

Hysbysiad Hawlfraint

Dyma atgoffa staff a myfyrwyr y Brifysgol hwn fod hawlfraint yn gymwys ar y darn hwn ac ar y gwaith y mae'n dod ohono. Gwnaed y Copi Digidol hwn yn unol â thelerau Trwydded yr Asiantaeth Trwyddedu Hawlfraint, sy'n golygu eich bod yn cael:

- Gweld a lawr lwytho copi
- Argraffu copi

Mae'r Copi Digidol hwn ac unrhyw gopi digidol neu argraffedig a roddir ichi neu a wnaed gennych yn ôl telerau'r Drwydded hon i'w ddefnyddio yng nghyd-destun y modiwl hwn neu'r cwrs astudio hwn. Cewch gadw'r copïau hyn ar ddiwedd y cwrs, ond dim ond at eich defnydd eich hun.

Rhaid i bob copi (gan gynnwys copïau electronig) gynnwys yr Hysbysiad Hawlfraint hwn a rhaid iddynt gael eu dinistrio neu eu dileu os bydd y Brifysgol yn gofyn ichi wneud hynny.

Ac eithrio'r hyn sy'n dderbyniol yn ôl darpariaethau cyfraith hawlfraint, ni cheir copïo, cadw na dosbarthu (gan gynnwys dosbarthu drwy e-bost) heb ganiatâd y sawl sy'n dal yr hawlfraint.

Mae gan yr awdur (ymadrodd sy'n cynnwys arlunydd a'r sawl sy'n creu gweithiau gweledol eraill) hawliau moesol ar y gwaith ac ni chaiff staff na myfyrwyr achosi na chaniatáu i'r gwaith gael ei anffurfio, ei lurgunio na'i addasu fel arall, na'i drin mewn unrhyw fodd difriol arall, a fyddai'n gwneud cam ag anrhydedd neu enw da'r awdur.

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Enw'r Awdur: **Jenkins, D.**

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1. The Laws of Women

HERE we begin the laws of women.

First of them is: if it happens that a woman has bestowers, it is right for her to be subject to her agweddi until the end of seven years; and though three nights should be wanting from the seventh year and they separate, it is right for them to share everything in two halves.

It belongs to the woman to divide and to the man to choose. The pigs for the man and the sheep for the woman; if there are only the one kind, sharing in two halves, but if there are sheep and goats, the sheep for the man and the goats for the woman; if there are only the one kind, they are shared. Of the sons, two thirds to the father and one to the mother: the eldest and the youngest to the father and the middle to the mother.

The equipment is shared like this. All the milk vessels, except one pail, go to the woman; all the dishes, except one dish, go to the woman; all the vessels for drink go to the man. The woman is entitled to a car and yoke to take her equipment from the house. The man is entitled to the riddle, the woman is entitled to the fine sieve. The man is entitled to the upper stone of the quern and the woman to the lower. The bedclothes which are over them to the woman, and those which are under them to the man until he takes a wife. After he takes a wife they belong to the woman, and if the wife who comes to the man sleeps on them, let her pay the woman from whom he separated her wynebwerth.

To the man belong the cauldron and the brycan and the pillows of the cross-bed, and the coulter and the fuel axe and the auger and the crane, and all the reaping-hooks except one for the woman. To the woman belong the pan and the trivet and the broad axe and the hedging-bill and the ploughshare, and all the flax and the linseed, and the wool and the luxury-

bag, except for gold and silver; if there is any of those, it is shared. This is the luxury-bag: the purses and what is in them, except gold and silver, if any. If there are woven materials, they are shared; the balls of yarn for the sons (if any): if there are no sons, they are shared.

The man is entitled to the barn and to what corn there is above ground and below ground. The man is entitled to all the hens, and to one of the cats, with the rest for the woman. The food is thus shared: to the woman belongs the opened meat and what is in salt; and after it is hung up it belongs to the man. To the woman belong the opened vessels of butter and the opened cheese. To the woman belongs as much as she can carry of flour by the strength of her hands and her knees from the larder to the house.

To each of them belong their own clothes, except their mantles, and the mantles are shared.

If the man has a special right, let him show his right before the sharing, and after he has had his right, let him share as we said above.

Their debts let them pay in two halves.

And if they separate before the end of the seventh year, let him pay her agweddi and her dowry, and her cowyll if she was given as a maiden; what survives of these is what she gets. And if she leaves her husband before the seventh year, she loses all that, except her cowyll and her wynebwerth in discharge of her gowyn. If her husband is leprous or of stinking breath or cannot copulate with his wife: if because of one of these three things she leaves her husband, she is entitled to get the whole of what is hers.

If by death they separate, she is entitled to have everything, except the corn. No wife in the world is entitled to have any of the corn, except a woman of weight. If they separate by living and dying, let the sick one divide, with the parish priest, and let the healthy one choose. No one is entitled to bequeath anything save the Church's daered and his debts; and

if he should bequeath, the son can break the bequest, and that is called an uncouth son. Whosoever again shall break a legal bequest, to wit daered and debts, will be excommunicate like a publican.

If in life they separate, let her stay with what is hers in the house until the end of nine days and nine nights, to know whether their parting is legal. And if their parting is proper, let her goods go before her, and after the last penny let her go herself.

The sarhaed of a married woman, a third of her husband's sarhaed; if she is not married, half the sarhaed of her brother. Her galanas, whether single or married, half her brother's galanas.

If it happens that people suppose that the status of a woman who is taken clandestinely, or a woman who is slept with from three nights on, does not follow their husbands' status, because their kin did not bestow them, and they suppose that their status is according to their kin and their sarhaed according to their brothers' status, law says that after she becomes entitled to agweddi from him she cannot leave him if she does not want to lose her agweddi, and that he cannot eject her if he does not want to pay her agweddi (and this is the agweddi of each of those two women: three steers whose horns are as long as their ears), and accordingly law says that it is right for those women that their status and their sarhaed should be according to their husbands' status.

Dw.

If a man takes another wife after separating from the first, the first will be free. If it happens that a man separates from a woman, and the latter takes another man, and the first man regrets separating from his wife, and that he overtakes her with one foot in the bed and the other outside the bed, the first man is entitled to have the woman.

If it happens that a woman commits a gross offence, whether giving a kiss or allowing fondling or copulation with her, that is sarhaed to her husband. If intercourse with her happens, that sarhaed is augmented by one half, for it derives from kin-feud. If fondling of her happens, let him pay sarhaed without augmentation. If there is a kiss, let him pay two-thirds sarhaed, since there is no full act.

If a man denies being found between her two thighs, let the man give the oath of fifty men and the woman the same number of women. If he denies fondling her, let the man give the oath of fourteen men and the woman the same number of women, from among their relatives. If he denies giving a kiss, let the man give the oath of seven men and the woman the oath of seven women, from among their closest relatives, father and mother and brothers and sisters.

Here are the three cases in which a man is not entitled to compensation from his wife though they be admitted: for fondling her when playing rhaffan, or in a carouse, or if a man from afar from a strange country should fondle her before knowing the law of the country. *Col.*

A man can freely leave his wife if she acts manifestly with another man; and she shall have no compensation except the three things which are not taken from a wife; and the paramour shall pay his sarhaed to the legal husband. *Bleg.*

Goronwy ap Moriddig used to say that a man was not bound to pay anything to another man for lying with his wife while she approved the act; and if the act is manifest, the wife is bound to pay his sarhaed to her husband, or her husband may freely repudiate her. *Bleg.*

Whosoever takes a maiden clandestinely, if before he has connection with her the maiden asks 'What will you give me?' and he specifies what he will give, by his faith, then though he should try to deny it, if

the maiden charges it she is to be believed, for in that she is one of the nine tongued ones; and it is for this reason that she is to be believed, that there are no wedding-guests.

A woman who is taken clandestinely, and who does not make a contract in the presence of witnesses for receiving her full right, gets according to the men of Gwynedd only three steers. According to the men of the South she used formerly to get her agweddi in full like a woman given by her kin. *Bleg.*

If a maiden is given to a man and is found to be corrupted, but the man suffers her in his bed until the morrow, he cannot on the morrow take away any of her entitlement. If immediately after he finds her to be corrupted he rises to the wedding-guests with his penis erect, and testifies to them that he found her corrupted, and he does not sleep with her until the morrow, she is not entitled on the morrow to anything from him. If it happens that her breasts and pubic hair have developed and she has menstruated, then law says that no one knows what she is, whether maiden or woman, because the signs of childbearing have appeared on her; and therefore law allows her to be vindicated by the oath of seven persons from among her mother and father and brothers and sisters. If she does not want to be vindicated, let her shift be cut off as high as her groin, and let there be put into her hand a yearling steer with its tail greased, and if she can hold it by its tail, let her take it for her share of her agweddi; and if she cannot hold it, let her be without anything.

Whosoever gives a woman to a man, it is for him to pay her amobr, or else let him take sureties from her for paying it. And if she gives herself, let her pay her amobr, for she herself was her bestower. If a man takes a woman clandestinely, and comes with her to a goodman's house to sleep with her, and the goodman

does not take surety for her amobr, let him pay it himself.

If it happens that a man takes a woman clandestinely, let her expectation, until the end of seven years, be three steers whose horns are as long as their ears. Since she has lost her status, let her be of that status until the end of seven years. If she has a dowry, let it be unconsumed until the end of seven years; if she allows it to be consumed, she will not be compensated for what teeth and side consume. If she reaches three nights from the end of the seventh year, there will be a sharing in two halves with her as with a wife having bestowers.

A wife, whether she be bestowed or taken clandestinely, does not remain of the status of her agweddi save for seven years, and since she is not agweddiol from the end of seven years on, therefore let them share in two halves.

Whosoever sleeps three nights with a woman from when the fire is covered until it is uncovered on the morrow, and from then on wants to leave her, let him pay her a steer worth twenty pence and another worth thirty pence and another worth forty pence. And if he takes her to house and home and she is with him until the end of seven years, he is bound to share with her from then on as with a wife with bestowers.

There are three legal agweddiâu: the agweddi of a king's daughter, twenty-four pounds (and her cowyll eight pounds); the agweddi of a goodman's daughter, three pounds (and her cowyll a pound); the agweddi of a villein's daughter, a pound (and her cowyll six score pence).

Seven pounds is the gobr of a king's daughter, and it is paid to the mother. And the husband pays her cowyll, for it is land which he pays to her. *Cyfn.*

If it happens that a person makes pregnant a woman of bush and brake, it is right for him to maintain the child; for the law says that though she may lose the

man, it is not right for her to suffer want from him or because of him, though she gets no benefit; and therefore it is right for the man to rear the child. If it happens that a man separates from his wife when she is pregnant, let the time from when he separates from her until she is delivered count as half a year of the rearing of the child; and after the child is born it is for her to rear it again until the end of the year. Whether she wants to or not, it is necessary for her to rear it in return for goods from the man. This is the measure of the goods: a cow in milk, and a smock worth fourpence, and a pan worth a penny, and a car-load of the best corn that grows on the father's land; and that is for her for rearing it for a year. And she herself after that rears it for half a year, and from then on she cannot be compelled to rear it except for her own share. And from then until the end of fourteen years, two thirds from the father and one third from the mother; and from the end of fourteen years on it is proper for the father to take him to his lord, and for him to do homage to him. And from then on let him be at the lord's maintenance.

If it happens that a woman says of a man that he raped her and the man denies it, let him give the oath of fifty men without aliens and without designated men. If it happens that she makes a legal charge, let her take the man's member in her left hand, with her right hand on the relic, and let her swear by the relic that that member had connexion with her by force and that blemish and sarhaed were done to her and to her kin and to her lord. Some of the justices do not allow denial against that: the law however says that it is right to allow denial as we have said above.

If it happens that a man admits raping a woman, let him pay twelve kine as dirwy to the King, and her amobr to her lord, (and if she is a maiden, her cowyll), and her agweddi at the highest rate to which she is entitled, and her wynebwerth, and her dilysrwydd.

And if she is a married woman, her sarhaed augmented by a half.

There is in the law of Hywel no castration of a man for raping a woman. *Bleg.*

If two women are walking through any place and there is no one with them, and two men come upon them and copulate with them, no compensation is made to them; if, however, there is one person with them, however small (unless it is a carried child), they lose none of their right. *Cyfn.*

If a woman travels alone, and a man comes to her and rapes her, if the man denies let him give the oath of fifty men, three of them being under vows that they will not take a wife and will not eat meat and will not ride horses ever. If he does not want to deny, let him pay the woman her endowment and her dilys-tod, and a dirwy and a silver rod to the King in the manner which is right. If the man cannot pay, let his testicles be taken. If there were two women, let him give one testicle to one and the other to the other if he lies with them both. *Cyfn.*

If it happens that a maiden goes clandestinely with a man against the will of her father and her mother and her lord, they can take her back against her will. Her father is not bound to pay amobr for her. If she is a woman and has previously been with a man, she cannot be taken against her will; and since she cannot, let her amobr be claimed from where she dwells.

If it happens that a man wants a woman, let him give a surety for her agweddi, and let him take a surety from her father and mother that she will not cause him shame by her body, and that she will not be offensive towards him, which is the custom of the Welshwomen. *Col.*

If it happens that a woman says shameful words to her husband, such as wishing a blemish on his beard or dirt in his teeth, or calling him a cur, law judges the payment of a camlwrw to her

husband for every one of them, for every woman's husband is her Lord; or if he prefers it, let him strike her three blows with a rod as long as a man's forearm and as thick as a long finger, in any place except the head. *Dw.*

If a woman leaves her husband's bed without a reason, let her pay him three kine camlwrw before being taken to him again. *Bleg.*

The three privy things of a wife: her cowyll and her gowyn and her sarhaed. This is the reason those three are called three privy things, that they are three things proper to a wife and that they cannot be taken from her for any reason. This is her cowyll, the thing that she gets for her virginity. This is her sarhaed, every beating which her husband gives her, except for three things; these are the three for which he is entitled to beat her: for giving away a thing which she is not entitled to give; and for her being found with a man under deception; and for wishing a blemish on his beard. And if for her being found with a man he beats her, he shall have no compensation save that, for there is no right to compensation and vengeance for the same offence. This is her gowyn: if she finds her husband with another woman, let him pay her six score pence on the first occasion; for the second, a pound; if she finds him the third time, she can separate from him without losing any of what is hers.

If it happens that a woman takes the wynebwerth to which she is entitled from her husband three times and she does not separate from him at the third time, she is not entitled to wynebwerth from then on. *Col.*

If it happens that a woman suffers her husband's being found with another more than three times without claiming her wynebwerth from him, she is not entitled to have it from then on, for she is a shameful woman. *Col.*

It is right that the goods which she receives for these three things should be apart from her husband.

Everything of the goods which we said above were to be got, the wife can set those goods aside for her issue, and when she separates from him she is not bound to share them with him, and though she should die he is not entitled to them. *Dw.*

The King's wife can give away without his leave the third of the casual acquisitions which comes from the King. An uchelwr's wife can give away her mantle and her shift and her shoes and her headkerchief and her food and her drink and the store of her larder, and can lend all her equipment. A villein's wife cannot give away anything save her headcloth, nor lend anything save her sieve, and that only so that her call from the dunghill to bring it back can be heard.

The three stays of a wife: when she is slept with, it is right for her not to start from there until the ninth day;

this is the reason that she is not bound to go, for the sake of getting used to her husband and to his bed; *Dw.*

and when she separates from her husband, it is right for her not to start until the ninth day, and then after the last penny let her go; and when her husband dies, it is right for her not to start until the ninth day, and then after the last penny let her go.

A woman who says that she is pregnant when her husband dies is entitled to stay in her house until it is known whether she is pregnant; and if she is not pregnant, let her pay three kine camlwrw to the King, and let her leave the house and the land for the heir. *Cyfn.*

In three ways amobr becomes due for a woman: by gift and transfer, although she be not slept with; and the second, by sleeping openly, although there be

neither gift nor transfer; and the third, by her pregnancy.

The amobr of a maer cynghellor's daughter, a pound.

The amobr of a maer's daughter, six score pence.

The amobr of an aillt's daughter, three score pence.

The amobr of an alien's daughter, twenty-four pence.

The amobr of a chief-of-kindred's daughter, a pound.

The amobr of an uchelwr's daughter, six score pence.

The amobr of every chief officer's daughter, according to some, a pound; according to others, six score pence.

The amobr of other officers' daughters, according to some, six score pence; according to others, three score.

The amobr of a slave's daughter, twelve pence: if she is servient, twenty-four pence.

The amobr of a woman from another country, twenty-four pence, whatsoever be her status in her own country.

The amobr of an innate bonheddig's daughter, twenty-four pence; others say, as much as the ebediw of her father when he was on the land.

Col.

If it happens that a maiden is raped and from that rape she becomes pregnant, and that she does not know who the father is, and the lord claims amobr and she says that there is no right to it from her (for she was raped and no woman who is raped is bound to pay amobr): the reason is, law says there that her amobr is extinguished because he could not keep her from rape when he was bound to keep her. Moreover, if she is doubted for what she says, only her own oath will be given that what she says is true.

The son of such a woman will have his status adjudged according to his mother's kin until it is known who his father is.

If it happens that a man says that a woman is

pregnant by him, with the woman denying and the man admitting and the lord claiming amobr: let the man who admits pay, since there is no denial of a vouchee for him. *Dw.*

If it happens that a daughter is denied by a kindred, and after that she is given to a husband, and there is a dispute about her amobr, law says that it is the King who is entitled to it, since there is no other owner who is entitled to it; and that is King's waste. And if the mother is a Welshwoman, her amobr will be as much as the amobr of an innate bonheddig's daughter, that is, eighty pence; and if the mother is an alien woman, her amobr will be as much as the amobr of an alien woman, that is, twenty-four pence. And the ebediw of a son who is denied goes in the same way unless he rises so that his ebediw is increased. *Dw.*

If it happens that a woman is given to a man and her amobr is paid, and after that she is taken to another father, and the lord of the father to whom she was taken claims her amobr in respect of the marriage which she completed before she came to the new father whom she has—for she is the daughter of his man and he has not had her amobr: he is not entitled to it, for three reasons; because there is right only to one amobr from a woman; second is because she has not married since she came to that new father; and the third reason is, whatever she did in the family group in which she formerly was, no claim or surclaim will follow her in the other family group to which she has come. If she did not pay the amobr to the lord who was over her former father, let her pay to the lord who is over the new father.

Dw.

If it happens that a servient slave is made pregnant, it is right for him who made her pregnant to give a

woman as good as her to serve in her place until she is delivered, and to rear the child after she is delivered, without hindrance to him whom she serves; and if she dies in giving birth, let him pay her value to her lord.

The ebediw of a woman having a cell is sixteen pence.

If it happens that an alien woman is going through a country and then dies, let her pay sixteen pence for her death-clod to him to whom the ground belongs.

If it happens that a man separates from a wife, and he takes another woman, the wife from whom he separated is validly free, since no man is entitled to have two wives.

Every woman is entitled to go the way she will, for it is not right for her to be car-returning, and there is no right to anything from her save her amobr, and one amobr at that, for a woman has no ebediw save her amobr; therefore, as it is right that a man should pay only one ebediw, in the same way it is right that a woman should pay only one amobr, since she has no ebediw save her amobr.

A woman is not admissible as surety or testifier in relation to a man.

If it happens that a woman is seen coming from one side of a grove and a man on the other, or coming from an empty house, or under one mantle, if they deny it, the oath of fifty women for the woman, and as many men for the man.

If it happens that a Welshwoman is given to an alien, her sarhaed will follow the alien's status until the alien dies, and after the alien dies until she takes another husband, since her status does not return again to her kin.

If it happens that a Welshwoman is given to an alien and they have children, the children will be entitled to patrimony by mother-right, except that they will not be entitled to a share of the status toft until the third person—unless the alien is a chieftain, who will be entitled to his share of the whole without delay. For the sons of such women there is a right to cattle of dark ancestry: those cattle are called cattle of dark ancestry because it is not the father's kin that pays them, but the mother's kin.

A woman is not entitled to buy or sell unless she is *priod*; if she is *priod*, however, she is entitled to buy and sell.

There are three women whose sons are entitled to mother-right according to law: the son of a Welshwoman who is given to an alien; and the son of a woman given as a hostage into a country of strange speech, if she becomes pregnant after being given as a hostage by her kin and her lord; and a woman whom an alien rapes.

If it happens that a maiden is given to a man, and her cowyll is not claimed before she rises from bed on the morrow, he is not bound to answer for it from then on. If it happens to a maiden that she does not appropriate her cowyll before she rises from bed on the morrow, it is right for her cowyll from then on to be in common between them.

A daughter is entitled to only as much as half what her brother gets of her father's goods, and she is bound to pay for galanas only as much as half what a brother pays, and that on behalf of her children. If she has no children and she swears that she will not have any in future, she is not bound to pay anything; and if she has any, and they have reached legal age, let them pay for themselves from then on. No woman in the world is bound to pay a shaft penny, whether she be old or young.

If it happens that a woman says of a man that he cannot have connexion with her, and because of that seeks to separate from him, law orders her to be tested. This is how testing is done: a freshly-laundered white sheet is spread under them, and the man goes to her on it to have her; and when his will comes he ejaculates on the sheet; if it is seen on it, it is a quota for him, and she cannot separate from him for that cause. If he cannot do it at all, she can separate from him, and take the whole of what is hers.

If it happens that a maiden says that a man has raped her and the man denies it, and the maiden says that if he has not raped her she is a maiden: the law says that it is proper to test whether she is a maiden or not a maiden, for her plea is that she is a maiden. It is right that the edling should test her, and if he finds her to be a maiden, the man will be free and she will not lose her status.

If a married woman is raped, there is no obligation to pay amobr for her, for she paid it when she married.

If it happens that a woman lays a son legally to a man, even though the man denies him, the law says that after she has once laid him legally she is not entitled to lay him to another man, for he will not be car-returning from him to whom he was first laid.

If it happens that a woman is given to a man and her goods are named, and all the goods are received up to the last penny but that penny is not received, we say that the man can separate from her and that he will get none of what is hers; and that is called one penny which draws a hundred. No surety is needed for the validity of goods which accompany a woman as endowment.

A wife is entitled to a third of her husband's sarhaed, whether it was by killing him that sarhaed was done to him or in some other way.

A woman has no right to female compurgators, whether for theft or for homicide or for surety, but to male compurgators.

Law says that a woman is not entitled to cowyll after she begins to menstruate, unless her closest relatives vindicate her, that is to say her mother and father and brothers and sisters to the number of seven. And it is right that she should menstruate from fourteen years of age on, and from then until the end of forty years it is right for her to rear children; that is, for fifty-four years it is right that she should be in her youth, and from then on she ceases to conceive.

If it happens that a maiden is given to a man and he has not slept with her, and wrong is done to her, according to her husband's status will compensation be made to her, and not according to her brother's status; and she is called a maiden-wife. And if she is raped, it is right that her cowyll be paid to her.

If it happens that a wife is accused of having a man, on the first occasion, the oath of seven women from her; on the second occasion, the oath of fourteen women; on the third, the oath of forty women.

If it happens that a woman kills a man, she is entitled to receive a shaft penny; and she is the person who takes it and does not pay it.

Every female lord is entitled to the amobr of her realm. The dung-maer's wife is entitled to the amobr of the women of the maerdref.

A harlot has no status. Though she be raped, she is not entitled to receive compensation; if she suffers sarhaed, let her sarhaed be paid according to her brother's status, and her galanas if she is killed.

Every damage which a woman does, let her kin pay for her as for a man if she is not married; if she is

married, let her and her husband pay the dirwy and the camlwrw.

The three unclaimable things of a man: his horse and arms; and what comes to him from his land; and what comes to him as wynebwerth from his wife; he is not bound to share any of those with his wife. The three unclaimable things of a woman are her three privy things, and those she does not share with her husband.

The three shames of a maiden: when her father says 'O maiden, you have been given to a man'; second is when she first goes to bed to her husband; third is when she rises from bed and comes among people. For gift is amobr paid; for her virginity her cowyll; for her shame her agweddi.

Col.

And so ends the Law of Women.

2. The Nine Tongued-ones

Here begin the Laws of the Country; first is the Nine Tongued-ones.

There are nine persons each of whom is believed when giving evidence on oath.

Bleg.

Those are these: a lord between two men of his; a priest between two monks of his; a father between two sons of his. If one of those above-named does not want to put the decision in the mouth of the three tongued-ones while the other does want to, law orders that it be put in their mouth.

Fourth is a justice on his judgment. If it happens that a person of the one party of those between whom there was litigation denies a judgment while the other asserts it, the justice's word is then the final word as to his judgment.

Fifth is a surety on his suretyship. If there is an admitted surety, and one says that the suretyship is