript 1118 in the National Library at Paris, already referred to, there is a figure of a remarkable triangular harp-like *Psalterium*. The resemblance between this triangular instrument and the harp led, M. de Coussemaker thinks, to the former instrument falling into desuetude, that is, to the substitution of the harp for the *Psalterium*, though the name of the latter continued to be given to another instrument, having, no doubt, some relationship to the true *Psalterium*, but much more to the *Nablum*.

The harp on the *Theca* of the Stowe MS. a *Psalterium*;

The square harp-like instrument, upon the *Theca* of the Stowe manuscript, referred to by Dr. Ferguson in his "Dissertation on the Antiquity of the Harp and the Bagpipe",⁹¹² represents, there can be little doubt, a *Psalterium*. The existence of four-sided Lyres among the Romans, and of the four-sided *Psalterium* in the middle ages, deprives the four-sided Lyre of the monument of Petase, erected in the time of Aurelius, of

Tav. xix. there is a drawing of an ancient painting found at Pompeii, representing a genius with wings, holding in her hand a square Cithara, or rather Psalterium, with ten strings. The semi-colossal statue of Apollo Citerado Assisso in the Farnese palace has a rectangular Cithara of ten strings. Ten is also the number of strings in the rectangular instrument referred to in vol. i., Tav. xxxi. The figure of the citaristra in Tav. vi., vol. x., and one seated upon a dolphin in Tav. vii. of the same volume, are represented with four-stringed lyres, while there are only three strings in the four-sided lyre, which a Cupid holds in the mosaic at Pompeii, *nella casa così detta del centauro*, representing love conquering force, and which is figured in the Museo Borbonico, vol. vii., Tav. lxi.

⁹¹² See *Lectures*, xxx., vol. ii., p. 226.

the significance attached to it by Dr. Ferguson and Professor O'Curry.⁹⁴³ That the Irish were acquainted with the *Psalterium* is shown by the passage in the manuscript in the British Museum, several times referred to. We might have expected this from the intercourse which existed between Ireland and England, Gaul and Germany, where the instrument was used. In the seventh and eighth centuries, and perhaps earlier, Glastonbury was much frequented by Irish, who were most likely the founders not only of Glastonbury Abbey, but of most of the other religious foundations of that part of England. Cormac in his Glossary calls it "Glastonbury of the Gaedhil". An Irishman known as Maidulph, founded a monastery at Malmesbury, of which the celebrated St. Aldhelm, who died in the year 709, was afterwards abbot. It was probably during his abbotship that he wrote his panegyric of the church built for nuns, either at Glastonbury or in its immediate neighbourhood, by Bugge, daughter of Centwine, king of Wessex. In this valuable poem we have distinct evidence that the antiphonies, psalms, responses, and hymns of the Church were sung with accompaniments on ten-stringed psalteriums in the latter half of the seventh century.⁹⁴⁴ There can be little doubt that if the ecclesiastical chant, and the musical instruments

The Irish
must have
known the
Psalterium.

⁹⁴³ *Ibid.*, p. 230.

⁹⁴⁴ This poem was erroneously ascribed to Alcuin and to Rhabanus Maurus. The following are the lines referring to music and the *Psalterium* :

"Dulcibus antiphonae pulsant accentibus aures,
Classibus et geminis psalmorum concrepet oda,
Hymnistae crebro vox articulata resultet,
Et celsum quatit clamoso carmine culmen,
Fratres concordia laudemus voce Tonantem
Cantibus et crebris conclamet turba sororum.
Hymnos ac psalmos et responsoria festis
Congrua promamus subter testudine templi,
Psalterii melos fantes modulamine crebro,
Atque decem fidibus nitamur tendere lyram".

De Basilica aedificata a Bugge, apud Card. Mai classicorum auctorum e vaticanis cod., t. v. In the middle ages there was chanting in convents on canonical days under the direction of the *Cantrix* or *Cantorissa*; and where there were choristers attached to the church they chanted alternately with the sisters. The preceding passage shows that the custom existed already in the seventh century.

used in the Church service, were not already known in Ireland, which is unlikely, they would have found their way in at this time through the connection with Glastonbury.

The tri-
angular
Psalterium;

represented
the *Kinnor*;

the *Kinnor*
an impor-
tant instru-
ment of the
Phenicians;

was perhaps
the origin of
the *Tri-
gonon*.

The *Kinnor*
and the As-
syrian harps

Gerbert has given a figure of the second kind of Psalterium, that in the form of a triangle,⁹⁴⁵ which differs in form very little from another instrument in the shape of an equilateral triangle, which he calls a *Cithara*, and a figure of which he gives⁹⁴⁶ from a manuscript of St. Blaise, of the ninth century. This instrument, which has twelve strings, was perhaps the representative of the כִּינּוֹר *Kinnor* of the Hebrews, the κίββα of the Greeks, and the *Cinyra* or *Cithara* of the Romans. The *Kinnor* was the instrument regarded by the translators of the Bible as the harp, which David played before Saul,⁹⁴⁷ and which the sorrowing Jews hung on the willows of Babylon. It was light and portable, like the corresponding Assyrian instrument of the time of Abraham. The name *Kinnor* is apparently Phenician, and the instrument itself was one of the principal musical instruments of the Phenicians. The priests of the temple of the Paphian Aphrodite belonged to a tribe or family called the Kinyrades, the mythical ancestor of whom was a wonderful harper named Kinyras, from κινύρα; he was a nurseling and priest of Aphrodite, king of Cyprus, and the supposed founder of its ancient civilization.⁹⁴⁸ The *Kinnor* must have resembled the Greek *Trigonon*, if, indeed, it was not the prototype of that instrument. If this were so, the *Trigonon* must have found its way directly into Greece through the Phenician Cyprians of Kition and Hamath. Josephus says that the *Kinyra* had twelve strings, and was played with a plectrum.⁹⁴⁹ This agrees with the figures of the small Assyrian harps without a fore-pillar, represented in bas-reliefs in the ruins of the palace of Sennacherib, near the present

⁹⁴⁵ *De cantu et musica sacra*, t. ii., pl. 24

⁹⁴⁶ *Ibid.*, pl. 25, No. 10.

⁹⁴⁷ I. *Kings*, xvi. 23. The Greek translation of the Old Testament affords several examples of the looseness of musical nomenclature even in ancient times, the word כִּינּוֹר *Kinnor* being translated in different passages by κιθάρα (e. g. *Ps.* xxxii. 2, Sept.; *Job*, xxi. 12, xxx. 31); ψαλτήριον (e. g. *Gen.*, iv. 21); and κινύρα (e. g. I. *Chron.*, xv. 28; II. *Chron.*, v. 12; I. *Kings*, x. 5).

⁹⁴⁸ Preller, *Griech. Mythologie*, I. 274.

⁹⁴⁹ *Antiq. Jud.*, vii. 10.

village of Kujundschik. These harps, which are very different from the Egyptian ones, are triangular, and have an inclined quadrangular sound-box, a slight, horizontal harmonic curve, and sixteen or more strings.⁹⁵⁰ No tuning pins can be seen, but there is a small row of buttons, or pegs, on the sound-box, probably to fasten the strings. The Epistle to Dardanus calls the *Kinnor* incorrectly a *Cithara*, and says that it resembles in form the letter Δ, and has twenty-four strings.⁹⁵¹ The true *Cithara* is supposed to be the חֲשׂוּרָה *Hhasor*, an instrument which must have had ten strings, if we may judge from the root word of its name חֲשׂוּרָה *decimavit*.⁹⁵² The *Hhasor* is mentioned along with the נֶבֶל *Nebel*, and the *Kinnor* in Psalm xcii. v. 3; and the three instruments may perhaps be looked upon as representatives of the three classes of ancient stringed instruments of which the lyre, the cithara, and the harp may be considered as the types. The difference between the ancient lyre and the *Cithara* has been a fertile source of discussion and speculation. The typical lyre had a tortoise-shaped sound-box and wooden arms, consisting of strong wooden bars. The sound-box of the *Cithara* was made of thin plates of wood, metal, or ivory, and was generally quadrangular, though occasionally it was also semi-ovoïd; the arms were hollow, and consequently strengthened the resonance. M. Fetis thinks the ancient *Cithara* was held against the breast, and hence had a quadrangular base, while the lyre, with its tortoise-shaped body, should be held in the arms or between the knees. The ancient *Cithara* did not in any case correspond to the description of the instrument of that name in the Epistle to Dardanus, as is evident from a commentary of

the *Kinnor*
incorrectly
called a
Cithara.

Difference
between the
lyre and the
Cithara.

⁹⁵⁰ Herr Engel, who has made a special study of the musical instruments on the Assyrian sculpture, thinks that they had usually 25 or 26, 20 or 21, 15 or 16 strings. *The music of the most ancient nations*.

⁹⁵¹ *Cithara de qua in quadragesimo secundo psalmo scriptum est: 'Confitebor tibi in cithara, Deus, Deus meus,' (Psal. xlii. 5.), propriae consuetudinis est apud Hebraeos, quae cum chordis xxiv, quae in modum Delta litterae, sicut peritissimi tradunt, utique componitur.*

⁹⁵² St. Augustine says however: "Non dixit in cithara decem chordarum, neque in hoc psalmo, neque, si non fallor, alicubi. Legant, et considerent melius et otiosius filii nostri Lectores: tamen quantum mihi videor meminisse, multis locis invenimus psalterium decem chordarum, citharam decem chordarum nusquam mihi lectum occurrit." *Enar. in Psalmum xxxii. ver. 2.*

Difference
between
Cithara and
Psalterium.

St. Augustine on the thirty-second Psalm. St. Augustine makes the difference between the *Cithara* and the *Psalterium* consist in this—that the former has the sound-box below and the latter above.⁹⁵³

*Nebel-Nas-
sor.*

Blanchini⁹⁵⁴ speaks of an oblong four-sided instrument having ten strings, and twanged with a quill, to which the name *Asor* or *Nebel-Nassor*, is said to have been given. But, probably, he had just as little ground for giving this name to such an instrument as Herr Engel had for applying the term *Asor* to an Assyrian instrument consisting of a horizontal sounding board, in which was fixed a harmonic pillar, from which the strings were stretched so as to form a series of hypotenuses to the right angle, formed by the pillar and the board.

The *Nabla*,
or *Nablum*;

The *Nabla*, which our Irish authority says is the Hebrew name of the ten-stringed *Crut*, which the Greeks called a *Psalterium*,⁹⁵⁵ is an instrument about which there is great uncertainty. Like the *Kinnor* it was a favourite instrument of the Phenicians: indeed Sopater says it was a Phenician invention, and calls it the Sidonian *Nabla*.⁹⁵⁶

In name at least the Hebrew *Nebel* is the same as the Greek *Νάβλα* (also written *Νάβλας*), and the Latin *Nablia*, *Nabla*, *Nablum*, or *Nablum*. In the Psalms it is certainly spoken of as a ten-stringed instrument,⁹⁵⁷ and according to many of the

⁹⁵³ *Cithara lignum illud concavum tanquam tympanum pendente testudine, cui ligno chordae innituntur, ut tactae resonent: non plectrum dico quo tanguntur sed lignum illud dixi concavum cui superjacent, cui quodammodo incumbunt, ut ex illo cum tanguntur tremefactae et ex illa concavitate sonum concipientes, magis canorae reddantur: hoc ergo lignum cithara in inferiore parte habet, psalterium in superiore". In *Psalm.*, xxxii, Enar. ii, ver. 2; see also *In Psalm.*, xlii, ver. 4; lvi, ver. 9; lxx. Sermo 2, ver. 22; cl. ver. 3.*

The position of the sounding-box in the Psaltery, and the mode of playing it, according to this passage, agree completely with Notker Labeo's account of the Psalterium, and with the Irish account of the *Nabla* or *Psalterium* several times referred to.

⁹⁵⁴ *De tribus generibus instrumentorum musicae veteris organicae, dissertatio*, Romae, 1742, p. 35.

⁹⁵⁵ St. Hilary also says that the *Psalterium* and *Nablum* were the same. From the place and period of St. Hilary, this opinion is, no doubt, of great value, but, as Herr Ambros has suggested (*op. cit.*, i. p. 206), many of the descriptions and figures of musical instruments in medieval MSS. are imaginary.

⁹⁵⁶ xxxiii. 2; cxliv. 9.

⁹⁵⁷ Athlæus, iv. 72.

Fathers of the Church, it was a quadrilateral instrument like the Psalterium and modern Quanon. Josephus also makes it a stringed instrument, but having twelve strings, and played with the fingers.⁹⁵⁸ Villoteau⁹⁵⁹ concluded that it was a kind of bagpipe, and that the modern Egypto-Arabic *Zukkarah*, figured in his atlas,⁹⁶⁰ is the representative of the ancient instrument. In support of this view, he mentions that *Nebel* is several times translated in the Septuagint by ἀσκός,⁹⁶¹ a skin bottle or bag, and refers to a passage of Athenæus, which shows that in one case at least it was a wind instrument—not a bagpipe, however, but a lotospipe. Ambros suggests that the *Nabla* was a kind of lute, with a bottle-like body, which would account for the translation of the word by ἀσκός. It has been suggested that the *Nabla* was the ancient Egyptian *Nofre*, one of the oldest musical instruments known, being used as a hieroglyphic symbol in graves of the fourth dynasty, near Gizeh. The *Nofre* was a kind of guitar, generally mounted with two chords, hence the name of Dichord, given to it by Clement of Alexandria; it sometimes had only one chord, and sometimes also as many as three. These guitar-like instruments were played upon with the fingers, and sometimes were twanged with a peculiar spatula-like plectrum. It is difficult to identify the Hebrew and Egyptian instruments; Herr Engel justly remarks that such a number as ten strings could not be placed on a *Nofre*, or on any instrument resembling the modern *Tamboura*, which is, probably, a true descendant of the ancient *Nofre*.⁹⁶²

considered
a superior
instrument
by the
Greeks;

The Greeks must have considered the *Nabla* a superior instrument, if we may judge by a passage in the *Μοιχός* of the comic writer Philemon, preserved by Athenæus, in which one of the *dramatis personæ* says :

Do you know Parmenon if a flute player be here

Or even a *Nabla*. But what is a *Nabla*?

Dost thou not know, blockhead? By Jove, I know not what thou sayest.

⁹⁵⁸ ἡ μὲν κιννύρα δεκα χορδαῖς ἐξημμένη ἐτύπτεται πλήκτρῳ, ἡ δὲ νάβλα δώδεκα φθόγγους ἔκουσα τοῖς δακτύλοις χροῦνεται *Antiq. Jud.*, vii.

⁹⁵⁹ *Description de l' Egypte*, xiii. 477 ⁹⁶⁰ Pl. cc, fig. 25. ⁹⁶¹ *Op. cit.* 201.

⁹⁶² *Nebel* certainly does frequently occur in the Bible in the sense of a bottle or skin bag. In *Job xxxviii. 37*, we have מַבְיָטִים הַשָּׁמַיִם the bottles of heaven, i.e., the clouds. See also *Jeremiah*, xiii. 12, xlvi, 12, etc.

Thou knowest not a Nabla ! Then thou knowest not what is good
And doubtless thou canst not play the Sambuke also.⁹⁶³

It was also
an instru-
ment of the
elegant Ro-
man world ;

The *Nabla* or *Nablum* was also an instrument of the elegant Roman world. According to Ovid, it was played with the two hands, and was therefore an instrument of the Psalterium class, and not of the lute kind.⁹⁶⁴ The *Nablum* was a strange instrument to medieval writers. St. Isidore does not mention it in his list of musical instruments ; indeed, the name very rarely occurs in medieval works. It may have been one of the stringed instruments which Tuotilo taught at St. Gall,⁹⁶⁵ as we find it mentioned in a poem written to greet Charles the Bald on the occasion of his visit to Reichenau in the year 829. The monks must have gone out to meet him with instrumental music, otherwise the poem would have been a meaningless compliment. The musicians may, it is true, not have had every instrument named in the poem ; but there seems no reason why the *Nabla*, alone of all the instruments mentioned in one of the verses, should not have been one of those in actual use on the occasion.⁹⁶⁶ Several figures of instruments called *Nabla*, *Nablum*, or *Nablum* are found in manuscripts precisely of this period. Thus M. de Coussemaker gives the figure of one from a MS. of Angers, said to be of the ninth century, and mentions another similar one in a MS. of the library of Boulogne. The Angers instrument was like a large D turned downwards on its straight side. The strings, twelve in number, were stretched between this side and a parallel bar, forming a kind of ornamental work, filling a small segment

may have
been used
by Tuotilo ;

instruments
called *Nabla*
in the mid-
dle ages.

⁹⁶³ "Ἐδει παρῆναι, Παρμένων, αὐλητριῶ, ἣ
Νάβλαν τίν' ; ὁ δὲ νάβλας τί ἐστίν ;
Οὐκ οἶδας, ἐμβρόντητε σύ ; μὴ Δί', ὄυ, τι φης ;
Οὐκ οἶσθα νάβλαν ; οὐδὲν οὖν οἶσθ' ἀγαθὸν
Σύ γ', οὐδὲ σαμβυκίστριαν.—Lib. iv., c. 24.

⁹⁶⁴ Discce etiam duplici genialia nablia palma
Verrere conveniunt dulcibus illa jocis.—*A. Am.*, iii. 327-8.

⁹⁶⁵ "Musicus sicut et socii ejus, sed in omni genere fidium et fistularum prae omnibus, nam et filios nobilium in loco ab abbate destinato fidibus edocuit".—Ekehard, *In Casibus*.

⁹⁶⁶ Ferte nabla tibiasque
Organum cum cymbalis
Flatu quidquid, ore, pulsu,
Arte constat musica.

of the arc, and making, as it were, a smaller inscribed D. The instruments usually called by the name of *Nablum* consisted generally of a sonorous triangular box, one of the angles of which was sometimes slightly truncated. The strings were fastened to the upper face, and perpendicular to the base, or side opposite to the truncated angle. It thus corresponded to the instrument called in the fourteenth and fifteenth centuries the *Psalterium*, except that in the latter the strings were parallel to the base. It is very probable that the terms *Nablum* and *Psalterium* were everywhere else as well as in Ireland practically synonymous during the middle ages. I have already mentioned a fact which strongly corroborates this view, namely, the circumstance recorded by M. de Coussemaker, that the instrument called in one manuscript a "*Psalterium in modum clypei*", of which fig. 70 is a representation, is called in another manuscript "*Nabulum filii Jesse apud Hebræos*". In some places, and at certain periods, the one or the other of these terms may, no doubt, have been applied to some special instrument, but I do not believe that there was any permanent distinctive use of them.

Several instruments are mentioned in Irish manuscripts, sometimes under the name of *Crut*, which seem to have belonged to the *Psalterium* or *Nablum* class. In the manuscript called the Book of Lismore, a nine-stringed instrument, played in the *Cathair of Manannan*, a mythological personage connected with the Isle of Man, and called a *Crut*,⁹⁶⁷ as well as the eight-stringed instrument with which the abbot of a church of the *Ui Cormac* accompanied his lay before king *Feidlimid*,⁹⁶⁸ was perhaps a *Nablum* or *Psalterium*. The abbot's instrument is not called a *Crut*, but simply an *Ocht-tedach* or "eight-stringed", and was probably the kind of *Psalterium* used by Irish ecclesiastics for accompanying themselves in chanting. The number of strings seems to indicate the use of the diatonic scale for church music.⁹⁶⁹

Instruments mentioned in Irish MSS., probably of the *Psalterium* or *Nabulum* class.

⁹⁶⁷ O'Curry's copy in the Library of the R. I. A. The number of strings in this Manx harp is of interest in connection with Pennant's idea that the Welsh harp had originally only nine strings in one row. It is needless to add that his statement, that two other rows of strings were added early in the fifth century, is a baseless assumption.

⁹⁶⁸ *Lectures*, xxxii. vol. ii. p. 262.

⁹⁶⁹ The expression "*Super Octavam*" in the sixth Psalm has been the sub-

Disappearance of four-sided *Psalterium* in 12th century.

The *Salteire* or *Psaltery* of the Trouvères a different instrument from the *Psalterium*;

method of playing it;

figures of the *Salteire*.

The triangular *Psalterium*, as we have seen, began to be called the *Rote*, even as early as the ninth century; in the twelfth the four-sided one appears to have fallen into desuetude, as we do not find it represented in manuscripts or monuments after that period. From the twelfth to the sixteenth century the Trouvère form of the word *Psalterium*, namely, *Salteire* or *Saltère*, was given to a wholly different instrument from any of those previously described. The *Salteire* is said to have been the same as the Arab instrument called the *Santur* or *Santir*; and M. Fetis even thinks that *Pi-Santir* or little *Santir*, is a cognate form of the original word from whence the Greek ψαλτήριον is derived. Villoteau describes the *Santir* still used in Egypt⁹⁷⁰ as a flat wooden box having the form of a triangle truncated at its summit. The strings are of wire fastened to pins fixed on the left side of the instrument, and are struck with a small stick having a knob made of ivory or horn, the convex part of the latter only coming into contact with the strings.

The *Salteire* was however generally twanged with the fingers or perhaps with a quill plectrum attached to the finger. According to *Gerson*, the strings were of silver or electrum (a kind of brass), gave a high note, and required to be touched lightly.⁹⁷¹ M. de Cousse-maker mentions several figures of the *Salteire* among the stone carvings of French churches. One of the most valuable of these is a remarkable capital of a column of the church of St. George of Bocheville near Rouen, orna-

ject of much learned speculation. The learned Spanish Jew, Rabbi Abraham ben Mier Aben Esra, born at Toledo about the year 1120, but who lived and wrote a good deal in Italy, and was consequently acquainted with the diatonic scale and the plain chant of the Church, considered that the expression in question implied a knowledge of the diatonic system. The Rabbi Salomon ben Isaac Jarchi, better known as Rashi, born about the year 1040 at Troyes, where he died in the year 1104, after having been head of the Jewish school for a long period, considered that it referred simply to an accompaniment on an eight-stringed instrument. When we consider the objective character of Rashi's writings, as compared to the more subjective stamp of mind of Aben Esra, and the place where he lived, I am disposed to think that such an eight-stringed instrument was in use in western Europe.

⁹⁷⁰ *Description de l'Égypte*, t. xiii.

⁹⁷¹ "Habet insuper chordulas vel argenteas, ve ex electro, quasi tinnientes leviusque tangendas".—*Opera omnia*, t. iii. p. 627.

mented with figures in relief, which show not only the instruments in use in the eleventh and twelfth centuries, but also their combination as a regular orchestra.⁹⁷² The seventh figure in the group has a six-stringed *Salteire* of the kind above described. A *Salteire* on a slab of the cathedral of St. Omer, of the twelfth century, has twelve strings; another but somewhat different one on the great doorway of the cathedral of Amiens, which is of the twelfth century, has pins for from twelve to fifteen strings, the latter not being represented. In this instrument the triangle has slightly curved sides, the angles of the base are slightly truncated, and it has four sounding holes, three small circular ones, and a central trefoil-shaped one. Fig. 71 represents a



Fig. 71.

Salteire of this class and having a considerable number of strings. It is taken from M. de Coussemaker's copy from a MS. of the fourteenth century in the library of Boulogne. In other examples of the same century the number of strings seems to have been fifteen. In the fourteenth century some of the *Salteires* represented in monuments deviated considerably from the

original truncated form; the latter also continued in use.

The *Santir* is closely connected with another important instrument, the *Quanon*, the original of the troubadour *Canon*, the English *Dulcimer*, and the German *Hackbrett*, which in turn gave rise to the Clavicimbalo or Clavecin, and ultimately to the Pianoforte. The *Canon*, which appears to have been introduced into Europe together with the *Salteire* at the time of the Crusades, is represented in the celebrated frescoes of Andrea Orcagna, the "Trionfo della Morte", in the Campo Santo, at Pisa, and in his Coronation of the Blessed Virgin, in the National Gallery, London. The oriental *Quanon* consists of a low four-sided sounding-box having two sounding holes, a large round one and a small rhombic one, and mounted with twenty-five sets of three strings, or in all seventy-five; each

⁹⁷² A plate representing this capital is given in Didron's *Annales Archéologiques*, t. vi. p. 314; it is also admirably illustrated in Lacroix and Seret's *Le Moyen Age et la Renaissance*.

number of
strings in
the *Quanon*.

set of three strings being tuned to the same note. This tri-chord arrangement is well shown in Orcagna's picture.

The number of strings in the European varieties of the *Canon* seems to have varied considerably. In the one in the lady's hand in Orcagna's fresco, there are twenty four; in his Coronation of the Blessed Virgin, the instrument is deltoidal, and has seventeen treble strings, only two of which are shown in the last set. The *Canon* suspended to the neck of St. Ranieri, as he is represented while still finding happiness in a gay worldly life in the upper pictures representing his life, erroneously attributed to Simone Memmi, and which are also in the Campo Santo of Pisa, has thirty-three strings. The saint plays, as in Orcagna's figures, with both hands. In the picture representing the death of St. Ranieri, painted by Antonio Veneziano, a sitting monk plays a small variety of *Canon*, having twenty-four sets of four strings.

Transforma-
tion of *Qua-
non* and *Sal-
teire* into
the Piano-
forte.

The introduction of the *Canon* and the transformation of it and of the *Salteire*, or Psaltery, into the series of successively modified instruments which were in use in Italy, France, etc., in the fifteenth, sixteenth, and seventeenth centuries, under the name of Clavicimbalo, Clavicordo, Harpicordo, or Harpsichord, Spinetta, Buonaccordo, Virginal, etc., and which ultimately led to the Pianoforte, did not render the old Psaltery, or, as Chaucer calls it, the Sautrie, entirely obsolete. It must have been in use in the middle of the seventeenth century, as Father Kircher gives a figure of it in his *Musurgia*, published in 1650, and says that, if played by a skilled person, it is not inferior to any instrument. In Kircher's time it had three rows of strings, and a compass of between three and four octaves. The strings were double, treble, and in large instruments even quadruple. The musician Giovanni Maria Canari in Rome had a psaltery with one hundred and forty-eight strings. The mode of notation was similar to the tablature of the lute; the strings to be struck were indicated by letters placed on three lines, which represented the three rows of strings of the instrument, the rhythmical movement being indicated by special signs placed over them.

The *Salteire*
or *Sautrie*
still in use
in the 17th
century.

The old English Dulcimer was triangular, and had about fifty

wire strings, which passed over two bridges at each end; the longest strings, which were doubled, were about a yard long, the shorter about half that length. When played it was placed on a table or stand before the performer, who struck the strings with a little iron rod held in each hand. A *Dulcimer* of this kind, having iron or steel strings, was to be seen in Ireland down to within the last few years. The *Hackbrett* or *Cinbal*, or as it was called by the Italians, the *Salterio tedesco*, did not differ very much from the *Dulcimer*. According to Herr Engel, it is a trapeziform or square box, about four feet long and eighteen inches broad, forming the sound-body; at the right and left are fixed iron screws for tuning; the strings are of wire, two or three of which are tuned in unison for each note, the entire compass being about three octaves. It is played with little sticks having small oval knobs at each end, one side of which is covered with soft leather or felt for the piano passages.⁹⁷³ The strings of the *Santir* are of wire, like those of the *Dulcimer* and *Hackbrett*; but those of the *Quanon* are of lambs' gut, and are twanged with two small plectra, one being attached to the fore finger of each hand.⁹⁷⁴

Mr. G. Farquhar Graham⁹⁷⁵ states that the *Quanon* or *Canon* was brought into Europe from the east by the Crusaders under the name of *Tympanon* or *Tympanum*. It consisted, according to him, of a triangular sound-box mounted with a great number of wires, some of which were tuned in unison for each note. The strings were struck by two light flexible rods having a knob at one end. I do not know upon what authority Mr. Graham makes this statement; but whatever his authority may be, I think there must be some mistake, as the Irish applied the term *Timpan* to a bowed instrument at least as early as the first Crusade, and before the influence of the latter could have possibly penetrated into Ireland. Neither the *Salteire*, the *Canon*, *Demi-Canon*, or *Mi-Canon*, or other stringed instrument included under the general term *Moraches* in the thirteenth and fourteenth centuries, could be played with a bow.

The Dulcimer or Hackbrett.

Mr. F. Graham's statement that the *Quanon* came into Europe as the *Tympanon*,

must be a mistake.

⁹⁷³ Engel, *Op. cit.*

⁹⁷⁴ *Ibid.*

⁹⁷⁵ *Introduction to the Songs of Ireland without Words: for the Pinaforte.* By J. T. Turenne, edited by Francis Robinson, Mus. Doc Dublin, Bussell.

The oldest figure of the true harp known.

The oldest figure of a true harp which I have seen is that represented in fig. 72 after Gerbert, from a MS. of St. Blaise,

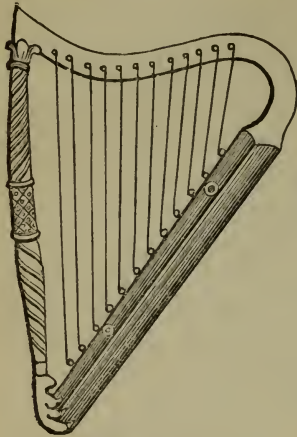


Fig. 72.

considered to be of the ninth century. It is called in the manuscript a "Cithara Anglica". I have already given a figure of an instrument from a manuscript of the same period from St. Emeran, which is called a "Cithara Teutonica". The latter, as we have seen, was a kind of *Rote*, and very different from the true harp, and yet these two instruments, so different in many respects, are called by the same name Cithara. In so obscure and important a question, it is very hazardous to draw conclusions from isolated facts: nevertheless it is worthy of notice that in the ninth century the true harp was so much used in England and so little used in Germany and the rest of the north and west of Europe, that it could be described in opposition to the *Rote* as a British instrument. Here the question naturally suggests itself, by what name was the instrument called in the manuscript "Cithara Teutonica", known in Germany; and was the "Cithara Anglica" called by the Saxons *Harpa*, and if so, how was it called by the Welsh, Scotch, and Irish? So far as I can make out, there is no evidence that the instrument we now call a harp was in use at all in Germany in the ninth century. Indeed, so far as there is any certain evidence at all on the subject, the precise form of instrument now called a harp seems to have originated in the British Islands. That this form was only a modification of the ancient *Trigonon*, must be evident to an unbiassed mind who compares figure 72 with figure 62. It is not, however, equally manifest how the *Trigonon*, with a fore-pillar, became so common in these countries as to be transformed into a new musical instrument, which became the favourite one of most northern nations, and the special national instrument of Ireland. M. de Coussemaker tells us that the

The modern harp originated in the British Islands,

and was a modification of the *Trigonon*.

English harps of the twelfth century are distinguished by a character of simplicity and elegance which is not found in the contemporaneous French harps. This superiority he attributes to the favour and vogue which harps enjoyed among the higher classes of society. It should be observed, however, that he makes no distinction between England and Wales, Scotland and Ireland, and that his evidence seems to apply chiefly to the latter. Judging by the figure of the harp in the St. Blaise manuscript, the observation of M. de Coussemaker as to the elegance of the harps of the British Islands in the twelfth century seems equally applicable to those of the ninth, tenth, and eleventh centuries.

Although we possess no illustrations of the Irish harps of the ninth century, except the unsatisfactory and very rude one sculptured on the monumental cross of Ullard, and figured by Dr. Ferguson in his *Essay*, yet one can scarcely resist the conclusion which forces itself on the mind in reading over the references to the *Crut* scattered through Irish manuscripts, that that instrument was a true harp, played upon with the fingers, and without a plectrum. From the eighth to the fourteenth century, and perhaps at a still earlier period, Irish *Crut*-players appear to have wandered about the north of Europe, and to have extended their steps even as far south as Italy.⁹⁷⁶

The *Crut* was a true harp.

Irish harpers visited other countries from 8th to 14th century;

Perhaps it was to this intercourse that the notable improvement in the French harps which took place in the thirteenth century was due. This, at all events, was the period of Dante, who says, according to Vincenzo Gallilei⁹⁷⁷ that the harp was

improvement of French harps, and introduction of the harp into Italy due to those visits.

⁹⁷⁶ Tegner, in his beautiful Frithiof Saga, has taken advantage of the intercourse of the Irish and Scotch with the Norsemen to introduce a Gaedhelic bard (many of whom, as is well known, were Irishmen) along with a Norse one at the court of the Orkney King Angantyr.

A chief of Morven's bards of old
Then 'gan his harp essay;
In Gaelic numbers darkly trolled
The wild heroic lay.
He ceased, when straight the chords along
A Norrhæne finger flies,
Thorsten's exploits its customed song,
And this obtained the prize.

⁹⁷⁷ *Discorso della musica antica et moderna*. Firenze, 1581.

introduced into Italy from Ireland. Doni, a learned Florentine writer on music of the seventeenth century, is of opinion that the harp is a modified *Trigonon* or *Sambucus*, and, consequently, that it was well known in Italy at some previous period, but having fallen into desuetude there, while it became the favourite instrument of the Irish, it was introduced through Irish harpers.⁹⁷⁸ The harp on the Apuleian vase represented in fig. 62 proves that Doni was right. The evidence of the introduction into Italy of the harp in its modern form, which seems to be generally admitted, is, I think, conclusive, that this modern form originated in the British Islands, and was especially used by the Irish.

Number of strings in early harps.

The early European harps had not many strings. It is true, harps represented on monuments or in illuminations are generally mere conventional instruments. Thus, while the harp on a map of Ireland of the year 1567, published in the second volume of the State Papers, has only eight strings, one on the reliquary called the *Fiacail Phadraicc*, or "Patrick's Tooth", more than two centuries older (about the year 1370), has about thirty. Guillaume de Machaut, a poet of the fourteenth century, assigns twenty-five strings to the harp he describes in his *Dictionnaire de la Harpe*. Glareanus, in his *Dodecachordon*, published in 1547, gives the number of strings in the common harp of his time as twenty-four; while, a few years later, harps with no less than fifty-eight strings were in use. These seem to have been the harps introduced from Ireland.

2. *Stringed Instruments played with a bow.*

Bowed instruments are generally believed to be of eastern origin, and those writers who take for granted that Europe, during the metamorphism which took place in the ideas and habits of mankind under the joint action of Christianity and the conquest of the Roman Empire by the barbarians, dozed in an intellectual night, and only awoke at the first crusade, place the first introduction into Europe of such instruments in the eleventh century. The Abbe G rbert has given from a MS.

Opinion that bowed instruments came into Europe at the crusades shown not to be correct;

⁹⁷⁸ *Lyra barberina* ΑΜΦΙΧΟΡΟΣ, *accedunt ejusdem opera*, etc. Florentiae, 1763, vol. i. p. 20.

supposed to be of the eighth century, a figure of a bowed instrument somewhat like a mandoline in form, and mounted with one string passing over a bridge placed between two sounding holes, which proves that European music is not indebted to the crusades for the introduction of the prototype of the best of our orchestral instruments, the fiddle. An instrument under the latter name is also mentioned in the poem on the Fair of *Carman*, as having been in use at that place. The last recorded fair of *Carman* was in A.D. 718; so that if the statement were correct, it would carry back the use of the fiddle in Ireland to even a more remote period than the monochord bowed instrument of the Abbé Gerbert's manuscript. But even if we assign no higher antiquity to the facts contained in a manuscript than that of the year in which the MS. was written, the poem on the Fair of *Carman* would still carry us back to the first half of the twelfth century. It is barely possible that two stringed instruments, the *Timpan* and the fiddle, should have found their way in the course of forty or fifty years from the East into the farthest corner of Western Europe, and to a country which took no part in the first crusade. But no one will think it probable; especially when it is remembered that these two instruments were not known by oriental names. The balance of evidence, notwithstanding what has just been said, is however in favour of an Arabic origin of the earliest European bowed instruments. From the Arabs they could have come into Europe either through the Byzantine empire by means of the Italians, or directly from the Arabs of Spain. There is no evidence, so far as I know, that bowed instruments were in use in Western Europe before the beginning of the eighth century, certainly not before the seventh. The Moslem power was fully established in Spain in 713, and an independent western caliphate was set up under Abdalrahman II. in 756. For nearly three centuries, while the Omniadan dynasty thus established governed the Moslems of the west, Spain became a centre of all the arts and knowledge of the time. During the reign of Abdalrahman III., and of his son, Abul Abbas al Hakem II., considerable intercourse and friendship existed between the

such instruments existed in Ireland in the beginning of the twelfth century;

are of Arabic origin;

not in use before eighth century.

Spain in eighth, ninth, and tenth centuries a centre of art and knowledge.

Intercourse between Spanish Moslems and Christians.

caliphate of Cordova and the Spanish Christian kingdoms of Leon and Navarre, as well as with Provence, where the poetry and music of the Troubadours were just beginning to flourish. In fact Abdalrahman combined his arms with those of Garcia, king of Navarre, to put the nephew of the latter, Sancho I., on the throne of Leon. Learned men from various countries crowded to Cordova, and the Jews, who found a real home under the Spanish Omniadan princes, were especially active in spreading the arts and knowledge of the Spanish schools throughout Europe. Abul Abbas maintained agents in the East and in different parts of Europe, chiefly Jews, to purchase books for his library, the catalogue of which he made himself; and so extensive was this library, that the catalogue in its unfinished state is reported by a contemporary writer, Ebn Hayan, to have filled forty-four volumes of fifty pages each. This prince, like his father, was a poet, and a book of his poems, called *Kiteb al Agani*, is said to have had the airs, which he also composed, written out in some kind of musical notation. The musical instruments of the East, as well as those of Egypt, were no doubt known to so musically endowed a people as the Spanish Arabs, and among them bowed instruments, which the Eastern Arabs appear to have been the first to make use of. From the Spanish Arabs there can be little doubt the Joglars or Jongleurs, who sang the songs of the Troubadours, learned the use of the bow.

Musical instruments of the East in use in Spain.

The Joglars learned use of bow from Spanish Arabs.

The *Rebab* or *Rebec*;

used in Brittany,

The monochord bowed instrument above mentioned was probably the same as the instrument afterwards known as the *Rebec*, *Rebebe*, *Rubebe*, etc. This instrument, which was mounted with two chords and afterwards with three, was one of the special instruments with which the minstrels accompanied the songs and tales of the Trouvères, and is said to still survive in Brittany, where, according to M. de la Villemarqué, it is still used by the itinerant *Barz* or bard to accompany his songs.⁹⁷⁹ The *Rebec* is obviously the Arabic *Rebab* used by the Moorish poets, singers, and improvisatores, from whom the Joglars or Jongleurs of Provence must have learned its use, and then spread it through the rest of Western Europe.

⁹⁷⁹ *Barzas*, *Breiz*, I., p. xxxix.

The name *Rebec* does not occur in Irish manuscripts, but the in Ireland, three-stringed *Timpan*, which *Ferfi*, son of *Eogabhal*, played upon, according to the ancient legend of *Iubar Mic Aingis*, or the Yew Tree of *Mac Aingis*,⁹⁸⁰ may have been one. The *Crwth trithant* or three-stringed *Crwth*, spoken of by some and in Wales. Welsh writers, was also, perhaps, a *Rebec*, or one of the modified forms of it made in imitation of the old popular instruments played with the fingers, the *Crwth* or *Rote*. It is interesting to find in Ireland, Wales, and Britanny a three-stringed bowed instrument, and that in one of them it still bears a modified Arabic name. The Spanish rustic instrument called a *Rebeb* is probably a descendant of the original Moorish instrument.

As soon as musicians became acquainted with the bow, Existing instruments adapted to the bow. they naturally endeavoured to apply it to such stringed instruments as could be played with it, or which could be readily adapted to this purpose. This explains why the same name is indifferently applied to an instrument played with the fingers or with a bow. Indeed, the same instru- The same kind of instrument played with the fingers, plectrum, and bow. ment, or at least slightly modified forms of the same instrument,⁹⁸¹ appear to have been sometimes played with the fingers, with a plectrum or quill, or with a bow. A Spanish poet, who wrote about the year 1350, the arch-priest of Hita, Juan Ruiz, in enumerating the instruments which the Joglars used, speaks of a *Vihuela de Peñola* and a *Vihuela de arco*, that is, of a violin touched with a quill or plectrum, and of another played with a bow.⁹⁸² He also speaks of two kinds of *Rabés* or *Rebecs*, one of which he calls *gritador* or screeching, and the other Moorish. Perhaps these were played like the two *Vihuelas*, one with a quill, giving a sharp hissing sound, and the other or Moorish one with a bow like a fiddle. I have already shown that there were also two kinds of *Rotes*, one of which was a bowed instrument.

⁹⁸⁰ *Lectures*, xxxii. vol. ii., p. 259.

⁹⁸¹ . . . Chascun de aus selons l'accort
De son instrument sans descort
Violo, guiterne, cytole
De dois, de penne, et de l'archet.

⁹⁸² El *Rabè* gritador con la su alta nota ;
Cab' él el *garavi* tañiendo la sua nota.

The *Vidula*,
Viola, or
Vièle;

The Spanish *Vihuela* above mentioned was the Provençal *Viula*, *Viola*, and French *Vièle* or *Vielle*, which was called in Latin documents *Vidula*, *Vitula*, *Fitola*, and *Phiala*. The latter is evidently derived from *Vièle*; the others are probably forms of the original name from which all the Romance and Teutonic names are derived. In Northern France the instrument we are discussing appears to have been indifferently called *Vielle* or *Vièle* and *Viole*. The latter is almost the Troubadour or Provençal name. Afterwards the latter name was exclusively used, and ultimately passed into the modern form *Violin*, while the name *Vièle* was given to a totally different instrument, the *Organistrum* or *Symphonia*, whence the French *Clifonié*. This is the modern *Viol*, in which the music is produced by the rotation of a wheel. The Teutonic names for the *Vièle* were: Anglo-Saxon, *Fithele*; Old English, *Fidel*;⁹⁸³ Old High German, *Fidula*, as in Ottfried's *Krist*; Middle High German, *Videle*, and also according to Diez, *Vigele*. The Irish *Fidil* is related to the Teutonic forms and not to the Romance ones, from which we may conclude that the original instrument was introduced into Ireland through the Anglo-Saxons, and not through the Normans, and consequently before the first crusade.

the modern
Viol;

Teutonic
names for
the *Vièle*;

origin of
Irish *Fidil*.

Form of
Vièle up to
eleventh
century;

Up to the eleventh century the *Vièle*, and indeed all bowed instruments, consisted of a more or less conical body, resembling somewhat a modern mandoline in shape. It had usually five strings. Drawings of instruments perfectly similar

El *Salterio* con ellos mas alta que la mota
La *Vihuela de peñola* con aquellos aqui sota ;
Medio caño et *Harpa*, con el *Rabè morisco*
Entre ellos alegranza al *Galope Francisco*
La *Rota* dis con ellos mas alta que un risco,
Con ella el *Tarbote* sin ésta no vale un prisco.
La *Vihuela de arco* fase dulzes bayladas,
Adormiendo á las veses, muy alto á las vegadas,
Voces dulces, sabrosas, claras et bien puntadas
A las gentes alegre todas tiene pagadas.

Historia de la musica española desde la venida de los Fenicios hasta al año de 1850, por Mariano Soriano Fuentes.

⁹⁸³ Chaucer, *The Prologue*. The English Bible of 1551 has *Fyddell* (2 Kyngen, c. vi.)

to the *Vièle* are, however, found with three and even with six strings. But at this period one kind of the *Rote*, the *Vièle*, the *Rebec*, and *Gigue* were so like one another, that perhaps the only distinction between them was in the number of strings, which were generally two in the *Gigue*, three in the *Rebec*, five in the *Vièle*, and six in the *Rote*.⁹⁸⁴ Even at a later period, when the *Vièle* began to assume more or less the shape of the modern *Violin*, the names *Rote*, *Vièle*, and *Rebec* seem to have been regarded as synonymous by several writers.⁹⁸⁵

Rote, Vièle, Rebec, and Gigue like each other;

After the eleventh century the *Vièle* became oval, the neck was made separate from the body, and the whole instrument began gradually to assume the appearance of the modern violin. The *Rote* seems to have remained unchanged, until it began to become obsolete in the fourteenth century. The *Rebec* also underwent a change somewhat like the *Vièle*, its form in the thirteenth and fourteenth centuries being not unlike a rustic fiddle. The body was usually trapezoidal and truncated, and not oval as in the violin.

change of form of those instruments after eleventh century.

Besides the *Rote*, the *Vièle*, and the *Rebec*, there was a fourth bowed instrument in great repute in the middle ages, the *Giga* or *Gigue* mentioned above. Like all other bowed instruments, the *Giga* had a more or less ellipsoidal form, the neck being formed by an elongation of the body, which was also bulged at the sides. The table or face was pierced with two sound holes, between which came the bridge. The number of strings in the older instruments was two, but afterwards generally three, which were attached to a *cordier* as in the *Vièle*. In the thirteenth and fourteenth centuries the neck

The *Gigue*;

⁹⁸⁴ I need scarcely remark that the number of strings in any of these instruments varied very considerably, though it was generally as given in the text. Hieronymus de Moravia gives the number in the *Rebec* in his time (thirteenth century) as two: "Est autem rubeba musicum instrumentum, habens solum duas chordas, sono a se distânte per diapente, quod quidem et sicut viella arcu tangitur".—*MS. Bibl. Nat. Par., Fonds Sorbonne*, No. 1817, quoted by Ambros, *op. cit.* p. 239.

⁹⁸⁵ M. de Coussemaker (*Traité sur Hucbald*) cites the following note to the *Planctus Naturae* of Alain of Lille in a MS. of the thirteenth century: "Lira est quoddam genus citharæ vel fitola, alioquin de Roet. Hoc instrumentum est multum vulgare". In a vocabulary of the year 1419 occurs: Rott. Rubeba est parva Figella (*Ambros, op. cit.*, ii. 29).

of the *Vièle* was distinct from the body, as has been pointed out above, while the neck of the *Gigue* continued to be formed by a prolongation of the body. Sometimes the outline of the instrument approached very close to that of the *Vièle*, as in fig. 73, which represents a *Gigue* of the thirteenth century sculptured on the doorway of the cathedral of Amiens.⁹⁸⁶

origin of
word *Gigue*.

The German name of this instrument is *Geige*, and is still in use as the generic name of fiddle-like instruments. M. de Coussemaker thinks the Romance *Giga* and the French *Gigue* are derived from the German name; and in support of this view he cites a passage of the Romance of Cléomadès by the Trouvère Adenès, in which the poet speaks of *Gigüéours d'Allemagne*. Some German lexicographers derive *Geige* from the Old Norse *geiga*, to tremble, or from *gigel*, to giggle. No trace of the word can, however, be found in Middle High German before about the



Fig. 73.

year 1200, that is long after the instrument called a *Giga* was known in the Romance countries. Diez not only assumes the German origin of the word, but he derives the French *Gigot*, a leg of mutton, from the name of the instrument, which it resembled, and also the Spanish *Gigote*, mince-meat (hashed mutton!). The converse of all this is much more rational and in accordance with facts. The *Gigue* found its way into Germany towards the end of the twelfth century, and there continuing in use and remaining unchanged in form to the end of the sixteenth century,⁹⁸⁷ while after the thirteenth century it gradually became obsolete in the Romance countries, it was carried back to France by German musicians, who in the fourteenth and fifteenth centuries wandered in considerable numbers into France, and thus it became known as a German instrument.

The *Vièle* was the favourite instrument in the twelfth and

⁹⁸⁶ First given by M. de Coussemaker; *Annal. Archéol.*, volume 7, p. 328.

⁹⁸⁷ The instruments called *Geigen* in the sixteenth century by Agricola in his *Musica Instrumentalis*, are of the same form as the true *Gigues*, except that they have the voluted heads to the necks which are sometimes to be found on the bowed instruments of the fourteenth century.

thirteenth centuries with which the Joglars and minstrels accompanied the lays of the Troubadours and Trouvères.⁹⁸⁹ It is also frequently mentioned along with the harp for this purpose.⁹⁸⁹ Dance tunes were also played upon the *Vièle*.⁹⁹⁰ It must have occupied a similar rank in Germany, as we have even a knightly fiddler accompanying his song on the fiddle in the *Niebelungen Lay*.⁹⁹¹ Women played the fiddle as well as men; indeed it was considered as the special instrument of women. In the *Reimechronicle* of Ottokar, we are told that the beautiful Agnes, the mistress of Wenzel II., of Bohemia, could "fiddle and sing".

The *Vièle* a favourite instrument;

it was played by women as well as by men.

Of the four bowed instruments used in the middle ages, which we have been considering in the foregoing pages, the *Rote*, *Vièle*, *Rebec*, and *Gigue*, the only one mentioned by name in Irish manuscripts, so far as I know, is the *Vièle*, which, as I have said, is mentioned in the poem on the Fair of *Carman* in the form *Fidil*. The instrument called by this name was evidently a rustic instrument used by the peasants probably for dancing only, and is nowhere mentioned in con-

Bowed instruments mentioned in Irish MSS.:

the *Fidil* or fiddle;

⁹⁸⁸ Guillaume de St. Pair, speaking in his *Chronique de l'Abbaye du Mont St. Michel*, of a procession visiting that place, says:

"Cil jougléor lá où il vunt
Tout lor *Vièles* traïtes unt
Lais et sonnez vunt viellant".

⁹⁸⁹ "Quand les tables ostées furent
Cil jougléour en piés s'esturent
S'ont *Vièles* et *Harpes* prises
Cançons et sons, vers et reprises
Et de gestes canté nous ont".

Hugues de Méry, *Tournoiement de l'Antichrist*.

⁹⁹⁰ "E'ls joglar, que son el palais
Violons descortz e sons e lais
E dansas et cansonz de geste"—*Roman de Jaufre*.

⁹⁹¹ As Volkêr is about to depart from Bechelâre, he fiddles and sings for Göteline:

"Volkêr der snelle mit sîner videlen dan
Kom gezogenliche für Göteline stan
Er videlt sîeze doene ir sîniu liet:
Damite nam er urloup, dô er von Bechelâren sciet.

xxvii. *Avent*.

In another place (xxix. *Avent*.) Volker's *Videlbogen* or fiddle bow is spoken of.

nection with the music of the nobility. On the contrary, we are expressly told that kings had three kinds of music, namely, that of the *Cruit*, that of the *Timpan*, and the *Dord*.⁹⁹² The latter was a kind of martial hymn or pæan. Although the *Gigue* is not mentioned in Irish manuscripts, it has left behind it indisputable evidence of its former existence in Ireland in the name of a dance, the jig, which, though formerly known in other countries, and the peculiar times or rhythms of the tunes for which have been extensively used by composers of instrumental music in the way of "scherzi capricciosi", is now almost characteristic of the Irish peasantry.

the *Timpan*; *Timpan*, the name of the second, and by far more important of the bowed instruments mentioned in Irish manuscripts, does not suggest the slightest relationship with any of the continental medieval bowed instruments. It is a puzzle how a stringed instrument could have received a name which I have above shown⁹⁹³ to have always meant a drum or tambourine. Nowhere do we find a description of it; our only means for determining what manner of instrument it was, is by induction from the vague and scattered notices which occur in poems, prose tales, and in the laws. O'Curry has brought together all those fragments in the Lectures, and almost everything I could say in addition, I have been obliged to say incidentally in discussing the history of the harp in Ireland, with which that of the *Timpan* is almost inseparably interwoven. In this place it only remains to draw conclusions as to what the *Timpan* was. The passage quoted by O'Curry from the Laws in Lecture xxxvi.⁹⁹⁴ establishes beyond doubt that the name *Timpan* was certainly given to a bowed instrument. This does not preclude the name being also applied to an instrument played with the fingers, as was the case with the *Rote* and the *Vièle*. Now this is the conclusion to which a careful consideration of all the evidence on the matter has led me. Were the two instruments called by the name *Timpan*, like the two kinds of *Rote* or like the two kinds of *Vièle*? One or more of the strings of the *Timpan*

two kinds of
Timpan;

⁹⁹² *MS. Book of Ballymote, R.I.A.*

⁹⁹³ *Ante*, p. cccxc.

⁹⁹⁴ Vol. ii., p. 363.

played with a bow were touched by the finger-nail, or by a quill plectrum; the instrument must therefore have somewhat resembled the Welsh *Crwth*, which belonged to the type of the *Rote* rather than to that of the *Vièle*. The presence of a string or strings fastened outside the finger-board as in the Welsh *Crwth*, was not peculiar to the *Rote*, but existed in some, if not in all the older forms of the *Vièle*. This outside string was the *Bourdon* of Hieronymus de Moravia, who gives the different modes of tuning those instruments. These modes of tuning seem to indicate different kinds of instruments; indeed M. de Coussemaker thinks that under the term *Vielles*,⁹⁹⁵ Hieronymus de Moravia included the *Rote*—that the term was in fact a generic name for all bowed instruments, a view which coincides with what I have said above, that up to the eleventh century the bowed instruments in use in Europe did not essentially differ from each other. It is therefore impossible to say whether the *Timpan* was a *Rote* or a *Vièle*, but there can be little doubt that the instruments included under this name in Irish documents were practically the same as the instruments of the same class in use in the West of Europe in the eleventh century, and that in the absence of positive proof to the contrary, we may safely assume that the Irish *Timpan* and the Welsh *Crwth* or *Crud* of the time of Giraldus Cambrensis were borrowed from the neighbouring continental nations.

one played with a bow and some strings touched with the finger-nail.

not possible to say whether the *Timpan* was a *Rote* or a *Vièle*;

Timpan and Welsh *Crwth* borrowed from the Continent.

Wind Instruments.—There can be no doubt that pneumatic or wind organs were known at a much earlier period than is usually supposed. St. Augustine, who lived in the fourth century, distinctly alludes to organs supplied with air by bellows.⁹⁹⁶ The sculptured representation of two such instruments forming part of the bas-relief on the base of the obelisk erected under Theodosius in the place now called Almeidan at Constantinople, fully confirms the words of St. Augustine. The discovery at Arles, in the south of France, of two antique sarcophagi of the sixth or seventh century having sculptured

⁹⁹⁵ "Quoniam autem secundum philosophum in paucioribus via magna, ideo primo de *Rubeba*, postea de *Viellis* dicemus".—*MS. cit.*, c. 18.

⁹⁹⁶ In *Psalmum* lvi. ver. 9; and cl. ver. 4.

Pneumatic
Organ may
have been
known in
Ireland.

upon them pneumatic organs, proves the introduction of wind organs into western Europe long before the period of Pepin. We may now consequently admit, without being open to the objection which could be made before the antiquity of the pneumatic organ was established, that the organs referred to in an entry in the Annals of Ulster at the year 814 as having been burnt at Cluaincrema, may have been pneumatic ones. In the absence of any other reference to such a wind instrument, and taking into account that the Psalterium or Nablum is also called an organ in a passage from an Irish MS. frequently referred to,⁹⁹⁷ it would be useless to speculate further on the matter. It is probable that *Oircin*, which O'Curry found mentioned once as the name of a musical instrument in the Irish Triads,⁹⁹⁸ is a loan-word from *Organum*. If this be so, the *Organum* above spoken of would refer to the Psalterium, as it certainly could not be said of the pneumatic organs of the middle ages, that "the sweetest of all music is the music of the *Oircin*". This view is also borne out by the existence of an *Ollamh Oircne*, or chief professor of the *Oircin*, among the bards who accompanied *Senchan Torpeist* on his memorable visit to *Guair*, king of Connaught. O'Curry was puzzled by this word, and hesitatingly translates it the "repeater". If *Oircin* be a loan-word, as I believe, it would be of great importance as showing the early use by lay musicians of the Psalterium or Nablum, which was essentially an ecclesiastical instrument.

Oircin prob-
ably the
same as
Organum;

the latter
being, how-
ever, in this
case a
Psalterium.

The
Romance
Buisine the
Roman
Buccina;

The Latin *Buccina* became, at least in name, the *Buisine* of the Trouvères, and the *Posaune* of the Germans. The name of the modern wind instrument, the *Bassoon*, notwithstanding the guesses of lexicographers, is also, I have no doubt, derived from the Latin, but through the Romance form *Buisine*. Among the Irish wind instruments mentioned by O'Curry is one called a *Buine*. That this instrument was some kind of trumpet, is evident from the name of one of its varieties, the *Guthbuine*, the prefixed word in which signifies the voice. I think it very probable that the Irish *Buine* is the Romance *Buisine*, the *s* being lost between vowels as in

⁹⁹⁷ Vol. ii., p. 238.

⁹⁹⁸ Lecture xxxv., vol. ii p. 334.

many other words. Two objections may be urged against this view; namely, first, that the Irish form of the word is as old at least as the ninth century, being found in the Milan codex used by Zeuss for his *Grammatica Celtica*; and secondly, that the Anglo-Saxon for a trumpet in Beowulf is *Býrne*, which has a certain outward resemblance to *Buine*.

The Irish *Buine* formed from the Romance word;

Anglo-Saxon *Býrne*

There is, it is true, no evidence so far as I know that the word *Buisine* existed in the eighth century, but there is no reasonable doubt that the Romance languages were sufficiently advanced to justify the assumption that such a word might have existed at that period. The opinion that it is a loan-word is further supported by the fact that, in the form *Buine*, it only occurs in the Milan codex, and in the compound form *Guthbuine* only in translations from the Latin, although the *Buiniaré*, or player on the *Buine*, had a place in the *Tech Midchuarda* or Banqueting Hall of Tara.⁹⁹⁹ The Irish and Anglo-Saxon look certainly somewhat like each other, but it is very hazardous to found relationships upon resemblances in external form. In this case, no doubt, there is identity of meaning as well as similarity of form. Is *Býrne* the true Anglo-Saxon form? May it not be itself a loan-word?

Stoc and *Sturgan*, unlike *Buine*, seem to be true Irish names for some kinds of trumpets. They may both, perhaps, be referred to the Sanskrit *Stu*, to praise, to glorify, and if so, afford another example of the close relationship pointed out by M. Pictet between Irish musical terms and Sanskrit. What the variety of the *Stoc* called the *Stoc fogra* may have been, it is difficult to say. *Gri* certainly implies that it was a melodious instrument; but what is the value of *fo*? It is probably intensitive, and if so *Stuc fogri* would mean a shrill sounding trumpet.¹⁰⁰⁰

The *Stuc* and *Sturgan*;

relation to Sanskrit.

Although Giraldus Cambrensis does not mention the bagpipe as an instrument in use in Ireland in his time, there can be no doubt that it was known, as it is enumerated among the musical instruments at the Fair of *Carman*. The bagpipe is never mentioned in connection with the kings or nobles, and

The Bagpipe,

⁹⁹⁹ Lecture xxxiv., vol. ii. p. 306.

¹⁰⁰⁰ Cf. ग्रि in ceol, the melody of the music; Cf. also Sanskrit *grî*, to sing.

not used in
war by
ancient
Irish;

must have been an instrument entirely confined to the peasants even long after the Anglo-Norman invasion. It appears to have begun to be used in war in the fourteenth century, but there is no evidence that it was ever so used by the Irish before the advent of the Normans.

Celtic, Ro-
mance, and
Teutonic
names of
bagpipe;

The Welsh name of the bagpipe, as it is written in the Welsh Laws, is *Pybeu*, which is very close to the Irish form *Pipai*. In the *Fornmanna Sögur*, and in *Sverris Saga*, we have the old Norse *Pípa*. The Romance forms are *Pipa* in the southern dialect, and *Pipe* in old French. The latter occurs in the curious list of musical instruments given by the Trouvère poet of the fourteenth century, Guillaume de Machaut, in his "*Le Temps Pastour*".¹⁰⁰¹

occurrence
of name *Pipe*
in a Trou-
vère poem.

Celtic forms
found in
oldest MSS.;

The Celtic forms are found in the oldest manuscripts. The *Book of Leinster*, which contains the poem on the Fair of

¹⁰⁰¹ After enumerating various kinds of trumpets, flutes, and other instruments, he goes on :

Viole, guiterne, citole,
Harpe, trompe, corne, flajole,
Pipe, souffle, muse, naquaire,
Taboure et quanque on peut faire
De dois, de penne, et de l'archet,
Oïis et vis en ce porchet.

This is the only place where I have met the name *Pipe*. The usual name for the bagpipe is *Muse*, which is also mentioned in the foregoing passage. This shows that the two instruments were different: the *Muse* was probably somewhat like the instrument which still exists in Italy and other parts of the south of Europe. In "*Li gieus de Robin et de Marion*", one of the operas of Adam de la Hale, written about the year 1270, Robin, the hero of the piece, says he will provide the music for the marriage feast: *g'irai pour le tabour et pour la Muse au grant bourdon*; and Peronelle or Perette, a peasant girl, one of the *dramatis personae*, proposes a dance :

. . . par amours faisons
la tresque e Robins la menra
s'il veut et Huars musera,
et chil doi autre corneront.

John Cotton considered the *Muse* to be the best of all instruments. "*Musa*, ut diximus, instrumentum quoddam est, omnia ut diximus excellens instrumenta, quippe quae omnium vim atque modum in se continet. humano siquidem inflatur spiritu ut tibia, manu temperatur ut phiala (*Vièle*). folle excitatur ut organa, unde et a Graeco, quod est *μῆσα* id est media, musae dicitur", etc. *Musica*, iii.

Carman, was written in the first half of the twelfth century. The Welsh form occurs in a codex of the end of the same century or the beginning of the thirteenth century. The oldest manuscript containing the Norse form is not older, I believe, than the thirteenth century. So far this is presumptive evidence of the Celtic use of the word to designate a bagpipe being the earlier. This, however, may be only an accident, and in any case is not conclusive. Wherever the word was first used as the name of a musical instrument, there can be no doubt that it is derived from the Latin *pipare*. The Irish form^s came through the Romance: perhaps the instrument itself came with the name.

Irish name
borrowed
from Ro-
mance:

It may not be out of place to remind the reader that the Irish bagpipe was inflated by the mouth, and was in every respect the same as the instrument now known as the Scotch or Highland bagpipe. The existing form of the Irish bagpipe is modern.

old Irish
bagpipe the
same as
modern
Scotch one.

Instruments of Percussion, and Miscellaneous Instruments.—

The only instruments of percussion used by the Irish were bells. These instruments are frequently mentioned in tales which refer to pagan times, nor is there anything improbable in assuming that they were really known to the pagan Irish. It is now ascertained beyond doubt that bells were known to the ancient nations of Asia—the Chinese, Indians, Assyrians, and Jews; and what is of more importance for inquiries touching the history of Ireland and of Western Europe, they were used for a variety of purposes by the Greeks and Romans. Without occupying space with quotations or references to ancient writers, which every classical scholar will readily remember, I will state a few of the occasions on which bells were used. The Greeks attached bells to their doors; their night watchmen employed them to sound alarms; officers visiting military posts used them for challenging sentinels; in the houses of the rich the slaves were awakened in the morning by the ringing of a bell, and in large families the household; at Athens the arrival of fresh fish in the market was announced by the ringing of a bell. In Rome the opening of the baths was announced in the same manner; bells

Antiquity of
bells;

uses made of
them by
Greeks and
Romans;

were hung as ornaments on public buildings, on cattle to prevent them straying, on the harness of horses and on elephants to keep up their spirits, and to the necks of criminals going to execution. An instrument put to so many and such various uses must have followed the footsteps of the colonizing Greek and of the conquering Roman, and must consequently have been known, at least in Gaul and Spain, before the Christian era.

probably known before Christian era in western Europe;

two kinds of bells used—open and closed;

Clocc, the Irish name of the former, borrowed from L. Latin *Clocca*;

origin of latter obscure;

used in eighth and ninth centuries for hand bells, etc.;

afterwards applied to large bells in belfries.

Campana and *Nola* other names for bells;

Two kinds of bells were used: open bells, four-sided or round, and sounded by a tongue or clapper; and small closed bells, spherical or pear-shaped in form, and sounded by a loose ball or pea of metal enclosed in them, the vibration of the enclosed air being allowed to pass out through a small hole or slit. The former kind were those which were adopted for the service of the Church, and were called by the Irish name *Clocc*, which is obviously a loan-word from the lower Latin word *Clocca*. Derivatives of this word are found in all the Teutonic and Romance languages, as well as in the Celtic dialects; but the origin of the word itself is obscure. It was in general use in the eighth and ninth centuries for the hand-bells used by ecclesiastics, of which so many are to be found in the museum of the Royal Irish Academy,¹⁰⁰² and also for the bells used in kitchens for summoning the monks to the refectory, and no doubt in all large houses for calling the family and servants to their meals.¹⁰⁰³ *Clocca* gradually became the exclusive name of large bells placed in the steeples of churches, while the original Latin *Tintinnabulum* continued to be the name of the smaller bells, to which it properly belonged. In writers from the eighth to the tenth century, we find two other names for bells, *Campana* and *Nola*. The former, which gave rise to *campanile*, a belfry, is derived from Campania in Southern Italy, and the latter from Nola, a city of Campania. Large bells were called *Campanae*, and

¹⁰⁰² 'Cloccan' qualem ad manum habui tuæ paternitati mittere curavi-mus". St. Bonifacius, *Epist.* 9.

¹⁰⁰³ "Semper in æternum faciat hæc clocula tantum
Carmina; sed resonet nobis bona clocca cocorum".

Alcuin, *Ad Campanam*, cviii.

small ones *Nolæ*.¹⁰⁰⁴ The origin of these names is to be attributed either to Campania, and especially the city of *Nola*, being celebrated for their manufacture of bells, or to bells of a particular kind being made there. Popular tradition attributed the invention of bells to St. Paulus, Bishop of Nola in the sixth century; but for this there was, as we have seen, no ground whatever. The early bells of western and northern Europe appear to have been generally forged. Cast bells, especially those of a large size, may have been made in Campania, which also distinguished itself very much in the fictile arts,¹⁰⁰⁵ and by their superiority in tone and appearance have led to the names *Campanæ* and *Nolæ* being given to such bells, and ultimately to cast bells wherever made, the forged ones falling into desuetude. A diminutive of the Irish *Clocc* occurs in the plural form *Cluicine* in the tale of the *Táin Bó Fraich*.¹⁰⁰⁶ *Fraech*, the hero of this tale, and the other personages who are the subjects of the incidents of the story, belong to the heroic period of Queen *Medb*, and the general character of the piece is pagan; nevertheless I think there can be little doubt that the word is a loan-word, borrowed in Christian times.

origin of
thesenames;

the Irish
Cluicine;

Open bells appear to have been in use in the Irish Church from the very first, and in early times to have afforded in certain cases a measure of the legal rights of a church. Thus for instance, a church was entitled to share the property of strangers dying within sound of its bell, and if situated on the shore of a lake or of the sea, to all "flotsam and jetsam", that is, to some such rights as are now claimed as "admiralty droits".¹⁰⁰⁷ It was only the original bell, under the protection of which a *Tuath* had placed itself, that could be used for mea-

early use of
bells in Irish
churches;

were mea-
sures of
church
rights;

¹⁰⁰⁴ "Unde et à Campania, quæ est Italiæ provincia, eadem vasa majora quidem *Campanæ* dicuntur: minora vero, quæ et à sono tintinnabula vocantur, *Nolas* appellant, à Nola ejusdem civitate Campaniæ ubi eadem vasa primo sunt commentata".—Walafrid Strabo, *De Rebus ecclesiasticis*, lib. v.

¹⁰⁰⁵ *Campanum* quoque inter genera æris vocatur a Campania provincia, quæ est in Italiæ partibus utensilibus et vasis omnibus probatissimum. S. Isid. *Etymolog.*, lib. xvi. c. 20, § 9.

¹⁰⁰⁶ *Lectures*, xxx., vol. ii., p. 218.

¹⁰⁰⁷ See Mr. B. O'Looney's translation of the *Tochmorc Bec Fola*, in the Proceedings of the Royal Irish Academy, Irish manuscript series, vol. i. p. 199.

asuring the rights or jurisdiction of a church ; hence, no doubt, one of the chief objects in building the *Cloictigi* (sing. *Cloictech*) or bell houses, known as "round towers", was to extend the area over which the sound could be heard. A great deal might be said on this subject ; but, as ecclesiastical architecture and the history of the early Irish Church form too large a subject to take up incidentally, and that besides they do not come properly within the scope of this Introduction, I cannot dwell further on it here.

examples of
use of small
spherical
closed bells ;

The small closed bells of a spherical shape were like the *Grelots* on the harness of horses on the continent. The *Cluicini* on *Fraech's* horses when he went with a cortege of fifty horsemen to ask for the hand of *Findabair*, daughter of *Ailill* and *Medb*, were probably hollow balls of this kind, and such were also doubtless the apples of red gold on the *Craebh*

pear-shaped
closed bells,
Ceolans ;

Ciuil or Musical Branch of *Cormac Mac Airt*.¹⁰⁰⁸ The elongated or pear-shaped closed bells are those specially called *Ceolans*, and seem to have been used for ecclesiastical purposes, as well as the open bells. These are the kind of bells which Dr. Ledwich called *Crotals*, an opinion which O'Curry discusses at some length.¹⁰⁰⁹ O'Curry is very severe on Ledwich, Beauford, and Vallancey, a severity which in general they have justly earned. In this case they are not, however,

called *Cro-*
tals by Led-
wich and
others ;
objection of
O'Curry ;

were really
called *Cro-*
tals in the
middle ages ;

altogether wrong. These closed bells were called in the middle ages *Crotals*.¹⁰¹⁰ I have already dwelt upon the looseness of the mediæval nomenclature of musical instruments, and given some striking examples of it. Dr. Ledwich's mistake, and it is a grave one, was in ascribing to these mediæval *Crotals* the uses to which a totally different instrument was put in pagan times. O'Curry, not being aware of the frequent changes which the names of musical instruments underwent in the middle ages, concluded that Dr. Ledwich

nature of
Ledwich's
and
O'Curry's
mistakes.

¹⁰⁰⁸ *Lectures*, vol. ii, p. 317.

¹⁰⁰⁹ *Ibid.*, p. 319, *et seq.*

¹⁰¹⁰ The following passage is clear on this point : " *Croton Græce pulsus dicitur, et inde cymbala sic dicuntur ; vel musicum notat instrumentum, quod in sono vocem ciconiæ imitatur : nam ipsa apud Ægyptios crotalus appellatur. Crotala quoque dicuntur sonoræ spherulæ, quæ, quibusdam granis interpositis, pro quantitate sui et specie metalli, varios sonos edunt*" Joannis Saresberiensis *Polycraticus*, lib. viii. c. 12.

had no authority whatever for calling the *Ceolans* in question *Crotals*.

The *Craebh Ciuil*, *Crann Ciuil*, or Musical Branch, so frequently mentioned in Irish tales, and concerning which a good deal of information has been gathered together in Lecture xxxiv., appears to have been used in other parts of Europe as well as in Ireland. The *Circulus tintinnabulis instructus*, or ring upon which were hung a number of small open or closed bells, seems to have been common enough in the middle ages. Gerbert gives a figure of a peculiar arrangement of "Tintinnabuli" from a codex of St. Blaise, or St. Blasien, said to be of the ninth century, but probably of a later period. It consists of a ring, from which are suspended nine strings, to which are attached small bells, which appear to be open; nine smaller ones are fastened, one in the middle of each string. The ring is attached to another, which serves as a handle, and over which is written "Cymbalum". This instrument was evidently intended to be shaken by the hand. Sometimes the bells were hung in a row upon a bar of wood or metal, and struck with a hammer. Gerbert gives a drawing of one from a codex of St. Blaise, of the twelfth century. The bar is placed across a circular arch resting upon a column, of what appears part of a church, for a small belfry surmounted by a cross is shown in the background. A female plays on the bells with a small hammer, which she holds in her hand. She appears to be a nun, but though her dress is certainly religious, it is not like the monastic dress of the twelfth and subsequent centuries. The *Crann* or *Craebh Ciuil* or Musical Branch was an exclusively lay instrument, it is no where alluded to in connection with a church, but the row of bells above described indicates that perhaps the corresponding instruments on the Continent were sometimes used in churches. This view is borne out by a curious old church hymn, composed of a mixture of Latin and German lines, in which we are told that the bells ring in the halls of the king, that is in heaven.¹⁰¹¹ The bells mentioned are called *Schellen*, that is to say, tintinnabula or *Ceolans*.

The *Craebh Ciuil* or Musical Branch:

used in other countries also; the *Circulus tintinnabulis instructus*;

the *Cymbalum*;

The Irish Musical Branch a lay instrument;

similar instruments may have been used elsewhere in churches;

¹⁰¹¹ Ubi sunt gaudia
Nergen mehr denn dar

The "Bombulum" a Musical Branch;

Of all the medieval instruments of the class we are now considering, the one which best realizes the idea of the Irish Musical Branch is the curious one, of which figures are to be found in manuscripts of the ninth and tenth centuries, sometimes under the name of "Bombulum", and sometimes under that of "Bunibulum", and of which a description is given in the Epistle to Dardanus. Fig. 74, taken

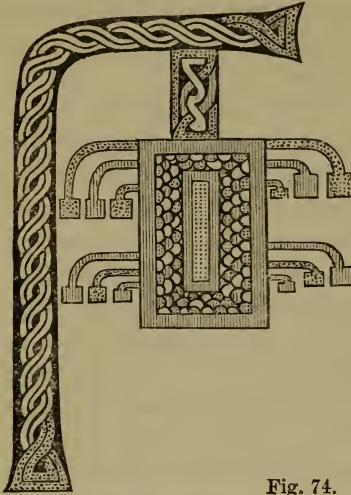


Fig. 74.

from Gerbert, represents one from a MS. of St. Emeran, of the ninth century. The drawing is so rude that one cannot say whether it is to be regarded as being all in section; the central part certainly is so. On this supposition, it appears to consist of a rectangular tube or hollow prism, enclosing another smaller tube of the same form; the mode of supporting the latter within the former not being shown in the figure. The space between the two tubes appears to be filled with balls. Into each side of this tubular box were inserted six tubes in two rows, curved at their ends, and terminating in square trumpet mouths. This apparatus of tubes and bells, forming a sort of corona, appears to have been suspended by a chain from an arm, projecting from an upright bar. If such an instrument were struck on the bottom, the air in the interior, if empty, would be set in motion, and the sound would pass out through the trumpet tubes, and produce a curious effect. If full of hollow balls containing a pea of metal, a blow would give a still greater clang. Some think there are

Dar die Engel singen
 Novi cantica
 Und de Schellen klingen
 In regis curia.

Forkel, *Geschichte der Musik*, Bd. ii. 745; quoted also by Ambros, *op. cit.* ii. 238.

only three tubes on each side, and consequently that the artist, being desirous of showing them all, but not being able to represent them in their true position, put them in as in the figure. There is, however, nothing that I can see to warrant this hypothesis, which is merely an attempt to bring the number of tubes into conformity with that given in the description of the Bombulum in the "Epistle to Dardanus". One of the principal points of difference between the instrument above figured and those in other manuscripts is precisely the number of those side tubes. In a manuscript of the library of Boulogne the number is five, and in one in a manuscript of the library of Angers it is six.¹⁰¹²

According to the account of the Bombulum in the Epistle to Dardanus, the principal tube was made of iron and brass, not melted together, as some suppose, but, as I believe, of a core of iron covered with bronze, such as may be seen in many old bells; the lateral tubes being wholly of bronze or brass. No mention is made of *grelots* in the interior, although from the manner in which the sound is stated to have been produced, there must have been something in the interior of the large tube.^{10.3}

I cannot pass away from this novel subject of the "Musical Branch", without alluding to a very early and curious form of it which, according to Varro, as recorded by Pliny, existed in the tomb which Porsenna, king of Etruria, built for himself. According to this account, the monument consisted of five pyramids, four at the angles and one in the centre,

description
of the
"Bombu-
lum" in the
Epistle to
Dardanus.

"Musical
Branch" of
Porsenna,
king of
Etruria.

¹⁰¹² M. de Coussemaker, *Annal. Archeolog.*, iv. 100.

¹⁰¹³ The following is the passage of the Epistle to Dardanus, containing the description of this curious "Musical Branch".

"Fistula præterea artis esse mysticæ, sicut fusores earum rerum affirmant: reperitur ita. Bombulum aereum ductile quadratum latissimumque, quasi in modum coronæ cum fisoculo aereo ferreoque commixto, atque in medio concusso, quod in ligno alto spatiosoque formatum superiore capite constringitur: alterum altero capite demisso: sed terram non tangi a plerisque putatur, et per singula latera duodecim bombula aerea, duodecim fistulis in medio positis, in catena fixis dependent. Ita tria bombula in uno latere per circumitum utique figuntur, et concitato primo bombulo, et concitatis duodecim bombulorum fistulis in medio positis, clamorem magnum fragoremque nimium supra modum simul proferunt".—*Loc. cit.*

each of which was seventy-five feet at the base and one hundred and fifty feet high; the summit of the pyramids was crowned with a brazen globe, and the whole covered with a cupola, from which hung "tinnabula", or small bells, by means of chains, which, on being agitated by the wind, gave out a sound like that said to have been given out by the celebrated brazen pot of the oracle of Dodona.¹⁰¹⁴

The *Fer-Cengail*,

Among the musical performers enumerated in Lecture xxxvii., there is one very obscure one, about whom O'Curry was unable to make a conjecture, namely, the *Fer-Cengail*. The word, which has only been found as yet in the poem on the fair of *Carman*, means literally, according to O'Curry, the "man of ties or bonds". I do not think this explanation satisfactory. The *Fer-Cengail* was in my opinion not a musician at all, but one who danced the peculiar kind of hopping or springing dance known in the twelfth century as the *Espringale*, corresponding to the German "Springende tentz". This kind of dance, or rather dance song, is mentioned in the *Roman de la Violette* along with the *Carol*;¹⁰¹⁵ in both cases one person sang the dance song, and the dancer or dancers joined with the refrain in chorus. The *Carols* were always danced by several persons, who caught each other's hand, and danced round in a circle; hence the name *Rondeau*, given by the Flemish composers to these tunes.¹⁰¹⁶ The Irish *Cengal* seems to be cognate with the old French verb, *ginguer*, to move the feet. Perhaps the mode in which the dancer took up the refrain of the dance song, was like the performance of the *Fer Gigaoila* of our own day,

not a musician, but a dancer;

name cognate with old French *singuer*;

represented by modern *Fer-Gigaoila*.

¹⁰¹⁴ "Sepultus est, inquit [i.e. Varro], sub urbe Clusio: in quo loco monumentum reliquit lapide quadrato quadratum: singula latera pedum trecenum, alta quinquagenum: inque basi quadrata intus labyrinthum inextricabilem: quo si quis improperet sine glomere lini, exitum invenire nequeat. Supra id quadratum pyramides stant quinque, quatuor in angulis, in medio una: in imo latæ pedum quinum septuagenum, altæ centum quinquagenum: ita fastigatæ, ut in summo orbis æneus et petasus unus omnibus sit impositus, ex quo pendeant exapta catenis tintinnabula quæ, vento agitata, longe sonitus referant, ut Dodonæe olim factum".—*Hist. Nat.*, lib. xxxvi. c. 19.

¹⁰¹⁵ Ni furent pas mis en defois, les *Caroles*, les *Espringales* (v. 6587).

¹⁰¹⁶ *Carols*, from the Latin *Choreola*. This dance song was afterwards called *Rondet de Carols*; by the Belgians, *Rondeau*; and by the Germans, "*Umme gende tentz*".

which consists of a humorous kind of giggling, in short catches of the breath, accompanied by sudden starts of the body.

IRISH MUSIC IN CONNECTION WITH THE HISTORY OF MUSICAL DEVELOPMENT.

The discussion of the meaning of *Ceis* in the Lectures, and the conclusion to which O'Curry came, that the ancient Gaedhil were acquainted with Harmony, render it necessary that I should say something on the general subject of our music, the more so as owing to the prevailing ignorance of the history of music, the most erroneous views are commonly entertained concerning the characteristics of Irish, Scotch, Welsh, and English national music, and the relative antiquity of the popular melodies which are still current in these countries.

The subject is so very wide and intricate, that I am justified in including it at all in this Introduction, only on account of its real importance, the prominent position it occupies in the Lectures, and the almost wholly untrodden state of this interesting field of inquiry. I will confine myself almost entirely to the scale and tonality of Irish music, and its relation on the one hand to the old church music, and on the other, to the secular music of neighbouring countries. I will not enter into the question of the measure or rhythm, not only because an acquaintance with it is not so necessary for determining the point of development to which Irish music has attained, and for deciding the question whether harmony was known to and practised by the Irish in the middle ages, but chiefly because no profitable investigation of the rhythm of Irish music can be undertaken until Irish prosody is first thoroughly examined.

The special questions which I propose to inquire into at present mainly regard the history of musical development from a scientific rather than from an artistic or esthetic point of view. As I cannot assume that many of my readers are acquainted with the history of scientific music, I am obliged to preface my inquiry into the scale and tonality of Irish music by such a brief sketch of those parts of the history of European music as will enable them to compare Irish music with the artistic music of Continental Europe at different periods, and to determine how

Necessity
of discussing
Irish music
here;

justification
of this
course;

discuss-ion
confined to
the scale
and tonality
of Irish
music;

reasons for
omitting
time or
rhythm.

Subject will
be treated
from a scien-
tific point
of view;

must be pre-
faced by a
sketch of the
history of
music.

far it was influenced by the latter, and especially to place the several kinds of national music of these countries in their true position.

Three epochs in musical development.

The history of musical development comprises three epochs, namely, 1. the epoch of Homophonous Music; 2. the epoch of Polyphonous Music; and 3. the epoch of Harmonic Music. The primitive music of all peoples is homophonous, and, except among European nations, has never passed beyond that stage. The term homophonous, strictly speaking, means a melody sung by voices in unison, and was thus understood by the Greeks. When a melody was sung by two sets of voices differing by an octave, such as those of men and women, it was called antiphony. Harmony, in the modern sense of the term, is the union and concordance of several simultaneous sounds. According to this definition, antiphony is harmony, but of so simple and elementary a kind, that a piece of music may fairly be considered as homophonous, though including antiphony. Among all nations who possess homophonous music, we find certain fixed musical scales within which the melody moves.

Homophonous music.

Many musical scales.

These scales are manifold, and often apparently quite arbitrary, so that the principles upon which they proceed are sometimes incomprehensible to us. Gifted nations, like the Greeks, Arabs, and Indians, have exhibited great subtlety in the formation of such scales, although their music never passed beyond the homophonous stage.

Origin of the notes of a musical scale.

This is not the place to discuss the question of how the notes of a musical scale were first discovered; suffice it to say that the laws of acoustics enable us to understand how the octave must have occurred to all peoples, and also that the relation to the fundamental tone in melodic progression of the octave and of the fifth, and indeed of the fourth, must have been recognized by all peoples at all musically endowed. In these three tones and the fundamental one, which for convenience we will call *C*, we have the four limiting tones of the two tetrachords, which, like the octave, occurred to all ancient peoples: *C-F*; *G-C*. The filling up of these tetrachords was different among different peoples, and even at different times by the same people, notably among the Greeks. Although the rela-

tions of the third and sixth are more remote and less easily recognizable than those of the fifth and fourth, we can understand how they might be discovered starting from the four notes above mentioned. It is probable, however, that the diatonic scale, now universally used by European nations, was completed in a different way. Starting from the fifth, *G*, a new fifth, *D*, could be obtained, and from the fourth, *F*, a new fourth, *bB*. We could in this way obtain a quinquegrade scale having five intervals:—

$$C \text{ tone} \quad D \text{ tone and half} \quad F \text{ tone} \quad G \text{ tone and half} \quad bB \text{ tone} \quad C^{1017}$$

$$1 : \frac{9}{8} : \frac{4}{3} : \frac{3}{2} : \frac{16}{9} : 2$$

Of these intervals three would each be a whole tone $\frac{9}{8}$, namely, *C-D*, *F-G*, and *bB-C*; and two each $1\frac{1}{2}$ tones, in the proportion $\frac{3}{2}$, namely, *D-F* and *G bB*.

The tunes of some savage nations are said not to extend beyond the compass of a third, and those of many do not extend to an octave. Such skeleton tetrachords as *C-F*, *G-C*, might, consequently, be used to construct rude plaintive melody, but would certainly be insufficient to give melodic expression to the varied feelings and passions of an intellectually endowed people. They would, however, be sufficient for simple poetical recitation; indeed the music of the curious old alliterative songs of the Finns which form the epic called the *Kalevala*, extends only from the tonic to the fifth. The five-toned quinquegrade scale was, however, the first real musical scale, that is, the first one with which varied melody could be constructed. It seems almost certain that this five-toned scale was the earliest musical scale of all ancient Asiatic and European peoples. It is still in use in China; the Barabra of the Nile cataracts and the Nubians have a five-stringed lyre, the tuning

Mode in which the quinquegrade scale was obtained

Extent of the tunes of savage nations.

¹⁰¹⁷ That is, the lengths of the waves which produce the several notes, and the times of their vibrations, are proportional to the numbers given in the text. In other words, a string producing the octave of a note makes *two* vibrations while that which produces the ground tone, or original note itself, makes *one*, the fourth, *F*, *four* while the ground tone makes *three*, and so on. The lengths of the chords which would produce the notes $\frac{9}{8}$, $\frac{4}{3}$, $\frac{3}{2}$, etc., would be in the proportion of $\frac{8}{9}$, $\frac{3}{4}$, $\frac{2}{3}$ etc, which are the reciprocals of the numbers expressing the proportions of wave-lengths and the times of vibration.

of which, like the Egyptian one, is said to be according to a five-toned scale; and lastly, nearly all the genuine old Irish and Scotch airs are, as we shall see, composed in the above scale.

Relations of the tones of quinquegrade scale to each other;

The tones *F* and *G* in the quinquegrade scale are directly related to *C*; but *D* is only related to *G*, and *bB* to *F*. The whole scale forms a chain of fifths:

$$bB - F - C - G - D,$$

no natural tonic among them.

in which each link is connected with the preceding and following one. No one of these tones possesses so predominant a relationship to all the others that it must be considered as a natural tonic, or centre of the musical system. The one which goes nearest to fulfil this condition is *C*, that is, the first note of the scale.¹⁰¹⁸ For if we assume it to be the tonic, even the most remote tones, *bB* and *D*, bear to it a relationship of the second degree; whereas, if *F* or *G* be taken as the tonic, the relationship of *D* with *F*, and of *bB* with *G* in the circle of fifths, is only of the third degree; while if *bB* or *D* be made the tonic, each of these tones would be related to the others only by means of four steps of fifths, that is, in the fourth degree. The relations of the third and sixth in the completed diatonic scale with the ground tone, or tonic, are less evident than those of the sounds forming the quinquegrade scale, but they could, nevertheless, be discovered through a series of fifths on tuned instruments, when once the ear, in the progress of musical development, became trained to a finer perception of the differences of tones. The interval *A-E* is said to have been added by the Greek Terpander; and the interval *E-B* by Pythagoras. This completed the diatonic scale in the form of a series of fifths as follows:¹⁰¹⁹

Probable way in which diatonic scale was completed.

¹⁰¹⁸ For obvious reasons of convenience, the nomenclature *C, D, F*, etc., is here employed to designate the notes of the five-toned quinquegrade scale. But in doing so I have no intention of suggesting that the sounds corresponding to those letters on any musical instrument, as usually tuned, mark the necessary progression of the natural quinquegrade scale. In the same way, when I say that *C* best fulfils the condition of a tonic, I do not mean that the sound *C* is the natural tonic, or fundamental sound of music in the quinquegrade scale, or in any other system. I only desire to mark that this function of *tonic* falls naturally to the first note of a series of sounds numerically related to each other in the ratios set out in the progression given above.

¹⁰¹⁹ As regards this and the preceding scale, and indeed all those which are to follow, where the contrary is not specially stated, the reader should

F - C - G - D - A - E - B,

Or in the scale of *C*.

C - D - E - F - G - A - B - C'

1 $\frac{9}{8}$ $\frac{81}{64}$ $\frac{4}{3}$ $\frac{3}{2}$ $\frac{27}{16}$ $\frac{245}{128}$ 2

The sixth and third obtained in this way are not, however, those of the natural or ordinary modern diatonic scale. The sixth would be higher than the sixth of the natural diatonic scale in the proportion $\frac{81}{80}$, and the third about the same amount higher than the natural third. The sensibility of our ear is, however, limited, so that in a melody we might replace one interval by another without the ear being able to perceive it, provided that the ratio of the two intervals differs very little from unity. If the value of the ratio does not exceed the fraction $\frac{81}{80}$, which is called a comma,¹⁰²⁰ the substitution is scarcely perceptible even to a trained ear when the original and substituted notes are sounded successively; but as pieces written according to the old scale derived from a series of fifths could not be correctly played on an instrument tuned according to our modern diatonic scale, or the reverse, as I propose to show later on, any attempt to mingle them would produce disagreeable effects in harmonic combinations.

The scale thus obtained not identical with modern one.

In homophonous music there is not the same necessity for a tonic as in modern music, and we accordingly find that among all peoples whose musical development did not pass beyond this stage, the sentiment of tonality is very weak, and that they used every tone of their scale as a tonic. We know that this

Every tone of a scale used as a tonic in homophonous music.

remember that we are in no way concerned in this essay with the pitch of the notes, but solely with the relative distances at which the notes proceed, whatever be the pitch. The use of scales is to show the relative distances of notes and the order of their progression; the determination of the pitch at which the scale is to be sounded must be ascertained from other sources. This is an almost exclusively physical and historical problem; the former is one almost purely mathematical. The advantage of the scale given in the text is, that it secures an identical starting point and several identical notes with the ordinary diatonic scale, and thus facilitates comparison.

¹⁰²⁰ The word *comma* has two significations in musical science. One, as here, when employed to denote the smallest appreciable difference between two sounds, which has been ascertained to be represented by the ratio $\frac{81}{80}$. In this sense the term *comma* is almost exclusively employed in those departments of music which deal with counterpoint and thorough bass, or the

was the case where the five-toned quinquegrade scale was used ; and without entering into the discussion whether the Greeks considered the hypate, or deepest tone, or the mese, or medial tone, to be the tonic, or whether we consider the seven scales or keys, which may be derived from the diatonic scale as essential or plagal, there seems to be little room for doubt that the Greeks used different, perhaps all, the notes of the quinquegrade diatonic scale as tonics.

Polyphonous
music.

Introduc-
tion of music
into the
service of
the Church.

The second epoch of musical development is that of the Polyphonous music of the middle ages, which originated in, and grew up within, the Christian Church. We do not know at what exact period music was introduced into the liturgy of the Church, but it must have been at a very early period, for already in the time of Pope St. Sylvester, A.D. 314 to 335, singing schools for teaching ecclesiastical chanting are said to have existed in Rome. The musical system taught in these schools was, no doubt, that of the Greeks, as practised at the same time in the Eastern Churches, and there can be little

theory of musical composition. In its second signification, *comma* means the one-ninth of a tone, every tone being assumed for convenience to be divisible into nine equal parts or *commas*. Those nine parts are not separable by the voice, but they may be distinguished on a vibrating chord or string. This distinction enables musicians in practice to mark off with great precision the major and minor semi-tones—the former including five *commas*, while the latter have only four. Thus the interval between *E* and *F*, in the natural scale of *C* major, is a major semi-tone; so also is the interval from *A* to *bB*. But from *F* to $\sharp F$ is only a minor semi-tone. Thus, in



we have three semi-tones, the first and third being major, each composed of five *commas*, while the second is minor, having only four. The pianoforte, organ, and similar instruments are unable to mark the distinction. Hence persons accustomed to those instruments only fail to notice it, or to mark it themselves, *e.g.*, when singing; a semi-tone is a semi-tone always for them, unsusceptible of shades of difference which are to them inappreciable. But persons who are familiar with stringed instruments, especially of the larger kind, as the violoncello, and with the better class of wind instruments, are well acquainted with the distinction. Every young tyro at the violin soon learns how to distinguish when playing between $\sharp F$ and *bG*. The difference between the two notes is exactly a *comma* of the second kind.

doubt that the alteration in Church music effected by St. Ambrose about the year 380, consisted in merely returning to the true Greek music of the Eastern Church,—the music of the Western Church having begun already to develop the germs of polyphonous music. St. Gregory the Great, who governed the Church from 590 to 604, reformed the Roman schools, and not only established the system of Church music on a firm foundation, but exerted himself to introduce his system into all the churches of Western Christendom.

Homophonous music is incapable of giving rise to independent creations of art, and could only produce works of any extent in combination with poetry. The Greeks used it in this way, not only in the form of an accompaniment on the lyre to odes and religious hymns, but even tragedies and extensive epic poems were in like manner musically recited. This musical accompaniment possessed a rhythm, or accentuation, different from, though subordinate to, the prosody or metre, owing to the Greek language being itself a kind of music. This is contrary to Boeckh's opinion,¹⁰²¹ who seems to have confounded musical rhythm with metre. Rhythm, as M. de Coussemaker has defined it, was a catenation of metrical feet which presented an affinity with each other, without taking into account in certain circumstances either long or short, or their absolute value.¹⁰²² The chanting of the liturgy was an echo of this old Greek recitative, but with different degrees of rhythm, according to the subject matter. Thus the prose parts which had no metre were chanted without rhythm, that is, in notes of equal length, or pure plain chant. But the Christian hymns, some of which, at all events, were composed on popular melodies, and were at first intended to be chanted by the congregation, or as substitutes for profane poetry in private, were rhythmized. Dom Jumilhac has perfectly demonstrated that they were not in

Homophonous music always combined with poetry;

Greek tragedies and epic poems musically recited;

the rhythm of this music different from metre;

the chanting of the liturgy like the Greek recitative;

Christian hymns were rhythmized.

¹⁰²¹ *De Metris Pindari*, lib. i. c. xviii.

¹⁰²² *Histoire de l'Harmonie*, p. 74. See also M. Vincent (de l'Institut), *Notices sur trois manuscrits Grecs relatifs à la musique*, in "*Notices et Extraits des manuscrits de la Bibliothèque du Roi et autres Bibliothèques*", publiées par l'Institut, t. xvi., p. 158, *et seq.*, and p. 197 *et seq.*, and his *Analyse du Traité de la metrique et de la rythmique de St. Augustin*, *Journal Général de l'Instruction Publique*, 28 Février et 3 Mars, 1849.

pure plain chant, but should be sung with the ancient rhythm.¹⁰²³

State of music before St. Gregory;

influence of Celtic and German poetry on Latin verse and Church music.

Greeks used, and still use, harmony only in the form of antiphony.

Greek system of choruses ill adapted for Christian congregations.

Concords used by the Romans in the second century;

those mentioned by St. Isidore;

Before Gregory the Great strove to bring uniformity into the Church music, the hymns seem to have been sung to different airs in different countries. In this, as in other respects, the influence of the Barbarian conquerors made itself felt, and led to results which the descendants of the fallen empire would naturally regard as equivalent to utter disintegration. Prosody had not the same importance in the languages of northern Europe as in the classical languages; but the rhythm of the melodies to which the Celtic and Germanic poems were recited or sung, and which were borrowed by the Church musicians, was freer and more marked. A potent element of change was thus introduced alike into Latin verse and into Church music. The latter was the only recognized artistic music; but, side by side with it, there existed all through the middle ages an unrecorded popular music, which influenced the artistic music in the same way that the vulgar language did the classical language.

The Greeks, though theoretically acquainted with harmony, only used it in its most elementary form of antiphony; and the modern Greeks still employ a strictly homophonous music, and have no liking for European harmony. The Greek system of choruses, singing in unison or in antiphony, was ill adapted for Christian congregations composed of various and unsymmetrical elements and devoid of artistic training; hence arose the music of simultaneous sounds, or true harmony, which was favoured by a stronger character of tonality in the popular music of middle and northern Europe than existed in classical music. In the second century, as may be seen from Plutarch's treatise on music, the Roman world made a limited use of the concords of the fourth and fifth. In the seventh century St. Isidore of Seville speaks of the octave, the fourth, the fifth, the octave and fifth, and the double octave, as concords or symphonies, perhaps more in a theoretical than practical sense. While this list does not show a very great advance over that of Plutarch in the second century,

¹⁰²³ *Manuel de Plain Chant.*

St. Isidore's definition of harmony, on the other hand, proves that the idea at least of the music of simultaneous sounds existed, in the modern sense, in the seventh century.¹⁰²⁴ We are, I think, entitled to draw from St. Isidore's definition of harmony the conclusion that the first kind of multivocal music, called at a later period *Organum*,¹⁰²⁵ was to some extent in use in the Church in his time, and consequently that its origin is to be ascribed to a still earlier period.

his definition
of harmony

shows that
something
like the *Or-
ganum* was
known in
his time;

It must not be, however, supposed that the practice of the *Organum* was as common as the theoretical knowledge of it might at first lead us to suppose. In the monastic schools the young boys were trained to sing in the choir, as boys are still trained in churches and seminaries. Any one hearing the responses of the Gregorian chant as they are now sung in choirs where there are such choir boys, according to a kind of "falso bordone" or "faux bourdon", might be led to conclude that, from the very first, there existed a tendency in the *Cantus firmus* itself to develop harmony. Some persons have even gone so far as to put forward the opinion that at the period we are now considering, the choir boys sang in the higher fifth or fourth with the men, or in other words that the

but not
generally
practised;

as shown by
the choir of
St. Gall in
ninth cen-
tury;

¹⁰²⁴ "Harmonica (Musica) est modulatio vocis, et concordantia plurimorum sonorum et coaptatio". Gerbert, *Script.* t. i. p. 21.

¹⁰²⁵ The appropriation for several centuries of the word *Organ* to signify the well-known musical instrument, has quite obliterated the wider musical meaning of which this is but an analogical restriction. *Organum* originally signified, in musical phraseology, any instrument employed to accompany the vocal melody. In this general sense it is frequently used in the Septuagint, from which the word passed into the Latin Vulgate, and is actually used by St. Augustine to designate a pipe instrument blown by bellows. It has thus, no doubt, given rise to much idle speculation. Later still its meaning was extended, as is indicated in the text, to include an accompaniment to the leading melody whether made by voices or by instruments. This meaning followed closely the etymology of the word, because such accompaniment, even when made by voices, was wholly subordinate to the chief melody, so that the voices were no more than human instruments. In process of time, when the use of the great pipe instrument became general in churches, and the accompaniment to the chanted melody or to the vocal harmony, which had meantime been created, came to be chiefly discharged by it, the common name of the genus was monopolized by it so thoroughly, as to insure an utter oblivion among all, save musical archaeologists, that the word ever meant anything but the great assemblage of pipes with which we are from infancy familiar.

Organum was practised wherever there were choir boys. This view has not, however, been proved; on the contrary, in the second half of the ninth century sequences were sung alternately and in antiphony by the monks and choir boys of the monastery of St. Gall.¹⁰²⁶ There is a passage in Notker Balbulus' Sequence for the eve of Septuagesima, commencing "Cantemus cuncti", which seems to clearly establish this point. This sequence concludes: "Now, brothers, joyfully sing, Alleluja, and you, O boys, answer ever, Alleluja. Now, all sing together, Alleluja", etc.¹⁰²⁷ The absence of any traces of the practice of *Organum* at St. Gall's at this period is the more remarkable when we find that in the beginning of the ninth century there were already rules for the *Organum*, as appears from a remarkable passage of the treatise *De Divisione Naturæ* of John Scotus Erigena, to which M. de Coussemaker was the first to direct attention.¹⁰²⁸ The clearness with which this great thinker speaks of the *Organum* is of considerable importance for my present purpose; for, even though it were true that John Scotus Erigena became acquainted with multivocal music after his arrival in Gaul, it is hardly possible that some knowledge of the Church music of Gaul and Italy did not

although there were rules for *Organum* in ninth century.

¹⁰²⁶ "Sequentias si cantamus sive alternatim, sive una simul, concentu parili voce consona finiatur". *Instituta patrum St. Gallensium*.

¹⁰²⁷ Nunc vos O Socii cantate lætantes Alleluja!
Et vos pueruli respondete semper Alleluja!
Nunc omnes canite simul Alleluja!
Domino Alleluja, Christo, Pneumatique Alleluja!
Laus Trinitati æternæ Alleluja, Alleluja, etc.

P. Schubiger, *op. cit.*, Exemplum No. 9, p. 11.

¹⁰²⁸ "Proinde pulchritudo totius universitatis conditæ, similium et dissimilium, mirabili quadam harmonia constituta est, ex diversis generibus variisque formis, differentibus quoque substantiarum et accidentium ordinibus, in unitatem quandam ineffabilem compacta. Ut enim organicum melos ex diversis vocum qualitatibus et quantitibus conficitur, dum viritim separatimque sentiuntur, longe a se discrepantibus intentionis et remissionis proportionibus segregatæ, dum vero sibi invicem coaptantur secundum certas rationabilesque artis musicæ regulas per singulos tropos, naturalem quandam dulcedinem reddentibus: ita universitatis concordia, ex diversis naturæ unius subdivisionibus, a se invicem, dum singulariter inspiciuntur, dissonantibus, juxta conditoris uniformem voluntatem coadunata est". *Joannis Scoti Erigenæ de Divisione Naturæ*, Lib. iii. sect. 6, p. 637, Edit. de Floss, reprinted by the Abbé Migne, 1853.

reach Ireland at the period of the greatest bloom of its schools, and of their most frequent intercourse with Britain, Gaul, Spain, and Italy.

Towards the end of the same century in which John Scotus Erigena lived, appeared one of the greatest writers on music of the middle ages,—Hucbald, a monk of St. Amand in Belgium. In his *Musica Enchiriadis* and his *Scholia de Arte Musica*, Hucbald treats of harmony with sufficiently practical detail to enable us to form a clear and exact idea of it. The *Organum* he calls the *Diaphony*, a word which was already used in a very different sense by St. Isidore.

In the original *Organum*, the Church melodies were accompanied by one, two, or three voices, who followed by direct movement, not alone to the octave, as among the Greeks, but also in other consonant intervals, namely, the fifth, the fourth, the double octave, the octave united to the fifth, or the octave united to the fourth, with doubling of these intervals in the higher and lower parts. But out of this primitive harmony, which was in fact but a development of the Greek antiphony, there grew a second kind of *Organum* or diaphony, of which we first find mention in Hucbald. In this second kind of multivocal music there were only two parts,—the melody and the *Organum*; but the latter no longer followed the melody by direct movement: it accompanied it by a movement at one time direct, then oblique, and at another time contrary, and in which other intervals besides those called symphonies were employed. The introduction of this new kind of harmony, which is only exceptionally used by Hucbald, marks a real epoch in musical development. The primitive *Organum*, consisting of an accompaniment of continuous octaves, fifths, and fourths, would be nearly as disagreeable to our ears as a Chinese concert,¹⁰²⁹ whilst

¹⁰²⁹ I have followed in the text the usual opinion of musical archaeologists, that the *Organum* consisted in two voices singing together in fifths and fourths, with an occasional passage of one or of both voices to the octave. But Herr O. Paul is of opinion (*Geschichte des Claviers*, Leipzig, 1868, p. 49) that it was not intended the melody should be sung in this way by both voices simultaneously, but that the melody should be repeated in a transposed pitch. If this were so, it would carry back to at least the tenth century the origin of a principle which, until M. de Coussemaker showed that it was known in the

the new kind of diaphony possessed one of the principal characteristics of modern music—the mixture of direct, oblique, and contrary movements.

first kind
disused be-
fore eleventh
century.

During the one hundred and thirty years from Hucbald to Guido d'Arezzo, the diaphony of similar intervals and movements was gradually falling into desuetude, while that of mixed intervals became more and more developed; indeed, the examples of Guido are almost all of this latter kind. Towards the middle of the eleventh century, the first kind of diaphony appears to have ceased to be used, for John Cotton, who lived about that time, does not even mention it, while, on the other hand, he is the first who lays down definitely the principle of the contrary movement of the melody and *Organum*. But whether similar or mixed intervals and movements were employed, the accompaniment had no independent meaning; it simply sought to enrich and beautify the musical action by allowing the agreeable sounds of certain concords to be heard at the same time with the tones of the melody.

The *Orga-
num* had no
independent
meaning.

Organum
not used in
secular mu-
sic, accord-
ing to some
writers;

Diaphony, or *Organum*, *i.e.* accompaniment, was, M. de Coussemaker thinks, exclusively used in the Church service, as there is, according to him, no evidence that it was ever employed for secular song. In the twelfth century the Joglars or Jongleurs, and the Menétriers or Menéstreles of France, the Minstrels or Gleemen of England, and perhaps as late as the thirteenth century the Minnesingers of Germany, seem to have accompanied their songs, romances, and improvisations by simply giving, on whatever instrument they used, the principal notes of the song in unison. In the Romance of Tristan by the Trouvère Thomas, we are told that “the voice accorded with the instrument”.¹⁰³⁰ And in the similar romance of Gottfried of Strasburg, Tristan's performance is described as being so excellent that no one could ever know whether his

musicans of
twelfth cen-
tury accom-
panied their
songs in
unison;

twelfth century, was believed no older than the fifteenth century, and which in modern music became of so much importance in fugue and in the sonata.

¹⁰³⁰ “La reine chante dulcement
La voix accorde al estrument
Les mainz sunt bels, li lais buens,
Dulce la voix, bas li tons”.

harping or his singing was best.¹⁰³¹ There is, however, an important passage in the romance of Le Roi Horn about a certain Gomm's harp playing, which clearly establishes that skilled performers did attempt to introduce some kind of *Organum* into lay music.¹⁰³² M. de Coussemaker, and those who think with him on this point, may perhaps say that the kind of accompaniment which Gomm is supposed to have played belonged to a later kind of harmony, and not to the *Organum* properly so called. But even if this were so, it would still carry back the use of some kind of instrumental harmony in lay music, at least a century further than M. de Coussemaker seems disposed to admit. The Jongleurs, or by whatever other name the musicians of the twelfth century may be designated, and who, as we have seen from a passage quoted from Guillaume de St. Pair's *Chronique de l'Abbaye de St. Michel*,¹⁰³³ took part in religious processions, and other public semi-religious ceremonies, such as the religious dramas, could scarcely have resisted the temptation to try in secular song what was looked upon with such favour in Church music. But whether *Organum* was used in secular music or not, the latter could not long remain unaffected by the endless resources and splendour of the noblest and sublimest art of the middle ages, the *Cantus firmus*. The combination of these two elements, the Church music and the secular, gave rise to a new kind of polyphony—we can scarcely call it harmony; the most prominent feature of which was, that the accompaniment was independent of the principal melody, and had a meaning of its own. This kind of harmony, which, like the diaphony of mixed intervals and movements, grew up in France and Flanders, is called *Discantus* or *Dechant*, that is to say,

proof that
Organum
was some-
times used
in secular
music.

Rise of a
new kind of
Polyphony.

Discant or
Dechant;

¹⁰³¹ "Daz nie man wizzen kunde
Wederez süezer waere
Oder baz lobebaere
Sîn harpfen oder sîn singen".

¹⁰³² "Deu ! ki dunc l'esgardast cum il la sot manier,
Cum ses cordes tuchot, cum les feseit tramier
A quante faire les chanz, à kantes *organer*
Del armonie del ciel li pureit remembrer".

¹⁰³³ *Ante*, p. dxxvii.

original
mode of
making it;

different
names given
to it;

its supposed
origin;

was a mea-
sured har-
mony;

the rules of
discant
given by
Francon of
Cologne,

refer only to
simple coun-
terpoint;

double chant. It is a Latin translation of *Diaphonia*, but true Discant is never called Diaphony, though the latter is sometimes called Discant. The primitive mode of making a Discant is described by Egidius de Murino, a writer of the twelfth century.¹⁰³⁴ When it was desired to add a second part, or accompaniment, to a melody which was to be the principal one in the combination, the chant of a response was taken, generally at random, or even sometimes another song, which was adjusted underneath the principal melody by modifying and altering the primitive value of the notes, lengthening one, shortening another. Originally, discant was made with two voices, but later a third, or a fourth, or even a fifth voice was added, each voice singing a distinct melody, which was adjusted to the others in the manner just described. According to the number of parts thus added, the Discant was called a motet, a triplum, a quadruplum, etc. The first attempts at this kind of harmony were probably made as a means of amusement in private society by two persons chanting together—one singing some popular song of the time, and the other accompanying him with a Church hymn. The object in such a case was the avoidance of discord rather than the production of concord. The whole interest necessarily concentrated itself on the movement of the voices, and in order to keep them together a strict maintenance of the time was necessary. In this way musical rhythm became of great importance. There was no division of time in the *Cantus firmus*, but Discant was a measured harmony. The rules relative to the classification, the employment, and the catenation of concords and discords given by Francon of Cologne, one of the earliest writers who treated of this kind of music, appear to refer only to a discant in which note corresponded to note, that is to say, a counterpoint in which notes of equal duration were given to each part. M. de Coussemaker has, however, shown from the musical monuments of the twelfth and thirteenth centuries, that the discant of note against note was rather an exceptional kind, even in the

¹⁰³⁴ M. Danjou first discovered the *Tractatus Cantus Mensuralium* of Egidius. Chapter iv., *De modo componendi tenores motetorum*, will be found as a note in M. de Coussemaker's *Histoire de l'Harmonie*, p. 29.

time of Francon, and that the various counterpoints, known later as "equal counterpoint", in which all the parts had notes of equal value, "figured or unequal counterpoint", when the different parts had one, two, three, or four notes against one, "mixed or flowered counterpoint", when the equal and unequal counterpoints were mixed, may be traced back to at least his time.

but figured and flowered counterpoint were known in his time.

At first there was no artistic connection whatever between the different voices; but, according as the richness and interest of the melodic movement increased with the number of voices, some bond of connection became indispensable. This was effected by the repetition by a different voice and in a different manner of a musical phrase which another had previously sung. This "repetition of different voices", as Johannes Girlandia calls this "coloured Discant", is the first appearance of Canon and Imitation in music, unless, as Herr O. Paul seems to think, the first traces of them are to be sought in the *Organum*. Until M. de Coussemaker showed the existence of this isolated canonical imitation in the twelfth century, the earliest traces of it known were to be found in the compositions of Dufay, Egidius Binchois, and the other masters of the first Flemish school of music, while double counterpoint was hitherto supposed to belong to the middle of the sixteenth century.

Voices not connected in early *Discantus*;

effected by Canon and Imitation,

which were formerly supposed to have first appeared in the fifteenth and sixteenth centuries.

Discant was made either with words, or partly with and partly without words. The discant with words was made in two ways:—1, with the same words in all the parts, as in the Cantilenes, in the Rondos, and in a certain ecclesiastical chant not specified;—2, with different words, as in the Motets, one part, or voice, of which received the name of "Tenor", because to it were always assigned the words of the principal text or melody.¹⁰³⁵ In the discant with different words, while one person sang the office of the Church, another is supposed to have sung a lay melody, generally some well-known popular tune. It was discants of this kind, especially Triplums with different words, which gave rise, in the fifteenth and sixteenth centuries, to the composition of entire Masses, in

Discant with words;

gave rise to Masses.

¹⁰³⁵ Hence the fanciful derivation of the name *Tenor* from *teneo*, because in the part composition he *holds* (*tenet*) the Church melody.

which some well-known popular song formed the theme. As the Mass generally came to be known by the first words of the song, the names look, no doubt, very strange and bizarre. Thus at least a dozen Masses were founded on the song "L' Onme Armé", from that of the great master of the first Flemish school of Music, Dufay, to that of Palestrina. A still more singular title is that of another Mass of Dufay's "Tant je me deduis". In reality, however, there was nothing objectionable in these Masses, except the names. The melody of the tenor's song was lost amidst the wonderful structure of counterpoint which the composer built up around it in the other voices. In addition to this, the melody itself was altered, being lengthened by marks of augmentation and broken by pauses, so that the hearers could not possibly separate the wonderful mass of tones into its component elements.

Discant with words, and partly without words;

Discant with words and without words was one in which a part had a text and the other part had not a text. This sort of discant was practised in *Conduits*, and in a certain ecclesiastical chant improperly called *Organum*, according to Francon of Cologne. M. de Coussemaker suggests that the part without text was, perhaps, an accompaniment executed by some instrument of music, and in support of this opinion quotes the following lines from the *Roman de la Violette*:

Cil jugleor viellent lais
Et sons et notes et conduis.

this kind probably practised in Ireland.

He further suggests that the part without words may possibly be an accompaniment of the voice formed by inarticulate sounds produced in the interior of the half-closed mouth, as is practised in some singing societies in Belgium and Germany—something in fact like the Irish *Cronan*. The curious but obscure passage relating to the Psalterium and Nablum, quoted from an Irish MS. in the British Museum in Lecture xxxi.,¹⁰³⁶ and already mentioned in this Introduction, probably refers to a Discant of the kind we are now considering, since it points to a triplum consisting of two parts with words, and an accompaniment on the *Cruit*. In the passage in question, we are told that David selected four thousand of the sons of Israel

“ to sing the psalms perpetually without any interruption whatever; a third of them at the choir, a third at *Croit*, and a third between choir and *Croit*. That which is entitled to the name of Psalmus is that which is arranged and practised upon the *Croit*. That which has a right to the name of Canticum is that which is practised by the choir and is chanted from the *Croit*. That which has a right to the name of Canticum Psalmus is what is carried from the *Croit* to the choir. That which has a right to be called Canticum Psalmi is what is carried from the choir to the *Croit*”.

The vulgar music was undoubtedly rhythmical, and that of the Celtic and Germanic peoples exhibited a stronger feeling, as I have said before, for tonality in the modern sense. For although the modern tonality did not develop itself in artistic and harmonic music until towards the end of the sixteenth century, we find that the most ancient melodies which have come down to us, even from a period as early as the ninth century, are, to a certain extent, conceived in our modern tonality, so that there can be little doubt that in France and Flanders and Germany, at all events, the popular or vulgar music was distinguished from plain chant by the two essential characteristics of measured rhythm and tonality. In uniting secular melodies to ecclesiastical chants to produce the harmonic combination called Discant, the measure of the secular music imposed itself on the ecclesiastical melody, and the new multivocal music was measured harmony. It is this circumstance which has led some writers to imagine that Discant was first employed in secular music. There is, however, no evidence whatever to support this opinion; on the contrary, the most ancient secular Discants—as, for example, those of the Trouvère poet, musician, and actor, Adam de la Hale, do not go back beyond the second half of the thirteenth century. Discant was well adapted for ecclesiastical chant, notwithstanding its highly artificial character, but it was too ponderous for secular lyric poetry; and yet we find many songs—madrigals, composed in strict canons or in canonical repetition.

M. de Coussemaker, whose labours have thrown a flood of

Rhythm and tonality of popular music.

Discant first used in ecclesiastical chant.

Conclusions of M. de Cousse-maker as to harmony in use in twelfth, thirteenth, and fourteenth centuries.

light on the history of music in the middle ages, draws the following general conclusions from his investigations into the history of harmony in the twelfth, thirteenth, and fourteenth centuries.

I. The unison, octave, fifth, and fourth, were not the only intervals employed: the third and sixth were also admitted.

II. Discords were also employed as harmonic intervals, but only on the condition of resolving themselves on the concords by contrary movement.

III. The successions of fifths were not totally banished, but there were rules to avoid them. In practice only feeble traces of them were observed.

IV. Notes of passage and ornamentation were employed.

V. In a counterpoint of two notes to one, one of the two could be a discord.

VI. Finally, the most remarkable and the most curious fact is, the existence of the use of Double Counterpoint and Imitation.¹⁰³⁷

Action of secular music on *Discant*.

So long as *Discant* was exclusively used for ecclesiastical chant, it was obliged to respect more or less the traditions of the *Cantus firmus*. But when it was at liberty to modify such ecclesiastical themes as it borrowed for the purposes of secular songs, or to use only current popular melodies, a boundless field was opened for the development of polyphonous music. In the first half of the fourteenth century, considerable progress was made in France and Italy in artistic secular music, as compared with the crude *discant* of Adam de la Hale. But in the second half of the same century Belgium became the centre of the artistic music of Europe, a position which it maintained during nearly two hundred years. From Guillaume Dufay, the glory of the first Flemish school, to Palestrina, who may be said to have closed the school of polyphonous music, flourished a succession of composers, whose works are, in their way, even yet unrivalled, such as Anton de Busne, or Busnois, Firmin Caron, Hendrik van Ghizeghem, Jean du Roy or Regis, Johannes Okeghem, the founder of the second Flemish school, Josquin de Près, Pierre de la Rue, Loyset

Rise of Flemish schools of music;

Compère, and others, among whom were many who, though Germans, Frenchmen, or Italians by birth, belonged by method and style to the Flemish school, as Heinrich Isaak, Heinrich Fink, Arnold von Bruck, Gombert, Claude Goulimel, and even Palestrina himself. It is especially from the masses, to which allusion has already been made, that we can form an idea of the skill and genius of those little-known artists. Starting equally from the Gregorian chant and multi-vocal secular song, these masses exhibit an artistic form so lofty, a construction of the musical phrase so developed, and a direction of the vocalisation so certain, that music may be said to have in these compositions for the first time fully emancipated itself from poetry, and entered upon an independent career as a creative art.

character of
the masses
of Flemish
composers.

Judging by the works of Jehannot Lescurel¹⁰³⁸ and others, of which fragments have come down to us, there can be no doubt that a great school of polyphonus music would have developed itself in France in the fourteenth century, had not the Anglo-Norman wars, the Jacquerie, and political disorganization, brought France to the brink of ruin, and hindered the growth of all art. About the same period a somewhat similar school of music,—the early Florentine school,—was emerging into existence in Italy. This school received a great impetus, not only from the works, but the presence in Italy, of many Flemish composers. We are told that Josquin de Près, Jacob Hobrecht, Alexander Agricola, and Heinrich Isaak were at one time together in Florence. Flemish composers were, in fact, to be found in the fifteenth century at the courts of many of the Italian princes, and indeed at most of the courts of Europe. But it was at the Papal court that the Flemish art seems to have found most favour, if we may judge by the number of masses of different composers existing in the archives of the Papal chapel; and we know that Josquin de Près, one of the greatest composers of the second Flemish school, was at the head of the Papal choir itself under Sixtus the Fourth. The

French
school of
Polyphonus
music.

Early Flo-
rentine
school.

Influence of
Flemish
schools on
music in
Italy.

¹⁰³⁸ A rondeau of this musician, "A vous douce debonnaire ai mon cuer donne", has been published by M. Fetis in the *Revue Musicale*, vol. xii. n^o 34. It is a triplum, the melody of which is in the middle voice.

Palestrina's
relation to
Flemish
school.

Italian composers of the middle of the sixteenth century were, to a great extent, formed in the Flemish school. Palestrina himself was a pupil of Claude Goudimel, and, according to Herr Ambros,¹⁰³⁹ the scholar bears to the master the same relation that the Raphael of the Sposalizio and the Disputa does to his teacher Perugino. The predecessors of Palestrina have suffered the same fate as the Pre-Raphaelites. Not only have their glorious works been forgotten, but some of the very things which constituted the supposed new style introduced by Palestrina, are to be found in the works of his French and Flemish predecessors.

It must be admitted, however, that the voices are better arranged in the compositions of Palestrina than in those of his predecessors; they appear mostly separated into several choirs, and occur more or less frequently acting choral-like alongside one

¹⁰³⁹ It is worth while giving the whole of the passage in which Herr Ambros, a competent judge, gives his opinion as to the true position of Palestrina: "I saw the *Missa Papae Marcelli*, and compared it with the masses of the predecessors of Palestrina; and I will be very thankful to any one who definitely and clearly shows me where the 'reform', where the 'new style', the 'dawn of a new time', is to be found in it. I held the Masses, *Noe Noe de b. Virgine*, *Ave Regina* of Arcadelt, the Masses *Audi filia*, *de mes ennuy*s and *le bien que j'ai* of Goudimel, as comparative tests, alongside the Marcellus Mass, and could not recognize either in the score, or otherwise, any difference worth mentioning. I found in the predecessors the same style in a scarcely perceptibly more antique colouring; I found that Palestrina has neither avoided the Canonical Imitations (just in the Kyrie, the bases are canonically conducted *all'unisono*), nor has he, for the sake of the intelligibility of the text, in any way given up the artistic interweaving of the voices. The faux-bourdon-like episodes, which might seem new, occur in the same way in Goudimel. What do I say? They occur already in the Gloria of the Mass *dung aultre amer* of Josquin. Compared with the intricate voice-tissue of older Masses, like Isaak's *O praeclara*, P. de la Rue's *missa de S. Cruce*, with Josquin's Mass *Gaudeamus*, with the playing with motives, which, for example, in many passages of the Hercules Mass of Lupus, give the score the appearance of a patchwork carpet, there is here to be sure simplicity, clearness; but this calmer, more majestic style is no new oppositional direction (as for example, Gluck's dramatic opera as opposed to the Italian 'Luxus-Oper'); it had formed itself in the course of time according to a perfectly natural process of development, and Palestrina has exactly the same relation to his teacher Goudimel, as the Raphael of the first period, the Raphael of the Sposalizio and the Disputa, to his teacher Perugino"—*Geschichte der Musik*, Bd. ii. Vorrede, xv.

another and then principally in consonant chords. The same tendency is also observable in the contemporaries of Palestrina, especially in Giovanni Gabrieli.¹⁰⁴⁰

About the middle of the fifteenth century, when multivocal secular music had risen to nearly as much importance as a branch of musical art as ecclesiastical music, we notice for the first time attempts to substitute for the accompanying voices an instrumental accompaniment, in which the most important intervals and movements of the voices should be given. The instrument for which this accompaniment appears to have been arranged, at least in Italy, was the lute, which, in the thirteenth, fourteenth, and fifteenth centuries, seems to have been the favorite instrument in the south of Europe, whence it spread into the north especially in the last-named century. The Frottole of a distinguished *Cantore a Liuto*, Bartolomeo Tromboncino, as we find them arranged by Franciscus Bossinensis,¹⁰⁴¹ give us a good idea of this mode of singing a melody in solo, and representing the other voices of a polyphonous song on a musical instrument. Herr Ambros thinks that this mode of transforming multivocal music into an instrumental accompaniment had not come into use in the thirteenth century. On the other hand, he thinks that we must not suppose the lute player at that period merely played the melody note for note with the voice. He probably struck the lower octave and the lower fourth to the melody, and also, no doubt, between them the lower sixth, that is, full concords. He, perhaps, allowed these chords to be heard at suitable parts of the melody, then played some tones of the song simply doubled, and then again touched a chord.¹⁰⁴²

Instruments substituted for voices in accompaniment;

the lute the first instrument so used

Instrumental accompaniment in the thirteenth century;

¹⁰⁴⁰ Winterfeld, *Johannes Gabrieli und sein Zeitalter*, Bd. ii., S. 494.

¹⁰⁴¹ Ambros gives an example of one of those Frottole (*op. cit.*, p. 491 *et seq.*) from the work of Franciscus Bossinensis: *Tenori e contrabassi intabulati col sopran in canto figurato per cantar e sonar col lauto*. Libro primo, 1509.

¹⁰⁴² The *Conduits* and other kinds of *Discant* without words, to which I have already referred, as consisting probably of a melody sung solo and an accompaniment on an instrument, may perhaps have been the first beginnings of polyphonous instrumental accompaniments. The accompaniments of the Jongleurs, Trouvères, and other early poet-musicians of Europe, whenever they attempted anything more than merely playing the notes of the air in unison, consisted in all likelihood of a simple instrumental harmony like that suggested in the text.

that of the dance tunes of the sixteenth century of the same kind;

Even as late as the end of the sixteenth century, the Italian dancing masters still accompanied their dance tunes in this naturalistic, artless manner. Herr Ambros gives an excellent example of this kind in a *Pavaniglia*, that is a small *Pavana*, or dance of Padua, from the book called *il Ballarino*, of the celebrated dancing master, Fabritio Caroso da Sermoneta, published at Venice in 1581, that is, fifty-two years later than the date of the oldest known examples of orchestral music,—dance pieces of about the year 1529.¹⁰⁴³ This orchestral music is composed in the style of madrigals and motets, which at this period were composed as strict canons or in canonical repetition. There was, in fact, no other kind of harmonic music artistically developed except that founded on canonical repetition. No one had as yet discovered the way to set a simple accord accompaniment to a melody; and hence, in the attempts at musical drama in the first half of the sixteenth century, the *dramatis personæ* are made to express their feelings musically by means of a chorus behind or upon the stage singing madrigals in fugue style. It must not be understood from what has been just said, that the composers of the fourteenth and fifteenth centuries did not recognize the difference between a secular song and an ecclesiastical chant. This would be a great, though common, mistake. The songs of Josquin de Près, Loyset Compère, Isaaks, and others, show how well the difference was understood. To name only one example, I may mention a Spanish air called merely *Una musique de Buscaya*,¹⁰⁴⁴ which Josquin de Près has made the theme of a mass, and likewise arranged as a secular song.

simple accord accompaniment not yet discovered;

difference between secular song and ecclesiastical chant recognized.

Revolution in music fore-shadowed in works of Palestrina;

Although, as I have observed, Palestrina's music is not essentially different from that of his predecessors of the Flemish school, and especially from that of his master Goudimel, the impending revolution in music is foreshadowed in his works

¹⁰⁴³ Winterfeld, *Johannes Gabrieli und sein Zeitalter*, Bd. ii. S. 41.

¹⁰⁴⁴ Or as it is called in the *Canti cento cinquanta* (published in 1503), fol. 130, "Una musique de Busegaya". This Spanish air like "l'Omme armé", appears to have been a favourite theme of musicians. In the *Opus decem missarum*, published at Wittenberg in 1541, we find as the title of a mass of Heinrich Isaak, "Und musique de Biscay". Fétis, *Biogr. Univ.*, t. ii., p. 479.

and in those of Gabrieli. The most potent cause of that revolution was Protestantism. Music occupied too prominent a position in the service of the Church, and the esthetic feeling for harmony had become too developed in the sixteenth century, to allow of either the exclusion of music from the Protestant Church service, or the return to simple homophonous music. But as it lay in the essence of Protestantism—at least, as it developed its notions of ritual in Germany and France—that the congregation itself should undertake the singing, and as it would have been simply impossible for an uneducated congregation to execute the artistic polyphonous music of the time, the problem was presented to the composers of the Protestant hymnology of producing simple harmonized chorals in which all the voices could proceed simultaneously. To do this it was necessary to eliminate the canonical repetition of similar melodic phrases in different voices; but this, as I have already pointed out, was the only bond by which the different voices were connected together, the only link by which the unity of the whole was maintained. It was necessary to discover a new link in the notes themselves, and this was found in a stricter relation to a governing tonic. In this way, a system of harmony growing naturally out of the Ionic Church tone, or our natural major scale, came to be gradually developed in the Protestant church hymns of the sixteenth century, which were for the most part founded upon popular airs; so that even at the present day we do not find these old chorals strange, although many of the means which we now possess of marking the mode were not then known.¹⁰⁴⁵ This is even the case with the French Protestant psalms which were harmonically treated by Goudimel, especially when they are in the major key. The manner in which Palestrina makes the voices in his masses frequently act choral-like, as I have already mentioned, proves that he was not insensible to the grandeur of the effects which under very opposite circumstances, had been the outcome of the ideas that influenced Goudimel's hymnology. Palestrina's task was, however, very different from that of the composers

cause of that
revolution;

effect of
similar
causes on
music of
Palestrina.

¹⁰⁴⁵ Helmholtz, *Die Lehre von den Tonempfindungen als physiologische Grundlage für die Theorie der Musik*. 3te. Aufl. 1870, p. 389.

of Protestant hymnology; he had to do with themes from the *Cantus firmus*, which are confined within the strict limits, both as to form and expression, of the fixed Church tones; and his true merit consisted in boldly taking advantage of the new tendency of artistic music, without, however, losing sight of the traditions of the ecclesiastical chant.

The transformation of polyphonus music into true harmonic music in the modern sense of the term, the first beginnings of which we can trace back to the early part of the sixteenth century, and which received so great an impetus from Protestant hymnology, was finally effected under the influence of the opera. In homophonous music the words of a song are as important as the music; in polyphonus music, the intelligibility of the words was of so little importance that the most bizarre mixture of words could occur in discant, as we have seen, without shocking the ears of the hearers, simply because they were not intelligible. The revival of classic learning naturally led to attempts being made to resuscitate the antique tragedy; but, as this was known to have been musically recited, the question arose, how this could be done. Polyphonus music was clearly unsuitable for the purpose, and to go back to homophonous music was not to be thought of. The problem to be solved was, to allow one or more of the voices to stand out prominently from the rest, which should be held entirely subordinate to the principals. This was effected by the invention of recitative by Jacopo Peri and Caccini, about the year 1600, and harmonized solo airs by Claudio Monteverde and Ludovico Viadana, the choir-master of the cathedral of Mantua. To the latter is also generally attributed the invention (A.D. 1605) of figured or fundamental bass.¹⁰⁴⁶ He proposed to make the instrumental bass, to which

Influence of Opera on change of polyphonus music into harmonic music.

Invention of figured or fundamental bass.

¹⁰⁴⁶ There are, however, instances of a figured bass which precede by a few years 1605, the date assigned to Viadana's invention. Thus Peri's *Euridice*, published in Florence in the year 1600, has the bass figured throughout. So also the *Nuove Musiche* of Caccini, the first edition of which was published at Florence in 1606, has the bass regularly figured. There is no accounting for the name of this contrivance usually current among English musicians—"Thorough Bass",—which is a purely arbitrary term, having no connection with what it signifies.

he assigned a movement different from that of the vocal bass, the groundwork of the piece, and to represent the chord it was to sustain in every part by means of figures, that is, each such figured bass note was to represent a chord, the management of the voice in these chords being left to the performer. As operatic music required stronger means of expression than was allowed in ecclesiastical music, Monteverde ventured to introduce for the first time the chord of the seventh on the dominant without preparation, for which he was much abused by his contemporary Artusi. Previous to this bold innovation, only consonant chords, interspersed occasionally with a discord of suspension, were used, but thenceforward a bolder use was made of discords as independent means of producing sharper shadings of expression.

First use of chord of the seventh.

Under the influence of all these innovations the old Church tones passed into our minor and major modes, and as the variety of expression, which depended upon the variety of keys, was diminished by the fusion, other means had to be found for producing it, such as the transposition of the keys to different fundamental notes varying in pitch and modulatory passages from one key to another. The fusion of the old Church tones into our major and minor modes appears to have begun as early as the thirteenth century, owing to the prominence given to the major seventh. Although the major seventh has, of all the notes in the major scale, the weakest fundamental relation to the tonic, it has acquired a special importance in modern music from its position with regard to the octave of the tonic. Being separated from this octave by only the smallest interval of the ordinary scale, a semi-tone, it serves as the passage, or as it is called, the "leading note" to it, and thus comes to have a special position and function in the scale. The minor seventh has not the same importance; hence in modern music, in which there is a tendency to mark and bring out in the clearest possible manner the relation to the tonic, the minor seventh is always raised to the major in the ascending movement to the tonic or its octave. This transformation is the first indication of the change in the Church tones to which I have just alluded. It originated in polyphonus music, but it also invaded the uni-

Fusion of old church tones into major and minor notes;

change of minor seventh into major seventh.

vocal *Cantus firmus*, so that Pope John the Twenty-second censured it by his bull, *Docta Sanctorum*, in 1322.¹⁰⁴⁷ In consequence of this censure, musicians no longer indicated in the notation when the minor seventh was to be made major, an omission which, Winterfeld¹⁰⁴⁸ says, continued to be practised down to the sixteenth and seventeenth centuries, even among Protestant composers.

Developement of modern tonality.

We have seen from the manner in which the diatonic scale was completed, that the chainwise-relationship of the notes of a scale among each other was in accordance with the esthetic feelings of the time. But, according as the diatonic system was developed among European peoples, this relationship was step by step sacrificed to a totally different kind of esthetic feeling, namely, that based upon a relationship of all the notes to a single central, or rather fundamental, one. In proportion as this took place, so did the modern idea of tonality develop itself more clearly in the minds of musicians. This consists not only in giving to one note—the tonic—a certain prominent and combining power among the notes of the scale, but also a similar power to the chord of the tonic among the chords.

With the help of the preceding sketch of the historical development of music, meagre as it necessarily is, I will now endeavour to ascertain whether, as is often maintained, the Irish, in the middle ages, were acquainted with harmony, and to fix the general relationship of Irish music to the artistic music of Europe and to the national music of Scotland and of Wales, and also of England.

Artistic music of Continent known in Ireland.

Whether the Irish were practically acquainted with the artistic music of the Continent during the middle ages or not, there can be no doubt that the existence of such a music was not unknown to them. It is true, the evidence is small, even as regards the latter point, but I think it is sufficient. The

¹⁰⁴⁷ This bull has been incorporated into the body of the Canon Law, and is prefixed to the Third Book of the "Extravagantes Communes". *Corpus Juris Canonici*; Lugduni 1671, vol. iii. (*Extravagantes seu constitutiones Vingt à Johanne Papa XXII. editae*. Lib. III., de vita et honestate Clericorum, c. i. p. 233).

¹⁰⁴⁸ *Der Evangelische Kirchengesang*. Leipzig, 1843, Bd. I. Einleitung, quoted by Helmholtz, *op. cit.*, p. 440.

missionaries Austin and Mellitus, sent by Pope Gregory the Great, in 604, to convert the Anglo-Saxons, were probably provided with a copy of his antiphony, gradual, etc. Under Pope Vitalian, Roman singers, among them John and Theodore, were sent about the year 660 to Gaul and Britain to restore the Church music to its original purity. The passage from the poem of St. Aldhelm, who died in 709, which I have quoted in reference to the Psalterium,¹⁰⁴⁹ shows that already in the second half of the seventh century, the Gregorian chant was in use in the west of England in a district much frequented by Irish priests and monks. There, and in the northern and eastern parts of England where Irish missionaries had established Christianity before the advent of St. Austin and his companions, or were engaged in preaching it contemporaneously with the Anglo-Saxon and Roman clergy, Irish priests and monks must have become acquainted with the Roman chant, and introduced it into Ireland, supposing it not to have been introduced directly from Gaul, between which country and Ireland the most active intercourse existed in the sixth and seventh centuries. Again, in the ninth and tenth centuries we find Irishmen living on the Continent, displaying considerable knowledge of artistic music. It is true that these men may have acquired this knowledge after they had left Ireland; but it is scarcely credible that of the many Irishmen who were to be found in those times in France, Germany, and Italy, none found their way back to Ireland. What we know of *Moengal* or Marcellus, as he was called at the monastery of St. Gall,¹⁰⁵⁰ under whose teaching the music-school of that monastery reached its highest fame, indicates that music must have been cultivated in Irish schools, and that many educated Irishmen, after having visited the Continent and studied in the schools there, returned to give their countrymen the benefit of their acquired knowledge, and especially to teach the priests and monks to chant the "hymns, psalms, antiphonies, and re-

Roman singers sent to England in seventh century;

chanting practised in the west of England in the same century.

Irishmen living on the Continent in ninth century acquainted with artistic music.

¹⁰⁴⁹ *Ante*, p. dvii.

¹⁰⁵⁰ "Moengal, postea a nostris Marcellus diminutive a Marco avunculo sc. nominatus, hic erat in divinis et humanis eruditissimus", etc. Ekkehard, *De cas. monastrii S. Galli*, c. i.

Moengal
teacher of
inner school
of St. Gall;

Tuotilo his
scholar;

nothing
known as to
his origin.

Very little
known about
the distin-
guished
Irishmen
who lived
on the Con-
tinent in the
middle ages.

sponses" in the solemn tones of the Gregorian *Cantus firmus*. Accident alone prevented *Moengal* from teaching in a monastery in Ireland instead of at St. Gall. We are told that, being on his way from Rome to Ireland with his uncle, Bishop Marcus, they called at St. Gall, which so pleased *Moengal*, that he determined to remain there. Full of all the ecclesiastical and secular knowledge of the time, and especially skilled in music, he became the teacher of what was called the inner school. Among his scholars, Notker Balbulus, Ratpert, and Tuotilo occupy a foremost place among the men of the tenth century¹⁰⁵¹. The latter was a learned man and also an orator, a sculptor, a painter, an architect, a goldsmith; he played upon all kinds of instruments; and lastly, he is the first known composer of the peculiar compositions known as Tropes, which, under various modifications, came down to the end of the seventeenth century. Tuotilo died on the 27th April, 915.

Nothing is known of the origin of this singularly gifted man. If he were a Swiss or German, something would be known of his parentage or birthplace, as in the case of his friends Ratpert and St. Notkerus. But if he were a foreigner, as he may have been, there is nothing singular in the silence of the monastic chroniclers concerning the events of his early life, about which they could know nothing except incidentally. Of the crowd of Irishmen who poured out of Ireland from the end of the sixth to the beginning of the tenth century, and who took an active part in the intellectual movement of the time, how few have left sufficient evidence to enable us even to connect them with the land of their birth. Their lot was cast in the darkest period of the middle ages, and they have consequently suffered the fate which too often befalls those who are the precursors or originators of great intellectual or moral movements, or founders of new branches of science or art. In the second half of the ninth century, there appear to have been many Irishmen at St. Gall besides *Moengal*, and every-

¹⁰⁵¹ "Isonis praecipui apud S. Gallum discipuli fuere Notkerus, Ratpertus et Tutilo, quorum cor unum et anima una erat, et ipsi septem liberales artes, praesertim musicam, edocte à Marcello". Ekkehard, *De casibus monasterii S. Galli*.

thing that we know of Tuotilo favours the view that he also was one. In the first place, the name is, to say the least, as much like a Latinized form of the Irish *Tuatal*, *Tuotal*, or *Tuathal*, as of the Gothic *Totilo*. Again, the wandering disposition, the warm, impulsive spirit which made him equally ready to use his tongue or his arm against an enemy, remind us forcibly of St. Columbanus; and lastly, his great skill in instrumental music, and especially the decidedly Irish character of the melodies of the two tropes "Hodie cantandus" and "Omnipotens Genitor", which have been published by Father Schubiger, seem conclusive as to his nationality. This Irish strain in his melodies may be the reason why these were considered in the middle ages to be peculiar and easily distinguishable from those of the other St. Gall composers.¹⁰⁵² It is worth remarking, that one of the oldest musical monuments of this period, the *Liber Ymnorum Notkeri*,¹⁰⁵³ noted in *Neumes*, was illuminated, if not entirely written, by an Irish hand. The initial letter of Notker Balbulus's Easter sequence to the air "Frigdola", commencing, "Laudes Salvatori voce modulemur supplici", of which Father Schubiger has given a fac-simile, is an excellent example of the interlaced Irish style of ornament, with the interesting peculiarity that the trefoil or shamrock is used as a prominent feature of it.

Irish manuscripts, although frequently mentioning music and musical instruments, contain no examples of music noted in *Neumes*, or indeed in any other system of notation, and scarcely any reference to the artistic music of the Church. Indeed I know of only two passages where any such reference occurs. One of them—a very obscure one too—has been already several times referred to,¹⁰⁵⁴ and need not be further discussed here. The second passage is in a vellum manuscript, compiled at the end of the fifteenth and beginning of the sixteenth century from other manuscripts of

¹⁰⁵² Ekkehard IV. says of them: "Istos proposuimus, ut quam dispar ejus melodia sit coeteris, si musicus es, noris". *De casibus S. Galli*.

"Quae autem Tutilo dictaverat, singularis ac agnoscibilis melodiae sunt". *Ibid.*

¹⁰⁵³ *Codex 121, Einsiedeln.*

¹⁰⁵⁴ *Ante*, p. diiii., dlvi., and *Lectures*, vol. ii., p. 238.

Tuotilo
probably
an Irishman.

The
Einsiedeln
Ms. *Liber*
Hymnorum
Notkeri
copied by an
Irishman.

Irish MSS.
contain no
example of
musical no-
tation.

various ages. The passage relating to music belongs perhaps to the end of the twelfth or beginning of the thirteenth century, and shows that the musical system of Guido d'Arezzo was then sufficiently well known in Ireland to become the subject of etymological speculation, of which several other curious examples are to be found in Irish manuscripts.¹⁰⁵⁵

From manuscripts let us turn to the music itself, and see whether it can give us any information as to the stage of development which Irish music had attained in the middle ages.

Peculiarities
of Irish
music.

Every one who has heard Irish music will readily admit that it has peculiarities which distinguish it from that of every other European country, with the exception of Scotland. Those peculiarities depend on the scale employed, on the tonics or keys, and on the measure and accent.

¹⁰⁵⁵ As a curious example of medieval Irish etymological speculation, I shall give a translation of the whole passage here:

"It is a question here, according to Augustine, what chanting is, or why it is so called? Answer: From this word which is called *Cantelena*, and that is the same as to say *lenis cantus*, i.e. gentle, soothing chanting to God, and to the Virgin Mary, and to all the saints, and they are called *puing*, i.e. points, because the devil is hurt and bruised by them, *ut*, *ré*, *mí*, *fá*, *sól*, *lá*; and how it is best to understand those points is as follows: When Moses, the son of Amram, with his multitude, was coming across the Red Sea, and Pharaoh with his followers pursued him, this is the chanting which *Maeic* Moses used to protect him against Pharaoh and his people. Those six points [he employed] to praise the Lord: the first point of them, namely, *ut*, is the same in Greek as *Liberat* in the Latin, and that is the same as *Saer* [i.e. save] in the Irish, i.e. 'O God', said Moses, 'save us from the malice of the devil'; the second point of them, i.e. *ré*, is the same as protect, i.e. protect us, O God, from everything hurtful and malicious; the third point, *mí*, is the same in the Greek as *Militum* in the Latin, and that is the same as *Rídere* [a horseman] in the Irish, i.e. O God, said Moses, save us from those horsemen who are pursuing us; the fourth point, i.e. *fá*, is the same in Greek as *famulus* in the Latin, and that is the same as *mug* [slave] in the Irish, i.e. O God, said Moses, save us from those slaves in pursuit of us; the fifth point, i.e. *sól*, is the same as *grian* [i.e. the sun], and that is the same as faithfulness, because faithfulness is the same as Christ, i.e. O Christ, said Moses, protect us; the sixth point, i.e. *lá*, is the same as to say *lau*, and that is the same as *indail* [i.e. wash], i.e. O God, said Moses, wash our sins off us; and by that glorification Pharaoh and his people were drowned. Be it known to you, O men, that in whatever place this laudation is sung, i.e. the chanting, the devil is fettered by it, and his power destroyed therein, and the power of God called in". *Vellum MS. H. 3, 18, T.C.D., p. 39.*

All modern music, and indeed all polyphonous and harmonic music, is constructed upon what is called the diatonic scale. When, however, we analyse genuine Irish airs, even comparatively modern ones, where they have not been modified under the influence of Church music, or distorted to suit the exigencies of modern harmony, we find that many of them are constructed according to a gapped quinquegrade scale obtained from the circle of fifths, as I have shown above; while a still larger number are constructed in the old Church tones. But so strongly impressed is the character of the gapped scale in genuine Irish music that in those airs moving in Church tones one or both the semi-tones are omitted.

We have seen that the sentiment of tonality is of gradual growth, and that previous to the fusion of the Church tones into the modern major and minor modes, most, if not all, the notes of the diatonic scale were used as tonics, the same distances, however, between the notes being continued to be preserved which originally existed between them as notes of the old diatonic scale, thus furnishing, at least, as many kinds of keys as there were distinct notes. This was also the case with the music constructed on the gapped quinquegrade scale, which will, for our present purpose, be conveniently represented thus:

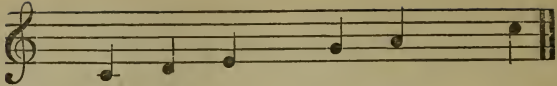
C - D - E - G - A - C'

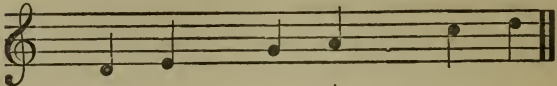
If each note of this scale be taken as the tonic of a distinct key, we might represent the order of succession of the notes in such several keys by the following series:¹⁰⁵⁶

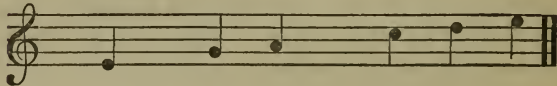
1. *C - D - E - * - G - A - * - C'*
2. *D - E - * - G - A - * - C' - D'*
3. *E - * - G - A - * - C' - D' - E'*
4. *G - A - * - C' - D' - E' - * - G'*
5. *A - * - C' - D' - E' - * - G' - A'*

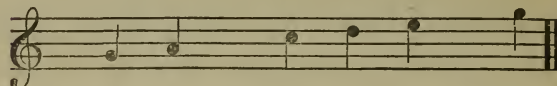
Or in ordinary musical notation:

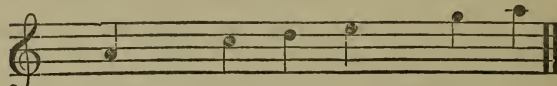
¹⁰⁵⁶ It is to be remembered, as I have similarly remarked already (p. dxliv.), that the notation employed in the two following paradigms is not intended to indicate the pitch of the sounds, but only the relative distances and arrangement of the several notes.

1. C. 

2. D. 

3. E. 

4. G. 

5. A. 

Ancient
keys of
diatonic
scale omit-
ting semi-
tones;

The peculiar progression of the notes in these five keys may be made, perhaps, more intelligible to those accustomed only to the ordinary diatonic scale, by exhibiting a series of keys which shall have for tonics the successive notes of the diatonic scale (omitting, however, those for the semi-tones), marking with an asterisk the semi-tones to be omitted in each key, if we desire it to represent a corresponding key of the gapped quinquegrade system.

- I. C - D - E - F* - G - A - B* - C'
- II. D - E - F* - G - A - B* - C - D'
- III. E - F* - G - A - B* - C - D - E'
- IV. G - A - B* - C - D - E - F* - G'
- V. A - B* - C - D - E - F* - G - A'

These keys expressed in ordinary musical notation would be as follows:¹⁰⁵⁷

¹⁰⁵⁷ It may be well to warn the musical student acquainted only with ordinary modern music, that in performing those scales, and any others which may be subsequently given, except where they are distinctly stated to be ordinary scales, no sharps or flats are admissible; they must be performed exactly as set down in the text.

If we omit the semi-tones, these series will represent the five keys of the gapped scale; if we do not omit them, we have the five melodic families of tones, which, like the gapped scale, were developed from a circle of fifths, namely :

	Greek Names.	Names according to Glareanus.	Modern scientific names.
<i>C - c</i> ...	Lydian	... Ionic	Major
<i>D - d</i> ...	Phrygian	... Doric	Genus of sevenths
<i>E - e</i> ...	Doric	... Phrygian	„ of sixths
<i>G - g</i> ...	Ionic	... Mixo-Lydian	„ of fourths
<i>A - a</i> ...	Æolic	... Æolic	„ of thirds

By melodic families are meant such of the Church tones as are adapted for polyphonous and harmonic music. As this term, "Church tone", is, probably, very vague to some of our readers, it is necessary to define the sense in which it is used in these pages.

In the early Church music, four scales or keys were recognized, which were known as the four authentic tones of St. Ambrose.

they represent the five melodic families of tones.

Authentic tones of St. Ambrose.

1. *D E F G A B C D*
2. *E F G A B C D E*
3. *F G A B C D E F*
4. *G A B C D E F G*

Extent and tonality of pieces in old Church tones;

The pieces composed in any of those tones or scales were normally supposed not to range beyond the compass of the eight notes, and they invariably ended on the first or lowest note of the scale, which was characterized as the fundamental note or tonic of the mode. But even the *Cantus firmus* could not be confined within these narrow conventional limits; and pieces were written which either went below the tonic or above its octave, thus including a range of nine, ten, or even, although very rarely, eleven notes. While however the tendency to exceed upwards seldom displayed itself, and took rather the form of what in modern language we would call grace notes, it was otherwise with notes below the tonic or first note of the scale. The latter were not only of frequent occurrence, but were almost always integral parts of the piece, which could not be omitted without altering its character and diminishing its effectiveness. This admission of notes below the tonic wrought a revolution in the system of modes, if indeed it were not a settled portion of the system from the beginning. Many pieces were written in which the notes below the tonic extended to the fourth under it. But in those pieces the extent above the tonic suffered a proportionate curtailment, so that they seldom reached beyond its fifth. The normal range of an octave or thereabouts, from the lowest to the highest note of the piece, was thus preserved; more than this was evidently considered to be beyond the fair compass of the ordinary human voice. This class of pieces, while they possessed a very close family likeness to the original authentic tones out of which they had developed, yet evidently possessed a peculiar expression of their own which forbade their being confounded with them.¹⁰⁵⁸

extension below the tonic;

compensated by curtailment above the tonic;

peculiarity of the tones thus developed;

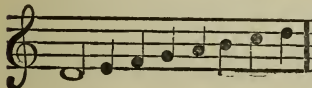
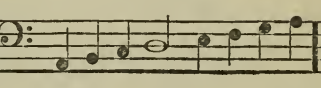
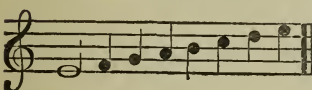
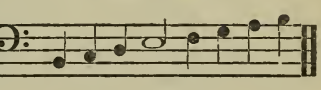
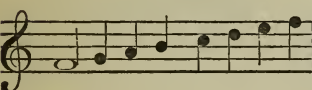
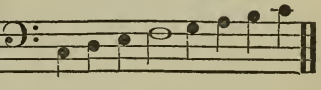
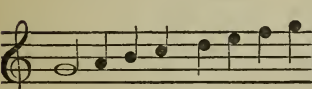
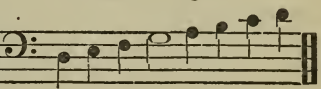
¹⁰⁵⁸ One of the best proofs which could be given of this is the actual comparison of a piece written in the "first" (authentic) mode of *D*, with one written in the "eighth" (plagal) mode of *G*. The scales in which the two pieces are written are identical, note for note; yet no one could possibly confound them as if they belonged to the same key.

Hence they received the name of *plagal* (*πλαγιος*, oblique), a name obviously suggested by the position of their notes with reference to their tonic. Each authentic tone or mode had therefore a corresponding plagal mode, which had grown out of it. Both were known by the same name or letter, *D*, *E*, *F*, *G*, which designated the tonic; but while the authentic mode extended normally through the octave above its tonic, the plagal extended usually from the fourth below the tonic to the fifth above it. In later times the authentic mode in *D* came to be designated the first tone, the plagal in *D* the second tone, the authentic in *E* the third tone, the plagal in *E* the fourth, and so on. When this ordinal designation was fixed, has not been ascertained with certainty, but it was fully recognized in the later middle ages.

origin of term *Plagal* given to them;

ordinal designation of Church tones;

The following table exhibits the eight Church modes.¹⁰⁵⁹

	1st Mode—Authentic.	2nd Mode—Plagal.
<i>D.</i>		
	Tonic.	Fourth. Tonic. Fifth.
	3rd Mode—Authentic.	4th Mode—Plagal.
<i>E.</i>		
	Tonic.	Fourth. Tonic. Fifth.
	5th Mode—Authentic.	6th Mode—Plagal.
<i>F.</i>		
	Tonic.	Fourth. Tonic. Fifth.
	7th Mode—Authentic.	8th Mode—Plagal.
<i>G.</i>		
	Tonic.	Fourth. Tonic. Fifth.

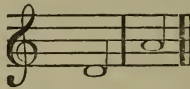
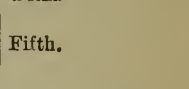
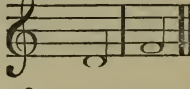
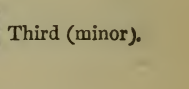
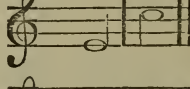
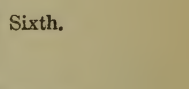
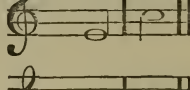
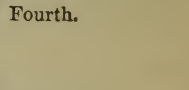
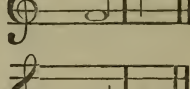
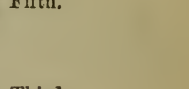
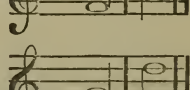

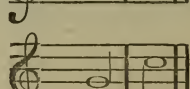
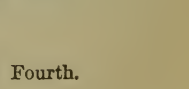
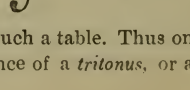
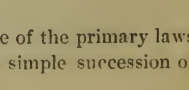
¹⁰⁵⁹ In this table the scales of each mode are given, that is, the orderly list of notes which may appear in a normal piece of each mode. But contingent alterations to which some of those scales are liable in actual practice,

no Church tone having C or A for tonic;

It is to be remarked that there is no church mode having either C or A for tonic; although the second and the sixth modes (both plagal) might have suggested the supplying the omission. The former, indeed, furnishes the nearest type of the modern major scale, and the latter of the modern minor scale to be found in ancient music.

Dominants of Church modes not in conformity with rules of modern music;

It is further worth observing with regard to these church modes, that they do not conform to the law of modern music, by having the fifth of the tonic for dominant. The etymology of this term suggests that it should be used to designate the note which *dominates*, that is, most frequently occurs in the course of the piece. The church modes present great variety in their dominants, as will be seen in the following table.

	Tonic.	Dominant.	Relation of Dominant to Tonic.
First Tone, Authentic.			Fifth.
Second Tone, Plagal.			Third (minor).
Third Tone, Authentic.			Sixth.
Fourth Tone, Plagal.			Fourth.
Fifth Tone, Authentic.			Fifth.
Sixth Tone, Plagal.			Third.
Seventh Tone, Authentic.			Fifth.
Eighth Tone, Plagal.			Fourth.

could not, obviously, be noted in such a table. Thus one of the primary laws of the *Cantus firmus* is its abhorrence of a *tritonus*, or a simple succession of

It is quite enough to look at this and the preceding Table, genus of the two musics different. to see that the *genus* of the music constructed on such a plan must be very different from modern music. Every scale is different; the semi-tones are in different positions with regard to the tonic and the dominant; this latter holds a different place and function from its modern counterpart; the several intervals are different. It is not difficult to recognize that, had the *Cantus firmus* been permitted to develop into harmony according to the bent of its own genius, the result would have been something differing considerably from our present music, presenting much greater variety both in form and expression, and probably more perfectly adapted to interpret the endless multifariousness of human passion and sentiment.

But music, like all the arts, has been developed not according to purely scientific laws, but in a great measure according to the bias given to it by the wayward caprice and the ignorance of men. What has been said above has, of course, reference solely to the modes of the regular *Cantus firmus*. As soon as it was brought into contact with the popular music of the northern nations, and especially as soon as it began to be treated in the ways already mentioned, and to be made to form part of a discant or of other polyphonus arrangements, it was inevitable that changes would

Developement of music not according to scientific laws, but to caprice.

three whole tones. This "horror", however, like the corresponding *natura abhorret a vacuo*, has to be qualified; so that any modification which varied the naked succession of three whole tones was admissible. Thus the ordinary movement of the diatonic scale from *F* to *C*, of three tones succeeded by a semi-tone, was regular: but were the singer to stop short on the third tone, the harshness would be felt at once. Hence in pieces of the first authentic tone in *D*, whenever the movement stopped short on *B* without proceeding upwards, the *B* was modified, and became $\flat B$. Now a little reflection will show that such a piece of music would very much resemble one composed in the modern *minor* key of *D*.

Similarly in the other modes, whenever a succession of three tones would otherwise be unavoidable, the *B* became $\flat B$. This however was a rule of *practice*, the putting which into actual exercise was dependent upon the occurrence of a contingency. It was not an essential feature of the mode or key, no more than a casual "accident" in a modern piece could be reckoned as one of the constituents of the key. Hence it is that in genuine *Plain Chant*, the $\flat B$ —the only modified note which it admits—is never marked in the key.

be introduced, sometimes indeed as a matter of necessity, in order to render the plain chant more amenable to its new uses, but frequently from the mere arbitrary whim of the singers. It was soon granted that a piece need not always be made to end in the tonic, but might be ended on the dominant or the notes immediately above or below the tonic. This was, in fact, a step in the direction of modern harmony. But the spirit of change did not stop here; it infected every branch of the execution of the plain chant. At last the confusion became so great that the very character of the mode itself became obscured, and various artifices had to be adopted to mark the mode for the singers, such as the beginning and ending phrases called *Tropes*, which have been already alluded to when referring to Tuotilo.

The series of the eight church modes, authentic and plagal, as above summarily described, continued, despite those disfigurements and ignorant malpractices, to furnish the groundwork of all musical composition, and to determine in the main its principles and forms, down to the end of the middle ages. Little use, comparatively, was made of the authentic (fifth) mode of *F*, because the harmonic difficulties presented by the false fourth or *tritonus*, *F* to *B*, embracing three whole tones, were almost insurmountable for the medieval composers. On the other hand, as has been already observed, the church series did not include modes in *C* and *A*, in each of which secular melodies were composed. The existing modes, as has also been observed, suggested how the deficiency should be remedied; and it was clear that those additional modes could not be excluded the moment music ventured to look beyond the limits of the strict *Cantus firmus*.

Causes
which led to
the emanci-
pation of
music from
the dominat-
ing influence
of plain
chant.

Various causes combined to take musical development out of the grooves provided for it by the ecclesiastical plain chant. There was first the influence of the contemporary music of the northern nations, an influence which became especially powerful when attempts were made to combine and co-ordinate the two together. There were next the alterations in the church music necessitated by this contact with the secular music, and even still more the spirit of capricious

change which seems to have allowed itself most irreverent scope in the execution of music of every kind in the middle ages. There were obvious deficiencies in the series of modes, which the natural progress of knowledge and improvement of taste would have sought to supply independently of the external pressure working in the same direction. And, I may add, there was the prompting and guidance of the series of church modes itself, which furnished a set of scales proceeding from every note of the diatonic scale, all differing in almost everything from one another. One of the greatest—probably the greatest—drawbacks under which modern music labours, and which will, probably, never now be removed, is the fact that the great composers of the fifteenth and sixteenth centuries, who determined the character of musical developement, failed to read the last lesson aright, and, instead of taking from the Plain chant this precious gift of a series of wholly differing scales which would have afforded an endless variety of harmonic creation, forced all musical progression into the twin moulds of the major and minor scales. Thenceforward the pitch of melodies might change, but the forms of musical combination became unalterable. The error was of the same kind, only more incorrigible, as that which for the varied beauty of natural scenery would substitute the artificial regularity of Dutch or Italian gardening.

Principal defect in modern music due to mode of developement.

From the causes, and in the ways I have mentioned, the old Church modes were gradually modified under the influence of polyphonous music. But, as there was no corresponding change in nomenclature, there arose the greatest confusion with respect to the names of these modes.¹⁰⁶⁰ At length Glareanus, one of the most distinguished theoretical musicians of the sixteenth century, endeavoured to bring order into musical tonality. He recognized twelve tones—hence the name of his treatise, the *Dodecachordon*—six authentic and six plagal. To these he gave the old Greek names of the different tones, and notwithstanding that he misapplied them in nearly every instance, his nomenclature was adopted. The table of

Confusion of musical nomenclature.

¹⁰⁶⁰ Helmholtz, *op. cit.*, p. 375.

musical genera set out above,¹⁰⁶¹ gives most of Glareanus' names, and the true Greek ones, the unmelodic Lydian of Glareanus, or Genus of Fifths, *F* to *f* being omitted, not only for the reason already stated, but because it does not occur in the gapped quinquegrade scale. Of these scales, the Greek Lydian, or Ionic of Glareanus, and the Æolic, became respectively the types of our major and minor mode.

Ratio of intervals in typical scales.

It will probably save much trouble of reference, and facilitate the understanding of what I have yet to say on the subject of Irish music, if I set down here, together, the typical scales with the numerical ratios which express the proportions that the number of vibrations corresponding to each of the several notes bears to the number of vibrations of the tonic, or initial note. For the simple reason of securing a homogeneous standard, I make *C* the starting note of the several scales.

I. Quinquegrade Diatonic Scale derived from a chain of ascending Fifths.

a'

1 $\frac{9}{8}$ $\frac{8}{4}$ $\frac{4}{3}$ $\frac{3}{2}$ $\frac{27}{16}$ $\frac{243}{128}$ 2

II. Gapped Quinquegrade Scale.

a''

1 $\frac{9}{8}$ $\frac{8}{4}$ $\frac{3}{2}$ $\frac{27}{16}$ 2

III. Ordinary Diatonic Major Scale of Modern Music.

a'''

1 $\frac{9}{8}$ $\frac{5}{4}$ $\frac{4}{3}$ $\frac{3}{2}$ $\frac{5}{3}$ $\frac{15}{8}$ 2

A glance at these three scales tells us that, while the first

and second differ so far as that the latter leaves out, or *skips*,^{Comparison of these scales.} the fourth and the seventh of the former, but are identical in every other respect; the third differs from the first as much as it corresponds with it. The second, fourth, and fifth, only, are the same in both scales; the third, sixth, and seventh in the ordinary diatonic scale being lower than the corresponding sounds in the scale derived from the chain of fifths in the ratio of $\frac{81}{80}$, or a comma.

Further, a glance at the ratios appended to the ordinary diatonic scale (α'') shows us that the intervals of sound, of which it is composed, are far from uniform. Thus, of the greater intervals, or tones, as they are called, those between *C* and *D*, *F* and *G*, *A* and *B*, are all equal; those between *D* and *E*, *G* and *A*, are also equal to each other, but are less than the former series by the same ratio of $\frac{81}{80}$. Hence the former are known to musicians as the major tones, and the latter as the minor tones. This difference of what we may call *size* in the tone-intervals involves a difference in the relation to them of the semi-tone intervals *E - F*, and *B - C*. These are themselves equal to each other, and nearly equal to five-ninths¹⁰⁶² of a major tone; being thus proportionately nearer to the value of the minor tones by one-ninth of a tone.

On the other hand, in the quinquegrade diatonic scale (α') derived from the chain of fifths, the five tone-intervals are mathematically equal. The two semi-tones, also, are equal to each other, and have the same relative value with reference to all the tones alike;¹⁰⁶³ but they are perceptibly less than the corresponding intervals in the ordinary diatonic scale (α'') by a comma, or $\frac{81}{80}$.

¹⁰⁶² They are really equal to almost $\frac{53333}{99999}$ of a major tone. The inaccuracy does not exceed .000003, a quantity absolutely inappreciable by the ear, and practically undistinguishable by any instrument.

With a view to temperament, or the tuning of instruments, mathematical musicians frequently consider the scale as composed of twelve equal semi-tones. Taking the *mean* semi-tone as = 1, the major tone would in this case be equal to about 2.04, the minor tone to 1.82, and the natural diatonic semi-tone (*E - F*) to 1.12.

¹⁰⁶³ They are each almost equal to $\frac{42857}{99999}$ of a tone, being actually less than this by .000007, a quantity alike inappreciable by the ear and unproducible by any instrument.

Existence of
two different
diatonic
scales.

Thus, there are two diatonic scales, not merely distinct but different. One (a''') is the ordinary major scale of modern music, to which we Europeans have been, by the usage of centuries, so much accustomed, that we never think of any other as possible. It has three classes of intervals:—the major tones, the minor tones, the semi-tones, which are differently related to the two kinds of tones. These intervals are so arranged, that two major tones never succeed each other, proceeding thus:—

maj. ton.	min. ton.	semi-tone	maj. ton.	min. ton.	maj. ton.	semi-tone.
C.	◡	D.	◡	E.	◡	F.
◡	G.	◡	A.	◡	B.	◡
C.						

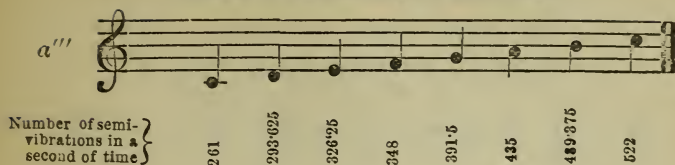
The other diatonic scale (a') developed out of a chain of ascending fifths, has but two kinds of intervals:—the tones and the semi-tones.

These scales
lead to different
systems
of music;

The mere statement of these peculiarities demonstrates that these two scales differ essentially in character, and that the music composed in one of them is not capable of being rendered in the other. The scale which we are used to call "*Natural*", is far more elaborate and more ingeniously constructed than its fellow; it carries internal evidence of its being the fruit of long experience and most careful observation. Thus, the two scales lead to two different systems of music, which are not, in truth, intercommunicable, because the intervals of the one scale are not identical with those of the other:— $D - E$ in one is not the same as $D - E$ in the other; $F - A$ in one is not what $F - A$ is in the other. I shall give one practical specimen of this discrepancy, taking for our example the scale of C as it will be rendered by a two-foot open pipe of an ordinary organ, or by an ordinary violin.¹⁰⁶⁴

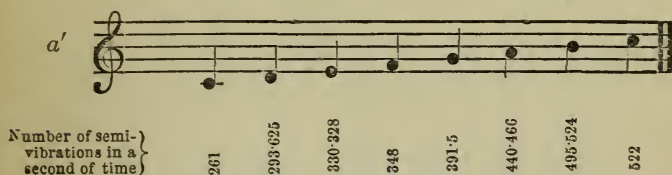
¹⁰⁶⁴ This being a concrete example, it is necessary to give the actual values of the notes as produced by the organ or violin. For this purpose, I have taken the pitch which is assigned to A (in the *natural* diatonic scale) = 435; this being the number now adopted in France (*Moniteur Universel*, 25 Fevrier, 1859) and in a large number of German orchestras. But at the same time, it is to be borne in mind that the *relative* values, or ratios of the notes, are wholly independent of their pitch or actual value. And since every expression of interval in music is an expression of proportion only, the intervals in the scales given above apply equally well to any scale presenting the

Ordinary, or Natural Diatonic Major Scale.



Could the corresponding diatonic scale, which is derived from a sequence of ascending fifths, be rendered by a similar pipe of equal dimensions, it would be as follows:—

Quinquegrade Diatonic Scale derived from Fifths.



Any one can recognize that the corresponding notes are not equivalent;¹⁰⁶⁵ and, hence, that, with respect to many kinds of instruments—and notably the organ—the same instrument cannot perform exactly both scales. They might, indeed, be rendered on the violin, by a player sufficiently instructed and careful to mark the differences of sound. But even this dual capacity of the violin is restricted within narrow limits. For all the four strings cannot be similarly adjusted for the two scales alike. Thus, if the *G* string be tuned to render correctly the ninth below *A* in the ordinary diatonic scale, it will be perceptibly high, or “sharp”, for the corresponding ninth of the other diatonic system. So that, even the fiddle, the simplest and most accommodating instrument conceivable,

shown by
the tuning
of two
violins;

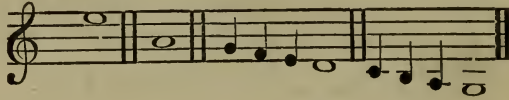
same order of interval, no matter what may be the pitch of the fundamental note.

¹⁰⁶⁵ Should any one be surprised to find that even the standard note, *A*, does not correspond in both scales, let him remember that in the ordinary or “natural” scale the numerical value of *A* (or the sixth note of the scale), with respect to the initial note *C*, is $\frac{3}{2}$, whereas in the quinquegrade, or that derived from a chain of fifths, the value of the sixth note is a comma higher, or $\frac{17}{16}$. The sounds which would represent those respective values, could not possibly be identical.

down from
the second,
or A string;

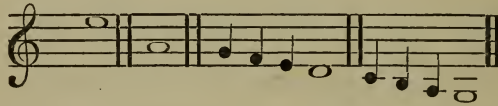
cannot be made to render *with accuracy* a piece according to both scales, if the range exceed an octave. For the correct performance of such a piece—and how many melodies, especially Irish, exceed the octave!—according to both scales, two fiddles are necessary, as the following illustration will make plain.¹⁰⁶⁶

Violin tuned from A String, for Natural Scale.



Number of semi- vibrations in a second of time }	652·5	435	391·5	348	326·25	293·625	261	244·687	217·5	195·75

Violin tuned from A String for Scale derived from Fifths.



Number of semi- vibrations in a second of time }	652·5	435	386·6	343·7	326·25	290	257·7	244·687	217·5	193·3

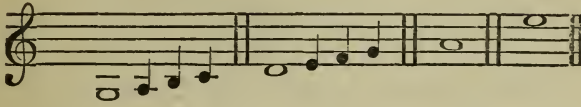
Nor will the case be much improved, if we have the vio-

¹⁰⁶⁶ In this illustration the fiddles are assumed to be tuned in the ordinary way, the second, or A string, being taken as the standard. I have explained above why I assume the pitch of A at 435; but I desire to reiterate that the ratios expressed by the figures affixed in the text to each note are wholly independent of pitch.

We have, however, to consider the numerical value of the sounds produced by the notes of the scale, with respect to a point of departure which is different from C, that assumed in the examples given on the preceding page (dlxxxiii), and in the note at foot. Here the sound produced by the open second string of a violin, which is called A, is taken as the standard to which all the other notes capable of being produced by the instrument must be referred. But this does not affect the relative values of any of those notes. Hence, C in the *natural* scale must continue to bear to the sound produced by the open second string the proportion of 3:5. In the scale, however, formed from a chain of fifths, C must continue to have to this same sound, A, the proportion of 16:27. Hence the explanation of what might at first sight seem to be an inconsistency:—viz., the different values assigned to apparently the same notes even in the same species of scales, according as the notes are referred to A or to C, as the standard of numerical value.

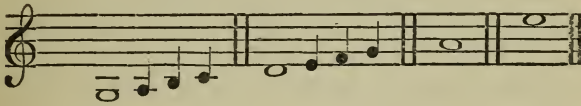
lins tuned upwards from the *G* string.¹⁰⁶⁷ The following will be the result:— or up from the *G* string.

Violin tuned from *G* String for Natural Scale.



Number of semi-vibrations in a second of time	}	195.75	217.5	244.687	261	293.625	326.25	348	391.5	435	652.5

Violin tuned from *G* String for Scale derived from Fifths.



Number of semi-vibrations in a second of time	}	195.75	220.218	247.746	261	293.625	330.327	348	391.5	440.436	660.654

Here the ordinary notes of the natural diatonic scale are perceptibly “flat”, or lower than the corresponding notes of the scale derived from fifths; just as in the former case they were proportionately “sharp”, or higher.

It is unnecessary to say one word more to show that the two scales are in most of their notes incommensurable;¹⁰⁶⁸ and consequently that music composed on the basis of the one cannot possibly be faithfully rendered by a performance according to the other.

¹⁰⁶⁷ It is unnecessary to say that no fiddler would consent to tune his instrument thus; so our illustrations are almost purely theoretical. The pitch of the open *G* string is set down at 195.75, that being its value in the natural scale tuned from *A* at 435. The *G* string of each violin must, of course, be supposed to have the same pitch, otherwise their respective progressions could not be referred to the same standard of comparison.

¹⁰⁶⁸ The obvious explanation is that the *fifths* in the ordinary natural scale, are not all equal to each other. *C - G* is not equal to *D - A*: the former contains two major tones, one minor tone, one semi-tone; the latter, one major tone, two minor tones, one semi-tone. On the other hand, in the scale derived from the sequence of fifths, the fifths are mathematically equal to each other. How could such scales be equivalent?

Early church music constructed on the quinquegrade scale.

To which of these two scales did the Church music belong? Were its hymns and anthems constructed according to the intervals of the modern "natural" scale, or on the basis of the scale which I have called the quinquegrade, derived from a chain of fifths? I have already said that the earliest Church music must have been formed on the diatonic system of the Greeks, and this we know was founded on a quinquegrade scale. The conclusion is plain, that at least the early developements of the Church music will have followed the same path. The great expansion and elaboration which vocal music acquired in the sixteenth and seventeenth centuries, and its union, thenceforward inseparable, with instrumental music, made it necessary that the same scale should regulate the sounds performed by the human voice and by instruments. Now, a series of causes which it would be impossible to enumerate, and still more to discuss here, have combined to develope and recommend what is known as the natural diatonic scale. I shall only repeat what I have already observed above, that this "natural" scale is a most elaborate and carefully calculated compromise between contending difficulties of complicated construction and accuracy of execution.

Natural scale now used in Plain chant.

For the last two centuries, or perhaps more, we may take it for granted that the intervals employed in the Plain chant are identical with those which are used in the concerted pieces or harmonized Church music; and these again are identical with the intervals of our ordinary secular music, whether vocal or instrumental. Thus, to cite an authentic example, one might have heard the Papal choir in the Sixtine Chapel chant the opening of an Introit in *Canto fermo*, continuing and finishing it in the peculiar style of *Faux Bourdon*, which is heard nowhere else, and which tradition says was brought by their predecessors from Avignon. The *Kyrie*, etc., would be from a Mass of Palestrina or some composer of polyphonous or early harmonic music of similar style, performed without any instrumental accompaniment, as is the usage in the Papal chapels. Later on in the day, some of the members of the same choir might be heard in any of the churches of the city of Rome singing an elabo-

rately concerted arrangement of the vesper psalms to the accompaniment of a complete orchestra of stringed instruments and organ. But in these four distinct styles of music the most acute ear would fail to trace any difference in the intervals employed. The mould and the material out of which the song was wrought, were the same for all; it was in the grouping and arrangement that the characteristic distinction of each was to be found.

But the story would be different could the critic compare those same performances with specimens of the *Cantus firmus* of eight hundred years ago. They had then a simpler music, even if less pleasing; their scale was homogeneous, because there was no necessity for the complications enforced by an equilibrium of difficulties. They had not the pianoforte, the many reed instruments which we now possess, and they were unacquainted with that amazing range of distinct sounds which a modern operatic orchestra includes. But even before the necessity of disciplining the modern army of musical forces existed, the quinquegrade scale was found unsuitable for the construction of the complicated masses of tones combined by the great masters of polyphonus song, and hence the gradual developement of the more complicated "natural" scale.

In comparing Irish music with Church music, and studying the nature of the influence which the latter exerted on the former during the middle ages, we must bear in mind, therefore, that it is the old *Cantus firmus* constructed according to the quinquegrade scale that we have to deal with, and not the modern plain chant, in which the intervals are those of the natural scale, and that the only difference as regards scale between Irish and Church music, consisted in the omission of the semi-tones from the former.

The preceding observations on the character of the two scales—the quinquegrade and the natural—are wholly irrespective of *temperament*, or that adjustment of the parts of (especially fixed) musical instruments, which is necessary in order to diminish the inaccuracy of their rendering of certain intervals. Every one acquainted with the piano-forte and

Irish music
is to be compared with
the old
Church
music.

Tempered
scale.

"Tempered" ordinary organ, knows that, although $\sharp D$ and $\flat E$ are really different musical notes, they have only a single key in their key-boards to represent them. Hence, both in the original manufacture, and in the tuning of those instruments, it becomes necessary to so adjust the strings, etc., that the single *black* key, situate between the white keys of D and E , shall give a medium sound between those notes. But this medium or "tempered" sound is a little too high to represent precisely $\sharp D$ and a little too low to represent precisely $\flat E$. Similarly, it would be wholly impossible to manufacture or tune pianofortes or organs which should maintain between their corresponding notes that distinction of major and minor tones, which we have above seen is one of the essential features of the natural scale. The condition that every note can in turn become the tonic for a new key or scale, which is to be a reproduction on a different pitch of the original natural scale, puts such a task outside the pale of feasibility, at least for all practical purposes. Accordingly, on those instruments, all distinctions of "size" between the tones disappear. Every tone is composed of two *mean* semi-tones. The semi-tones themselves are less than they ought to be, according to the theoretical natural scale. Thus all the variety, which would seem to have been secured as a necessary outcome from the differences of numerical value of those primitive intervals, is obliterated; all are reduced to the dead level of the mean semi-tone = 1. How great is the change, may be seen by referring to the comparative values given already.¹⁰⁶⁹

In this way we perceive that the ordinary major scale of C , as rendered by the pianoforte, is not the theoretical natural scale at all, but quite a different series of notes, differing from each other by identical intervals. The music, as rendered by such an instrument, is not the music which is written, but a somewhat inaccurate approximation to it. It is plain that the written interval $C - \flat E$, cannot be *precisely* expressed by sounds, which are equally employed to express the different written interval, $C - \sharp D$.

Since the tone-intervals in the quinquegrade scale are all

¹⁰⁶⁹ *Ante*, p. dlxxxi, note.

equal,¹⁰⁷⁰ it might be thought that the tempered scale of the pianoforte, which has all the tones equal, is adapted for rendering correctly music written according to the quinqugrade scale. But we must remember that the tones of the tempered scale are all less than those of the quinqugrade scale, while the semi-tones of the former are *greater* than those of the latter. The music of the one evidently cannot be expressed by the other.

I shall now proceed to study each of the five ancient Irish keys that correspond to the five keys which are obtained by making each note of the quinqugrade scale the tonic, and to the five melodic families of tones, and contrast them with the keys used in modern music.

The five ancient Irish keys :

The first of the gapped quinqugrade series, *C* to *C'*, corresponds to the first of the diatonic series, *C* to *C'*, from which the fourth and seventh have been omitted. The third and sixth of these quinqugrade scales have not, however, the same value as those of the natural scale, as will be seen by contrasting the intervals of the three scales :

Gapped Quinqugrade scale	}	<i>C</i> - <i>D</i> - <i>E</i> - * - <i>G</i> - <i>A</i> - * - <i>C'</i>
		1 $\frac{9}{8}$ $\frac{81}{64}$ $\frac{3}{2}$ $\frac{27}{16}$ 2
Quinqugrade diatonic scale.	}	<i>C</i> - <i>D</i> - <i>E</i> - <i>F</i> - <i>G</i> - <i>A</i> - <i>B</i> - <i>C'</i>
		1 $\frac{9}{8}$ $\frac{81}{64}$ $\frac{4}{3}$ $\frac{3}{2}$ $\frac{27}{16}$ $\frac{143}{128}$ 2
Natural diatonic major scale in C.	}	<i>C</i> - <i>D</i> - <i>E</i> - <i>F</i> - <i>G</i> - <i>A</i> - <i>B</i> - <i>C'</i>
		1 $\frac{9}{8}$ $\frac{5}{4}$ $\frac{4}{3}$ $\frac{3}{2}$ $\frac{5}{3}$ $\frac{15}{8}$ 2

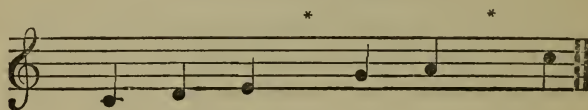
The third and sixth of the gapped and diatonic quinqugrade scales, and which may be called the Pythagorean major third and major sixth, are respectively a comma higher than the corresponding notes of the natural scale ($\frac{81}{64} = \frac{5}{4} \cdot \frac{81}{64}$, and $\frac{27}{16} = \frac{5}{3} \cdot \frac{81}{64}$). On stringed instruments played with the fingers or with a bow the third and sixth of the two former scales may be distinguished from those of the natural scale, but not on keyed instruments. But, although capable of being distinctly produced on stringed instruments, our ears, accustomed to the large intervals of the diatonic scale, can scarcely discriminate in homophonous music two notes differing by a comma only. A very disagreeable effect is, however, occa-

character of the several scales in the key of C.

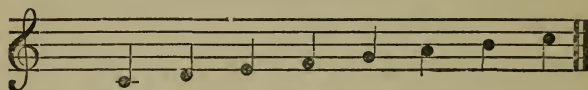
¹⁰⁷⁰ *Ante*, p. dlxxxi.

sioned when an accompaniment proceeding according to the natural scale is put to a melody constructed with the intervals of the scales derived from a chain of fifths. On the other hand, there is no way, according to the present system of musical notation, of writing down distinctly, and in a separate form, the notes and chords of these two different classes of scales. Hence all airs composed either in the gapped quinquegrade scale or in the diatonic quinquegrade scale derived from a chain of fifths, would have necessarily to be noted down according to the natural diatonic scale.

Gapped Quinquegrade Scale.



Full Diatonic Scale.



Irish airs
composed in
the gapped
and diatonic
quinque-
grade scale
of C.

A great many Irish airs were originally composed in this gapped quinquegrade scale, and the omission of the semi-tones stamps all such airs with a peculiar colour which we at once recognize as characteristic of Irish melodies. Musicians, however, who were unacquainted with the nature of the old scale would tune their instruments according to the modern natural scale. Hence, when the semi-tones are introduced, even as passage notes merely, the melody seems to belong to the ordinary major key. Melodies of this kind are for this reason more susceptible of being harmonized for the piano, upon which the third and sixth would be played in the ordinary diatonic scale, than those in any other key, and have consequently found more favour with modern musicians. One of the best examples of an air in this gapped scale is the well-known melody *Eibhlin a rúin*. When played on a fiddle by one who understands the true peculiarities of old Irish music, not only are the fourth and seventh omitted, or only introduced as passage notes in the higher parts, but the third

and sixth are Pythagorean, that is, each is played a comma sharper than the corresponding notes of the natural scale. Even a stranger to our national music will at once detect the special expression wrought by thus bringing back the execution of the tune to its original standard. This very air is an abiding instance of the havoc caused in Irish music by ignorant or careless adapters. If Sir John Stevenson's setting to Moore's words, "Erin, the tear and the smile in thine eyes", be compared with the version in Bunting's collection, the superior accuracy of the latter may be at once recognized on intrinsic evidence. Yet Bunting committed the blunder of setting this simple air in *bA*,—a key entirely beyond the comprehension of an Irish harper.

The second scale, or that in *D*, of the quinquegrade series Key of D: would correspond to the first authentic Church tone in *D*, in which the third and sixth would be omitted.

Gapped Quinquegrade } *D* - *E* - * - *G* - *A* - * - *C* - *D*
 scale in *D*. } 1 $\frac{2}{3}$ $\frac{4}{3}$ $\frac{2}{3}$ $\frac{1}{9}$ 2

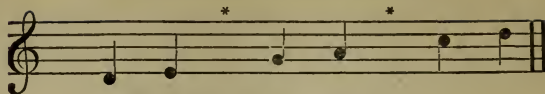
Quinquegrade diatonic } *D* - *E* - *F* - *G* - *A* - *B* - *C* - *D*
 scale or first authentic } 1 $\frac{2}{3}$ $\frac{3}{2}$ $\frac{4}{3}$ $\frac{3}{2}$ $\frac{7}{6}$ $\frac{1}{9}$ 2
 Church mode in *D*. }

Modern scale of *D* } *D* - *E* - *F* - *G* - *A* } $\natural B$ - $\sharp C$ } *D*
 minor ascending and } 1 $\frac{2}{3}$ $\frac{3}{2}$ $\frac{4}{3}$ $\frac{4}{2}$ } $\flat B$ - $\flat C$ } 2
 descending. }

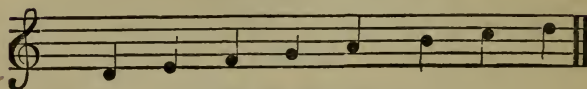
The three first notes of the complete Church tone in *D* character of the scales in this key. form a minor third, $D - F = 27 : 32$; it has also a Pythagorean major sixth which is a comma higher than the natural major sixth and not so well adapted for harmony as the latter.¹⁰⁷¹ Hence, when the omitted third and sixth are introduced into airs, constructed originally in the gapped scale, (which has neither a third nor sixth) but now played upon instruments tuned according to the ordinary diatonic scale, the key seems to correspond to our modern minor key, as may be seen if we give these scales in ordinary musical notation.

¹⁰⁷¹ The Church mode in *D* has frequently a flat or minor sixth (81 : 128) in order to avoid the *tritonus* which would otherwise occur whenever the piece touched *B* without ascending further. See also note to p. dlxxvii, and, for an example of what is here mentioned, the Introit *Statuit* of the common mass for feasts of martyrs. It opens with the fifth, passing instantly to the flat sixth.

Gapped Quinquegrade Scale in *D*.



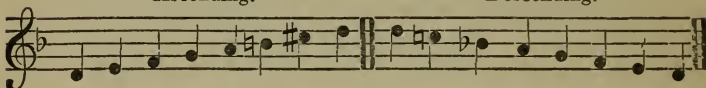
First Authentic Church Tone in *D*.



Modern Minor Scale of *D*.

Ascending.

Descending.



The seventh of the gapped and Church quinquegrade scales is what is called a “flat seventh”. I shall return to this “flat seventh” when speaking of the fourth key. The sixth and seventh are major in the modern minor scale when ascending, and flat when descending.

Irish airs composed in the gapped and diatonic quinquegrade scale of *D*.

A great many Irish melodies have been composed in this key, and are so very peculiar and different from our modern music, that they have not yet found their way among modern musicians. In Moore's *Irish Melodies* there is not a single specimen; at least, there is not a single unaltered one. Bunting, when describing the way in which the Irish harpers, who attended the meeting of harpers at Belfast in 1792, tuned their harps, says that they had only two keys perfect, *G* and *C* major. By perfect he means keys corresponding exactly to those of modern harmonic music; everything that did not exactly correspond to this standard was regarded by him as imperfect. He also goes on to say that the harpers had two other keys, *E* and *A* minor, neither of them “perfect”, and that they sometimes made use of the key of *D* natural minor, which was still more “imperfect”, though some of their airs were performed in that key, and were thought extremely agreeable by many persons.¹⁰⁷² These airs he has not transmitted to us, his views of musical “perfection” leading him to despise melodies constructed on so “imperfect” a key. One of the airs in his collection,¹⁰⁷³ *Yougall*

¹⁰⁷² Bunting, *Ancient Music of Ireland*, Edit. of 1840, p. 23, note.

¹⁰⁷³ *Ibid.*, p. 39.

duishi, "Get up early", was originally in this key of *D* which we are now considering, but, having changed several notes in order to make it "perfect", he has entirely destroyed the peculiar Irish and antique character of the air.¹⁰⁷⁴ There are, however, popular melodies known through the country, which are constructed in this key, among which may be specially mentioned the airs *Cailin astór*, *Drimin dun oge*, and *Slainte Righ Philip*, or "a health to King Philip". Some of the airs in this key were probably originally composed in the diatonic Church tone; but so strongly impressed with the characteristics of the quinquegrade scale is Irish melody, that even where the melodies were constructed in old Church tones, the semi-tones are either wholly omitted, or only used in the higher parts of the air. On the other hand, under the influence of Church music or of modern harmonic music, the semi-tones are often introduced as passage notes in melodies constructed on the old quinquegrade scale.¹⁰⁷⁵ An excellent example is the *Péarla an Chúil chraolhaigh*, "the Pearl of the flowing tresses".¹⁰⁷⁶ The sixth occurs indeed in it

Irish airs composed in the gapped and diatonic scale of *D*.

¹⁰⁷⁴ Bunting truly remarks in his Preface (*op. cit.*, p. 10), that "he had an opportunity, never perhaps enjoyed by any other musical compiler, of rendering himself thoroughly acquainted with" Irish music; and he boasts that he has been able "to preserve with a fidelity unattainable by any stranger, the pure, racy old style and sentiment of every bar and note in his collection". Now, at p. 23, he gives the Tablature of the harp, and the "method of tuning used by the old harpers", as he had learned them from the last eminent harpers who flourished nearly three quarters of a century ago. According to this Tablature, the only affected note for which provision was made in the instrument was $\sharp F$; and according to the method of tuning, " $\sharp C$ was sometimes, but very rarely, employed". But the existence of any other altered notes seems never to have been known to those Irish harpers. Nevertheless Bunting has not hesitated to give us airs, which he calls Irish, arranged in the modern major and minor keys, with all their apparatus of sharps and flats. May we not reasonably fear that he may have been equally free in his treatment of those airs in other respects, and that the very severe, but just, strictures which he makes (p. 2) upon Sir John Stevenson's "supposed emendations of the Irish Melodies", may be fairly, although in a lesser degree, extended to himself?

¹⁰⁷⁵ The introduction of semi-tones into the higher parts of a melody of extensive range, or the use of them as notes of passage, cannot affect the *genus* of the music, any more than the occasional introduction of chromatic notes and passages into a piece of modern music can be said to destroy its general diatonic character.

¹⁰⁷⁶ *Ancient Music of Ireland*—Petrie Collection, p. 184.

Irish airs
composed in
the gapped
and diatonic
scale of *D*.

only once, and then as a note of passage, and it is major. Now, from a modern point of view, this is a marked characteristic:—an air in *D* minor without the occurrence of *bB* would indeed be a phenomenon. On the other hand, the emphatic recurrence of the third attests the influence of the Church music. Another example of the same kind is the beautiful melody, “I once loved a boy”,¹⁰⁷⁷ which is especially remarkable for the absence of both sixth and seventh.

Another illustration, although valuable from a different point of view, is the first of Carolan’s “Planxties” given by Dr. Petrie.¹⁰⁷⁸ It is in this key; but it shows the influence of the Italian School of Geminiani, which had already begun to tell on the structure of Irish tunes. Thus the seventh of the key, *C*, is always sharpened when employed as preparation for the tonic. The well-known air, *An Filleadh ó Fhine Ghall*, “The Return from Fingal”, popularly known as “Brian Borumha’s March”, is even a more instructive example, having become sadly corrupted under the influence of modern music, by efforts to reduce it to the proprieties of the recognized minor key.¹⁰⁷⁹

¹⁰⁷⁷ Dr. Petrie (*Ancient Music of Ireland*, p. 79) has set this beautiful melody in *F* minor, a fabulous key, where native Irish music is concerned.

¹⁰⁷⁸ *Ancient Music of Ireland*, p. 12.

¹⁰⁷⁹ Dr. Petrie says of it (p. 31): “The pipers now usually play the air without strictly attending to the minor mode to which it obviously belongs, and so give it a barbarous character, destructive to the air, and with which it would be impossible to combine any harmony of a correct nature. By playing the first part, however, in the major mode, the similarity of the first section to that of Auber’s March in *La Mulette de Portici* will be more immediately recognized”. This notion that airs, in order to be genuine music, must be capable of being combined with “harmony of a correct nature”—that is, with the concords and discords of modern musical science—is the *ignis fatuus* of most Irish collectors. In their anxiety to conform to this imaginary canon, they sacrifice the substance of the treasures they may have gathered, and in too many cases, instead of a “casket of Irish pearls”, they hand down to posterity a parcel of imitations in patent paste. The business of a collector of Irish music is to give the air precisely as “the pipers now usually play” it, and not to present us with a set of theoretical emendations of his own devising. He will not be responsible for the “barbarous character” of the pipers’ traditional version, which cannot (without a contradiction) be described as “destructive to the air”; and it is not in any sense his duty to see that the air is such as can be combined with “harmony of a correct nature”. It is a special cause of regret that this and many another re-setting of old Irish airs

Even in its modern garb, however, it still omits the sixth except as a note of passage.

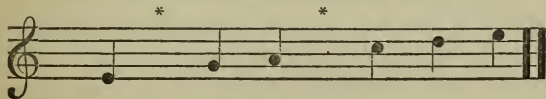
The key of *E* in the gapped quinquegrade series corresponds Key of *E*: to the second Church tone in *E*, from which the second and fifth are omitted, as the following comparison of the intervals in the two scales will show:—

Gapped quinquegrade scale in <i>E</i> .	}	<i>E</i> - * - <i>G</i> - <i>A</i> - *	-	<i>C'</i> - <i>D'</i> - <i>E'</i>	
		1 $\frac{3}{2}$ $\frac{2}{3}$ $\frac{4}{3}$		$\frac{1^2 2^2}{8^1}$ $\frac{1^5}{9}$ 2	
Diatonic quinquegrade scale in <i>E</i> of authentic third Church tone.	}	<i>E</i> - <i>F</i> - <i>G</i> - <i>A</i> - <i>B</i>	-	<i>C'</i> - <i>D'</i> - <i>E'</i>	
		1 $\frac{2}{2}$ $\frac{4}{3}$ $\frac{3}{2}$ $\frac{2}{3}$ $\frac{4}{3}$ $\frac{2}{3}$		$\frac{1^2 2^2}{8^1}$ $\frac{1^5}{9}$ 2	
Modern scale of <i>E</i> -minor ascending and descending.	}	<i>E</i> - # <i>F</i> - <i>G</i> - <i>A</i> - <i>B</i>	-	- # <i>C'</i> - # <i>D'</i>	} <i>E'</i>
		1 # $\frac{6}{8}$ $\frac{6}{5}$ $\frac{4}{3}$ $\frac{3}{2}$		- $\frac{3}{2}$ $\frac{1^5}{9}$	
				- $\frac{7}{4}$ <i>C'</i> - $\frac{7}{4}$ <i>D'</i>	} 2
				$\frac{5}{8}$ $\frac{5}{8}$	

The third and sixth in the scales from the chain of fifths are the Pythagorean minor third and minor sixth, which are respectively a syntonic comma less than the natural minor third and the natural minor sixth of the ordinary or natural diatonic scale. In the gapped and Church quinquegrade scales there are three flat or minor intervals—the third, sixth, and seventh. Character of the quinquegrade scales in the key of *E*.

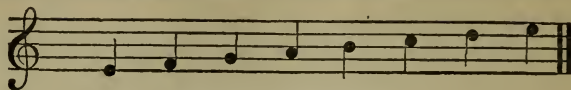
The three scales are here set down for the purpose of comparison. A glance is sufficient to show how hopeless would be an attempt to translate melodies written according to the first or second scale into the third. The fact that the second in the modern minor scale is a whole tone, while in the quinquegrade scale it is only a semi-tone, is sufficient proof of the impossibility of doing so. Comparison of the several scales in the key of *E*.

Gapped Quinquegrade Scale in *E*.

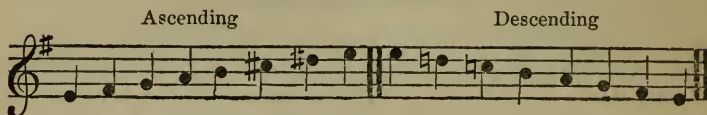


to suit the exigencies of modern harmony, have proceeded from a mistaken notion of patriotic duty, and a desire to maintain the national musical credit. As if national music could be anything else but the collection of the genuine melodies of a nation undefiled by admixture with what were the discoveries of other peoples and a later age.

Diatonic Quinquegrade Scale, or Authentic third Church mode in *E*.



Modern Minor Scale of *E*.



The effect of melodies in the gapped scale, especially where the Pythagorean minor third and sixth are used, is very strange to ears accustomed only to modern music. This is the imperfect key in *E* minor, referred to by Bunting; but, owing to the difficulty of putting an accompaniment to airs in it, and to their strange effect, they have been neglected by modern musicians, even when constructed according to the complete Church tone. Hence the difficulty of finding in any published collection of Irish airs an example, even in the altered form, and the certainty that those still preserved among the people are more or less modified and impure. I do not recollect to have heard any Irish airs constructed in the strict gapped scale; but many old airs may be found, in which the fifth, or even the fifth and second, are introduced as passing notes, chiefly in the higher parts of the air. The only ones which I can at the moment refer to are: "Cold and rough the north wind blows", just published by Dr. Joyce,¹⁰⁸⁰ and "Molly Hewson", published by Dr. Petrie.¹⁰⁸¹ The former is not a pure example, but deserves careful consideration. It is divided into two parts. In the first part the second does not occur at all; in the second part it occurs only once, and then as a note of passage. The fifth is not omitted, which shows that it was composed under the influence of the Church mode; on the other hand, neither the seventh nor sixth occurs in the upper part of the air, and the seventh, where it does occur in the lower parts of the air, is flat.¹⁰⁸² "Molly Hewson" as given by Dr.

Airs in key
of *E*.

¹⁰⁸⁰ *Ancient Irish Music*, p. 55.

¹⁰⁸¹ *Op. cit.*, p. 40.

¹⁰⁸² The air as given by Dr. Joyce has the sixth sharpened. This is clearly a modernism to suit a "harmony of a correct nature". On this principle

Petrie, is in *D* minor, but I am inclined to regard it as originally belonging to the key of *E*. It has the same peculiarity as the preceding air of not having the second, which is one of the characteristics of airs in the gapped quinquegrade scale of *E*.

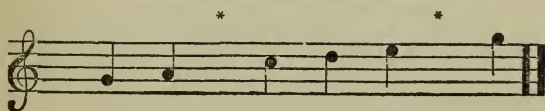
The gapped key of *G* in the quinquegrade series corresponds Key of *G*: to the authentic seventh Church tone in *G*, from which the third and seventh are omitted, as will be seen by comparing the intervals in each scale.

Gapped quinquegrade scale in <i>G</i> .	}	<i>G</i> - <i>A</i> - * - <i>C'</i> - <i>D'</i> - <i>E'</i> - * - <i>G'</i>
		1 $\frac{9}{8}$ $\frac{4}{3}$ $\frac{3}{2}$ $\frac{27}{16}$ 2
Diatonic quinquegrade scale of Authentic seventh Church tone in <i>G</i> .	}	<i>G</i> - <i>A</i> - <i>B</i> - <i>C'</i> - <i>D'</i> - <i>E'</i> - <i>F'</i> - <i>G'</i>
		1 $\frac{9}{8}$ $\frac{8}{4}$ $\frac{4}{3}$ $\frac{3}{2}$ $\frac{27}{16}$ $\frac{16}{9}$ 2
Ordinary scale in <i>G</i> major.	}	<i>G</i> - <i>A</i> - <i>B</i> - <i>C'</i> - <i>D'</i> - <i>E'</i> - $\sharp F'$ - <i>G'</i>
		1 $\frac{9}{8}$ $\frac{5}{4}$ $\frac{4}{3}$ $\frac{3}{2}$ $\frac{5}{3}$ $\sharp 1\frac{5}{8}$ 2

The quinquegrade scale differs from the modern major scale of *G* in the sixth and seventh. The sixth of the quinquegrade scale is a Pythagorean major sixth, which is a comma higher than that of the modern major scale. The seventh of the quinquegrade scale is flat, being what is called the narrow minor seventh, while that of the modern major scale is major, differing from the flat seventh by the ratio $1\frac{3}{2}\frac{5}{8}$. The third of the quinquegrade scale is a Pythagorean major third, which is a comma higher than the natural major third.

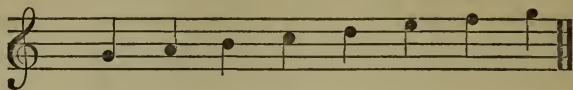
Although the melodic effect of the gapped quinquegrade scale is perceptible in every Irish air composed in this key, it would be difficult to find a single air in which the semi-tones are wholly absent. As a rule, the third and seventh, or sometimes the seventh only, are used either as integral parts of the scale or as passage notes introduced occasionally. Of these, the third is major, $\frac{5}{4}$, and the seventh is minor, $1\frac{6}{9}$, so that we have almost the true Church tone.

Gapped Quinquegrade Scale in *G*.

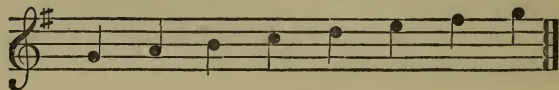


surely the seventh also ought to have been sharpened, at least when leading to the tonic.

Diatonic Quinquegrade scale, or Authentic seventh Church mode in *G*.



Modern Scale of *G*.



Irish airs in
the key of *G*.

Airs in this key, in which ancient traces of the gapped scale are manifest, but in which the minor or flat seventh is introduced, are very numerous. One of the most characteristic is the old air, "I am asleep, and do'n't waken me". With respect to this air Dr. Petrie observes¹⁰⁸³ that Bunting has given two settings of it, being evidently ignorant that the tune called "Soft mild morning",¹⁰⁸⁴ is only a "modified version" of "I'm asleep".¹⁰⁸⁵ It is well worth while to compare the original with the modified version. The keys as given by Bunting are different. But this is nothing; although he must himself have known that the key of *bB* major did not exist in Irish music. The movements are different. The original air has two parts, each part having two sub-divisions of eight and sixteen bars respectively. The "modified version" has two parts of sixteen bars each, in the modern manner. The former has that peculiar style of transition and occasionally straggling rhythm, which is to be found in many well-known Irish airs; it has the flat seventh well marked, even in the imperfect setting given by Bunting. The latter moves regularly, and has the major seventh throughout. The charming melody "Sleep on, sleep on, my Kathleen dear", and the well known "*Nora criona*" are also in the key we are considering. But in both these airs, as they are usually played, the major third is also introduced, and the sixth is played natural, so that they move in the diatonic scale, and not in the gapped scale. As this key thus played would be an ordinary major key

¹⁰⁸³ *The Ancient Music of Ireland*, Introduction, p. xvi.

¹⁰⁸⁴ Bunting, *Ancient Music of Ireland*, p. 57.

¹⁰⁸⁵ *Ibid.*, p. 74.

except when the flat seventh appears, the airs constructed in it are more in favour with modern musicians than those in the second and third keys, given above, which are more foreign to our present system of tonality. In some Irish airs the seventh is heard both sharp and flat, as for example in *Savourneen deelish* as the air is generally played. As the Irish character of the air is given by the flat seventh, the sharp or major seventh may have been a modern introduction, especially as the major or sharp seventh, whenever it is used in the air, appears only as a passing note leading to the octave of the tonic, which has no influence on the general character of the melody. It may also be added, that the major and minor seventh could not be played in the same piece on the Irish harp; so that if the air was composed by an Irish harper, he must have certainly used the minor seventh, for the character of the air is greatly influenced by that note. The two airs given in the Petrie Collection¹⁰⁸⁶—*An bean óg uasal*, or “The young Lady”, and *A chúl álainn deas*, or “O thou of the beautiful hair”—are illustrations of this principle. In both the flat seventh occurs frequently, giving a character to the piece; the major seventh occurs merely as a note of passage. Another air which, undoubtedly, belongs to this class, is the fine one, “The Curragh of Kildare”.¹⁰⁸⁷

Irish airs in
the key of G

¹⁰⁸⁶ *The Ancient Music of Ireland*, pp. 153-155.

¹⁰⁸⁷ *Ibid.*, p. 168. Dr. Petrie seems by his setting to consider this air as written in the key of $\flat B$ -major. But independently of this being a key which did not exist in genuine Irish music, he appears to have forgotten his own very correct observation made a few pages before (p. 161), that Irish airs frequently end in what, according to the principles of modern music, we should call the dominant instead of the tonic. It is scarcely necessary to say that I am not writing a treatise on Irish music, and that I do not propose to discuss, or even to enumerate, still less to explain, all the points upon which it differs from modern music. But I have already said sufficient respecting the influence of the Church chant upon the forms of Irish music to suggest an explanation of the class of cases, an example of which we have before us. The plagal modes of the Plain chant (see page dlxxv.) are composed on scales ranging from a fourth below the tonic to a fifth above; sometimes this range is exceeded by a note in either or both directions. In those modes the pieces do not end on the first or lowest note of the scale on which they are composed, as, according to modern theory, they should do, but on a fourth, or sometimes a fifth, above it. On referring to page dlxxv., it will be seen that, although there are but four tonics, there are really *seven*

Use of the
"flat" se-
venth in
Irish music;

not, however,
peculiar to
it.

The use of the minor, or flat seventh, is certainly very common in Irish music. How deeply it is impressed in the national musical ideas is shown by its occurrence even in the ploughman's whistle. It occurs in four of the five old Irish keys; but, as the majority of the Irish airs with which the public are familiar are either in the key of *C*, or in *G* major, and as the other keys are now almost disused, the use of the flat seventh is associated in the minds of musicians almost exclusively with this key. The use of the flat or minor seventh is not, however, peculiar to Irish music. For, not to speak of the kindred Scotch music, where we should naturally expect to find it, the minor seventh occurs in Wallachian, Servian, modern Egyptian, and Arab airs, and a great many Indian melodies exist in the key of *G*, with a major third and a flat seventh.¹⁰⁸⁸

The scale in the tonic *A* of the quinquegrade series corresponds. It may be now impossible to determine whether the existence of "plagal" tunes, that is, tunes formed on a scale which extended a fourth or fifth on either side of its true tonic, was an original characteristic of Irish music. But if they were not, it is certain that they were borrowed from the example of the Plain chant. If we further assume, as we are justified in assuming, that, under the influence of the Church music, the Irish system was so far modified as to include all the seven scales, even that commencing on *F*, sometimes omitting, and sometimes inserting the notes which are the seats of the semi-tones, we shall have all the questions connected with the *keys* of the Irish airs settled. But this is a long way off from assuming that Irish tunes moved in modern keys, major or minor, which differ in pitch, but are all of the same kind. The old Irish keys or scales, even when modified, were precisely those of the Plain chant, differing not only in pitch, but also in internal structure and the order and mutual relations of the sounds.

¹⁰⁸⁸ It is generally asserted that the minor key is predominant in the national music of all nations. By some this supposed phenomenon is explained by the assumption that the minor tone is best suited to express grief and sorrow; and that people are more disposed to make music when sad than when merry. Both these assumptions are gratuitous. The major key, as Herr Engel rightly observes, is well adapted to express earnest and manly grief. On the other hand, all kinds of emotions, gay as well as sad, may be expressed in music constructed in a minor key, as may be seen in the works of great composers. Herr Engel (*Introduction to the Study of National Music*, p. 169) mentions several instances of this kind, *e.g.*, the wild dance of the Scythians in Gluck's "Iphigenia in Tauris", the vigorous "English Suites" of J. Sebastian Bach, the passionate first movement of Beethoven's Symphony in *C* minor, the almost ludicrously melancholy love-song of the drowsy Osmin in Mozart's "Entführung aus dem Serail", the humorous and hilarious Scherzo in Beeth-

sponds to Glareanus' Æolic Church tone in *A*, and to the scale ^{Key of *A*:} in *A* in which the regular second (plagal) Church mode moves, when the second and sixth are omitted, as the following table of the intervals in the two scales will show:—

Gapped quinquegrade scale in <i>A</i> .	}	<i>A</i> - *	- <i>C'</i> - <i>D'</i> - <i>E'</i>	- *	- <i>G'</i> - <i>A'</i>				
		1	$\frac{3}{2}$	$\frac{4}{3}$	$\frac{3}{2}$	$\frac{1}{9}$	2		
Quinquegrade diatonic scale in <i>A</i> , of second plagal Church mode.	}	<i>A</i> - <i>B</i> - <i>C'</i> - <i>D'</i> - <i>E'</i>	- <i>F'</i> - <i>G'</i> - <i>A'</i>						
		1	$\frac{9}{8}$	$\frac{3}{2}$	$\frac{4}{3}$	$\frac{3}{2}$	$\frac{1}{9}$	2	
Modern scale of <i>A</i> minor, ascending and descending.	}	<i>A</i> - <i>B</i> - <i>C'</i> - <i>D'</i> - <i>E'</i>	$\left\{ \begin{array}{l} \sharp F' - \sharp G' \\ \frac{3}{2} - \frac{1}{9} \end{array} \right\}$				<i>A'</i>		
		1	$\frac{9}{8}$	$\frac{9}{8}$	$\frac{3}{2}$	$\frac{3}{2}$	$\frac{1}{9}$	2	
					$\left\{ \begin{array}{l} \natural F' - \natural G' \\ \frac{8}{9} - \frac{3}{2} \end{array} \right\}$				

The quinquegrade scale differs from the modern scale of *A* character of the quinquegrade scale of *A*; minor in the third, sixth, and seventh; the third and sixth of the quinquegrade scale are the Pythagorean minor third and minor sixth, which are respectively a comma lower than the natural minor third and minor sixth; the "flat" seventh of the same scale, on the other hand, is the narrow minor seventh, while the seventh of the scale of *A* is major in ascending, and in descending is the broad minor seventh, which is a comma greater than the minor seventh of the quinquegrade scale. On stringed instruments, played with the fingers or with the bow, good players

oven's Ninth Symphony, the unearthly choruses and dances of the witches in Spohr's "Faust", the diabolical drinking song of Caspar in Weber's "Freischütz". The whole mistake arises from looking at music from the standpoint of the major and minor modes of modern music. Nowhere could a more striking instance of the way in which the minds of musicians seem to be imbued with the ideas of modern music to the exclusion of the notion of even the possible existence of any other kind of music, than in a statistical table given in the book just quoted (p. 174). In this table Herr Engel gives the relative proportions of tunes in the major and minor keys which he found in one hundred tunes of each of the principal countries of Europe. Eighty-two of the Irish airs were major, sixteen minor, and two major, but ending in minor; while in the same number of English and Scotch airs there were 22, and 25 minor respectively, exclusive of 3 Scotch airs, which, though major, ended in a minor key. The country which according to this table has the largest proportion of minor airs is Sweden; it has 80 tunes in a minor key, besides 4 which though constructed in a major key ended in a minor one. The reader will see that the position assigned to Ireland is wholly incorrect, and that statistics of this kind based on the published airs of a country are not only worthless but misleading.

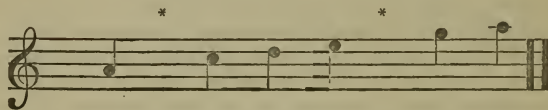
of Irish music formerly used the intervals of the quinquegrade scale, but all perception of the difference of the scales seems now lost, and could not, of course, be at all expressed on the piano. "The mug of brown ale", a Meath air given by Mr. Levey, is an example of this key.¹⁰⁸⁹

Irish airs in
the scale of
A;

In the Irish airs which move in this key, at least in their modern form, one or both the semi-tones are touched as passing notes. Thus, in the well-known air "Lough Sheeling", which is constructed in accordance with the rules of the modern minor mode, a strongly marked Irish character is imparted to the air by the occasional omission of the semi-tones. In noting down airs, originally constructed either in the gapped quinquegrade, or in the Church scale of *A*, modern musicians use almost always the modern minor scale, in which, when ascending to the octave, the sixth is major, while in the Church tone it is minor. In this way a great many old airs, composed, originally, in the gapped quinquegrade scale, into which the second and sixth came to be introduced under the influence of the Plain chant, have been transformed into airs in the modern minor key. The following are the scales for this key, the notes occasionally omitted in Irish airs being marked by asterisks as in preceding examples of the other scales.

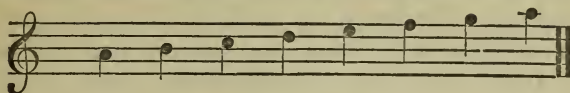
comparison
of the several
scales in the
key of *A*.

Gapped Quinquegrade Scale in *A*.



¹⁰⁸⁹ *Dance Music of Ireland*, p. 25. Mr. Levey remarks concerning it:— "This is the only tune I have at all interfered with: I had it played by three different fiddlers, and they all persisted in ending in the major key, viz., *C* in the last bar sharp—they were unanimous in upholding the version, and when I played it as it is now set, ending minor, they were very much shocked, and I confess I made the change unwillingly". I thoroughly approve of this exercise of judgment by Mr. Levey; it is only to be regretted that he was not moved to carry it a little further, and excise the \sharp before the *F*, which savours too much of modernism. With this alteration the air is a good specimen of Irish music under the traditions which come down from the period of the Church music. It is worth noting that the $\sharp C$ was the second altered note which was occasionally admitted by Irish harpers of the last century in their performance.

Diatonic Quinquegrade Scale in *A* of second Plagal Church Mode.



Modern Minor Scale of *A*.

Ascending.

Descending.



If I have attained the end which I proposed to myself in writing the foregoing sketch of the rise and development of harmony, and the analysis of the scale and keys according to which the Irish constructed their melodies, the historical position of Irish music will be plain. The ancient Irish evidently possessed a music constructed upon the old gapped quinquegrade scale,¹⁰⁹⁰ obtained from a circle of fifths, and possessing,

Historical position of ancient Irish music;

¹⁰⁹⁰ I do not know who first pointed out that old Irish music was constructed on a gapped scale. But that this fact seems to have been recognized at least in the beginning of this century, is shown by the following observation of Moore in his "Prefatory Letter" to the Marchioness of Donegal prefixed to the third number of the *Irish Melodies*, published in January, 1810. After alluding to the opinion held by some archæologists that the Irish knew counterpoint, he says: "Indeed the irregular scale of the early Irish (in which, as in the music of Scotland, the interval of the fourth was wanting) must have furnished but wild and refractory subjects to the harmonist. It was only when the invention of Guido began to be known, and the powers of the harp were enlarged by additional strings, that our melodies took the sweet character which interests us at present; and while the Scotch persevered in the old mutilation of the scale, our music became gradually more amenable to the laws of harmony and counterpoint". Bunting, in the *Ancient Music of Ireland*, published in 1840 (p. 14), justly denies that the omission of the fourth and seventh are the true tokens of Irish national music, and that this omission does not occur in all tunes. In giving, however, an account of the method of tuning the Irish harp, and of the ancient keys of the Irish harpers, he unconsciously proves not only the existence of the gapped scale, but also the peculiar tonality of Irish music which has been pointed out in the text. The late William Ford, of Cork, who, besides being an excellent practical and theoretical musician, devoted a good deal of time to collect the melodies still existing among the people thirty years ago, not only fully recognized that the true Irish music was constructed like the Chinese and Scotch music on a gapped, or, as he called it, a *broken* scale, but he gave lectures with illustrations in several towns of the South of Ireland in the year 1844 on the subject. It is to be regretted that the valuable collection of airs made by one so tho-

Influence of
ecclesiastical
music.

no doubt, the peculiar rhythm which is still characteristic of Irish melody. The introduction of the *Cantus firmus* by the Church made the Irish musicians acquainted with the diatonic scale. As this scale also originated from a circle of fifths, it only differed from the gapped scale by the addition of two notes. The secular and the Church music being thus constructed in similar keys, it follows that, with the exception of the rhythm, there was nothing in old Irish secular music foreign to the system of the Church music. Hence the latter influenced the former to such an extent, that, in the case of many of our best airs, it is difficult to say whether they were composed according to the old gapped quinquegrade scale, or in one of the Church modes. The polish and artistic style which distinguish genuine Irish harp airs are unquestionably due to the influence of the ecclesiastical chant. Indeed it is traditionally remembered that religious hymns were sung to many of our finest old airs.

Ancient
Irish music
was homo-
phonous;

In the middle ages the music of the Irish was strictly homophonous, and remained essentially of the same character down to the extinction of the Irish harp at the commencement of this century, as is proved by the use of the old keys of the gapped quinquegrade scale, more or less modified by the diatonic system of the old Church chant, and by the maintenance, even to the present time, of one of the most marked and antique characteristics of Irish music—the omission of the semi-tones.

not affected
by modern
harmony;

It requires no discussion to show, that the principles of the harmony which grew up during the fourteenth, fifteenth, sixteenth, and seventeenth centuries, and which have created a gulf, as it were, between modern and ancient music, could not have been applied to Irish music without obliterating all traces of the antique characteristics above mentioned, and otherwise profoundly modifying its whole character. But if the Irish *Timpan* resembled the Welsh *Crwth* of the eighteenth century, as I have pointed out in a previous section to have been very probably the case, the Irish must

the Irish
practised a
rudimentary
harmony;

roughly competent to note down Irish music, and which his premature death prevented him from publishing, has not been printed and thus made accessible to musical composers.

have been acquainted with the rudiments of harmony. M. Fétis has come to a similar conclusion as to the northern peoples of Europe generally, and supports his view by the assumption that the Welsh *Crwth* referred to above was the same as the ancient *Chrotta*, and that the modern Welsh harp is the same as the one which was in use in the sixth century. As regards the *Crwth*, he has given no evidence to prove the identity of the modern and ancient instruments,—indeed, the only evidence in favour of his opinion with which I am acquainted, is what can be inferred from such knowledge as we have of the Irish *Timpan*. Not only is there not a single particle of evidence to show that the modern Welsh harp was the same as the Welsh harp of the sixth century, but, with all due deference for the opinion of so high an authority as M. Fétis, it is absolutely certain that it is not. We have no means of knowing to what extent this rude harmony was used, or when it was first introduced. It was probably the primitive *Organum* introduced into Ireland from the Continent, and not a species invented in Ireland itself. I think it may be assumed that the practice of harmony was of ecclesiastical origin, and could only have grown up where the artistic music of the Church was not only performed, but noted. Meagre as are the references to polyphonus music in Irish manuscripts, we may be sure that each successive advance in harmony became known, though the music itself was not perhaps much practised, in Ireland. Norman minstrels brought the music, the instruments, and the dances of France into Ireland in the thirteenth and fourteenth centuries. During the same period, no doubt, Anglo-Norman ecclesiastics introduced the polyphonus Church music, then beginning to assume great importance in the churches of France and Flanders. I have already given some reason for believing that *Discant* was not unknown even among Irish ecclesiastics as distinguished from Anglo-Norman ones. Perhaps the kind of singing called *Burdoon*, which existed down to very recent times in the more remote districts of Ireland, such as the western part of the county of Cork and the counties of Kerry and Clare, transmits to us, although in a

but to what extent we cannot tell;

this was the *Organum* of the Church.

The successive development of harmony became known in Ireland;

Discant probably known;

rude way, a relic of the artistic polyphonous secular music of the thirteenth century.

"Burden" or Refrain of songs;

The word *Burdoon* corresponds to the English "burden" or refrain. The peculiar kind of repetition of a verse or even of a whole strophe called a burden or refrain, occurs in the songs of many nations, even very barbarous ones. The Anapher or refrain was characteristic of the old Norse ballads, especially of the heroic ones called *Drápur*. The lines constituting the refrain, or as the northmen called it, *Stef*, were of different lengths and numbers, according as the poem admitted of being broken naturally into regular strophes. Sometimes it consisted of one or two lines with which each strophe began or ended, like the kind called *Vidkvædi*; sometimes of a short stanza like the refrain sung in chorus of many modern songs. When the poem consisted of several parts, or was sung alternately, each person had a refrain which corresponded to his special part. Usually, however, the same refrain, which was a sort of general expression of the main idea of the song or ballad, was repeated by the same persons in chorus after, or at the beginning, of each strophe. The refrain occurs in ancient Irish poems also. In the "Fight of *Ferdiad*"¹⁰⁹¹ there is a poem, each strophe of which consists of six lines, the first of which is the following refrain:—

called in Norse *Stef*;

the *Vidkvædi* a particular kind of it;

Clúchi cach, gáine cach,

Each was a game, each was a sport,

which represents the *Vidkvædi* or refrain with which each ten lined strophe of the *Krákumál* or death song of Ragnar Lodbrok, commences:—

*Hjuggu vèr med hjörvi!*¹⁰⁹²

We satiated with the sword!

a similar kind of refrain in the "Fight of *Ferdiad*".

In the "Fight of *Ferdiad*" the Anapher or refrain forms an inseparable part of the strophe, but in the *Krákumál* it is so loosely connected with the other lines of each stanza, that it may be omitted without affecting the sense in any way. The

¹⁰⁹¹ Vol. ii., p. 460.

¹⁰⁹² *Krákumál, sive epicedium Ragnaris Lodbrok, regis Daniæ*, ed. C. C. Rafn Kjöbenh. 1826.

refrain of the *Krákumál* was probably sung in chorus with the clash of swords, the principal singer taking up the remainder of the strophe in solo. In singing the Irish poems having a similar refrain, it is probable that the first line of the strophe forming the Anapher or refrain was also sung in chorus by the principal bard and his attendant bards, the former then singing the other lines in solo.

The *Burdoon* was not, however, a simple "burden" or refrain sung in unison or alternately, of the kind we have been considering, but rather a species of *Organum*, or harmonic accompaniment. The word *Burdoon* is evidently derived from the French, but I am unable to say when it was borrowed. Before the full developement of artistic polyphonous music a kind of *Organum* was used, called by the French *Faux Bourdon*, and by the Italians *Falso Bordone*. In this kind of harmony the accompanying voices sang above the tenor¹⁰⁹³ the imperfect accords of the third and sixth (instead of the perfect accords of the fifth and octave, as in the old *Organum*, whereby the tenor and the higher accompanying voice ended in the octave), the unpleasant hardness of the fourth formed by the two accompanying voices being softened by the tenor singing in the sixth below the higher accompanying voice. When a song was sung in Ireland with the *Burdoon*, three or more voices took part in the singing, one of whom represented the tenor, the others the accompanying voices, who successively repeated the words of the song in a higher pitch, so as to form accords. The songs sung in this kind of canonical repetition were those which are accounted among the oldest known Irish airs, such as *Seaghan O'Duibhir an Ghleanna*, "John O'Dwyer of the Glen", *Ar Eire ni inneos-fainn ce hi*, "For Ireland I would not tell who she is", etc., and which were, I believe, composed by persons acquainted with Church music.¹⁰⁹⁴

The Irish "*Burdoon*" not a refrain but a species of *Faux Bourdon*.

Nature of the *Faux Bourdon*.

Nature of the Irish *Burdoon*.

¹⁰⁹³ It has been explained above (p. dlv) that the *tenor* was the name given to the voice which *tenebat*, or preserved the regular Church chant. Clearly in this instance of the *Faux Bourdon*, the voice which discharged this function corresponded rather with our modern bass than with our tenor.

¹⁰⁹⁴ The part singing of the Welsh and Northumbrians mentioned by

Conditions necessary for the growth of polyphonus music ;

they did not exist in Ireland.

Effect on Irish music of the introduction of Protestantism.

Social and political state of Ireland in the eighteenth century.

Even where social and political conditions were favourable to the growth of art, the practice of the complicated artistic polyphony of the fourteenth and fifteenth centuries required resources which could only be found in the courts of princes, in large cathedrals, or in rich abbeys. Notwithstanding the great intercourse between Ireland and France and the Low Countries at the period when Flemish polyphony was at its zenith, the unhappy political and social state of Ireland was wholly incompatible with the artistic cultivation of music. The introduction of Protestantism arrested the fusion of the native Irish and the English colonists, and the growth of those political institutions which would have been the necessary outcome of such a fusion ; it also completely isolated Irish music. Irish harpers no longer wandered over Europe ; French jongleurs and minstrels had indeed already ceased to visit Ireland, according as English supplanted French as the language of the Norman nobility. The Catholics, deprived of their cathedrals and abbeys, and ultimately forbidden all public worship, could no longer use even the simple chants of the Church. The new harmonic music, which received in one direction so powerful an impulse from Protestantism, was introduced into the Protestant churches of the cities ; but it exerted no influence whatever on the popular music, owing to the impassable gulf which existed between the Irish people and the whole English system, political and religious.

At the beginning of the eighteenth century the native Irish were for the moment effectually crushed. The majority of the Catholic gentry were either pauperized or in exile ; while the few who still held any land, were barbarized by being deprived of the means of culture. They were held in such a state of abject terror, that all the youth of promise, who ought to have been the agents of intellectual and physical developement in their native country, were driven abroad into the only field open to them, and became the mercenaries of the Catholic continental sovereigns, especially of France, in Giraldu Cambrensis was perhaps a kind of *Faux Bourdon* of the same kind. See *post*, p. dxxiv, note.

whose wars they perished by thousands. Or they dragged on a miserable existence when worn out by the hardships endured in campaigning—their services forgotten by their masters, and necessarily ignored by the historians of the countries for which they had valiantly fought. In this fashion, at the cost of the intellectual death of the majority of the Irish people, the minority purchased a certain kind of tranquillity, and this in turn led to the partial revival of art and learning among the Protestant Irish gentry. Protestant hymnology, and especially the fine choral service of the English Church, created a taste for artistic music, and the works of foreign composers accordingly found their way into the circles of the wealthy. This tranquillity and the consequent spread of civilization also softened the antipathy of the colonial gentry to the native population, and even symptoms of that common national feeling which is sure to arise among all peoples, no matter how diverse may have been the origin of the several elements of the population, when not blighted by influences external to themselves, began to appear. Irish harpers, although proscribed by the law, were again welcomed to the homes of many of the gentry, where they had an opportunity of becoming acquainted with the new artistic music, so different from their own. The influence of this foreign music is perceptible in the Irish music which was composed or modified about this time. Carolan, the best known composer of Irish airs in the eighteenth century, is a good example in point, as the influence exercised personally by the distinguished violinist Geminiani, and by Corelli, Vivaldi, and other contemporary Italian musicians, through their compositions, is distinctly traceable in his style. This foreign influence is especially perceptible in his “Planxties”, or dance tunes, which, although possessing a marked Irish character, are deeply tintured with inspirations of a different kind.

It is difficult, indeed, to reconcile the facts which we know concerning Carolan's compositions. Dr. Petrie gives a Planxty of his in *E*-major, “Lady Wrixon”, from a collection published in Dublin in 1720, eighteen years before his death, and another in *A*-major, “Lady Athenry”, published in the

same year. Now a key of four or three sharps was an impossibility in Irish harp music,¹⁰⁹⁵ so that whoever took these tunes down from Carolan's playing must have altered them to adapt them to the modern style of music. We must presume that the publication took place with the composer's knowledge; but did he know of the alterations which were made in the written settings from his playing? The character of Carolan does not permit us to think that he was indifferent to the way in which his compositions should be published; nor could we, without evidence of the fact, believe that any friend of his would in noting down his compositions alter any of them in key and structure, or any publisher during his lifetime materially alter the setting of his airs, without the composer's concurrence. We must, then, believe that, being well acquainted with the attraction which the Italian style of music possessed for the classes who were his patrons, he considered it wiser to let his melodies circulate among them in a similar dress, even at the cost of deviating from the original type. It is worthy of notice, however, that in the air "Lady Wrixon", the seventh, wherever it occurs, is flat.

Commence-
ment of the
transforma-
tion of Irish
homopho-
nous music;

rise of a
school of
Irish music
impossible;

artistic de-
velopment
of Irish
music
entirely ar-
rested.

It would appear that the transformation of the Irish homophonous music into harmonic music really began about this period. But the change was soon arrested. For while on the one hand the political and social slavery of the majority of the nation—of that part who possessed and cherished the traditions of the Irish past—rendered the rise of a school of genuine Irish music impossible, on the other hand the increasing wealth and facilities of travelling brought the Irish gentry more and more under English and foreign influences, and diminished day by day that taste for Irish music which they had begun to imbibe during the brief period of their previous seclusion. The Irish harper, no longer meeting with the same welcome at the festive board, gradually became extinct, and Irish music found a last refuge in the homes of the peasantry. But this isolation, while preserving it for some time longer from being transformed like the popular music of other countries, also shut it out from all true artistic developement,

¹⁰⁹⁵ *Ante*, p. dlxxii; and p. dlxxxix.

and left it entirely in the hands of itinerant pipers and fiddlers.

Harmonic music has now penetrated the last retreat of Irish music. The piper, like the harper, is gradually becoming extinct, and in a few years more every sound of the old music of Ireland will be extinct, and will be thenceforward reproducible only through the labours and studies of the musical archaeologist. The irresistible influence of the opera and of harmonized sacred music, which have now penetrated directly or indirectly into every part of the country, would have been sufficient of themselves to rapidly eject old Irish music;—the more so, as a modification in the esthetic feeling of the people has been slowly taking place during nearly a century. But a still more potent agent of change, and one which more directly acts on the mass of the people, has been in operation for the last thirty years, namely, the temperance and other popular bands. Since the music of a modern band must necessarily be harmonized, the popular ear is being gradually trained by these bands to harmony; and when to this is added the fact, that the tunes played by them are, for the most part, of the most modern and lightest construction, we cannot be surprised if the melodies occasionally played in the old keys seem strange. A radical change in the esthetic feeling for music would soon follow, were not the sentiment for a peculiar rhythm more deeply interwoven with the character of a people, than that for either a particular scale or system of tonality. Again, the Irish airs, which from patriotic motives form a large part of the music of those bands, must be arranged for the several instruments; but as this is done, as a rule, by persons wholly ignorant of the peculiarities of Irish music, and but very moderately provided with a knowledge of even the general principles of harmony, scarcely a trace of the special character—even rhythmical—of true Irish music is preserved in this popular band music. And if perchance any traces of it do escape the arranger, they are sure to disappear in the execution of the performers.¹⁰⁹⁶

Inevitable death of Irish homophonous music;

causes which hasten this event.

¹⁰⁹⁶ The drum, which was not at all used by the ancient Irish, has unfor-

Disappearance of old Irish music inevitable.

Uses of old national melodies:

This disappearance of Irish music before harmonic music is as inevitable as the disappearance of the red man before the ever encroaching white. But though it would be a hopeless task to attempt to prevent it, yet it is a matter for legitimate complaint that educated Irishmen and Irishwomen possessing musical tastes, professing patriotic sentiments, and endowed with ample wealth, have allowed, and are still allowing, one of the richest treasures of melody which ever flowed from the soul of man to die away into oblivion. Just as the myths and legends of an early age are the mine whence the poet, the painter, and the sculptor derive materials and inspiration for the works of a more artistic age; so the melodies which spring as it were spontaneously from the soul of a people and foreshadow the special esthetic qualities which ought to characterize their higher artistic creations, if allowed to develop their intellect freely according to their own natural bent, are the woof with which a great musician weaves the tissue of his compositions. Almost all modern composers have helped themselves freely from the stores of the popular melodies that abound in nearly every country, and this not merely in the occasional introduction of subjects into orchestral or pianoforte compositions, as Haydn has done, but more largely and more successfully in the selection of arias for operas. Weber not only worked up Tyrolese melodies in his operas, but has used even Arab airs happily, as for instance in his *Oberon*. Rossini's finest works sparkle with the melodic gems of his native country: witness his "Di tanti palpiti". A few Irish melodies likewise figure in modern operas; as for example *Eibhlin a ruin*, which under the name of "Un air Ecossais", constitutes the principal theme in the

tunately become the *principal* instrument of our popular bands. If the worthy Sebastian Virdung were to hear a temperance or trade band of our day, he would be justified in his opinion, that if beating and thumping make music, then coopers are musicians when they make barrels, and confirmed in his belief that the drum was invented and first made by the devil: " . . . Ich glaub und halt es für war, der Teufel hab die erdacht und gemacht, dann kain Holtsälligkeit noch guts daran ist, sunder ein vertempfung und ein niedertrückung, aller süssen melodeyen un der ganzn musica".—*Musica getuscht*, 1511.

overture of Boieldieu's *La Dame Blanche*, and "The last rose of summer", in Flotow's *Martha*.

These two airs teach a lesson on the fortunes of Irish music which ought not to be forgotten. How *Eibhlin a rúin* came to be transformed into *Robin Adair*, may be gathered from what is told by Dr. Petrie in the Lectures.¹⁰⁹⁷ From what is there stated it is plain that the air *with words adapted to it*, in praise of Robin Adair, became very popular, and passed into vogue among the Protestant and English society of Dublin and its neighbourhood early in the seventeenth century. Thence it soon found its way into England, where, when in the last century the attention of musical critics like Dr. Burney was directed to the peculiar construction and rhythm of Scottish music, it was naturally assigned to Scotland, in the absence of any acquaintance with the music of Ireland, and this Scottish nationality seemed to be borne out by its name. Long, however, before the hero of Robin Adair was ever commemorated in song, the air *Eibhlin a rúin* was popular in parts of the country least in contact with Scotland. If its name and words were sufficient to transfer its nationality north of the Tweed, similarly the words of Banim, *Saggart a rúin*, ought to be able to coax it back again.

As to "The last rose of summer", Dr. Petrie has already observed¹⁰⁹⁸ that "The young man's dream" and "The groves of Blarney"¹⁰⁹⁹ are really the same air, the latter being only a modern version of the former, better adapted for rendering by ordinary (especially male) voices. Now we know that "The groves of Blarney" was written in the last century to celebrate the beauties of the pleasure grounds at Blarney, the residence of a lady of local celebrity. This song naturally circulated widely among her friends and acquaintances and the Protestant society of the time in Cork and Dublin. It was this latter version that Moore had before him when he wrote "The last rose of summer". Neither he nor his musical assistant

The air
known as
*Eibhlin a
rúin*.

"The Last
Rose of
Summer".

¹⁰⁹⁷ Vol. ii., p. 296.

¹⁰⁹⁸ *Op. cit.*, Introduction, p. xv.

¹⁰⁹⁹ The corresponding songs in Moore's *Melodies* are "As a beam o'er the face of the waters" and "The last rose of summer".

Sir John Stevenson was able to trace its identity with the original, "The young man's dream". We can easily understand that the altered air coming from an Anglo-Irish source into England in the last century, came gradually to be looked upon as an English air; its parentage not being known, and its smoothness facilitating the mistake. Although, however, "The last rose of summer" is thus shown to be of Irish parentage, no one could claim it as a specimen of old Irish music. It is at best a variation upon an old air, written under the full influence of modern musical ideas.

Caprice of collectors in dealing with Irish airs.

I have already referred frequently to the caprice with which the collectors of Irish airs deal with the keys and the text itself of the tunes. They all profess to have "noted" down the strain themselves, or received it from some one who has noted it. Sometimes they have obtained several versions of the same melody, and have exercised their judgment and discretion in preparing from those materials the edition of the tune to be set before the public. Now it is evident that in the execution of this process there is occasion for a double error, each being equally destructive of the genuine character of the air. In the first place, if the collector adheres to the *pitch* in which he may have heard the air sung or played, he may easily put the air into a *key* which was alike unknown and impossible for Irish musicians. We know from experience that the greater number of unskilled persons singing spontaneously an air, at least without an instrumental accompaniment, will pitch it at that tone which is personally most convenient to them. How then can we rely on a pitch so obtained? and in case of conflicting pitches, how are we to decide their relative or absolute accuracy? Secondly, guided by an acquaintance not usually very complete or thorough with the principles and practice of modern music and composition, he is sure to look on certain sequences of notes as mistakes and deviations from the (imaginary) standard of original purity of text; some phrases or notes he would naturally regard as utter abominations. When Bunting tells us that the Irish harpers at Belfast in 1792 had three-minor modes in *E*, *A*, and *D*, each of progressive imperfection, he applies a prejudice which is received as an axiom by the

Sources of error in noting down national music.

usual school of musical collectors. Dr. Petrie has given it more precision and emphasis when he declares that an air which does not readily combine with "harmony of a correct nature" must be of a "barbarous character". Mr. Bunting has given expression to honest indignation at the supposed ruthless way in which the ancient Irish airs were dealt with to suit the rhythmical convenience of Moore in the Melodies. He instances the airs "The fox's sleep", "The brown thorn", "The twisting of the rope", as examples of this unworthy treatment; the corresponding Melodies—"When he who adores thee", "Oh! haste and leave this sacred isle", and "How dear to me the hour"—being great and essential departures from the original text. On the other hand, Petrie points out several "oversights" on the part of Bunting, amounting in many cases to "falsifying the accents and marring the true expression of the melody throughout its entirety, and rendering it incapable of being correctly sung". He cites Bunting's setting of "The brown thorn", as an example: his neglect of noting correctly the musical rhythm having constrained "the poet Moore in his words to this melody" to make his stanzas metrically defective. Petrie, in his Introduction, admits that "the peculiarities of structure and *tonalities* which so often distinguish our melodies from those of modern times" are unsuited for arrangements in the conventional style of modern music. Yet he has not scrupled to employ all the apparatus of the modern key system, which certainly is wholly at variance with the "peculiarities of construction and tonalities" of old Irish music.

The system followed by Mr. Levey in his collection of "The Dance Music of Ireland" is an exception to the practice. All the tunes are given down precisely as he heard them from the pipers and fiddlers, except in a single instance, where he records his departure from his text. But the departure, as I have already had occasion to observe, will commend itself to all good judges as a return to the genuine Irish character of the air. Certainly he was not led to it by any desire of approximating the tune to modern principles; for throughout the collection, in arranging the harmonies he has been careful

Sources of error in noting down national music.

to maintain the peculiar characteristics of the original. This has led him in many cases to set a "bagpipe" bass, recognizing the impossibility of bringing the harmonies within the conventional rules. Yet the tunes he has thus dealt with belong precisely to that class of melodies which has been most subject to foreign influence.

Distinction
between the
object of the
archæolo-
gist and the
artist in
dealing with
national
airs;

duties of the
musical ar-
chæologist;

I think a distinction ought to be drawn between those who profess to collect old airs with a view to their preservation, and those who propose to use old music as material to be transformed and worked up into compositions constructed in accordance with the principles of modern harmonic music, and adapted to the altered esthetic feelings of the people. The labours of the former are to be judged according to the rules that apply to all other branches of scientific archaeology; those of the latter by the rules of art. The musical archaeologist should give the air exactly as he finds it, scrupulously rendering every peculiarity of *scale*, *tonality*, and *rhythm*, not making them "perfect" according to the major or minor modes, or polishing them to remove their "barbarism" in order to fit them for modern harmony, and especially not adding anything to them under the name of "harmonies". As regards the latter point, they should never lose sight of the truth that it is as reasonable to look for Italian as the language of daily conversation among Irishmen of the seventeenth century, as to expect to find the forms of modern Italian music in the Irish melodies of that age. Irish music as such made no advance, as we have seen, subsequent to the middle of the sixteenth century. Surely it savours of ignorance to imagine that it ought to have elements that were not called into existence even on the Continent until after that time. Irish music indeed and the Plain chant of the Catholic Church, which exercised so large an influence on its developement, stand on a footing of almost equal difficulty for musicians only acquainted with modern music. Formed on the same scale, using the same keys—quite different from the modern scale and keys—they are alike all but unintelligible to men who will regard everything as barbarous that is not moulded in the forms to which they have been accustomed to look up as the type of artistic excellence.

The musician, as distinguished from the musical archaeologist, ought to be free to deal as he pleases with the material which he proposes to use in the construction of his compositions. The true artist need not, however, be reminded that if he hopes to produce works which shall at the same time possess the qualities of form and treatment necessary to render them intelligible to the cultivated taste of Europe, and that originality and local colouring without which they would be unacceptable to even the most cosmopolitan society, he should not do violence to the national music which he purposes using, but, having entered into its spirit, endeavour to gradually transform it as it would have been naturally transformed by the people themselves if they had possessed a true national school of artistic music.¹¹⁰⁰ It is by these canons that we should judge the work of Moore and Stevenson on the one hand, and of Bunting, Petrie and others on the other. Judged by them the work of Moore and Stevenson was good work, and without entering into a criticism from an artistic point of view of the manner in which they modified and arranged the music of the Irish melodies, which I am not qualified to do, I have no hesitation in asserting the justice of their abstract right to depart from their originals. But judged by the same canons Bunting or Petrie had no such right, and every, the least, departure which they made from the *scale, tonality, or rhythm* of Irish music in the direction of modern music was a mistake.

rights and duties of the musical artist;

Moore and Stevenson judged by these canons;

Bunting, Petrie, etc., judged by the same.

Irish musicians are at present doing nothing for Irish music either as archaeologists or as artists. There is some excuse for their apathy as collectors, since unfortunately this is not a paying pursuit; but it is unintelligible how Irish musicians should neglect such a pure fount of original melody as exists in the unpublished airs of Ireland, and seek inspiration else-

Irish musicians do nothing for Irish music.

¹¹⁰⁰ If we want to know what a really great musical artist can do with the national music even of a foreign country when he has caught its spirit, although he may not have mastered its details, let us turn to an opera of Rossini, which certainly deserved in Great Britain at least a greater popularity than it has enjoyed—*La Donna del Lago*, which, from the opening note to the close, is steeped in Scottish melody. No individual air can be traced anywhere, and yet we could imagine the whole opera to have been composed under the shadow of Ben Lomond rather than beneath the sunny sky of Italy.

where. Has the current of fashion set too strongly in the opposite quarter, or is their ambition no higher than to compete with the composers for music saloons, gin-palaces, and similar institutions? If artists cannot afford to collect or publish the still unknown national airs, surely there ought to be patriotism enough among wealthy amateurs to do so. Why should not the "Society for the Publication of the Ancient Music of Ireland", of which Dr. Petrie was president, and under whose auspices the first and only volume of the airs in his collection was published, be revived? Surely it is the duty of the Royal Irish Academy of Music, if it really aims at fulfilling the functions of a national institution, to educate the rising generation of Irish musicians to appreciate the music of their own country, and fit them so to transform it as to adapt it to the artistic style of our day, and by developing it, create a new school of Irish music, in which the melody which distinguished us in the past shall be wedded to the harmony of the present.

Duty of
the Irish
Academy of
Music.

Two kinds
of Scottish
music.

Everything I have said regarding the scale and tonality of Irish music applies almost equally well to Scottish music. There are, however, two kinds of music in Scotland: the Gaelic or Highland, and the Lowland. The former is practically the same as the Irish, the only difference between the true melodies of the western part of Scotland and those of Ireland being what we might call a dialectic one. They are both constructed either according to the gapped quinqugrade scale or to the old diatonic quinqugrade scale of the Church modes, move in the same five ancient keys, and differ very little in measure or accent.¹¹⁰¹

Highland
Scotch music
nearly the
same as
Irish music;

¹¹⁰¹ The earliest reference to the existence of a gapped scale in Scottish music that I have met with is in Burney's *History of Music* (vol. i. 31). But he only speaks of the omission of the fourth and seventh, but does not seem to recognize that there was any difference in tonality between the Scottish and ordinary artistic music. Professor L. A. Necker de Saussure, who travelled in Scotland in the years 1806 and 1808, with the view of studying its geology and mineralogy, appears to have himself noticed this peculiarity of Scottish music; he refers to it in the fifth chapter of the third volume of the account of his travels, which were not, I believe, published until 1821 (*Voyages en Ecosse et aux Iles Hebrides*). In the Introduction prefixed to George Thomson's great work (*Thomson's collection of the songs of Burns, Sir Walter Scott, etc.*), the author assumes not only that the Scottish melodies were constructed with a gapped scale, but that the Scotch musicians were unacquainted with the

Hence a great many airs are claimed by the Scotch which are undoubtedly Irish, and on the other hand many true Scottish tunes are claimed by the Irish. When the same airs are claimed by two peoples, we may rightly infer that the national musics of both are closely related. The Lowland Scottish music is also constructed according to the gapped quinqugrade or old diatonic Church scale, and possesses the same five keys as the Irish and ancient Gaelic music. It is unnecessary to give examples of airs in the first of the gapped quinqugrade series in *C*. If the fourth and seventh be introduced into this scale, we have, as I pointed out, what seems to be the modern major key in *C*, and is so in reality when the notes are played as in the natural scale. Most of the Scottish melodies in this key, which are very nume-

Lowland
Scottish mu-
sic has the
scale and
keys of Irish
music.
Airs in the
key of *C*.

semitones, and consequently no matter what key they used, the semitones were wanting. Here we have a plain intimation that the tonality must have been different from that of modern music. In the year 1831 Dr. Fink, formerly editor of the Leipzig *Allgemeine Musikalische Zeitung*, published a little work called *Erste Wanderung der aeltesten Tonkunst als Vorgeschichte der Musik* (Essen 1831) on the special subject of the existence of a five-toned scale in the Scotch and Chinese music. While the author added nothing new on the subject, he seems to have totally misconceived the tonality of ancient Scottish music. The distinguished physicist, Professor Helmholtz, in the work already referred to, not only admits that the Scottish music was constructed with a five-toned scale, but assumes that it was a quinqugrade one, and that each note of it was used as the tonic of a distinct key. Herr Carl Engel has published a special work, several times referred to, *The Music of the most ancient Nations*, the object of which is to prove that all the early nations of Asia and Europe used the same five-toned scale; but beyond a valuable account of the Assyrian musical instruments, as revealed by the monuments in the British Museum, he has not added many definite facts to our knowledge of the general subject, and gives no analysis of the Scottish or other ancient music to support his hypothesis. It seems strange that Herr Engel in his more recent work, *The Study of National Music*, should have made no use of the inferences which are legitimately deducible from the existence of an ancient five-toned scale to explain some of the anomalies in the music of the northern nations of Europe. I may mention that although it is generally assumed that the five-toned scale of the Chinese is the same as the gapped scale of the Scotch, the assumption has never been proved. That the Chinese have a five-toned scale is certain, but so far as I know no one has proved that it is a quinqugrade one. Indeed the quinqugrade character of the Scottish scale has also been assumed rather than proved. The establishment of the true quinqugrade character of the Irish scale and of its relation to the old Church scale has now, however, placed the matter beyond doubt.

rous, may consequently be taken as examples of our first key, and when correctly played, the fourth or seventh, or both of them, are either omitted altogether, or used only as passage notes, and do not form an essential element of the key. The occasional omission of one or either of the notes in question is, indeed, one of the causes which impart what we call a Scottish character to an air.

Airs in the key of *D*.

I need only mention the airs "Good-morrow, fair mistress", the old form of "Charlie is my darling", "Blythe, blythe and merry are we", and "Johnny Cope", to show how thoroughly Lowland Scottish as well as Irish the gapped quinquegrade key of *D*, or its representative among the old Church

Airs in key of *E*.

modes, that of *D*, is. The well known airs "Auld Robin Gray" and the "Braes of Balquhider" give us examples of the third scale, *E*, in which the second and fifth are wanting. In the former, which is not a true Scottish air, but one composed in the conventional Scottish style, the minor second comes in as in several Irish airs so as to give the third authentic Church tone in *E*; in the latter, the second is wholly omitted, and the fifth only once or twice introduced. The airs which may be referred to

Airs in key of *G*.

the fourth key, *G*, are rather examples of the seventh (authentic) Church tone than of the gapped quinquegrade scale, for, like the Irish melodies in this key, they are all characterized by the flat or minor seventh. In some Scottish airs the action of this note is so strongly marked as to produce a somewhat disagreeable effect upon ears unaccustomed to it, as for example in the old air "John Hay's bonnie lassie". The "Widow's wail", or "Alake! 't is hard to bide, O Willie", and the dance tune "Tulloch gorm", are also characteristic examples of this key.

Use of the "flat" seventh;

originated with the bagpipe according to Engel;

Mr. Carl Engel thinks that the frequent occurrence of the flat or minor seventh in Scottish tunes, or, as he expresses it, the preference given by the Scotch to the minor seventh, instead of the major seventh, originated with the bagpipe, the favourite national instrument of Scotland. This, he says, appears the more certain, as it is especially the rural dance tunes, *Strathspeys* and *Reels*—tunes in which these peculiarities most frequently occur—which are usually played upon the bagpipe. The intervals of the common Highland bag-

pipe, as Mr. Engel gives them, may be described as a scale of *G*, with a major third and a flat seventh. But, as the bass of the drone omits *A*, he thinks *A minor* must be regarded as the principal key of the bagpipe. He adds, it is true, that several of the bagpipe dance tunes are written in major instead of minor; but that the introduction of the *major third* appears to be an innovation, perhaps of the fiddlers, who also often play at rural festivities.¹¹⁰² It is evident from what I have said about the frequent occurrence of the flat seventh in Irish airs, a great many of which are known to have been composed for the harp, that Mr. Engel's explanation is not correct. The Scottish tunes in which the flat seventh appears are in the seventh (authentic) Church tone (that is, in the key of *G*, with a major third and a flat seventh), which, as we have seen, represents, when the third and seventh are omitted, one of the keys of the old gapped quinquegrade series. The major third, introduced by the Highland bagpiper, is consequently not an innovation, but belongs to the key. I may also add that the rule which Macdonald gives in his *Complete Tutor for the great Highland Bagpipe*, that "the piper is to pay no attention to the flats and sharps marked on the clef, as they are not used in pipe music", is not, as Mr. Engel thinks, odd, but on the contrary, correct and in accordance with the structure of old Gaelic music.

this opinion
not correct;

true origin;

Macdonald's
rule about
flats and
sharps in
pipe-music
correct.

Examples of the fifth key, *A*, in the gapped quinquegrade series of ancient modes, or that representing our modern minor mode, are common enough in collections of Scottish melodies. I may mention the old air "Cockle shells" as one in which the melodic movement of the gapped quinquegrade scale may be at once perceived, although in the modern settings of this and other similar melodies the semi-tones are occasionally introduced.¹¹⁰³

Airs in key
of *A*.

¹¹⁰² *An Introduction to the Study of National Music*: London, 1866, p. 55.

¹¹⁰³ The Scottish airs which I have given as examples of the old keys have not been selected, but were taken at random. I have no doubt that much better examples are to be found in collections of old Scottish melodies, which were unfortunately inaccessible to me. But even in the case of Irish music, I took my examples also at random from the most accessible published collections, although I might have had access to large collections of unpublished airs. My object being the illustration of a principle, and not the

The conventional style of Scottish music.

The special melodic character of the gapped quinquegrade scale is so impressed on the Lowland Scottish music, that when a composer wishes to compose a song in the Scottish style, he is obliged to use the gapped scale, and if he uses the semi-tones at all, he merely introduces them occasionally as passing notes. The air known as "Within a mile of Edinburgh town" is a case in point. It was composed by Hook, an English composer, who lived about the end of the last century. This air follows strictly the succession of the notes of a gapped scale, except where the omitted notes are introduced five or six times as passing notes. The fine air "Auld Robin Gray", already quoted as an example of a scale in which the second and fifth are omitted, is a tune thoroughly Scottish in character, though not composed in Scotland: it was composed, it is said, by an English clergyman, the Rev. Mr. Leete. The air "O Nanny, wilt thou gang with me?" was composed by a Mr. Carter, who was, I believe, an Irishman.

Difference between Highland and Lowland Scottish music;

If the Lowland Scottish music agrees with the ancient Gaelic music in the scale on which it is constructed, and in the keys in which its melodies move, in what do they differ? In a greater conformity with the modern style, especially in tonality, and in a peculiarity of measure and accent. It is not easy to account for the origin of the Lowland Scottish music.

hypotheses to explain this difference.

Two hypotheses suggest themselves: one is, that it is essentially the old Gaelic music modified first under the influence of the Saxon element in the population of the Lowlands, assisted by contact with the artistic music of the fifteenth century, which was introduced into Scotland either directly by James the First of Scotland, or under his patronage, and by that of the sixteenth century through the influence of David Rizzio. The second is, that the old Saxon music, like the old Irish, was constructed on a gapped quinquegrade scale, and consequently had five keys; but that the rhythm, or measure and accent, which depended so much in homophonous music upon the phonology of the language, and (especially in the Teutonic and Celtic lan-

analysis of a number of airs, any examples which I found immediately at hand suited my purpose. This will also explain why I have given so few examples of each key, either Irish or Scottish.

guages) upon the structure of the verse, was developed gradually under the influence of artistic music. The latter hypothesis is one which recommends itself as the simplest and most natural explanation of the phenomenon. There are, however, very grave objections, not so much to the proposition that the ancient Teutonic scale was a gapped quinqugrade one, as to the view that the Anglo-Saxon scale was such at the period when the Lowland Scottish style grew up. In the first place, no traces of a gapped quinqugrade scale are to be found anywhere in England, under circumstances which exclude the influence of Scottish or Irish music, and the oldest airs of Scandinavia, as they have been preserved in Iceland—as for example the melody of the *Krakumál*, or death song of Ragnar Lodbrok, appear to be all in the diatonic scale. And in the second place, the older the Lowland melodies are, the closer they approach to the type of Gaelic music; and the gradual influence of artistic music, and especially of the music of England, can be traced in the successive stages of developement through which the Lowland music has passed.

The artistic polyphonous music of the fourteenth, fifteenth, and sixteenth centuries did not penetrate into the Highlands of Scotland, because there also there was no suitable soil for its developement, so that the native music, modified as it had been under the influence of the ecclesiastical chant, preserved its original character, like the Irish music from which it had originally sprung. In the prosperous Lowland country where the Scottish court lived, which had many rich abbeys and large churches, and between which and France and the Low Countries there was much intercourse, the influence of foreign polyphonous music had begun to be felt as early as the times of James the First of Scotland, as I have above mentioned. But this influence was arrested by the action of Protestantism. The Scottish Presbyterians eschewed music altogether in their ritual, and were in a fair way to make their country a songless nation, had not political opposition to England acted as a stimulus for the preservation of the Scottish melodies among the Scottish episcopalian families and the more patriotic and less rigid adherents of the Kirk. Fortunately for Scotland,

Highland
Scottish
music not
affected by
polyphonous
music ;

influence of
foreign
music on
Lowland
Scottish
music ;

preservation
of Scottish
music ;

there did not exist there, at least to an equal extent, the same antagonism of race and religion which wrought such a chasm between the English owners of the Irish soil and the people of Ireland, so that the intellectual society of Edinburgh became as much interested in the preservation and cultivation of Scottish music as the peasantry, and consequently good musicians found it profitable to adapt her old airs to the forms of modern music. Indeed, so fashionable had Scottish music become at the beginning of this century, that composers like Beethoven undertook to harmonize the national melodies of Scotland. And Dr. Arne, the composer, of Vauxhall Gardens, Dr. Greene, and many other English musicians, finding music in the beautiful and elegant style of the Lowlands popular in England, composed numerous airs which now ornament collections of Scottish music.

growth of a conventional style of Scottish music.

The Welsh did not derive their music from the Irish.

It would be a waste of time to seriously discuss the statement attributed to Caradoc of Llancarvon, that the Welsh were indebted to the Irish for most of their musical instruments and much of their music, the authenticity of which I have considered at some length in the previous section. The geographical position of Wales, and the intercourse which subsisted between it and England and the Continent during the middle ages, must have afforded the Welsh abundant opportunity of becoming acquainted with the instruments and artistic music of all Western Europe. It is, therefore, highly probable that owing to the influence of the Norman minstrels, the native music was neglected, and that *Gruffydd ab Cynan* merely attempted to restore the decayed Welsh music, and introduce the Irish harp, the Welsh one having been perhaps supplanted by the *Fiddle* and other instruments of the Norman minstrels.¹¹⁰⁴ But whatever may have been the nature of the

Old Welsh music merely restored by *Gruffydd ab Cynan*;

¹¹⁰⁴ Giraldus Cambrensis tells us a curious story about the musical knowledge of his countrymen the Welsh. He says the Britons did not sing in unison like the inhabitants of other countries, but in many different modes and modulations, so that in a crowd of singers, as is the custom of those people, as many different songs of various voices may be heard as there are heads to be seen, but nevertheless all uniting at last in the consonance of organic melody and in the soft sweetness of *B-mollis*. ("In musico modulamine, non uniformiter, ut alibi, sed multipliciter, multisque modis et modulibus

reformation effected by *Gruffydd ab Cynan*, the fact that the bardic meeting at which the musical canon of the Welsh was settled in the twelfth century, consisted of Irishmen and Welshmen, incontestably proves that the national music of both countries was then similar, or in other words, that the Welsh music in the twelfth century was constructed according to a quinqugrade scale, either a gapped one, or the old diatonic Church scale, and that five keys were used.

Assuming, therefore, that the Welsh music of the twelfth century was, as I have said, constructed according to a gapped quinqugrade scale, modified, however, like the Irish music by the ecclesiastical chant, it is probable that it was affected more deeply than the Irish music by the influence of the polyphonous music of England and the Continent; because Welsh minstrelsy was in favour at the Tudor court, and was fostered by the Welsh nobility, even by those of Norman extraction. Nevertheless, there is reason to believe that even so late as the beginning of the sixteenth century many Welsh national melodies still bore evidence of having been con-

it was constructed on a gapped scale;

but was more affected by Church music than the Irish music;

cantilenas emittunt. Adèo ut in turbâ canentium, sicut huic genti mos est, quot videas capita, tot audias carmina discriminaque vocum varia, in unam denique sub *B* mollis dulcedine blandâ consonantiam, et organicam convenientia melodiam". *Descriptio Kambriæ*, c. xiii.) He goes on to tell us that in the north of England, beyond the Humber and the borders of York, a similar kind of symphonious harmony was practised, except that they only sung in two parts. ("In Borealibus quoque majoris Britanniæ partibus trans Humbriam scilicet, Eboraci finibus, Anglorum populi, qui partes illas inhabitant simili canendo symphoniacâ utuntur harmoniâ: binis tamen solummodo tonorum differentiis et vocum modulando varietatibus; unâ inferius submurmurante, alterâ verò superne demulcente pariter et delectante". *Ibid.*) Notwithstanding the "glaring improbabilities" of this statement, "with the manifest ignorance of the subject in question" which the author displays, as Dr. Burney says, and the general character for untruth and exaggeration which Giraldus justly enjoys, it seems probable that the kind of harmonic music called *Faux Bordon* (not true *Discant*, as suggested by Dr. Burney) was used in secular music in the eleventh and twelfth centuries in Wales and Northumbria. The use of such harmony in secular music would naturally facilitate the introduction of each such succeeding improvement in multivocal song, and the consequent transformation of the whole national music. It is worthy of remark too, that this kind of *Organum*, which, as I have already mentioned, existed until lately in Ireland, was only practised in that part of England with which the Irish had so much connection in the middle ages. See *Addenda*, p. dcxli.

structed on a gapped quinquegrade scale, more or less modified by the *Cantus firmus*, and perhaps to some extent also by polyphonus music. The use of old keys may be traced down even to the beginning of the last century. Protestant hymnology in the Welsh language, in which the whole congregation was able to join, gave a death-blow to the old music. Most of the music to which the Welsh hymns were set being of English origin, the special characteristics of the old Welsh music began to be gradually but steadily obliterated, and replaced by the English style of music. Thus it happens that the Welsh music of the present day exhibits no trace of the quinquegrade scale, and is in fact not distinguished by any special peculiar characteristics from the melodies heard in other parts of England. Take, for instance, the air to which the old ballad of the battle of Ruddlan Marsh is sung. This ballad commemorates the victory of Offa, king of Mercia, over the Welsh king Caradoc, in the year 795. The Welsh appear to think that the air belongs to the period of the battle; but it has no mark of antiquity about it. It is an ordinary plaintive air, which might have been composed in England as likely as in Wales. As the Scotch and Irish dispute concerning the birthplace of many airs, because the musics of both countries belong to the same type, so the Welsh and English dispute as to whether certain melodies are Welsh or English. The English, for example, claim the air "The hunting of the hare", which is generally considered to be a typical Welsh melody. Even the old rhythm, of which we find traces here and there in very old airs, has almost disappeared from the present music of Wales.

It is singular how completely this substitution of modern music for the ancient music of Wales has escaped the notice of the Welsh musicians themselves. Indeed if we wanted evidence to establish the essentially modern character of the present Welsh music, we could find it nowhere so abundantly and ready to our hand as in the works of those Welsh bards who are most extravagant in their claims on behalf of its antiquity. One of them, Mr. John Parry, after discussing¹¹⁰⁵ the state-

¹¹⁰⁵ *The Welsh Harper*. London and Chester, 1839, p.

and by polyphonus music also.

The old music was extinguished by Protestant hymnology.

Modern Welsh music does not differ from English music; the air of "Ruddlan Marsh" an example;

Welsh and English dispute concerning the paternity of certain airs.

The Welsh not conscious of the great change in their music;

ment of Dr. Powel, already referred to, that most of the British music was had from the Irish in the time of Gruffydd ab Cynan, says: "The Welsh bases are always very superior to either that [*sic*] of the Irish or Scotch music, and are what are termed a ground bass, and are always moving; they are not merely chords struck to harmonize with the melody, but are working and prominent, and generally consisting of note for note with the treble, or melody, but in contrary motion. The admixture too of the major and minor keys, the change of the time, and the frequency of only six bars in a strain, as in the 'Rising of the lark', 'Cream of yellow ale', 'The inspired bard', etc., are peculiar features in Welsh music". It would surely be difficult to give so much evidence in so few words against the antiquity of the present Welsh music as this passage affords. A Welsh bard, ignorant of the history of music, may perhaps be excused for believing that the Welsh music has not changed, and that it is to-day what it was a thousand years ago. But when we find the following passage in Dr. Crotch's *Specimens of various Styles of Music*, we can only conclude that the history of music did not form one of the qualifications for the chair of music at Oxford in his time.

the best evidence of the change is to be found in the works of Welshmen.

"British and Welsh national music may be considered as one, since the original British music was, with the inhabitants, driven into Wales. It must be owned that the regular measure and diatonic scale of the Welsh music is more congenial to the English taste in general, and appears at first more natural to experienced musicians, than those of the Irish and Scotch. Welsh music not only solicits an accompaniment, but, being chiefly composed for the harp, is usually found with one; and, indeed, in harp tunes, there are often solo passages for the bass as well as for the treble. It often resembles the scientific music of the seventeenth and eighteenth centuries; and there is, I believe, no probability that this degree of refinement was an introduction of later times".

Some old airs are, however, to be found in collections of old Welsh music, which, notwithstanding the efforts of musicians to make them "perfect" according to the rules of modern music, still exhibit traces of the true Welsh music of the

Traces of the true Welsh music to be found still in old airs.

middle ages. This is specially the case with several of the airs which have been published by Miss Jane Williams.¹¹⁰⁶ Among these may be specially mentioned the beautiful air *Pan o' wn y gwanwyn*, which must have been originally composed in the key of the first Church tone in *D*, if not in the corresponding gapped scale.

Supposed
musical nota-
tion of the
Britons;

the Welsh
musical MS.;

Welsh writers, in their desire to give an undue antiquity to everything belonging to their country, have laid claim to the possession of an ancient and peculiar system of musical notation, which, however flattering to the national vanity of the Welsh people, is not very creditable to their own scholarship and critical judgment. This claim is based upon a manuscript discovered in the beginning of the last century, some part of which, according to a memorandum found in it by Dr. Burney, was transcribed in the time of Charles the First by Robert ab Huw of Bodwigen, in the island of Anglesey, from a manuscript of one William Penllyn, a distinguished minstrel of the preceding century. The manuscript was first discovered, I believe, among the collection of the Welsh school, founded in London in 1714, and is now in the British Museum. A note in English informs us, according to Dr. Burney, that this manuscript contains "the music of the Britons, as settled by a congress, or meeting of masters of music, by order of Gruffydd ab Cynan, prince of Wales, about the year 1100, with some of the most ancient pieces of the Britons, supposed to have been handed down to us from the ancient bards".¹¹⁰⁷ Although it does not appear that the note says one word as to the antiquity of the system of notation in which the ancient music is recorded in the MS., it was at once assumed, without further proof or investigation, to be as old at least as the eleventh century. The music of this manuscript was published in the *Myvirian Archaiology of Wales*,¹¹⁰⁸ and attracted a good deal of attention. Dr. Burney considered that this supposed medieval notation was somewhat like the tablature of the Spanish lute,

Dr. Burney's
opinion of it;

¹¹⁰⁶ *Ancient National Airs of Guent and Morganwg.*

¹¹⁰⁷ *A General History of Music*, vol. ii., p. 110.

¹¹⁰⁸ Vol. iii. pp. 440-624; pp. 1089-1204 of the reprint in one volume published in 1870.

but without lines, except a single line to separate the treble from the bass; and on this principle he deciphered a small portion of the music which was in the key of *C*. He evidently was sceptical as to the antiquity of this supposed ancient counterpoint, for he says: "This counterpoint, however artless it may seem, is too modern for such remote antiquity as is given to it. The false fifth from B to F, in the first example [deciphered by him], has not been long allowed in harmony; and the unprepared seventh from B to A, in the second example, is a crudity that has been very lately tolerated".¹¹⁰⁹ The celebrated violinist Barthelemon is said to have succeeded by the aid of the tablature of the old Spanish lute in deciphering the greater part of the music; but only one of the pieces so deciphered, and which happens like those of Burney to be in the key of *C*, was ever published. It is given in the first volume of *Welsh Melodies*, printed in 1809.

The success of Burney and Barthelemon ought to have induced the Welsh musicians to follow up the clue thus offered to them, or at least led them to doubt the antiquity of the musical notation. So far from this being the case, Mr. John Parry, already referred to, in order to place its antiquity beyond all dispute, asserted that the letters used in the notation were those of the ancient bardic alphabet, and, to support his view, published as a fac-simile a clumsy forgery of a portion of the MS., in which the characters, except the letter F, which is unmistakably Roman, have as little resemblance to the oghamic alphabet as they have to those in the manuscript of which the example purports to be a *fac-simile*. Dr. Burney has also given *fac-similes* of two (Nos. xi. and xvii.) of "The Twenty Four Measures of Instrumental Music". If these be accurate, and they certainly look like the notation used in lute books of the period, then the transcript published in the *Myvirian Archæology* is not a *fac-simile* at all, and cannot be depended on. For instance, the Greek ζ, which occurs in Burney's *fac-simile*, is always made *d* in the *Myvirian* edition. Now, this substitution happens to be of great importance; because this letter was used in the tablature of the lute,

he deciphered a little of it;

the greater part deciphered by Barthelemon.

Mr. Parry's pretended fac-simile of the Welsh MS.;

the letters not those of Bardic alphabet;

Dr. Burney's fac-simile.

¹¹⁰⁹ *Op. cit.*, p. 113.

as may be seen in the lute-book of Hans Judenkunig, to which I shall refer hereafter.

To the new edition of the *Myvirian Archaiology*, published in 1870, there is appended a dissertation "On the musical notation of the ancient Britons", by Mr. John Thomas, who subscribes himself *Pencerdd Gwalia*, and may consequently be considered as an authority on the subject of Welsh music.

The five
Welsh keys
as given by
Mr. Thomas;

Mr. Thomas tells us that there are five keys in Welsh music. From the way in which he introduces this statement, he seems to imply that these five keys are mentioned in the musical manuscript. He says: "To return to the Welsh manuscript. There are five keys in Welsh music:—the low key of *C* (*is-gywair*), the sharp key of *G* (*eras-gywair*), the flat key of *F* (*lleddv-gywair*), the mixed or minor key (*bragod-gywair*), and the key with a minor third (*go-gywair*)". These keys are not however given, so far as I could find, in the transcript of the manuscript in the *Myvirian Archaiology*. They are all modern keys; "the low key of *C*" is simply the ordinary scale of *C*-major; "the sharp key of *G*" is only the ordinary scale of *G*-major; the "flat key of *F*", the ordinary scale of *F*-major; "the mixed or minor key" is the ordinary modern ascending scale of *A*-minor; and "the key with a minor third" is the ordinary modern ascending scale of *C*-minor. Mr. Thomas evidently believes that these keys are the same as those of ancient Welsh music, for he says: "Guido's three major keys are the same as those of the Welsh, and distinguished by similar terms:—the sharp key of *G* (*durum*), the flat key of *F* (*molle*), and the key of *C* (*natural*)". It is evident from this that his acquaintance with medieval music is very slight.

they are all
modern
keys.

The keys in
the Welsh
MS.;

Several other keys are, however, given in the transcript of the manuscript printed in the *Myvirian Archaiology*. Mr. Thomas has attempted to translate these scales into ordinary musical notation, but as they are printed they are unintelligible; most of them look more like exercises than scales of keys. Two of these keys are called Irish: *Y Cywair Gwyddelig dyeithr*, the strange Irish key, and *Y Lledv-Gywair Gwyddyl*, the flat Irish key. The latter, but for one note, which may have been misplaced by the printer, would be the Irish key of *G*,

as given by
Mr. Thomas
unintelligible;

if the sharp in the clef, which could not belong to any Irish key, were omitted.

Mr. Thomas thinks that the music of the Welsh manuscript was written for the *Crwth*, and not, as Dr. Burney thought, for the harp; and on this supposition he has deciphered the part relating to the twenty-four measures of instrumental music with their chords of accompaniment, and two of the tunes, *Gosteg Davydd Athraw*, and *Gosteg yr Halen*, “the prelude to the salt”. The latter piece, which consists of a theme with a number of variations in the key of *F* major, is certainly not older than the seventeenth century. Nevertheless, the following note in the manuscript at the end of the piece informs us: “Here ends *Gosteg yr Halen*, which used to be performed before the knights of King Arthur when the Salter was placed upon the Table”. Mr. Thomas remarks on this, “Now as one part of the manuscript must be considered as authentic as another, the above composition takes us as far back as the middle of the sixth century—the time when King Arthur flourished”! He compares the notation of the Welsh MS. with that by the letters of the alphabet employed by St. Gregory, as described in Sir John Hawkins’ *History of Music*, and concludes that “it is more than probable, therefore, that the system of notation in the Welsh manuscript was brought over here by the singers whom St. Gregory sent to Britain with Augustine”, naïvely adding: “Further evidence in favour of the above supposition is afforded by the frequent recurrence in the manuscript of a purely Italian word, *bis*, which signifies in that language to repeat; and whenever a phrase is to be repeated, this word is used; therefore it is highly probable that it was adopted by the Welsh at the same time as the notation itself”! Mr. Thomas does not explain how the Anglo-Saxons, to whom, and not to the Britons, St. Gregory sent Austin and Mellitus, and Pope Vitalian the singers John and Theodore, have left us no account of such a notation, nor is a trace of it to be found in any documents of Anglo-Saxon times. He tells us that in the winter of 1868 he met with a little book in Florence, the *Musurgia seu praxis musicæ* of Ottomarus Luscinus,¹¹¹⁰

Mr. Thomas thinks the music of MS. was for the *Crwth*;

he has deciphered some of it;

he thinks the notation was that of St. Gregory;

¹¹¹⁰ His true name was Othmar Nachtigall; but in accordance with the

It is the tablature of a stringed instrument, and is not older than the sixteenth century;

which contained a musical notation more closely resembling the Welsh one than even the supposed notation of St. Gregory; yet, notwithstanding this suggestive fact, and the connection which is thus established with the attempts of Burney and Barthelemon to decipher the music of the Welsh manuscript, it never occurs to Mr. Thomas that the supposed ancient British notation may be only a modification of one in general use for certain instruments in the fifteenth and sixteenth centuries. Not a shadow of doubt can remain on the mind of any one who compares the notation of the Welsh manuscript with any of the lute books published in France and Germany in the sixteenth century, that this supposed ancient notation is simply the tablature of a stringed instrument. I would especially direct attention to the lute book of Hans Judenkunig,¹¹¹¹ published at Vienna in 1523, or only thirty-five years before the accession of Elizabeth, in whose reign lived William Penllyn, the writer of the book from which the Welsh manuscript purports to have been copied. The mode of writing music on parallel lines, each of which represented a string of the lute, and placing on these certain letters of the alphabet and other marks indicating what note is to be struck and how, was not confined to the lute, but was used for most polychord instruments. I have already mentioned that the tablature of the Psaltery was of this kind.¹¹¹² Sometimes the lines were altogether omitted, as in the lute-book of Hans Judenkunig; hence I have specially referred to the latter as one in which the notation approaches very closely to that of the Welsh MS., which has, as I have already said, but one line dividing the treble and bass.

habit of the time he translated *Nachtigall* into the Latin *Luscinus*. He published his first book, *Musicæ Institutiones*, in 1515 under his true name: the *Musurgia* was printed at Strasburg in 1536.

¹¹¹¹ This curious book has no less than four title-pages, and is written partly in German and partly in Latin. The first title is: *Utilis et compendiaris introductio, qua ut fundamento jactoque facillime musicum exercitium, instrumentum et lutinæ, et quod vulgo geygen nominant, addiscitur labore, studio et impensis Johannis Judenkunig de Schbebischen Gmundt in communem omnium usum et utilitatem typis excudendum primum exhibitum Viennæ Austriæ.*

¹¹¹² *Ante*, p. dxvi.

Mr. Thomas's idea, that the music was written for the Welsh *Crwth*, and not for the harp, may be correct, but the subject needs more thorough investigation than it has yet received. If some competent Welsh musician, having first made himself master of the history of music from the thirteenth to the sixteenth century, and having studied especially the tablatures of the lute, psaltery, and other stringed instruments in use in the fifteenth and sixteenth centuries, would give us a *fac-simile* of the whole of the Welsh musical manuscript, accompanied by a translation of it into modern notation, he would do much service to the history of music, and confer more honour on Wales, than by claiming for the Welsh musical notation an antiquity which the most superficial investigation shows to be without the least foundation.

During the period of the growth of polyphonous music and the rise of true harmonic music, England occupied one of the foremost positions, politically and intellectually, in Europe. She possessed great religious foundations, in which artistic music could be cultivated. Although England's position in the history of polyphonous music is very secondary, she had made considerable progress in artistic music, and was not, so far as I can make out, indebted for this progress to the immediate influence of Flemish composers. Without, however, entering into this question, which is outside my present purpose, I may state that the old popular homophonous music of England had been completely transformed under the influence of polyphonous music, as the popular music of France, Belgium, and Germany had been, long before the rise of Protestantism.

The developement of artistic music in England, which undoubtedly took place in the fifteenth century, so far from being checked by the establishment of Protestantism, was rather promoted, the passage from polyphonous to harmonic music being rapidly effected, and a school of artistic music formed, which, in the reign of Elizabeth, held a high position. Any echoes of the old music which may have survived the absorbing action of polyphonous music, were wholly suppressed by the spread of Protestant hymnology through every nook and corner of the land.

Opinion that the English have no national music erroneous.

It is sometimes said that the English have no national music. This is an error. They have a species of melody of their own, possessing quite as much character as any modern Welsh music, and having, as I have above stated, very much in common with the latter. The really old popular airs of England are not borrowed from artistic music, any more than those of other countries. It is true they are not distinguished for the antique structure, peculiar sweetness, and beauty of melody, which are so characteristic of Irish and Scotch airs; but yet they possess a certain quaintness and simplicity which would immediately prevent us from attributing them to any other soil than that of England. Within the last century England has produced many composers whose melodies are decidedly marked by an English tone, among whom may be mentioned Dibdin and Shield. The airs of the sea songs of Dibdin are assuredly unlike those of any other country.

Musical feats of the *Dagda*,

represented different keys;

similar keys amongst the early Greeks.

Esthetic effects of ancient Greek modes;

There remains only one point upon which I shall offer a few observations before concluding this long Introduction. Professor O'Curry has dwelt a good deal upon the musical feats of the *Tuatha Dé Danann* king or deity, the *Dagda*, namely, the *Suantraighe*, or sleeping mode, the *Gentraighe*, or merry mode, and the *Goltraighe*, or weeping mode, because they are continually referred to in tales and in the laws, whenever the qualifications of a harper are spoken of. Those feats represent, as O'Curry has pointed out, three modes or keys. From the earliest times, and among every people, certain esthetic effects are attributed to the different modes or keys. The *Linos*, *Jalemos*, *Skephros*, *Threnos*, and other ancient mournful airs of the Greeks, the joyous *Paeon*, the pleasant *Hymenæos*, and the merry *Komos*, are, like the *Dagda's* feats, airs in different keys of the old Greek quinqugrade scale. The different esthetic effects of the several ancient keys are curiously illustrated by a letter of the Gothic king Theoderich, or rather of his secretary, Cassiodorus, to Boethius. The Frankish king Chlodowig, or Clovis, having become a Christian through the influence of his wife Chlotilde, and being anxious to have a singer who would rejoice the heart with music in the Italian

taste, with song and sound of cithara, addressed a letter to Theoderich at Ravenna, asking his aid in obtaining what he wanted. Theoderich referred the matter to Boethius, the greatest authority of the time on all branches of knowledge, in the letter above mentioned. In this letter, Cassiodorus dwells upon the advantages of music in enlivening injurious mourning, suppressing foaming rage, softening bloody savageness, and inciting the indolent and weary. All this, he tells us, is produced by five tones, which are called after the provinces where they were discovered; for the goodness of God, whose works are worthy of all praise, has distributed His gifts differently in different places. The Doric tone leads to modesty and chastity; the Phrygian excites quarrels and inflames to rage; whereas the Æolian quells the tumult of the soul, and rocks the consoled one to sleep; the Iastic or Ionic sharpens the blunted perceptive power, and leads the earthly sense to a longing after the heavenly; while the Lydian, on the other hand, calms the too heavy cares of the soul, and drives away vexation, and strengthens while it delights.¹¹¹³

Pious authors of the middle ages are fond of attributing certain esthetic effects of a religious character to the eight Church tones. Thus the first tone was considered to be grave and serious, and to express the spirit of prayer; the second, to be mournful, and to express the spirit of penitence; the third, mysterious, and to express the spirit of mystic joy; the fourth, melodious, and to express the spirit of concord and brotherly love; the fifth, to be joyful and gladdening, and to express the spirit of triumph; the sixth, to be partly joyful and partly sad, and to express the spirit of devotion; the seventh, to be sublime, and to express the spirit of angelic devotion; and the eighth, to be majestic, and to express the spirit of perfection.¹¹¹⁴

Legends similar to that of the musical feats of the *Dagda* are to be found in many countries, such as the one related by

Similar legends to that of the *Dagda's* feats in other countries.

¹¹¹³ Cassiodori, *Varia*, Lib. II., Epist. 40.

¹¹¹⁴ *The Little Gradual*, by Ambrose Lisle Phillips of Grace Dieu Manor, p. xviii. Figulus gives the following as the characteristics of the Church modes: "primus hilaris, secundus moestus, tertius austerus, quartus blandus, quintus jucundus, sextus mollis, septimus gravis, octavus modestus".

the *Ressai Akhuan el Safa*, of the celebrated Arabian, called from his birthplace Alfarabi,¹¹¹⁵ who lived in the first half of the tenth century. Going to the house of the vizier Ismail Sahib as a ragged beggar, Alfarabi performed the three feats of the *Dagda* on the instrument called the Kashbad. His hearers, we are told, were first excited to unrestrained joyousness, then sunk into deep melancholy, and finally plunged into a deep sleep. An analogous legend to that of the *Cruit* obeying the call of the *Dagda*¹¹¹⁶ is also to be found among the Arabs. According to this legend, the lute inclined itself to the celebrated musician Abdul Kadir in token of his great skill.

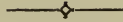
Musical feats
of the Norse
harper *Bose*.

The musical feats of the great Norse harper named *Bose*, whose exploits form the subject of the Saga of *Herraud* and *Bose*, belong to the same category of legends. We are told that *Bose* could give on his harp the *Gyarslagr*, or stroke of the sea-gods, which produced mermaids' music, requiring a soft, tender execution, like the Irish *Suantraighe*; the *Drambuslagr*, or proud or haughty stroke, producing a sort of very expressive *Andante*, in a key probably corresponding to the modern major mode; the *Rammrslagr*, or strong stroke, corresponding to the Irish *Gentraighe*, or a very lively *Allegro*. There was also a special slow, solemn mode, the *Hjeranda hliód*, or battle music, corresponding to the Irish *Dord Fiansa*.

¹¹¹⁵ Or according to his full name : Ebu Nassr Mohammed Ben Tarchan el-Farabi.

¹¹¹⁶ Lecture xxx., vol. i., p 214.

A D D E N D A .



Sepulchral and other Monuments referred to in the note 568,
p. cccxxix.

The following monuments are mentioned in the "Tale of the First Battle of *Magh Tuired*", as existing on the plain of *Magh Tuired* when the account of the battle was written.

RATHS. *Rath Cro Phorta*, the royal *Rath* of the *Firbolgs*.

Rath Fearainn, the royal *Rath* of the *Tuatha De Danann*.

FERTS. *Fert Cairbre*, the *Fert* of *Cuirbre* son of *Dian*, who was buried near his comrades the sons of *Buan*.

DUMAS. *Duma mic Gann*, the tumulus or mound of the four sons of *Gann*.
Duma na n-Druadh, the tumulus or mound of the Druids, where the three Druids sons of *Orrdan* were buried.

Duma Slainge, the tumulus or mound of *Slainge* son of *Eochad Mac-Erc*, king of the *Firbolgs*.

TULACHS. *Tulach an Triuir*, the hillock of the three men, where the three men who attacked the *Firbolg* king, *Eochad MacErc*, and who were killed by the one man, were buried.

CAIRTE. *Cairte Faithaig*, i.e. the pillar stone of *Fathach*, the poet of the *Firbolgs*.

Cairte Aidleo, the pillar stone of *Aidleo*.

Cairtedhe Catha Thuatha Dé Danann, the pillar stones of battle of the *Tuatha Dé Danann*: these were the pillar stones fixed upright in the ground by the *Tuatha Dé Danann* to mark the line of battle, and to prevent their people from taking to flight.

Seacht Cairte dec mic Caelchir, the seventeen pillar stones of the two sons of *Caelchir* and other warriors.

LIA. *Lia Neimid*, the stone of *Nemid*:

Lia Lugaid, the stone of *Lugad* son of *Nuadad*.

LEACA. *Leaca Mic Slainge*, the flags (or pillar stones) of the four sons of *Slainge*.

Leaca Mic Buain, the stones of the four sons of *Buan*.

LECHTS or LEACHTS. *Leacht (no Carn) Lamh Nuadad*, the monument (or *Carn*) of *Nuada's* hand.

CARNS. *Carn an chluiche*, i.e. the *Carn* of the game, from the game of hurling contested between the *Firbolgs* and *Tuatha Dé Dananns*. This *Carn*

was raised to commemorate the hurlers who were slain on the spot. The place itself where they were buried was called *Gleann Moaillen*.

The three *Carns*, one of which was raised by the *Firbolgs* over the heads of their fallen companions after each day's battle.

Carn an aonshir, the *Carn* of the one man, i.e. the *Carn* raised over the one man who saved the *Firbolg* king.

Carn cin Cirb, the *Carn* of the head of *Cirb*.

The mention of the Royal *Raths* of the *Firbolgs* and *Tuatha De Danann* gives us another example of entrenched or pallisaded encampments such as those referred to at p. cccv.

Sepulchral and other Monuments mentioned in the *Dindsenchas* of the Fair of Tailté.

RATHS. *Rath Airthir*, the eastern *Rath*. *Rath Jarthar*, the western *Rath*. *Rath Luing*, the *Rath* of Long. *Rath Lort*, the *Rath* of Lort. *Rath Luirc*, the *Rath* of Lurc. *Rath Chon*, the *Rath* of Con. *Rath Genand*, the *Rath* of Genand. *Rath Sithaig*, the *Rath* of Sithach.

FERTS. *Fert oen dorais*, a *Fert* of one door for men of science. A *Fert* with two doors for women. *Ferts* without doors, without *Trena* (i.e. without days of celebration) for boys and for maidens. (Passage quoted, p. cccxxxi, note 573).

CAIRTI. *Cairti* mark the graves of widows (widowers), to maintain their appropriate part of the cemetery. Such a monument is called an *Aisneis di Cairtib*, a testimony by pillar stones. (See p. cccxxxi, n. 573).

Cairte Colmain, the pillar stone of *Colman*.

CNOCS. *Cnocs*, hills on distinguished foreigners.

IMSCING. *Righ Imscing*, the kingly diadem-shaped mound of the noble Mononians on the north of the king of *Teamar*.

FORUDS* or FORADS. *Forud Fer Olnegmacht*, the *Forud* of the men of *Olnegmacht* or Connaught.

MURS. These monuments are described as "ramparts upon such as die of great plagues" (quoted, p. cccxxxii).

Mur Tailten, the *Mur* of *Tailtiu*.

Mur Eochaidh Gairbh, the *Mur* of *Eochad Garbh*, in which vast numbers of other dead persons were buried. "Upon the *Mur* of *Eochad* of chiselled stones, were the twenty *Forads* of the kings of *Teamar*". Upon the *Mur* of his wife were the twenty *Forads* of their queens.

CLOCHUR. *Clochur* (stone-beds) around the sleeping place of *Fland*.

LIA. *Lia Loip*, the stone of *Lop*. *Lia Gair*, the stone of *Gar*. *Lia Lobur*, the stone of *Lobur* or the *Leper*. *Lia Clamh*, the stone of the emaciated leper behind the *Forud*.

CARNS. *Carn Conaill*, the *Carn* of *Conall*.

The poem from which this list is taken begins on folio 258, a.b. of the *Book of Lecan*.

* *Forud* or *Forad* was the place where a king assembled with his *Sabaid* or council and his *Dam* or retinue, at the *Aenachs* (fairs), *Tocomrachs*, *Feis*, or Feasts and other places of public assembly. The seat of the king was on the top of the mound, which, as is evident from this poem, was a mound erected over the dead, and surrounded by a rampart Cf. *Forus* the residence of a magistrate, and the Latin *Forum*.

Sepulchral and other Monuments mentioned in the *Dindsenchas* of *Brugh na Boine*.

CAISELS. *Caisel Aengusa*, the *Caisel* of *Aengus* son of *Crundmael*.

DUMAS. *Duma na Cna*, the mound of the bones. *Duma Tresca*, the mound of *Tresc*.

FERTS. *Fert m-Boine*, the *Fert* of *Boind*. *Fert Esclam*, the *Fert* of *Esclam* the *Dagda's* judge, called *Fert Patraig*, Patrick's *Fert* to-day, *Fert Fedelmid Rechtmer*, the *Fert* of *Fedelmid*, the law-giver. *Fert Aedha Luirgnig*, the *Fert* of *Aedh Lurgnech*.

DERCS. *Dercc m-Buailcc m-Bic*, the *Fert* of *Buailcc Bec* (the small).

LONGS. *Long Inghine Forann*, a ship-house or abode of the daughter of *Forann*.

FOLUCHS. *Foluch Fiacha Sraipthine*, the pit of *Fiacha Sraipthine*.

IMMDAI. *Immdai in Dàgdai*, the bed of the *Dagda*.

CARCARS. *Carcair Leith Macha*, the prison of the *Liath Macha*, or celebrated gray horse of *Cuchulaind*.

CUMOTS. *Cumot Cairpri Lifeachair*, the *Cumot* of *Cairpre Lifeachair*.

BARCS. *Barc Crimthain*, the barque-shaped grave of *Crimthan*.

LECHTS or LEACHTS. *Leacht in Dagdai*, the *Leacht* of the *Dagda*. *Leacht an Matae*, the *Leacht* of the *Mata* or monster; there was also a glen called *Glenn an Matae*. *Leacht Cellaig mic Mailchoba*, the *Leacht* of *Cellach*, son of *Maelchoba*. *Leacht Gabra Cinaoda mic Irgalaig*, the *Leacht* of the steed of *Cinaed* son of *Irgalach*.

MURS. *Múr na Mór Rigna*, the *Múr* of the *Mór Rigu*.

LECCA. *Lecc Benn*, the flag of *Benn*, that is, the *Leacht* upon which the monster was killed. This monster is said to have had one hundred and forty legs, and four heads.

LIA. *Liag Buide mic Muireda*, the flag of *Muired*, where his head is.

CARNS. *Carn ail Cuind Cet Cathaig*, the rock *Carn* of *Conn* of the Hundred Battles.

ACCIDENTAL NAMES. *Da Chich na Mór Rigna*, the two paps of the *Mór Rigu*.

Cirr (comb) and *Cirril* (casket), the names of two wives of the *Dagda*, were also given to the two mounds upon their graves.

MS. R. I. A. *Book of Ballymote*, fol. 190, a. b.

See also Petrie's *Ecclesiastical Architecture of Ireland*, pp. 100-101.

Passage from the account of the *Second Battle of Magh Tuired*, referred to in note 569, p. cccxxix.

“The *Dagda* went then to the camp of the *Fomorians*, and he demanded a truce of battle from them; what he asked was granted. The *Fomorians* made stirabout for him: it was in order to mock him they did so, for he had a great liking for stirabout. They filled the king's *Caire cuic dorn* (five-fist cauldron) for him, which was capable of holding four score *Seisrechs* of new milk and an equal quantity of meal and of *Beoil* (lard); and they put goats and sheep and pigs into it, and boiled them with it. They then spilled it all into a *Derc*

talman (a hole or pit in the ground); they told him they would kill him unless he eat the whole of it, because they desired that he should not describe the *Fomorians* as being stingy, and so they wished that he should eat enough. He then took his *Leige* (ladle), and it was so large that a couple would fit lying down in the middle of that ladle. And here is what was in it: thick stirabout, having one-fourth of *Blonoc* (lard) in it. Then the *Dagda* said: 'I have plenty here indeed if it be sufficiently boiled. Does it taste well?' As he put his ladle full into his mouth he used say 'Its sweetness does not exceed the sweetness of the river'. However he rubbed his five fingers on the bottom of the *Derc*, [on] both earth and gravel. He then fell asleep after having eaten the stirabout. His belly was bigger upon him than a *Scabal Tige* (a household pot), and the *Fomorians* laughed at him. He then went away from them with difficulty [to *Tracht Ebe*]. It was not easy for him to go on account of the bigness of his belly. His condition was distressing. He had *Cochlini gobach* (bill pointed little *Cochalls*) on his two elbows; an *Inar aodhar* (a dun coloured *Inar*) on him, which extended to *fop a thona* (the lower part of his rump). A *Gabul gicca rothach feidhm ochtair* (a wheeled eight-pronged military fork) after him, so that his track behind him would suffice for a *Cladh coicriche* (a territorial boundary). He had two *Broga croicne capuil* (horse-skin shoes), with the hairy side out. As he was going in this manner, he saw the beautiful maiden coming towards him; she was comely, ringlet-haired, and buoyant'.—MS., British Museum, *Harleian*, 5280.

This passage is valuable in many ways, besides that of showing what the general meaning of *Derc* is. For instance, it establishes the length of the *Inar*. It also makes us acquainted with a novel kind of Military Fork. From the description it would appear that the fork had a wheel supporting one end of it on the ground, so that it could be drawn along by the warrior, without his having to support the whole weight. This implies that it was large and heavy, rather an engine than a weapon of war. The term *feidhm ochtair*; literally means eight-power, that is, having the power of eight spears, or being eight-pronged.

Passage from the Poem in the *Dinnsenchas* on the Fair of *Tailté*, mentioning what appears to be human sacrifice, referred to in note 581, p. cccxxxv.

να τερα φολα ριλλι, —
 το ρριόειρ ραοραις ιποτι —
 Όαμ κυινγ, οουρ ζοιν βο μ-βλιέτ,
 λοιρτιο λειρ φορ νι [να] ρριμιέτ.

ραοραις ρριόειρ κοιο βρεαθ
 ναδ ζεβασ ριέ νεέ σο νεθ,
 Cen ber tailletin can tracha,
 Ze mairho a ρριμράεα.

* * * * *

ατρειαιβ ταιλλιτιν, αμ έειρε
 το ρηρρ α σο μαε ειρε

να τεορα πλαγα το βρειτη
 α η-ερεν, σεη βασιαιηιου.

α ηι-γιάλλ σεηθα βερεται αμαχη,
 βαουζ να βαησα βρεγμαδ—
 μαρτελα μαα δεθα Slane
 Το μαα εηρε—ηηη β' ιμμαηηι.*

The three forbidden bloods,—
 Patrick preached therein (*i.e.* the fair)—
 Yoke oxen, and slaying milch cows,
 Also by him [against the] burning of the first born.

Patrick preached that it was the law
 That he should not get peace who should do [them],
 As long as *Tailte* shall be without time of prayer,
 Though her primitive raths may survive.

* * * * *

During the *Trena*† of *Tailte*, at sunrise
 I twice invoked *Mac Erc*
 The three plagues to remove
 From Eriu, though it be a woman's command.

Their *Giall Cerdas*‡ were brought out ;
 The drowning of the bonds of the violated treaties—
 Immolating the son of *Aedh Slane*
 To *Mac Erc*—it was not a cause of shame.

Description of the Royal House of *Cruachan*, referred to at p. cccxlviii.

When *Fraech* and his companions appeared before the *Dun* of *Cruachan*, they were welcomed by the herald of *Ailill* and *Medb*. "They went into the *Less*. One-fourth of the house was assigned to them. This was the arrangement of the house, *i.e.* seven compartments in it : seven couches from the fire to the wall in the house all round. A front of *Creduma* upon every couch ; facings of red yew with moulded ornamentations upon them all. Three *Steills* of *Creduma* in the front of every couch. Seven strips of *Creduma* from the concave [roof of the couch] to the roof of the house. The house was made of *Giuis*, and was covered with shingles on the outside. There were sixteen windows to the house, and doors [shutters] of bronze upon each of them. A yoke of bronze across the *Forles*. Four pillars of bronze on the couch of *Ailill* and *Medb*, and ornamentations of bronze upon them all ; and it [*i.e.* the couch] was in the real centre of the house. Two facings [railings] of silver embellished with gold around it. A silver wand in front capable of reaching to the centre of the *Less* of the house. They went round the house from one door to the other. They arranged their valour arms in that house, and they sat down and they were bidden welcome". Further on we are told that

* Vellum MS. R.I.A., *Book of Lecan*, f. 258, a.b., and *Book of Ballymote*, f. 225. b.a.

† The *Trena* of *Tailte* were the three days devoted to the celebration of *Guba* of *Tailte*.

‡ *Giall Cerdas* were the hostages given for the fulfilment of treaties and other inter-territorial contracts and laws.

Fraech was called out into the *Tech n-imacalme* or "conversation house". This appears to have been either a distinct house or one of the other quadrants perhaps set apart for the special use of the royal family, or a place corresponding to the *Quinnabenkr* or woman's bank of Norse houses. Vellum MS. T.C.D., class H. 2. 18 (*Book of Leinster*), f. 183 *et seq.*

Passage from the *Iomram Coraigh Ua Corra*. The Wandering of the *Curach* or Boat of the Sons of *Ua Corra*, showing that the *Brughfer* had the privilege of malting and brewing. See p. ccclxxvi.

"A prosperous *Flath Brugh cetach* lived one time in the beautiful fair kingdom of Connaught, *i.e.* *Conall Dearg Ua Carra Finn*. This was the condition of that *Brugad*, *i.e.* he was a prosperous rich man of great wealth, and his house was never found without the three *cheers* being in it, namely, the cheer of the strainers straining *Liun* (ale); the cheer of the *Athachs* (properly tenants, but put here for such of them as performed household service) over the *Caires* (caldrons) cooking for the hosts; and the cheer of the young men (warriors) over the chess board winning games on each other. Nor was his house found without the three *Miachs* (sacks), namely, a *Miach* of *Brath* (malt) to supply the wayfarers; a *Miach* of *Cruinecht* (wheat) for the *Biatad* (food-ration) of guests; and a *Miach* of salt to improve the taste of all kinds of food".—Vellum MS. R.I.A., *Book of Fermoy*, f. 105.

The *Brugh* is here designated a *Flath*, but it is only by courtesy that the story-teller gives him this title, which the laws never give. The higher class of *Brughs*, Royal *Brughs*, may have been *Flaths* by birth, but were not so in virtue of their office, though sometimes complimented with the title of *Flath Brugh* or lordly *Brugh*.

Passage from the *Iomram Coraigh Ua Corra*. The Wandering of the *Curach* or Boat of the Sons of *Ua Corra*, illustrative of the mode of wearing the *Lena*, the *Inar*, and the *Brat*.

"They saw after that another beautiful bright island, and a *Sonnach Umaide* (paling of bronze) around it, and a bronze net spread on its teeth outside. They left their *Curach* on the strand of the sea, and went to visit a *Dun* which was in the island. When they heard the music and the sound of the wind against the net, a heavy sleep and deep slumber fell upon them during three days and three nights. They awoke then from their sleep, and saw a woman coming towards them out of the *Lis*, and she bade them welcome. She wore *Da mael Assai* (two pointless) shoes of *Findruine* upon her; a *Lena* of yellow silk upon her smooth white skin;* a beautiful golden *Inar* over that beautiful *Lena*; a beautifully coloured five-folding *Brat* over that [*i.e.* the *Inar*]; and a gold chased *Dely* (pin) in that *Brat* over her bosom. A *Cilurn Umaide* (bronze pitcher) in one of her hands; a pure white silver *Escra* (a drinking vessel) in the other hand. She gave them food which seemed to them to be like *Maothal*. She gave them the water of the well which was in the strand with the *Escra*; and there was no good taste that they did not find on

* The passage *léine sion τ-γιοσα βυθε ηε ζυμαν α ζιλ ενοι* means literally "a *Lena* of yellow silk upon the sun of her white skin", that is, her skin was so beautiful that it shone like a sun.

it. Then the woman said, 'Go ye now, for it is not here your resurrection is to be, though we are both of the same race'.—Vellum MS. R.I.A., *Book of Fermoy*, f. 107, a.b.

Additional references to *Corcur*, purple, and *Rud* or *Rodh*, madder.

In a Turin manuscript of the beginning of the ninth century, consisting of a commentary on the Gospel of St. Mark, with a number of interlinear Irish glosses, which has been edited with great ability by the Cavaliere Constantine Nigra, there is a gloss to which my attention was drawn by Mr. W. M. Hennessy, which not only proves the use of purple in Ireland in the eighth and ninth centuries, but establishes the statement I have made at p. cccci, that a red or purple dyestuff was made from lichens long anterior to the date assigned to the discovery of Archil and Cudbear.

The words of the Latin text are: "porpora induitur id est gentili ecclesia quæ de scopulis collecta est maris", which is thus glossed: .i. *donaiþ caircib .i. ar is di lus bis forsnaib caircib dognither inchorcur buicle*. (*Glossæ Hibernicæ, Veteres Codicis Taurinensis*, edit. Constantinus Nigra, pp. 14-15). This gloss would be in English, "*i.e.* from the rocks, *i.e.* because it is from a plant which is found on rocks the *Corcur buicle* [lustrous (?) purple] is made".

Corcur, and *Rud* or *Rodh*, are mentioned in the following passage from the Brehon Laws as dues of kings.

"What is it that you are entitled to, and that you do not pay in lieu of crimes? Answer. You are entitled to a *Cumal* for your *Beanchara* (female friend), *i.e.* the worth of a *Scrapal* of *Corcur* or of *Rodh* every year for a king; it is a *Righ Tuatha* and his co-grades who are entitled to this *Cumhal*. A seventh part of his *Enecland* to [a member of] every grade, however higher or lower than the septegrades they may be, and it is in their own territories injuries are done to them. And if it be in another territory it is one-half their *Enecland* they are entitled to. If it be a violation while they are under the *Faesam* of a person, he [*i.e.* the latter] is entitled to full *Enecland* for them". MS. Brit. Mus. *Egerton* 88, f. 54, b. a.; *Brehon Law Transcripts*, O'Curry, 26-37.

In the following stanza from a poem on *Dubh Ghilla*, the shield of *Aedh*, king of *Oirghiall*, the colour of the berries of the yew tree is called *Corcur*.

This seems to show that the colour was crimson.

"The weakened wood—the butt of the tree,
The shield that hath the colour of the wood in the tree's breast,
Though *Corcur* the berries of the tree,
More beautiful still is the wood on which they grew".

—MS. H. 3. 18. T.C.D. p. 560.

Corcur-coloured flowers are often mentioned in Irish MSS., as in the following passage from the "*Iomram Coraigh Ua Corra*" or Wandering of the *Curach* or boat of the sons of *Ua Corra*:—

"They rowed forward after that, and they saw another island and one clerical youth in it. That island was beautiful, and noble was its appearance. There were beautiful crimson headed (*ceann-corca*) flowers in it, and they were shedding honey in abundance from them".—Vellum MS., R.I.A., *Book of Fermoy*, f. 108. See also *Corcair maige*, "crimson of the plain", vol. ii. p. 191, n. 276.

Note on the Antiphony of Bangor, referred to at end of note 1104, p. dcxxv, and proving the early knowledge of the Church chants in Ireland.

In speaking of the knowledge possessed by the early Christian Irish of the artistic music of the Church, I inadvertently forgot to mention the practice of chanting the psalms in antiphony in the monastery of Bangor in the county of Down. An antiphony, said to have belonged to this monastery, was preserved at Bobbio, having been probably carried thither by St. Columbanus. Gerbert, speaking of the conversion of the Germans, says, as quoted by Dr. Ferguson (*Essay on the Antiquity of the Harp and Bagpipe*, in *Bunting's Ancient Music of Ireland*, Ed. 1840, p. 52): "To this epoch we may refer the antiphony of the monastery of Bangor, whence St. Columbanus coming forth with St. Abbo, his companion, not only imbued our Germany with the light of the Christian faith, but also with the principles of ascetic living".

. . . "Doubtless, the first rule for arranging ecclesiastical services among us, as made up of psalms, canticles, hymns, collects, and antiphonies, was hence derived".—*De Cantu et Musica Sacra*, vol. i. p. 164-165.

The chanting of the Irish is also said to be spoken of in a work entitled *De Cursuum Ecclesiasticorum origine* [*De Ecclesiasticorum Officiorum origine*], which is mentioned by Usher (*Primord.* 342) and by Mabillon (*De Liturg. Gal.*, 384), and which was first noticed, I believe, by Spelman. In this work we are told that, "St. Jerome affirms that the same service (*cursum*) which is performed at the present time [supposed to be the ninth or tenth century] by the Scots was chaunted likewise by St. Mark. Patrick, when placed by Lupus and Germanus as Archbishop over the Scots and Britons, chaunted the same service; and after him, St. Wandilochus Senex, and St. Comogill, who had about three thousand in their monastery (chaunted it also). St. Wandilochus being thence sent forth as a preacher by St. Comogill. as also St. Columbanus, they arrived at Louvaine in Gaul and there they chaunted the same service, and thence the fame of their sanctity was spread over the earth, etc.; and thus that (service) which St. Mark the Evangelist had once chaunted, was revived again under the blessed Columbanus".

Dr. Ferguson, from whose essay the foregoing passage is quoted, thinks that it was from Bangor that the Northumbrians drew the knowledge of part singing described by Giraldus Cambrensis. This opinion derives some support from the fact that St. Colman, the apostle of that district, was a monk of Bangor.

Possibly the chanting of psalms, antiphonies, etc., which St. Aldhelm speaks of, in the church built by the Princess Bugge at Glastonbury, was introduced by the Irish monks, and that the Church music was introduced into Ireland from Gaul as early as the fifth century, or at all events in the sixth century.

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