MANX-LATIN GILBOGUS AGAIN

IN Celtica xvii (1985) 29-32 William Sayers endeavoured to improve on my explanation of *gilbogus* in the Manx synodal statutes of c. 1230-, as communicated to their most recent editor, Professor Cheney. I must confess that I am by no means convinced of the rightness of the explanation I offered, but I think it has some advantages over that put forward by Dr Sayers. Regrettably the word has not been found elsewhere so it is common ground between us that it represents the Latinisation of a local vernacular term, though we disagree as to what that vernacular is likely to have been, Norse or Gaelic, and therefore look in different directions for its origin.

In favour of my suggestion there are, I think, the following points. First, a term for ‘a male child of tender years’ fits the definition given and the situation in which the word is found. A *gilbogus* is someone entitled to goods or in possession of goods even though he is only one night old at the time of his decease (si unius tantum noctis etatis extiterit), i.e. a minor, however young and however short-lived. The text, even without the presence of *etatis*, would not, I think, allow us to interpret the situation as referring to any heir who survived the person from whom he inherited by only the barest margin. Presumably the ruling was given in response to a plea that such a minor, because of his age, had never had effective possession of what was due to him and so should be exempt from payment; he was only a *gilbogus*. Elsewhere in these statutes there are references to earlier different usages (e.g. I. 10, 13), and the present statute may represent a tightening up of an earlier practice under which the *gilbogus* had been exempt. Such an exemption would provide a good reason for the existence of a special term to denote the exempt person. For other, possibly new or stricter, definitions, cf. I. 9, II. 15, 16, 18.

Secondly, though very few Manx vernacular law-terms have survived, those that we do have are almost invariably Gaelic. The term ‘deemster’ is Norse-English from the language of the administration, but the native term was *briw* (breitheamh) like the *breve* of Lewis. The court he sat in was *quaiyl* (comhdháil), and among the officers of the court was the ‘coroner’, the *toshiagh-jioarey* (toiseach deóra). The lexicographer Cregan, who was himself a coroner at one time, records also *laue-my-height* ‘a hand suit’ bound to prosecute by giving the hand to the coroner.

or lockman on searching for stolen goods’, which seems to contain éacht, perhaps in the general sense of ‘crime, felony’, while what was searched for was griu-vaarlee (gniomh-mhéirliagh) ‘the goods that are found in the possession of a thief or felon; that which criminiates a criminal’. Neither eight nor griu is known outside these legal contexts. For ‘surety’ we have raane (SG râthan); ‘condemn, find guilty’ is deyrey (daoradh) or the idiomatic faagail mooie (féghaíl amuigh); ‘acquit’ is seyrey (saoradh), in theological language ‘justify’; the guilty man is kyndagh (ciontach) or oolee (probably umhlaíthe), with which may go ookey ‘a fine’ (the alternative explanation that it represents Norse úlög ‘injustice, lawlessness’ is not supported by Old Icelandic though Scots unlaw is both ‘offence’ and ‘fine’; moreover umhal and its derivatives are not recorded in Manx in the usual sense of ‘humble’ so that it could be available for this specialist use). In landholding there is jiulean tenure (O.Ir. deidblén) or cottery. To this list should probably be added quinneey (coonmheadh), known only from the Traditionary Ballad (Études Celt. ix. 545, x. 87). Apart from leigh ‘law’ (SG lagh) itself, which was also borrowed by English, and Tynwald (pingvöllir), I can think of no law-terms certainly of Norse origin; later terms are of English or Norman-French provenance, as shual ‘sue’, fendeil ‘defend’, turneyr ‘attorney’.

Thirdly, Dr Sayers’ explanation presents difficulties. It depends first of all on taking to pieces a compound bauggildi ‘wergild, agnatic relationship’, the meaning of which is not immediately deducible from its elements because of the range of meanings of baugr. It depends next on the inversion of the order of these elements on the pattern of place-names like Kirkoswald, which show Germanic elements in Celtic order, i.e. generic followed by specific. Place-names, however, and the patronymics on rune-stones, are often syntactic sequences rather than true compounds, and thus lend themselves to being broken up, whereas bauggildi is a genuine compound with its first element in its composition-form, not in an inflectional case-form; the circumstances for inversion seem not to be present. Thirdly, bauggildi is not a personal noun, but the text calls for a term describing a class of person or an agent, for which we require the attested pl. bauggildismaenn ‘agnates, persons bound to pay or receive bauggildi’. The suggestion that this personal element can be represented by the Latin case-endings in the text, -o and -us, is quite inadequate. Fourthly, the difficulty is increased rather than decreased by the introduction of an alternative origin for the gil- element, O. Ir. gell ‘pledge, wager’, Manx giaoal; but here again there is no personal element and the meaning would be ‘ring-pledge’ or ‘pledge-ring’ according as the compound was understood to be following Germanic or Celtic syntax. It is, incidentally, by no means certain that gildi is related to gell;
Pokorny, at least, separates them. ² Fifthly, and it is the crucial objection which no amount of phonetic plausibility, even if it did not have to be juggled for, could overcome, there is no connection between the situations in which bauggildismaðr and gilbogus are used. It is not a sufficient explanation for such a radical shift of meaning as would be required to say ‘by 1230 we are no doubt dealing with the laws of inheritance rather than honour-price’, as if in the course of time one would naturally slip from one to the other, without attempting to demonstrate how this might occur.

It is regrettable, as Professor Cheney remarks, that the references in the statutes to the vernacular do not name it. On the first occasion (II. 3) the language is not mentioned, though it is no doubt intended that children should be taught cimbolum apostolorum et orationem dominicam cum salutatione beate Marie virginis in their own language, if even so brief a formula as that of baptism (II. 35) had to be taught in suo ydiomate in order to guarantee that saltem hoc sciant facere. It is practically proved by the third reference (III. 2), again to the Apostles’ Creed, ad informandum in lingua materna cimbolum apostolorum moneant ipsos, as part of a general preaching and teaching ministry. As to what the vernacular was, opinions may differ; by the date of the last reference, 1351, it would probably be agreed, the mother tongue was the Gaelic dialect which was the ancestor of Manx, and this may well have been true in 1291 also, when they were performing emergency baptisms in suo ydiomate. It seems unlikely, pace Sayers’ note 8 (p. 32), that this expression lends any support to the idea that there was more than one vernacular recognised in Man at the time; in that case the addition of quisque or the plural in suis ydiomatibus would have been no trouble to the draftsman of the statute.

There may be a little evidence to be extracted from the few names of persons who may be presumed to be natives of the Island and which are on record about this time. A charter of 1188 has among its witnesses the archdeacon Deremod (Diarmuid?), Melcolinus capellanus (Mael Coluim?), and Dovenaldus filius Kerald (Domhnall)³; another of 1257 includes archdeacon Domnaldus and Gormandus persona; in 1291 a presentation is made to the church of Santon vacant by the death of Dofnald⁴; between 1310 and 1312 there are several references to Gilbertus Makaskill (variously spelled) custodian of the Island for Edward II⁵; in 1403 Lucas Macquyn scholaris was granted the particles

³ Oliver’s Monumenta, vol. II, in Manx Society (1861), 18.
⁴ Ibid. 91.
⁵ Ibid. 113.
⁶ Ibid. 144, 150, 153, 154.
assigned for the support of students as long as he continued his studies and had no preferment; and by 1408 the signatories of a petition include archdeacon *Patricius*, another *Patrick*, rector of Bride, *Donaldus McCorkyll* rector of Ballaugh, another *Donald*, vicar of Jurby, and *Moricius*, vicar of Holm (Muirghis)'. Most of these are indisputably Gaelic personal names, and there seems to be no comparable show of Norse forenames, the remainder being Biblical or Norman in origin. Donald McCorkyll and Gilbert Makaskill are typical of those in which the patronymic occurs: the first with Gaelic forename and patronymic based on a Norse forename; the second with a forename of Germanic origin but transmitted through Norman French, and again a patronymic based on a Norse personal name; both, however, clearly formed in a Gaelic environment. There is, of course, always the possibility that Gilbert(us) was regarded as the proper documentary form and that the vernacular was Giolla Brighde. The date at which such patronymics became true surnames, passing unchanged down the generations, would, if known, tell us when such Norse forenames as Askell and Thorkell went out of use; all that we can say is that in the Makaskill family the change to the surname had occurred by 1376, for in that year a father and son are mentioned together in the same document.

In these circumstances a Gaelic etymology for *gilbogus* is by no means improbable, whatever may be thought of my own proposal.

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7 Ibid. 225.

8 Ibid. 247.