

## CATŚLECHTA AND OTHER MEDIEVAL LEGAL MATERIAL RELATING TO CATS <sup>1</sup>

SOME of the medieval Irish legal material concerning cats has recently been scrutinised by Fergus Kelly.<sup>2</sup> Elsewhere he has listed the surviving materials for this examination and has drawn attention to their fragmentary state.<sup>3</sup> The central tract on cats, *Catślechta* ‘Cat-sections’, was part of the final third of the Old Irish legal compilation known as the *Senchas Már* (henceforth *SM*).<sup>4</sup> Glossed fragments of this text survive in TCD ms 1363 (H 4. 22), p. 32 (*CIH* 1550.15–23),<sup>5</sup> and part of a later commentary is also extant in Bodleian Library, Oxford ms Rawlinson B. 506, fo. 28b (*CIH* 110.14–21).<sup>6</sup> Some citations from this material are also preserved in O’Davoren’s Glossary (henceforth O’Dav.).<sup>7</sup> The tract on what a judge

<sup>1</sup>This material was first presented as part of our weekly staff-student seminar in the Department of Early and Medieval Irish, UCC; thanks to all who contributed so fully every Wednesday afternoon. Many of the suggestions made here were initially raised at the seminar and these have been credited as follows: JC (John Carey), MH (Máire Herbert), CÓD (Caitríona Ó Dochartaigh), PÓR (Pádraig Ó Riain), DT (Donna Thornton). I wish to thank Dr Carey for additional comments made on the final draft of this paper, and the editors of *Celtica* for their many valuable suggestions.

<sup>2</sup>*Early Irish farming* (Dublin 1997, repr. 1998) 121–4.

<sup>3</sup>*A guide to Early Irish law* (Dublin 1988, repr. 2005) 275 § 49.

<sup>4</sup>See L. Breatnach, ‘On the Original Extent of the *Senchas Már*’, *Ériu* 47 (1996) 1–43, at 31 no. 29. (This essay has been revised and updated in L. Breatnach, *A companion to the Corpus Iuris Hibernici* (Dublin 2005) 268–314 § 5.50 [301, no. 29]). It is followed in *SM* by *Conslechta* ‘Dog-sections’; throughout the legal material under examination, therefore, it is no surprise to see that dogs and cats are occasionally listed together and to find the same or similar rules applying to both.

<sup>5</sup>*CIH* = *Corpus Iuris Hibernici*, ed. D. A. Binchy, 6 vols (Dublin 1978). The fragments surviving in this ms (printed *CIH* 1542.17–1551.12) are part of a section of six tracts (in order) from the final third of *SM* (Breatnach, ‘On the Original Extent’, 9–10 § 3.7 [= *Companion*, 277–8]).

<sup>6</sup>The legal material from this ms ‘consists almost entirely of late commentary, with only a few fragments of Old Irish text. It is acephalous, but from [*CIH* pp.] 81 to 106 we can be certain that it is based on *SM*, as both the fragments of the original text and the commentary (which closely parallels that on fuller copies of *SM*) generally follow the sequence of tracts established above from *Di Gnúmaib Gíall* to *Bretha im Gatta*’ (Breatnach, ‘On the Original Extent’, 6 [= *Companion*, 274]). Breatnach goes on to demonstrate that *CIH* pp. 106–117 (our tract is on p. 110) also contains further extracts from *SM*, which are mainly from the final third. Linguistically, this commentary (pp. 81–117) dates to the late Middle-Irish period.

<sup>7</sup>O’Dav. = ‘O’Davoren’s Glossary’, ed. W. Stokes, *Archiv für celtische Lexikographie* 2 (1904) 197–504 (= *CIH* 1466.11–1531.24). See Breatnach, *Companion*, 301. Along with the copy in BL ms Egerton 88 (designated *E* by Stokes), there is also a second partial copy of O’Davoren’s Glossary (entries for letters A, B and parts of C are missing) preserved in TCD ms 1317 (H 2. 15 b). Stokes, following O’Curry, believed it was in the hand of Dubhaltach Mac Fírbhisigh (thus, referring to the ms as *F*). As N. Ó Muraíle (*The celebrated antiquary: Dubhaltach Mac Fírbhisigh (c. 1600–1671), his lineage, life and learning*, Maynooth Monographs 6 (1996, repr. 2002) 80, 276) points out, however, ‘this is in a hand other than Dubhaltach’s’. A cursory examination of the variants from this ms (from O’Dav. 342 onwards) listed by Stokes, would tend to confirm the view of F. Kelly (*Guide*, 262) that ‘it often has better readings than Egerton 88’, though as Kelly notes ‘in most cases, the superiority of *F* lies merely in its closer adherence to O.Ir. spelling’. He lists

should know (*CIH* 2102.31–2103.32) lists knowledge of *Catslechtta* among his requirements.<sup>8</sup> Elsewhere in the Laws, fragments of material relating to cats survive in diverse texts.

The purpose of this article is to edit and translate the short passages (noted above) in their entirety so as to make the primary material readily available. All departures from the diplomatic text given in *CIH* (collated with microfilm copies of the mss involved)<sup>9</sup> are explicitly marked. Thus, the extent of editorial invention (which is kept to an absolute minimum) can easily be judged.<sup>10</sup> Material from *Catslechtta* is edited in Part I; the different categories of cat are dealt with in Part II and all supplementary legal material on cats that I am aware of is edited in part III (a large percentage of parts II and III is from O'Davoren's Glossary).<sup>11</sup>

#### PART I

##### I.1 *CIH* 1550.15–23

##### *Bretha for catslechttaib 7 rl.*

Meone .i. <sup>a</sup>trénchat<sup>a</sup> do-gní meighligh. <sup>b</sup>Bó cacha rebe<sup>b</sup> .i. dí ba 7 it inunda 7 na .u. *séoit* iar fut fuil i nDúil Roscadhaigh.

Crüipne .i. trēnc[h]at a lus a c[h]rüipe – cat *sabaill* 7 muilinn 7 ātha .i. bīs oca n-imc[h]omēt a trīur. Tuictir co los .i. is amlaidh tuicctir amail bīs oc dēnum eggnama. Di-renur trī sétaib .i. na trī *séoit* ata <sup>c</sup>ferra<sup>c</sup> bíte isin tēigh co rosat trī lethuinge.

Feb <sup>d</sup>do-nda-cuisnither<sup>d</sup> .i. <sup>e</sup>cidhpeadh<sup>e</sup> feabus dos-n-ecmaither nō cidh olc, in tīach imc[h]omētus is na *séoit* bāit innti, do-bertar ind-seom. Ar is do būachaillib is cōir a dīre .i. a trīan do búachaillib 7 a dā t[h]rīan don rígh. Is and <sup>f</sup>con-oisceat díre<sup>f</sup> .i. *cumscaighait éiric ina nemtairachtain*.

<sup>a-a</sup>The use of the compound *trénchat* is based on the analysis of the final *-ne* in cats' names as *nia* 'champion' (JC); cf. *CIH* 379.11 and O'Dav. 422 (II.1 (a) and II.3 below). <sup>b-b</sup>*ms* *Bó in cacha rébe*. Perhaps this should be read [*Di-ren*] *boin cacha rebe* 'He pays a cow for each feat [in compensation]'. Alternatively, it might be read *Bó, in[d] cacha rebe* 'A cow, the minimum [compensation] for each feat' (JC). As written in the ms, *rébe* could be the gen. sg. of *riab* 'stripe'. <sup>c-c</sup> Other examples of the pl. inflection of *ferr* are to be found in *Airec Menman Uaird maic Coise* (*Anecd.*<sup>12</sup> ii

examples of better readings in *F*, to which the following may be added: 398 *clecht* *F*, *cléas* *E*; 522 *direnaiter* *F*, *dorenar* *E*. In the edition of material from O'Dav. below, the primary ms used is *E*; the readings from *F* are followed if they are deemed to be superior and significant variant readings are also noted.

<sup>8</sup>Breatnach, 'On the Original Extent', 14–15 § 5.2 no. 18 (= *Companion*, 281). This tract was previously edited by R. Thurneysen, 'Aus dem irischen Recht v', *Zeitschrift für celtische Philologie* 18 (1930) 353–408, at 362–4 (363 § 18) and R. Smith, 'Urchuilti Bretheman', in J. Fraser, P. Grosjean and J. G. O'Keefe (ed.), *Irish Texts* iv (London 1934) 24–7, at 25 § 7.

<sup>9</sup>It has also been possible to check Rawlinson B. 506 with the on-line digital image of this ms available at [www.bodley.ox.ac.uk](http://www.bodley.ox.ac.uk).

<sup>10</sup>All examples of the *punctum delens* have been added by the editor apart from those on *selga* (*CIH* 1646.40) and *failli* (*CIH* 1647.3).

<sup>11</sup>It is impossible to tell how much of the legal material concerning cats in O'Davoren's Glossary originally formed part of *Catslechtta*.

<sup>12</sup>*Anecd.* = O. J. Bergin et al. (ed.), *Anecdota from Irish manuscripts*, 5 vols (Halle 1907–1913).

53.14, 57.19 and 62.8) and *TBCL*<sup>13</sup> 47; cf. *GOI* § 374.<sup>d-d</sup> The use of a pass. form of the impersonal verb *do-coissin* is exceptional and is not paralleled elsewhere in *DIL*.<sup>14</sup> Its presence may account for the use in the gloss of the pass. form of *do-ecmaing* (*dos-n-ecmaither*).<sup>e-e</sup> *cidhpeadh* is here analysed as *cía* + past subj. 3 sg of the copula (Old Irish *cid*; later *ciámbad*). This unusual form is paralleled in usage by the same author's utilisation of *cidhpé* (*CIH* 1549.41) for earlier *cipé*.<sup>f-f</sup> The same phrase is used in a section of *Di Astud Chirt 7 Dligid* (part of *SM* 2) at *CIH* 239.13 (= *ALI* v 474.9):<sup>15</sup> ACH TRI HEOCHA CONOISCEAD DIRE 'but three horses which change the penalty' and also in O'Dav. 424 (= *CIH* 1481.25-6): *ut est amail ader bretha conslechte a senchus; connoiscead dire do suide* 'ut est as Bretha Conslechte in [the] Senchas [Már] state: he changed the payment for the aforementioned'. The closest parallel is to be found below (III.6 (a)) in O'Dav. 470.

### Judgements on cat-sections etc.<sup>16</sup>

A *meone*, i.e. a mighty cat that mews. A cow for each feat, i.e. two cows, and they are equivalent to the five *séts* altogether which are in *Dúil Roscadach*.<sup>17</sup>

A <sup>i-i</sup>*crúipne*<sup>i</sup>, i.e. a mighty cat [so called] by virtue of its paw. A cat of barn and mill and drying-kiln, i.e. which is guarding all three. Let it be fully understood, i.e. it is thus it is understood in the manner in which it is [while] performing <sup>ii</sup>feats<sup>ii</sup>. Three *séts* are paid, i.e. the three *séts* which are <sup>iii</sup>best<sup>iii</sup> which are in the bag until they may come to three half-ounces.<sup>18</sup>

As they happen to be, i.e. whatever excellence they might have or whatever badness, the bag which protects and the *séts* which are in it, they are given for him. For it is to <sup>iv</sup>cowherds<sup>iv</sup> that its penalty is due, i.e. a third for cowherds and two-thirds for the king. This is the way they change the penalty, i.e. they change the payment for its non-obtainment.

<sup>i-i</sup>It is hard to know whether to take ms *cruipne* as a derivative of *crob* 'claw' or *crúb* 'paw'. A search of the surrounding pages in *CIH* has not yielded any other examples of *p* written for lenited *b*, so in this case it is taken as a derivative of *crúb*. A close relationship between these two words is posited in *LEIA*,<sup>19</sup> C-251 (s.v. *crúb*): 'Doit sans doute être rapproché du synonyme plus courant *crob*'. This confusion is also evident in the example from O'Dav. no. 422 (below, II.1 (c)), where the readings in *E* point towards *crob*, while those in *F* show that *crúb* is intended. <sup>ii-ii</sup>This may

<sup>13</sup>*TBCL* = *Táin Bó Cúalnge from the Book of Leinster*, ed. C. O'Rahilly (Dublin 1984).

<sup>14</sup>*DIL* = *Dictionary of the Irish language based mainly on Old and Middle Irish materials* (compact ed., Dublin 1983).

<sup>15</sup>*ALI* = W. N. Hancock et al. (ed.), *The ancient laws of Ireland*, 6 vols (Dublin 1865–1901).

<sup>16</sup>Breatnach, 'On the Original Extent', 31 (= *Companion*, 301) translates *Bretha for Catslechteaib* as 'Judgements on Categories of Cats', a plausible interpretation on the basis of the material contained in these two short passages.

<sup>17</sup>*Dúil Roscad(ach)* was the name of a famous work allegedly compiled by Cenn Fáelad mac Ailello (see *CIH* 925.39–40 [= *ALI* iii 550]: Ba persa oirega thra cend faelad mac oilella. iarna sgoltad isin cath, 's and dorigne duil roscadh). It is also mentioned in *Sanas Cormaic* (§ 859) and in O'Dav. 224, 458, 664 and 896. See Breatnach, *Companion*, 251–3 § 5.37; P. Russell, 'The Sounds of a Silence: The Growth of Cormac's Glossary', *Cambridge Medieval Celtic Studies* 15 (1988) 1–30, at 10.

<sup>18</sup>The general guide to currency relationship (which varies considerably) is 1 milch cow = 1 oz. silver = 2 *séts* = 1/3 *cumal* (see Kelly, *Guide*, 112–16). Thus, three half-ounces = 3 *séts*, generally.

<sup>19</sup>*LEIA* = *Lexique étymologique de l'irlandais ancien*, ed. J. Vendryes et al. (Dublin and Paris 1959–).

also be translated ‘a feat’ as *eggnama* may be either gen. sg. or pl.<sup>iii-iii</sup>The use of the comparative (*ferra*) to express the superlative (as translated) is well attested; see *SnaG*<sup>20</sup> III § 6.15. The exact sense of this sentence is unclear to me, however.<sup>iv-iv</sup>Fergus Kelly (*Early Irish farming*, 122) believes cowherds receive the *díre* because ‘cats would be attracted to the warmth and fresh milk of the cowshed’; thus, they may have been responsible for feeding the cats. This seems to be the case, for example, with regard to the *folum* (II.4 below).

## I.2 CIH 110.14–21

BREONE .i. Catt so 7 crōnān 7 comēt<sup>a</sup>(*nó* foīdh guiteach)<sup>a</sup> aci 7 trī baī ind mā tāt *ar*ēn aicci – crōnān 7 comēt. Masa nechtar de is bō 7 samaisc *nó* guna beith ní ar c[h]rōnān eitir 7 is ann atā sein ind in inbaid is mō nā sein comētas *nó* is cutruma ris. Masa lughu indās nucu tēit dar in nī comētas.

MEONE .i. Cat cuileadh so 7 mā<sup>b</sup>bagabhar<sup>b</sup> trī dāmha dā dēnumh gu riacht a<sup>c</sup>fuidhell<sup>c</sup> imlān dāibh, is a dēnum dun muinntir gu coimhētann o s[h]ein amach, 7<sup>d</sup>dā baī<sup>d</sup> ind. Maine faghabar na dāmha dā dēnum etir *nó* cīa<sup>b</sup>bagabar<sup>b</sup>, minip dāna risin muinntir a dēnamh, is bō ind.

<sup>a-a</sup>Originally an interlinear gloss on *crōnān*? Binchy notes (CIH 110<sup>e-e</sup>) that ‘these words appear at the end of the preceding line, but seem to belong here, though the ‘turn of the path’ sign is missing’. <sup>b-b</sup>Initial lenited *f* is here written as *b*. <sup>c-c</sup>It is possible that *fuidhell* represents *fuigell* ‘judgement’ and that the opening section should be translated: ‘*Meone*, i.e. this is a pantry cat and if three retinues are found to prove her [vigilance] so that her complete judgement came to them’. <sup>d-d</sup>*bó* ‘cow’ is incorrectly treated as masc. here.

<sup>i</sup>BREONE<sup>i</sup>, i.e. This is a cat and <sup>ii</sup>she<sup>ii</sup> has purring and protecting (or an inarticulate cry) and three cows are paid for it if it has both, purring and protecting. If it has one of the two, it is a cow and a heifer or there might not be anything for purring at all and that obtains whenever it is more than or equal to that which it protects. If it is less than this, it does not exceed [in value] the thing which it protects.

MEONE, i.e. This is a pantry cat and if there be found three companies of guests to affirm that their full abundance came to them and its affirmation thenceforth by the household which it protects, and two cows are paid for it. If the companies are not found to confirm it at all or though they be found, if the household does not venture to affirm it, a cow is paid for it.

<sup>i-i</sup>*Breone* may be better understood as another onomatopoeic name for a cat like *meone* (JC) rather than deriving it from *breó* ‘flame’, as seems implied by O’Dav. 241 (II.1 (c) below). <sup>ii-ii</sup>Cats of value would generally be female, as male cats are not as good mousers (CÓD). However, in some of the other passages it is clear that the cats being referred to are male.

<sup>20</sup>*SnaG* = *Stair na Gaeilge*, ed. K. McCone et al. (Maynooth 1994).

## PART II

II.1 *Baircne*II.1 (a) *CIH* 379.11 (cf. *ALI* i 150.11, 152.32–4)

IM <sup>a</sup>BAIRCNE [.i.] CAT BAN<sup>a</sup> .i. im bāirc-nia: nia [.i.] trēn, *tucad* a bāirc  
<sup>b</sup>Bresail Bric<sup>b</sup> i mbīt cait bronfinna duba.

CONCERNING A *BAIRCNE*, i.e. A CAT FOR WOMEN, i.e. concerning a ship-warrior: *nia*, i.e. a strong one, it was brought from the ship of Bresal Brecc in which are white-breasted black cats.

<sup>a-a</sup>Kelly, *Early Irish farming*, 122 n. 142 suggests that *BAIRCNE CAT BAN* should be translated ‘a basket for women’s cats’. However, neither this example nor example II.1 (d) below show the nasalisation expected for such an interpretation. The formation of *baircne* (paralleled, for example, by *meoinne* and *breoinne*) would also seem to point to it as originally referring to a type of cat. <sup>b-b</sup>Three figures named Bresal Brecc appear in *CGH*.<sup>21</sup> The most important seems to be the ancestor shared by Laigin and Osraige (118a24–5; p. 19); on p. 101, in the variants from the Book of Leinster and the Book of Lecan, there is an account of his raiding overseas. Of the other two characters of the same name, the one associated with Dál nAraide is also mentioned in *RD*<sup>22</sup> § 97 (*Révue Celtique* 16, 47–8); it appears there may have been a (now-lost) tale, *Echtra Bresail*, detailing his adventures under Belfast Lough. Nothing further seems to be known of the third Bresal Brecc.

II.1 (b) *CIH* 889.23–4

Bairccni .i. ainm cait in-sin bīs for cerchail oc mnāib c’aidche.

*Baircne*, i.e. that is the name of a cat which is on a pillow beside women always.

II.1 (c) O’Dav. 242 = *CIH* 1475.17–18

Baircne .i. cat, is ēisidhe cat ban .i. bāircníadh, a hāirc mic Laimíach tuca[d] ar tūs, *nó* bārcnia [.i.] trēn, *tucad* a bāirc Bresail Bric.

*Baircne*, i.e. a cat, it is a cat for women, i.e. a ship-warrior, from the ark of [Noah] mac Lamíach it was first brought, or a ship-warrior, i.e. a strong one, it was brought from the ship of Bresal Brecc.

II.1 (d) *CIH* 1903.3 = *ALI* i 150.11–12, 152.32–4

IM <sup>a</sup>BAIRCNE [.i.] CAT<sup>a</sup> BAN .i. nía [.i.] trēn, cait broinnfīnda dubha *tucadh* a bāirc Bresail Bric.

CONCERNING A *BAIRCNE*, i.e. A CAT FOR WOMEN, i.e. a warrior, i.e. a strong one, white-breasted black cats brought from the ship of Bresal Brecc.

<sup>a-a</sup>*BAIRCNECHAT* MS.

II.1 (e) CormY<sup>23</sup> 115

Barcne .i. cat ban, fo bith is a (m)bāirc dus-fucad.

<sup>21</sup>*CGH* = M. A. O’Brien (ed.), *Corpus Genealogiarum Hiberniae* (Dublin 1962).

<sup>22</sup>*RD* = ‘The Prose Tales in the Rennes Dindsenchas’, ed. W. Stokes, *Révue Celtique* 15 (1894) 272–336, 418–84; 16 (1895) 31–83, 135–67, 269–312.

<sup>23</sup>*CormY* = ‘Sanas Cormaic’ (from YBL), ed. K. Meyer, *Anecdota from Irish manuscripts* iv (Halle 1912, repr. Llanerch 1994).

*Baircne*, i.e. a cat for women, because it is from a ship it was brought.

## II.1 (f) CormA<sup>24</sup> 6

*Baircne* .i. catt boineand ar (fo bíth) is a <sup>a</sup>bāirc<sup>a</sup> dos-fucad.

*Baircne*, i.e. a female cat, because it is from a ship it was brought.

<sup>a-a</sup>*mbairc* MS.

Note: Examples (a), (b) and (d) are all from *Di Chetharslicht Athgabála* and it seems most probable that the other examples may ultimately be traced back to the same source.<sup>25</sup> The section in question is concerned with the distraint of women's property.

## II.2 Breoinne

O'Dav. 241 = *CIH* 1475.15–16

Breoinne .i. ainm cait, *ut est* breoinne .i. cat *ō andeth ēsidhe* .i. <sup>a</sup>bre<sup>ō</sup> ān<sup>a</sup> ina inde, *crōnān* ina inde.

*Breoinne*, i.e. the name of a cat, *ut est a breoinne*, i.e. it is a cat from [...], i.e. a wonderful flame in its essence, purring in its essence.

<sup>a-a</sup>If *breoinne* is taken as an onomatopoeic name for a cat (as suggested in I.2<sup>i-i</sup> above), then perhaps *breóán* should be taken as a single word also meaning 'purring'.

## II.3 Crúibne

O'Dav. 422 = *CIH* 1481.21

Crúibne .i. ainm cait, *ut est* <sup>a</sup>crúibne<sup>a</sup>, <sup>b</sup>is ēisside cat<sup>b</sup> sabail 7 muilinn .i. nia [.i.] trēn, <sup>c</sup>trēn *ō c[h]rúib é<sup>c</sup>*.

*Crúibne*, i.e. the name of a cat, *ut est a crúibne*, it is a cat of barn and mill, i.e. a warrior, i.e. a strong one, strong from its paw.

<sup>a-a</sup>*cruibne* E, *cruipne* F. <sup>b-b</sup>Omitted in E. <sup>c-c</sup>*trean o croibi* E, *tren o cruib é* F.

## II.4 Folum

O'Dav. 915 = *CIH* 1501.16–17

<sup>a</sup>Folumh<sup>a</sup> .i. ainm cait, *ut est* folum, is ēisiedi cat <sup>b</sup>buachaillus<sup>b</sup> .i. *comētar ccusna buaib isin lis*.<sup>c-c</sup>

*Folum*, i.e. the name of a cat, *ut est a folum*, it is a cat who herds, i.e. who is kept with the cows in the enclosure.

<sup>a-a</sup>The name of this cat might mean 'bare, unprotected' as its natural environment was out in the *lis* with the cattle (JC). This suggestion is close to the original etymology proposed by O'Rahilly (*Ériu* 13 (1942) 191–2) for *folum*, i.e. < *fo* + *lomm*. <sup>b-b</sup>This is the unique attestation of this verb cited in *DIL* s.v. *búachaillid*; *cat búachaill* (or *búachalla*) 'a cowherd's cat' may have been the original MS reading (MH). <sup>c-c</sup>Add. *no bis gusna buaib isin liss* F.

<sup>24</sup>*CormA* = 'Cormac's Glossary' (Codex A), ed. W. Stokes, *Three Irish glossaries* (Williams and Norgate 1862, repr. Llanerch 2000) 1–46.

<sup>25</sup>Thus, with regard to example (c), Breatnach, *Companion*, 115 no. 242 might possibly be emended accordingly (though this would break the sequence of citations in O'Dav. from the final third of *SM*).

## II.5 Glas Nenta

O'Dav. 1045 = *CIH* 1507.22–3

Glas nenta .i. ainm do chat, *ut est* glas nenta do-slī sét ina díre; glas *nenta* .i. bīs fon nglasnenaigh, *nó gabar* do nenaigh glais .i. don nenntóig.

*Glas nenta*, i.e. the name of a cat, *ut est* a *glas nenta* which merits a *sét* for its penalty-fine; *glas nenta*, i.e. which is under the green nettle, or which is brought from a green nettle, i.e. from the nettle.

## II.6 Íach

O'Dav. 1109 = *CIH* 1510.9

Íach .i. ainm cait, *ut est* íach do-renar lethdíre .i. cat gabur .i. do <sup>a</sup>íatacht<sup>a</sup>.

*Íach*, i.e. the name of a cat, *ut est* an *íach* which is paid half penalty-fine, i.e. a cat which is brought, i.e. from mousing.

<sup>a-a</sup>*iathacht* F. *Íatacht* may be from *íadad* ‘act of enclosing, seizing’ + suffix *-acht*, thus translating as ‘trapping, mousing’ (JC).

## II.7 Meoinne

O'Dav. 1246 = *CIH* 1516.8

Meoinne .i. ainm cait, *ut est* meoinne is ēissidhe cat <sup>a</sup>cuile<sup>a</sup> .i. miu ina inde, nō meoān ina inde .i. meghel ina inde.

*Meoinne*, i.e. the name of a cat, *ut est* a *meoinne*, it is a pantry cat, i.e. a mew in its essence, or a little mew in its essence, i.e. purring in its essence.

<sup>a-a</sup>*cuil* E, *cuileth* F. The form preserved in *F* (with final *-th*) could be taken as evidence for a very early dental inflection for *cuile*. However, the examples in *DIL* (though inconclusive) would not support this interpretation.

## II.8 Rincne

O'Dav. 1365 = *CIH* 1520.42

<sup>a</sup>Rincne<sup>a</sup> .i. cat, *ut est* rincne is ēisside cat mac .i. <sup>b</sup>íarsind-í<sup>b</sup> rīachus na <sup>c</sup>macaīme<sup>c</sup> becca, nō <sup>d</sup>rīagait<sup>d</sup> na macaīm ēissimh.

*Rincne*, i.e. a cat, *ut est* a *rincne* is a children's cat, i.e. for the reason that it torments the small children, or the children torment it.

<sup>a-a</sup>*Rincne* may be connected in some way with *ringid* ‘tears, mangles’ (JC), though this may be contrary to what is desirable in a child's cat. This possibility is made more attractive by the presence (in ‘O'Clery's Irish Glossary’, ed. A. W. K. Miller, *RC* 4 (1879–80) 349–428; *RC* 5 (1881–83) 1–69, at vol. 4, 36) of *RINGEADH* .i. *riaghadh*, *no crochadh*. <sup>b-b</sup>*íarsaní* E. <sup>c-c</sup>This is an unusual acc. pl. form of *maccáem*; one would expect O.Ir. *maccáemu* (later *maccáema*), but cf. nom. pl. and gen. pl. *maccaemi* (*DIL* s.v. *maccóem*). <sup>d-d</sup>*rigait* E, *riaghait* F.

## PART III

III.1 Extracts from *Di Astud Chirt 7 Dligid*III.1 (a) *CIH* 238.26–30 = *ALI* v 472.29–34

CIS LIR DĪA RO SUIDIGHE[D] COMDĪRE LA FÉNIU<sup>1</sup>. GED<sup>2</sup> CORR<sup>3</sup> CAITĪN<sup>4</sup> CAILEACH<sup>5</sup> CANA<sup>6</sup>. IT COMDĪRE LA FÉNIU. NĪ HĪCA NACH ĀE AITHGEIN ARAILE.

<sup>1</sup>i. cġa ler nō cġa lġn dġa ro samaiged nō dġa ro hordaiged cutrumus dġre do rġir in fġinechais. <sup>2</sup>i. iii.ri geōid <sup>a</sup>i. u. seōit ind. <sup>a</sup> <sup>3</sup>i. lethsmacht. <sup>4</sup>i. cen gnġma. <sup>5</sup>i. iii. heōin ind. <sup>6</sup>i. cuilġn cen gnġm.

HOW MANY THINGS ARE THERE FOR WHICH EQUAL PENALTY-FINE HAS BEEN ESTABLISHED IN NATIVE LAW? A GOOSE, A CRANE, A KITTEN, A COCK, A WHELP. THESE HAVE EQUAL PENALTY-FINE IN NATIVE LAW. NONE OF THEM SHOULD SERVE TO PAY THE COMPENSATION OF ANOTHER.

<sup>1</sup>i.e. what is the amount or what is the number for which equality of penalty-fine has been fixed or has been established according to native law? <sup>2</sup>i.e. four geese, i.e. five sġts for it. <sup>3</sup>half penalty-fine. <sup>4</sup>i.e. without activities. <sup>5</sup>i.e. four birds for it. <sup>6</sup>i.e. a pup without activity.

<sup>a-a</sup>Written under text.

III.1 (b) *CIH* 1873.15; 23–4

CIS LIR DĪA RO SUI[DI]GED COMDĪRE LA FÉNIU.

IN cat *immurgu*, .u. seōit do smacht ind nō co ro gaba gnġmrad, 7 ō gġbus, is dġre ind fo ained in c[h]ait isa <sup>a</sup>[gnġmrad]<sup>a</sup> gabus air d'ġcc.

HOW MANY THINGS ARE THERE FOR WHICH EQUAL PENALTY-FINE HAS BEEN ESTABLISHED IN NATIVE LAW?

The cat moreover, five sġts as a penalty-fine for it or until it may take up activity, and when it will, it is penalty-fine for it according to the nature of the cat whose activity it may undertake as payment.

<sup>a-a</sup>This restoration, suggested by Binchy (note <sup>b</sup>), is based on similar material in *CIH* 1873.17.

III.1 (c) *CIH* 709.37–9

.u. seōit in cach ní dġb-so sġs: <sup>a</sup>ged co haimsir dotha<sup>a</sup>, corr co haimsir <sup>b</sup>gnġmraid<sup>b</sup>, 7 caitġn[ġ] gur ro gabait gnġmrad orra, 7 <sup>a</sup>caileach co haimsir untha<sup>a</sup>, (corr co haimsir gnġmraid), cuile[ōi]n bega gur ro gabait gnġmrad orra.

Five sġts for every one of these below: a goose until hatching-time, a crane until time of activity, and kittens until they take up activity, and a cock until time of treading, small pups until they take up activity.

<sup>a-a</sup>These phrases are also present in *Uraicecht Becc* (*CIH* 1610.6–7 = *ALI* v 84.14). <sup>b-b</sup>Gnġmrad is treated as an o-stem, masc. noun rather than as an ā-stem, fem. noun throughout (cf. *DIL* s.v.).



### III.2 Distraining of cats and dogs<sup>26</sup>

#### III.2 (a) *Celtica* 10 (1973) 78 § 4 = *CIH* 897.37–9

Aithgabáil arc[h]o(i)n: crand tara conumbur 7 apud arnā bīatar; mā bīatar iār suide, is duinec[h]in aire; a c[h]ommut conbuachaill 7 cū otraigh 7 cat 7 oirce 7 milc[h]ú mā beith i forus; mani bē(t), tōgtar a slabraid, 7 apud la cach n-āe.

*Celtica* 10, 78 § 4 = *CIH* 1466.1–3

Athgabáil arc[h]on: crand tara conumar 7 apud arnā bīathar; ma bíadtar iār suidhi, is duinec[h]in lais; a chomad conbuachail 7 cú otraigh 7 cat 7 oircné 7 milc[h]ú mā(dh) bet[h] i forus; mana bé(t), tāctar a slabra, 7 abad la cach n-āe.

To distrain a watchdog: [put] a plank across his feeding-trough and give notice that he is not to be [further] fed; if he is fed after that it is [deemed to be a case of] human wrong-doing. The same applies to a herding dog and a yard (lit. ‘dung-hill’) dog, to a cat, to a lap-dog, and to a greyhound if it be [kept] indoors; if not, <sup>a</sup>let its leash be removed<sup>a</sup>, and notice is to be given with each of them.<sup>27</sup>

<sup>a-a</sup>The *a* in both MSS may be for the preposition *i* and it may be better translated ‘he is taken in a leash’ (MH). Though this interpretation is more attractive because removal of the leash of a greyhound out-of-doors will lead to him running off wild (DT), it has not been followed here because the commentary on this section (below) refers to the return of the leash as a violation of distraint. It does not matter whether the greyhound is indoors or outdoors; if its leash is removed and it cannot be exercised, it will quickly begin to suffer. Thus, it is hard to see what distinction is being drawn between a greyhound indoors and one outdoors.

#### III.2 (b) *CIH* 789.18–24 (a commentary on the text from *Celtica* 10)

[Mani sár]aighter hé iarna gabáil i n-athgabáil, 7 dīa sáraighther, is fiach indligid athgabála dó in cach nī dīb uilī.

Dā <sup>a</sup>tuctar<sup>a</sup> biadh don c[h]at nó a šlabrad arin milc[h]oin, nó dā <sup>a</sup>n-olsaicter<sup>a</sup> don c[h]at nó donn oircne asa n-īadhaib, nó dā <sup>a</sup>ndernatar<sup>a</sup> nī arin c[h]lār dar in crois nó darin sdūaig im <sup>b</sup>lingar<sup>b</sup> nó dar in n-idh im indeoin 7 olchena, is fiach indligid athgabála dó in cach nī dīb-sin; 7 nembeth neich ailī acu fodera sin do gabáil i n-athgabáil .i. in idh 7 in cros 7 in sdūagh 7 rl-.

If it is not violated after being taken in distraint, and if violated, he [the distrainer] is entitled to the fine for illegality in distraint for each of all of these.

If food is given to the cat or if its leash is put on the greyhound, or if the cat or the lapdog are released from their enclosures, or if anything is done concerning the board in violation of the prohibition or in violation of the hoop around a medicine-bag or in violation of the withe around an anvil and so on,

<sup>26</sup>An excerpt from a short (eighth-century?) tract edited by D. A. Binchy, ‘A Text on the Forms of Distrain’, *Celtica* 10 (1973) 72–86.

<sup>27</sup>The translation is by Binchy, ‘A Text on the Forms of Distrain’, 78–9. Binchy notes in his comments on this section (p. 82) that ‘the antiquity of this procedure is confirmed in one of the so-called “false judgements of Caratnia” (in reality a list of the more important exceptions to general rules of law)’.

he [the distrainer] is entitled to the fine for illegality in distraint for any of these actions; and the absence of any other one of them which signified its taking in distraint, i.e. the withe, the prohibition and the hoop, etc.<sup>28</sup>

<sup>a-a</sup>These three verbs, formally pass. pl. forms, are functioning here as pass. sg. However, *-tuctar* and *-oslaicter* may simply be variant spellings of the pass. sg. <sup>b-b</sup>As Binchy points out ('A Text on the Forms of Distraint', 83), *lingur* is glossed *tiag i mbi[t] aidhme lega* 'a bag in which a leech's instruments are [kept]' in *Dúil Dromma Cetta* in TCD ms 1337 (H 3. 18), p. 71 (= *CIH* 616.35–6; cf. *CIH* 1075a.3–6).

### III.3 Compensation for cats and dogs

#### III.3 (a) *CIH* 1628.26–8

*Nōmad* lōige in chon i ngac[h] cuilēn dia c[h]uilēnaib (7) nō in c[h]ait i ngac[h] cat dā c[h]aitinibh chena, nō co ro scarat friu; 7 ō scarfat, is [s]macht intib gu ra gab[at] gnīmhrad orra, is ēiric in c[h]on nō in c[h]ait isa gnīmrad <sup>a</sup>*gēbat*<sup>a</sup> orra intib.

One ninth of the value of a dog for every one of its pups or a cat for every one of its kittens moreover, or until they may part from them; and as soon as they will part, it is a *smacht*-fine for them until they may take up activity, it is *ēric*-fine of the dog or the cat for them whose activity they will undertake.

<sup>a-a</sup>The expansion of ms *geb-* to *gēbat* follows Binchy. Alternatively, one could expand to *gēbtae*, the classical O.Ir. 3rd pl. rel. fut. of *gaibid*. These 3rd pl. rel. forms do not survive into Mid.Ir. (see *SnaG* III § 12.130).

#### III.3 (b) *CIH* 1208.41–1209.2

*Nōmad* loighi <sup>a</sup>na con<sup>a</sup> in gac[h] cuilēn dia c[h]uilēna, nō in c[h]ait, co ro scar(s)at riu, 7 ō <sup>b</sup>scērait<sup>b</sup>, is *smacht* unnta go ro gabhait gnīmrad orra, 7 ō gēbhait, is *ēraic* fo aigned a ngnīmraid unnta.

One ninth of the value of a dog for every one of its pups or of the cat, until they may part from them; and as soon as they will part, it is a *smacht*-fine for them until they may take up activity, and when they will, it is *ēric*-fine according to the nature of their activity.

<sup>a-a</sup>Although one could treat this as a gen. pl. form, it would seem better to see it as an example of the treatment of *cú* as a fem. noun (PÓR). This fluctuation with *cú*, between masc. and fem., has been discussed with regard to Cú Chulainn's hound, Bran, by M. Ó Briain in 'The Conception and Death of Fionn Mac Cumhaill's Canine Cousin', in A. Ahlqvist et al. (ed), *Celtica Helsingiensia: proceedings from a symposium on Celtic Studies*, Societas Scientiarum Fennica, Commentationes Humanarum Litterarum 107 (Helsinki 1996) 179–202, at 180–181. Alternatively, perhaps, *nach con* 'of any hound' > *na[c] con* with delinition (JC). <sup>b-b</sup>The verb *scaraid* usually has ē-fut. in Mid.Ir.; the earlier f-fut. is attested above (III.3 (a)); cf. K. Murray, *Baile in Scáil*, Irish Texts Society 58 (London 2004) 80 n. 169.

<sup>28</sup>This translation is based (with additions and modifications) on that offered by Binchy, 'A Text on the Forms of Distraint', 76.

**III.3 (c) CIH 113.33–6**

Cidh fodera trī ba isin cat 7 nā fuil *acht* coimhēt nammā aicci? IS ē fāth fodera urrscartadh gu marbadh da-nī in cat 7 urrscartadh gan marbadh du-nī in cū thall icca tā in coimhēt namā.

Why are there three cows paid for a cat which only guards moreover? The reason is that it is removal with death which the cat does and it is removal without death which the hound yonder does which only guards moreover.

**III.4 Cats as pets for children****III.4 (a) CIH 1901.25 (cf. CIH 373.25–7; CIH 888.40–41)**

IM ESRECHTA MACRAIDE .i. catín nó lúb nó bacán nó liathróit.

CONCERNING CHILDREN'S PLAYTHINGS, i.e. a kitten or a loop or a <sup>a</sup>small mattock<sup>a</sup> or a ball.

<sup>a-a</sup>*Bacán* here may refer to a kind of hooked or crooked stick (JC). Alternatively, perhaps, as Fergus Kelly<sup>29</sup> translates *bacc* as 'mattock', *bacán* here may refer to a child's version of the tool (DT), similar to Cú Chulainn's toy javelin and shield in *Macgnímrada Con Culainn*.<sup>30</sup>

**III.4 (b) CIH 373.25–7 = ALI i 138.31–3**

IM ESSRECHTA MACCRU<sup>1,2</sup>

<sup>1</sup>.i. na hī <sup>a</sup>roūaisi gatus<sup>a</sup> *serg* dona macaib beca .i. <sup>b</sup>camāna<sup>b</sup> 7 liathróiti 7 lúboca,<sup>c</sup> *nó* cait, uair <sup>d</sup>is<sup>d</sup> <sup>e</sup>ar .iii. aithgin na cat<sup>e</sup>. <sup>2</sup>.i. a n-aithgin ar aīn.

CONCERNING PLAYTHINGS OF CHILDHOOD

<sup>1</sup>i.e. the very noble things which remove decline from the little children, i.e. hurleys and balls and loops, or cats, for restitution of the cats is after three days. <sup>2</sup>i.e. their restitution is after one day.

<sup>a-a</sup>Correct nom. pl. of an i-stem adj. followed by a rel. vb in the sg. <sup>b-b</sup>This is not the regular nom. pl. of *cammán* (o, m.) in any period of the language. <sup>c</sup>*ALI* i 138 reads *act [no oirce]* here. <sup>d-d</sup>*ms ir*; this could be omitted, treating it as dittography. <sup>e-c</sup>Cf. O'Dav. 470 (III.6 (a) below).

**III.4 (c) CIH 888.40–41**

IM esrechta macrae .i. <sup>a</sup>māda<sup>a</sup> rogada nech a esrechtai ar mac .i. catēna *nó* oirce nō alaill cena conid gaib macrae de.

Concerning playthings of childhood, i.e. if anyone may have removed his playthings from a child, i.e. a kitten or a lapdog or anything else besides until childhood takes it from him.

<sup>a-a</sup>The *d* of *ms mad* is intrusive.

<sup>29</sup>Early Irish farming, 467.

<sup>30</sup>C. O'Rahilly, *Táin Bó Cúailnge: recension 1* (Dublin 1976) 13.415.

**III.4 (d)** O'Dav. 1247 = *CIH* 1516.10–11<sup>31</sup>

*Macrae* .i. toirsi nō mifre, *ut est* ar-gaibh macru macu dāigh .i. geibid mifri .i. toirsi na macu bega fo dāighin.

*Macrae*, i.e. sorrow or sadness, *ut est macrae* seizes children as a result. i.e. sadness, i.e. sorrow seizes the little children because of that.

**III.4 (e)** *CIH* 35.21–29 = *ALI* v 250.4, 15–16

EISRECHTA TISCENA<sup>8</sup>

<sup>8</sup>.i. na heis(c)rechta becca tindscetlaither ag neoch .i. coin 7 cait becc[a] (*nó*) co <sup>a</sup>ngabait<sup>a</sup> gnīmrada.

EARLY PLAYTHINGS

<sup>8</sup>i.e. the small playthings which someone begins with, i.e. small dogs and cats until they take up activity.

<sup>a-a</sup>*gabait* has not here been emended to *gabat*, the regular O.Ir. 3rd pl. conj. form, as abs. and conj. endings are regularly confused from the late Mid.Ir. period onwards (see *SnaG* III § 12.17; IV § 7.3). A further example, by the same scribe, is found in a gloss (no. 14) to the same piece of canonical text: *uair noch dlegait* (*CIH* 36.3). See also III.1 (c) above, *ro gabait*, and III.3 (b), *ro gabhait*. For comments on this development, see K. Jackson, *Aislinge Meic Con Glinne* (Dublin 1990) 112–13 § lxiv.

**III.5 Exemptions for cats**<sup>32</sup>**III.5 (a)** *CIH* 290.32–6 = *ALI* iii 296.1–10

*BLÁ CAT CUILI* .i. Slān don chat in biad ro gēba a faili *imc[h]oimēta* isin c[h]uilid do chaithem, *acht* nā tuca a daingen tighi *nó* le stair hē; 7 dā tuca, is amal torbach co n-arm in biadh, 7 amal esbach can arm in cat 7 slān in cat do marbad and.

*BLÁ CAT LUCHGABÁL* .i. Slān don chat [int espach] in luchgabāil a lochad, 7 lethfīach uadh isin torbach, 7 meracht a lochad do scur in lethē aile de.

AN EXEMPTION FOR A CAT IS A PANTRY, i.e. the cat is exempt from liability for consuming the food which it may get due to negligence of keeping in the pantry, as long as it may not have taken it from a secured house or vessel; if it has taken [it], the food is like an armed one with business to be there and the cat is like an unarmed one with no business to be there and it is permissible to kill the cat there.

AN EXEMPTION FOR A CAT IS CATCHING MICE, i.e. the cat is exempt from liability for [injuring] someone with no business to be there while catching the mouse, and half-fine [is due] from him for [injuring] someone

<sup>31</sup>As Stokes notes (O'Dav. 1247), 'both the quotation and its explanation seem incomplete' though the context may refer to the removal of children's playthings (thus I have inserted it here). Breatnach, *Companion*, 145 n. 180, takes this citation to be from *Bretha for Catslechteaib* and to refer to 'the killing of a cat of the kind called *rincne*'. As examples III.4 (a–c) derive from *Dí Chetharslicht Athgabála*, however, it may be that this is the ultimate source of this O'Dav. citation (once again, however (see fn. 25 above), this interpretation would break the orderly sequence from the final third of *SM*).

<sup>32</sup>Similar material concerning dogs is printed at *CIH* 111.29–38.

with business to be there, and the frenzy of its mouse releases it from the other half.

### III.5 (b) *CIH* 1646.39–41

BLAĪ CAT LUCHGABÁL .i. IS slán lium don chatt int *espach* thecēma etarru 7 in luch aca gabáil cēin bes *meracht* a šelga air sin; ō rachus de hé, lethfíach isin *espach* úad 7 lánfíach isin torbach.

*CIH* 1647.1–9 = *AL* iii 50

BLAĪ CATT CUILE .i. IS slán don c[h]at in biad ro géba sé isin chuile do chaithem, *acht* narub tre daingen tighe nó lestuir do-béra hē. Slán dó-sum é, 7 aithgin ōnt-í dār herbad é a coimét, nó is [s]lán fo ained a failli. Mās a daingen tighi nó lestair tucustair in catt in biad, is bithbinchi do riágail i leth risium; aithgin ina chétchinuid, lethfíach la haithgin ina chinaid tānaise, lānfíach la haithgin isin tres cinaid. Nó is slán don chat fogail frisna <sup>a</sup>hesrechta<sup>a</sup> i noidqī, indethbir immurgu madh i lló. Cat comaithech sin; 7 dāmad hē cat na cuile bodēin, cidh a hinad daingen cid a hinadh édaingen do-béra(dh), rob éric fo bithbinchi úad isin bíad, úair is ris ro herbad comét na cuile.

AN EXEMPTION FOR A CAT IS CATCHING MICE, i.e. exempt from liability in my opinion is the cat [who injures] the one with no business to be there who will chance between it and the mouse being caught, as long as the frenzy of its hunting may be upon him; when it will depart from it, half-fine [is due] from him for [injuring] the one with no business to be there and full-fine for [injuring] the one with business to be there.

AN EXEMPTION FOR A CAT IS A PANTRY, i.e. the cat is exempt from liability for consuming the food which it may get in the pantry, provided that it may not have taken it from a secured house or vessel. It is exempt for it, and restitution from the one who was entrusted with its safe-keeping, or it is exempt from liability according to the nature of its negligence. If it be from a secured house or vessel that the cat took the food, it is the rule of repeat offence with respect to it; restitution for the first offence, half-fine with restitution for the second offence, full-fine with restitution for the third offence. Or the cat is exempt from liability for damaging the playthings during the night, inexcusable (i.e. not exempt), however, if it happens during the day. That is a cat not one's own; and if it were the pantry cat itself, whether it be from a secured or an unsecured place that it may take [it], it is an éric-fine from it with respect to repeat offence concerning the food, since it is to it the protecting of the pantry was entrusted.

<sup>a-a</sup>hesretchta MS.

### III.6 Miscellaneous references

#### III.6 (a) O'Dav. 470 = *CIH* 1483.10–12

Con-oiscet .i. innsaighit, *ut est* in tan nā taircet aithgin na cat ar .iii. is ann con-oiscet díre .i. is ann innsaighter in díre-so dona hīb[h]-sin; nó cumsgugud, amail atá: con-oiscet Sreth <sup>a</sup>Anmc[h]aide<sup>a</sup>.

Con-oiscet, i.e. they seek, *ut est* when they do not offer restitution of the cats after three days, it is then that they change [the] penalty, i.e. it is then that

this penalty is sought for these ones; or change, as is: they change Anmchad's Series.

<sup>a-a</sup>The regular gen. sg. of *Anmcha(i)d* is *Anmchada* (cf. *CGH* p. 510). I have no idea what this *sreth* associated with Anmchad might refer to.

**III.6 (b)** *CIH* 1176.9 = *ALI* iii 532.4 (cf. *CIH* 335.30 = *ALI* iii 572).

CUIRM LIUM LEMNACHT LA CAT.<sup>33</sup>

ALE FOR ME, NEW MILK FOR A CAT.

**III.6 (c)** O'Dav. 1110 = *CIH* 1510.10–11

<sup>a</sup>Īadhach<sup>a</sup> .i. tīagh, *ut est* cait broinnfinna duba a sétaib ĩadhaighi a díre .i. fona sétaib bīs ina ĩaghaigh, ina thēigh, ĩarnither in-í is dīr ind.

Īadhach, i.e. a wallet, *ut est* white-breasted black cats from séts of an ĩadhach its penalty-fine, i.e. according to the séts which are in his ĩadhach, in his wallet, the amount which is due is paid for it.

<sup>a-a</sup>Perhaps this may be best analysed as ĩad 'enclosure' + suffix -ach (the use of this suffix is discussed in detail by P. Russell, *Celtic word formation: the velar suffixes* (Dublin 1990) 86–103).

**III.6 (d)** O'Dav. 1395 = *CIH* 1522.21–2

<sup>a</sup>Rac .i. āiream, *ut est* ar cīa racaither<sup>a</sup> trī cait .ii. ann .i. ar cīa āirmither trī cait .ii. ann .i. ĩach, folum, glas neannta.

*Rac*, i.e. mentioning, *ut est* for although three other cats are spoken of there, i.e. for although three other cats are mentioned there, i.e. ĩach, folum, glas nenta.

<sup>a-a</sup>Following Meyer (see *DIL* s.v. *racaid*), it might be best to connect *rac* and the related verbal form *racaitheir* with Anglo-Saxon *reccan* 'tell, utter' (> Ir. *reccaid*).

**III.6 (e)** *CIH* 349.25–9 = *Zeitschrift für celtische Philologie* 16 (1927) 176 § 4 (text only)<sup>34</sup>

7 DO BRIUGAD DI-RENAR CĒTAIB<sup>7</sup> OCA MBĪ CAIRE ANSIC<sup>8</sup>  
CONA THOCHUS TĒCHTA<sup>9</sup>.

<sup>7</sup>.i. ica n-ĩarnither cēta imda .i. in <sup>a</sup>briugu leitech<sup>a</sup> <sup>b</sup>.i. dā chét do cach c[h]rud aici 7 dā chét fer <sup>c</sup>i mbēsaib mogadh<sup>c</sup> leis<sup>b</sup>, 7 is eisib di-renar .i. atā briugu is ferr nās in fer-so .i. in briugu oca mbī in coire ainsicc <sup>d</sup>.i. cinmothā coin 7 cata<sup>d</sup> .i. cin dīabal totgusa, 7 nī aca bīs in coire ainsicc.

AND TO A HOSPITALLER WHO IS PAID IN HUNDREDS WHO HAS  
A NON-DRY CAULDRON WITH ITS PROPER ACCOUTREMENTS.

<sup>7</sup>i.e. by whom is bestowed many hundreds, i.e. the hospitaller of width, i.e. he has two hundred of every stock and two hundred men functioning as servants, and it is from them he is paid, i.e. there is a better hospitaller than this man, i.e. the hospitaller who has the non-dry cauldron, i.e. excepting dogs and cats, i.e. without a doubling of possessions, and he does not have the non-dry cauldron.

<sup>33</sup>The phrase *lemnacht la cat* is discussed by B. Ó Cuív, 'The Middle Irish Poems', *Éigse* 16/1 (1975) 1–17, at 9–11 (reference from Kelly, *Early Irish farming*, 123 n. 146).

<sup>34</sup>R. Thurneysen, 'Aus dem irischen Recht IV', *Zeitschrift für celtische Philologie* 16 (1927) 167–230, at 176 § 4 = *ALI* i 46.21–5 (cf. *CIH* 880.15–16; 1659.16–20)

<sup>a-a</sup>For a discussion of the *bríugu leitech* and its proposed etymology (an adj. formation from *leithet* ‘width’), see G. Mac Eoin, ‘Old Irish *Briugu* “Hospitalier” and Connected Words’, *Celtica* 23 (1999) 169–73, at 170. <sup>b-b</sup>This gloss (and some of the other material cited here) is also present in *Uraicecht Becc* (CIH 654.26 = CIH 1608.35–6 = ALI v 78.15–16). <sup>c-c</sup>With this phrase, compare the sentence from *Din Techtugud*: *ní biad bésaib moga* ‘she would not exist according to the customs of a slave’ (C. Watkins, ‘Indo-European Metrics and Archaic Irish Verse’, *Celtica* 6 (1963) 194–249, at 234–5). <sup>d-d</sup>The other versions of this gloss from the Introduction to *Senchas Már*, viz. CIH 880.15 ff. and CIH 1659.16 ff., do not contain this cat-reference which may be misplaced here. In ALI i 46.23–5, the text reads: *in briughadh leitech, .i. da cet do cach crudh aici, cinmotha coin ocus cata, ocus da cet fer i mbesaib mogad leis, ocus is eisib direnar*. Thus, it seems clear that *.i. cinmothā coin 7 cata* would make most sense if taken as a gloss on *in briugu leitech .i. dā chét do cach c[h]rud aici*.<sup>35</sup>

### III.6 (f) O’Dav. 421 = CIH 1481.20<sup>36</sup>

<sup>a</sup>*Cairc[h]ech<sup>b</sup> .i. ruibe erbaill, ut est bó i ngac[h] ruibe bīs i ngac[h] <sup>c</sup>cairc[h]iuch<sup>c</sup>.<sup>a</sup>*

*Cairchech*, i.e. hair of a tail, *ut est* a cow for every hair which is in every *cairchech*.

<sup>a-a</sup>*Cairceth .i. erbull, ut est bó i ngac ruibe bis ina chairciuch* F. <sup>b-b</sup>*Cairceth* E. <sup>c-c</sup>*caircech* E.

### III.6 (g) O’Dav. 918 = CIH 1501.22–4

*Fuirestar .i. bi[d] dōigh cumadh inann 7 <sup>a</sup>foghbail<sup>a</sup>, ut est dlegar do <sup>b</sup>s[h]uidhiu<sup>b</sup> nād fuirestar fogu[i]l ō lochtaib .i. dlegar don <sup>c</sup>chat<sup>c</sup> <sup>d</sup>conā hēirgither bairgin airbertna lais<sup>d</sup> ōna lochtaib.*

*Fuirestar* .i. it is likely that it is the same as getting, *ut est* it is due from the aforementioned that a portion should not be kept from mice, i.e. it is due from the cat that food [...] should not appear from the mice.

<sup>a-a</sup>E (CIH 1511.22): *foghba* (?). <sup>b-b</sup>*suidhe* E. <sup>c-c</sup>*cath* E. <sup>d-d</sup>There is a real problem of interpretation here. *Ēirgither* is taken as the pass. sg. of *éirgid* ‘rises, appears’ (though perhaps it should be understood as the pass. sg. of *ad-rig* ‘binds’ [recte: *áirgither*]). MS *airbertna* looks like it should be connected with *airbertnaigid* ‘pleads’; it cannot be ruled out, however, that here we have a corrupt form of *ar-berta* ‘proposes’, or, less likely, *ar-beir* ‘uses, pleads, eats’.

## CONCLUSION

The legal material relating to cats seems to have been primarily concerned with (i) sorting the cats into different categories and (ii) working out the compensation owed for the killing of a cat, and to whom the compensation should be paid. The question of compensation for the misdeeds of a cat is not addressed in depth, but this might not have been an issue because of their feral nature and the difficulty in preventing them from roaming, though in select cases (e.g. see III.5 above) they can be killed as punishment for their actions. The importance attributed to cats in medieval Irish legal sources is not paralleled in the Welsh laws:

<sup>35</sup>*Cenmothā* governs the acc.; as *cata* is acc. pl., *coin* (rather than interpreting it as acc. sg.) is taken as an example of a nom. pl. form functioning as acc. pl.

<sup>36</sup>This reference is not necessarily concerned with cats; Breatnach, *Companion*, 120 no. 421, however, believes it belongs with *Bretha for Catšlechteaib*.

Guerth cath, iii.k'. Gwerth kenev cath ew o'r nos e ganher hyt eny agorho y lygeyt, keynnyavc k[yvreythyav]; ac o henny hyt eny ladho lygot, dwy keynnyavc k[yvreythyav]; ac gwedy lladho llygot, pedeyr keynnyavc k[yvreythyav], ac ar henny e tryc vyth.<sup>37</sup>

The value of a cat, fourpence. The value of a kitten from the night it is born until it opens its eyes, a legal penny; and from then until it kills mice, two legal pence; and after it kills mice, four legal pence, and at that it remains for ever.<sup>38</sup>

This is much more along the lines that one would expect for the killing of a cat. However, within medieval Welsh law there is minor variation with *LLyfr Blegywryd* allowing for compensation for a cat which guards the king's barn up to the value of 'a milch sheep with her lamb and her wool'.<sup>39</sup> Furthermore, an early reference in *Trawsganu Kynan Garwyn Mab Brochfael* can perhaps be interpreted as pointing towards a higher value for cats: in a list of costly gifts bestowed by Cynan, one finds *A phympwnt cathet* 'and fifty cats(?)', though this translation is far from certain.<sup>40</sup>

Apart from this single doubtful reference, Welsh tradition, as described particularly in the legal material, does not give the same prominent position to cats as that afforded by medieval Irish law. Though the fragmentary nature of *Catslechta* and the lack of context for many of the other surviving references make it hard to come to firm conclusions, it is obvious that cats were more important to medieval Irish society than might have been suspected. Moreover, this accords with recent archaeological research on the subject where the author concludes:

Firstly, the domestic cat had a wide, if not universal distribution, in rural Early Christian Ireland but is present in very small numbers on individual sites. Secondly, the cats present were of a relatively large size. Thirdly, most of the cats present on rural sites were mature or old individuals. This evidence suggests that cats were wellbred and cared for and kept as prized domestic pets.<sup>41</sup>

This final conclusion is concrete evidence of the interest shown in all types of cat in medieval Ireland, particularly pets and 'recreational' cats which go unremarked in the medieval Welsh legal corpus. The benevolent treatment of cats suggested by this archaeological research surely also reflects their importance as predators: for example, recent research shows that 'the total number

<sup>37</sup>A. R. Wiliam (ed.), *LLyfr Iorweth* (Cardiff 1960) 87 § 131.

<sup>38</sup>D. Jenkins (trans.), *The law of Hywel Dda* (Gomer Press 1986) 180.

<sup>39</sup>M. Richards (trans.), *The laws of Hywel Dda (The Book of Blegywryd)* (Liverpool 1954) 92.

<sup>40</sup>I. Williams (English version: J. E. Caerwyn Williams) (ed.), *The poems of Taliesin*, Medieval and Modern Welsh Series III (Dublin 1968, repr. 1987) 1, 18–19; cf. G. R. Isaac, 'Trawsganu Kynan Garwyn mab Brochuael: A Tenth-Century Political Poem', *Zeitschrift für celtische Philologie* 51 (1999) 173–85, at 180, 182.

<sup>41</sup>F. McCormick, 'The Domesticated Cat in Early Christian and Medieval Ireland', in *Keimelia: studies in medieval archaeology and history in memory of Tom Delaney*, ed. G. Mac Niocaill and P. F. Wallace (Galway 1988) 218–28, at 223.



of animals brought home by about 9 million cats living in Great Britain during the five month period April–August 1997 was estimated to be in the order of 92.4 million’.<sup>42</sup> Based on such figures, the role of cats in guarding granaries and pantries, a role which is consistently emphasised in our legal materials, would seem to have been of the utmost importance. This is unsurprising when one considers the havoc which can be wreaked on stored grain by rodents and other small animals.<sup>43</sup> Truly, the medieval Irish knew the worth of the animals in their possession.

KEVIN MURRAY

*University College, Cork*

<sup>42</sup>M. Woods, R. A. McDonald and S. Harris, *Predation of wildlife by domestic cats in Great Britain* (written for the Mammal Society: available at [www.abdn.ac.uk/~nhi775/cat\\_predation.htm](http://www.abdn.ac.uk/~nhi775/cat_predation.htm); forthcoming in *Mammal Review*). Many thanks to Tony Dunne and Daniel Buck, Dept of Zoology, Ecology and Plant Science, UCC, and to Caitríona Ó Dochartaigh for bringing these statistics to my attention.

<sup>43</sup>For example, ‘estimates by different investigators of postharvest losses to rodents in India range from 2.5–5.9% to 25–30%, and even higher’: *Postharvest grain loss assessment methods*, ed. K. L. Harris and C. J. Lindblad (League for International Food Education, 1978) ch. 6, ‘D: Rodents’, part 1; cf. W. B. Jackson, ‘Evaluation of Rodent Depredations to Crops and Stored Products’, *Bulletin OEPP/EPPO Bulletin* 7 ii (1977) 439–58.