

A NOTE ON A DIFFICULT PASSAGE IN *BRETHA DÉIN CHÉCHT*

THE FIRST half of § 36 of *Bretha Déin Chécht* reads as follows: **T** *Lanad cach colpthai aniar no a mmedon mes mithir fri trelæg toimsi mani timarr seis.*¹ Binchy translates this as '[For] hurt (?) to every shin from the rear or internally award is made: it is to be assessed at [the value of] a cow after calving unless it hinder. . .'.² Commenting on the phrase *timarr seis* Binchy observes that: 'The sense appears to be that a cow after calving is the normal penalty unless the injury prevents the victim from performing some function or engaging in some activity; if so, the amount will be increased. But what is *seis* (or *éis*)? Even if we postulate an archaic form **sess* "sitting", a substantivized use of the old verbal adjective (*sed-to-*) like *lecht* from *laigid*, it is hard to see how the most severe damage to the tibia could "hinder sitting"'.³

Taking *seis* to be the dative sing. of **seis* i-f. (?) 'sitting'⁴ (or of **sess* ā-f.?), used here – as frequently in legal texts – 'to express the instrument or accompanying circumstances',⁵ we may interpret *mani timarr seis* as (literally) 'if it [*sc.* the damage to the tibia] hinder him not (*mani* = *mani n-* with 3rd sing. masc. inf. pron.) by sitting', i.e. unless the damage to the tibia forces him to sit (thereby preventing him from going about his work).

FREDRIK OTTO LINDEMAN

Oslo

¹D. A. Binchy, *Ériu* 20 (1966) 1–66, p. 46.

²*ibid.*, 47.

³*ibid.*, 65.

⁴Cf. *bit oc seis coir* 'they remain properly seated' (D. A. Binchy, *Corpus iuris Hibernici* II (Dublin 1978) 601.31). See the edition of this text by Fergus Kelly, 'An Old-Irish text on court procedure', *Peritia* 5 (1986) 74–106, p. 86. If the Old Irish form of the noun in question is *seis* i-f. < **sed-ti-*, we may connect it with Old Indic *satti-* 'sitting, resting', *nī-satti-* 'sitting, resting' (Rigveda IV, 21.9).

⁵See R. Thurneysen, *A grammar of Old Irish* (Dublin 1946) 161 § 251.3.