

Early British genealogies in relation to each other by generation, together with the genealogy of the kings of Kent, for purposes of comparative study



(Where possible, for maximum convenience of cross-reference, the British name-forms here follow those presented in modern form in the index to P. C. Bartrum's *Early Welsh Genealogical Tracts*, 168 ff.)

## Cynghellor and Chancellor

THE reissue of Jones Pierce's paper 'The Age of the Princes' in *Medieval Welsh Society*,<sup>1</sup> and a passing reference in Professor Binchy's O'Donnell Lecture,<sup>2</sup> make it desirable to comment in English on the supposed references in the Welsh lawbooks to the office of chancellor. For though it is true that the Welsh princes of the thirteenth century had an officer who would in Latin be called *cancellarius*,<sup>3</sup> it is submitted that the name *cynghellor* (to use the modern form of the word which so frequently occurs in the lawbooks) never refers to such an officer. To that extent, Binchy's reference<sup>4</sup> to the Welsh lawbooks' description of 'a most elaborate court organization with a bevy of royal officials, including a chancellor' is misleading.

Our study must begin with an examination of the Welsh word *cynghellor*. The various spellings which are found in the medieval manuscripts in Welsh must be normalized as *cynghellawr*; only in the Black Book of Chirk (Peniarth 29, MS. A of *Ancient Laws*) have I found an *a* in the first syllable,<sup>5</sup> and the evidence of that notoriously heterographic manuscript is no evidence, since it freely uses *a* for *y*.<sup>6</sup> *Geiriadur Prifysgol Cymru* cites *canghellawr* from Lewis Glyn Cothi, but the citation is from the 1837-9 edition and is not supported by the early manuscripts, which all have *-y-*; an example from Tudur Aled likewise appears in print as *ganhellawr* without early manuscript authority. The earliest authentic citations of *-a-* come from John Davies's *Dictionary Duplex* (1632), which refers the reader from *Cynghellawr* to *Canghellawr*, which it renders *Cancellarius*; for *Cancellarius* the first meaning given is *Ysgrifennydd, ysgolhaig*, followed by *Canghellawr*, noted as a term of Welsh law. The medieval evidence, then, indicates that the lawbooks' *cynghellawr* is not derived from the Latin *cancellarius*, and it must surely be significant that it is so rarely represented by *cancellarius* in Latin texts. In the Book of Llandaff, where the Welsh version of Braint Teilo has 'heb mair, heb cyghellawr', the Latin version has 'sine consule, sine proconsule',<sup>7</sup> a rendering so surprising as to be strong evidence against a derivation from *cancellarius*. In the Latin texts of medieval Welsh law there seems to be only one example of *cancellarius* as the translation for *cynghellor*,<sup>8</sup> elsewhere the word is left in its Welsh form. In the later Latin redactions, all the forms used represent *cynghellawr*, but the oldest Latin redaction, Lat. A (from MS. Peniarth 28, attributed to the end of the twelfth century), has forms which represent *cymellawr*.<sup>9</sup> Wade-Evans derived this from a Latin original

<sup>1</sup> Ed. J. Beverley Smith (Cardiff, 1972), pp. 19-38.

<sup>2</sup> D. A. Binchy, *Celtic and Anglo-Saxon Kingship* (Oxford, 1970).

<sup>3</sup> See *Littere Wallie*, ed. J. G. Edwards (Cardiff, 1940), for references to Master David, *cancellarius* of Dafydd ap Llywelyn ab Iorwerth.

<sup>4</sup> Binchy, *Kingship*, p. 22.

<sup>5</sup> *Facsimile of the Chirk Codex*, ed. J. Gwenogvryn Evans (Llanbedrog, 1909), 24.19, 25.12, 125.12.

<sup>6</sup> e.g. *kaghor* (= CYNGHOR) 1.12, *hauel* (= HYWEL)

1.20, *kamryd* (= CYMRYD) 24.18.

<sup>7</sup> W. Davies, 'Braint Teilo', *B.B.C.S.* xxvi (1975),

134.

<sup>8</sup> Lat. B, in H. D. Emanuel (ed.), *The Latin Texts of the Welsh Laws* (Cardiff, 1967), 253.26.

<sup>9</sup> *kymmellawr*, *ibid.* 111.11, 114.30, 120.15, 135.28, 29, 146.21, 31; *kymellawr*, *ibid.* 120.20, 22, 24, 26, 28, 30, 130.8, 146.35, 39, 147.8; *kymmelloryayth*, *ibid.* 120.34.

*compellarius*,<sup>1</sup> but no such form seems to be recorded in the dictionaries of either classical or later Latin, and *-arius* is, on the face of it, an improbable termination to find attached to the verb *compello*.<sup>2</sup> Stephen Williams suggests<sup>3</sup> that a confusion of the two words *kaghellawr* and *kymhellwr* has produced the forms *cymellawr* and *cynghellawr*; the suggestion is hard to accept in view of the total absence of early instances of *canghellawr*. However, the *cynghellor*'s function included an element of compulsion, which may have encouraged the compiler of Lat. A to an etymologically-biased emendation.<sup>4</sup>

We must leave the question of etymology undecided, and pass to examination of the meaning to be given to the word as it occurs in the law texts. Most of the references are clearly to 'the office . . . often referred to in the laws of the land as the king's chief official in the commote',<sup>5</sup> though 'royal bailiff' (rather than 'local government official')<sup>6</sup> would perhaps give the most accurate indication of the officer's function. These functions are conveniently indicated in the following passage translated from *Llyfr Colan*:<sup>7</sup>

'It is right for the *maer* and *cynghellor* to conduct pleas and to organize the country, . . . and to set the king's villeins (*tayogeu*) on their land . . .'

That 'there was once a chancellor in every commote throughout Wales'<sup>8</sup> is implied by the highly schematic account of the commote in *Llyfr Iorwerth* and *Llyfr Colan*:<sup>9</sup> of the twelve *maenolydd* in the commote, one is reserved for the *maer* and one for the *cynghellor*. The office was plainly honourable; *cyngellorion* had special status as witnesses when it came to weighing the evidence called by litigants.<sup>10</sup> It can be taken for granted that they would be freemen; the texts imply this when they make it clear that a man could not be both chief of kindred and *cynghellor* (or *maer*) at the same time.<sup>11</sup> The *sarhaed* and *galanas* of a *cyngellor*, at nine units, were equal to those of the greater officers of the court, and half as large again as those of the normal *breyr* (*uchelwr*).

These are the passages to which Jones Pierce refers as occurring in the laws of the land. There are, however, some provisions in the laws of the court which he understood as re-

<sup>1</sup> A. W. Wade-Evans, *Welsh Medieval Law* (Oxford, 1909), p. 329.

<sup>2</sup> Lat. C (*L.T.W.L.* 288 n. 2) has a gloss 'id est, prepositi et compulsoris' to '*maer et cheghellawr*'.

<sup>3</sup> S. J. Williams and J. E. Powell, *Llyfr Blegywryd* (Cardiff, 1942), p. 173.

<sup>4</sup> The occurrence of *yg ghyghellawr* in a poem by Llywarch ap Llywelyn Prydydd y Moch (*Llawysgrif Hendregadredd*, ed. J. Morris-Jones and T. H. Parry-Williams (Cardiff, 1933), p. 253.4; *Hen Gerddi Crefyddol*, ed. H. Lewis (Cardiff, 1931), XIX, 30) raises another problem, to which J. Lloyd-Jones (*Geirfa Barddoniaeth Gymnar Gymraeg*, i, 224a) offers the tentative solution that the word here is a plural form of *cangell*.  
<sup>5</sup> *M.W.S.* 32. <sup>6</sup> *Ibid.*

<sup>7</sup> *Llyfr Colan*, ed. D. Jenkins (Cardiff, 1963), §§ 654, 657.

<sup>8</sup> *Llyfr Colan* §§ 649-53.

<sup>9</sup> *Ibid.* § 493.

<sup>10</sup> *Ibid.* § 493.

<sup>11</sup> *W.M.L.* 28.5-6, *Llyfr Blegywryd* 49.4, *Llyfr*

*Colan* § 658; *Llyfr Iorwerth*, ed. A. R. Wiliam (Cardiff, 1960), § 91/6. It is not quite obvious in the *Iorwerth* and *Colan* texts whether it is the *maer* and *cynghellor* or the *pencenedl* who must come from the ranks of the local *uchelwyr*: the grammar of the sentence suggests the latter, and though it hardly seems to need saying that the chief of a wider kindred must be the head of his own narrower kindred, there is force in the argument of *Llyfr Colan* 167 that offices of state would be sought by younger men, who had not become entitled (by the death of their fathers) to patrimonial rights in land. On becoming so entitled, they might retire to exercise those rights, as the eldest sons of the landed gentry of today resign their commissions in the forces; but they might also prefer to remain in office as having greater economic security than that provided by a possibly very small share in land of perhaps inferior fertility—as younger sons may be obliged to do today.

ferring to a transformed chancellorship, 'the most important and dignified office at court': 'In the traditional list of twenty-four court officials, another officer, *the chancellor*, appears: he claims the first place in the hall, and sits next to the king at table.'<sup>1</sup> This sentence is misleading: the *cynghellor* does not feature in the list of twenty-four court officials in any of the main lawbooks, and though he certainly appears at court, he can hardly be said to claim the first place in the hall. The lawbooks indeed allot him a defined place at table—next to the king according to *Llyfr Iorwerth*<sup>2</sup> and *Llyfr Cyfnerth*,<sup>3</sup> next but one according to *Llyfr Blegywryd*<sup>4</sup>—but this does not imply any particular status, since *Llyfr Blegywryd* gives the seat at the king's right hand to anyone the king chooses. The *Llyfr Cyfnerth* version, as found in some manuscripts, makes it quite clear that the *cynghellor* in question is the royal bailiff, by adding the condition 'if the king is holding court in his bailiwick [*gyghelloryaeth*]'<sup>5</sup>

Some support for the transformation of the *cynghellor* seems at first sight to be given by the passage quoted by Jones Pierce from a fourteenth-century manuscript, which 'adds that it is the chancellor's duty "to stand and be in the place of the king, in his presence and in his absence, in every thing; and when he is invested with office, he receives from the king a gold ring, a harp and a chessboard"'<sup>6</sup> The passage is in fact found in MS. Peniarth 30, of the mid thirteenth century,<sup>7</sup> and in late thirteenth-century manuscripts of *Llyfr Cyfnerth*;<sup>8</sup> that it refers to the commote *cynghellor* seems to follow from its close association in *Llyfr Cyfnerth* with the provision for the *cynghellor*'s seat in hall, and from the sentence which follows it in Peniarth 30, 'Four men who deal with a plaint which comes before them, *maer* and *cynghellor* and *rhingyll* and reeve [*maer y bysweyl*]'<sup>9</sup>—since all four are local officers of the king under the traditional order.

Two further small points need to be made. First must come a clarification of Jones Pierce's observation, 'A legal commentator can in fact refer quite casually to the fees charged by the chancery "for letters patent dealing with real property and other important transactions"'<sup>10</sup>—since these words might be taken to imply that the commentator used a Welsh word for *chancery*, whereas the sentence concerned should be translated 'He [sc. the priest of the household] is entitled to four pence for every patent seal which the king gives for land or for other important business'. Secondly, Jones Pierce emphasizes that 'by the thirteenth century these traditional functionaries [sc. *maer* and *cynghellor*] had certainly been replaced by the *rhaglaw* and the *rhingyll*'.<sup>11</sup> While this is well established by the record evidence, there is a morsel of such evidence which suggests that a combined office of *maer cynghellor* survived notionally into the fourteenth century: the Memoranda Rolls record that in 1326-7 £1 was 'excused to the free tenants of the commote of Ardudwy in Merioneth "pro quodam officio quod vocatur Meyryd Kynkellorion"' as they allege that they had been deprived of it by the royal bailiffs'.<sup>12</sup> That the two offices might be combined in

<sup>1</sup> *M.W.S.* 32.

<sup>2</sup> *Llyfr Iorwerth* § 5/2.

<sup>3</sup> *Damweiniau Colan* § 137.

<sup>4</sup> *W.M.L.* 29.7-9.

<sup>5</sup> *Llyfr Blegywryd* 5.23.

<sup>6</sup> *M.W.S.* 33, citing *Llyfr Iorwerth* § 7/9.

<sup>7</sup> *W.M.L.* 29.9-10.

<sup>8</sup> *M.W.S.* 356, cf. *ibid.* 32.

<sup>9</sup> *M.W.S.* 32: the source is *A.L.* v. i. 1, derived from MS. D, which is dated c. 1380.

<sup>10</sup> N. M. Fryde (ed.), *List of Welsh Entries in the Memoranda Rolls* (Cardiff, 1974), p. 67. Cf. W. Rees (ed.), *Calendar of Ancient Petitions relating to Wales* (Cardiff, 1975), p. 41.

<sup>11</sup> *Damweiniau Colan*, ed. D. Jenkins (Aberystwyth, 1973), § 136.

<sup>12</sup> *W.M.L.* 29.7-12.

the way thus suggested is implied by the statement in *Llyfr Iorwerth* that the *amobr* of a *maer cynghellor*'s daughter is £1.<sup>1</sup> The editor of *Llyfr Iorwerth* suggests that the double title is 'a probable error for *keghellaur*',<sup>2</sup> but if this were so we should expect to find the error corrected in one or other of the manuscripts.<sup>3</sup> The fact that the *amobr* of a *maer*'s daughter is according to this text only 120d., whereas in other texts it is equal to that of the *cynghellor*'s daughter, at £1, supports the view that by the thirteenth century the two offices could be conveniently combined. With increasing commutation of dues in kind, this seems intrinsically probable: in a similar way, the offices which replaced those of *maer* and *cynghellor* might be combined in Edwardian Carmarthenshire.<sup>4</sup> To sum up: (a) the word *cynghellor* is not derived from Latin *cancellarius*; (b) the office of the *cynghellor* never developed into that of a *cancellarius*; there were *cancellarii* and a chancery in thirteenth-century Wales but we do not know their Welsh names.

Aberystwyth

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<sup>1</sup> *Llyfr Iorwerth* § 51/11.

<sup>2</sup> *Ibid.* p. 110.

traditional value of £1 for the *amobr* of the *maer*'s daughter.

<sup>3</sup> Such a correction was made in *Llyfr Colan* § 11— but this may have been under the influence of *Llyfr Colan*'s second (Latin) source; *ibid.* § 10 gives the

<sup>4</sup> R. A. Griffiths, *The Principality of Wales in the later Middle Ages*, i (Cardiff, 1972), p. 63.

## The Size of Farms in Late Eighteenth and Early Nineteenth Century Cardiganshire

DESPITE the tendency throughout Britain during the second half of the eighteenth century for the consolidation of farms into larger units, a wanderer in the countryside of west Wales in the closing years of the century would have been particularly impressed by the abundance of small farms often comprising several tiny fields of less than an acre in extent.<sup>1</sup> Charles Hassall, surveying Pembrokeshire and Carmarthenshire for the Board of Agriculture in 1794, reported that, although farms in the former county averaged 200 acres, the average size of Carmarthenshire holdings did not exceed 50–60 acres.<sup>2</sup> In the same year, the Board's surveyors of Cardiganshire emphasized the smallness of the farms in that county, units in excess of 300 acres being unusual.<sup>3</sup> The conclusion of these observers was reiterated twenty years later by Walter Davies who pointed out that the general run of farms in south Wales were between 30 and 100 acres in size.<sup>4</sup> While there were undeniably a great number of very small farms in Wales at this time, it is unlikely that many of these holdings were managed as full-time units, providing the sole source of income for the farmer and his family. On the Hengwrt estate in Merioneth, over 50 per cent of farms in the seventeen-nineties were listed as being below 10 acres, while at the close of the nineteenth century it was reported that in Cardiganshire, where farm size averaged 43 acres, over 20 per cent of units occupied less than 5 acres.<sup>5</sup> Although Arthur Young had argued that on the best soils 10 acres of carrots would maintain 8 horses, 60 sheep, and 12 oxen for the winter, such soils were rarely encountered by the Cardiganshire farmer, who, even if he had the desire or the capital to adopt intensive farming methods, was often inhibited from so doing by the ill-drained, acidic, and often impoverished soils of his farm. In 1843 it was estimated in *The Welshman* that the gross annual output of a relatively large farm of £60 per annum rental would amount to approximately £180. Deduction of costs from this figure left a surplus available to the farmer for the support of his family and the general maintenance of his farm of rather less than £1 per week.<sup>6</sup> Hence, little surplus income would be available for the generation of capital, for adopting new farming methods, or perhaps for taking the tenancy of a larger farm.<sup>7</sup>

<sup>1</sup> See J. D. Chambers and G. E. Mingay, *The Agricultural Revolution 1750–1880* (London, 1966), p. 93.

<sup>2</sup> Charles Hassall, *A General View of the Agriculture of Pembrokeshire* (London, 1794), p. 10; Charles Hassall, *A General View of the Agriculture of Carmarthenshire* (London, 1794), p. 11. In this work Hassall comments upon the very small fields on many farms, for which further evidence is provided by contemporary estate surveys.

<sup>3</sup> T. Lloyd and D. Turnor, *A General View of the Agriculture of Cardiganshire* (London, 1794), p. 8.

<sup>4</sup> W. Davies, *A General View of the Agriculture . . . of South Wales* (London, 1815), p. 162.

<sup>5</sup> C. Thomas, 'Estate Surveys as Sources in Historical Geography', *N.L.W. Journal*, xiv (1966), 453; *Report of Royal Commission on Land in Wales and Monmouthshire*, 1897, p. 332.

<sup>6</sup> *The Welshman*, 22 Dec. 1843. For a detailed discussion of the state of Welsh agriculture at this time, see my unpublished Ph.D. thesis, *Cattle Production and the Welsh Cattle Trade in the 19th Century*, University of Wales, 1974, and my volume *The Welsh Cattle Drovers* (Cardiff, 1976).

<sup>7</sup> Nevertheless, as Walter Davies observed, many farmers, perhaps for reasons of prestige, undertook tenancies of larger farms which were quite beyond their financial resources (W. Davies, *A General View*