Legal History at Aberystwyth

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Abstract

This paper discusses contributions made to the study of Legal History in Aberystwyth from the early years of the Law Department onwards, considering notable events and personalities and drawing upon the author's own recollections as well as written sources. The origin of the established and prestigious series of Legal History Conferences is among the topics upon which the paper sheds light.

This paper must begin with an apologia (rather than an apology). If it seems egotistical, that is, I hope, because it records my memory of details which have not found their way into any manuscript or printed paper, as well as drawing on formal records. The resultant mixture may well seem disorderly, for it will also give some explanations which to many readers will seem unnecessary because their subjects are so familiar today. But this volume is surely intended not only to remind our contemporaries of what Law at Aberystwyth means and has meant, but also to give future generations a reliable picture of what will be for them an increasingly unimaginable past.

My relation to the Law Department has been idiosyncratic, if not anomalous, and deserves a little explanation. When I had become permanently settled in Aberystwyth, a kind of protective mimicry made people forget that I was never an Aber student: so many Aber law graduates had gone on to Cambridge that it was natural to assume that a Cambridge law graduate working in Aber was also an Aber graduate. I had indeed in my last year at Cambridge joined with the Aber men Roderic Bowen, Iwan Elis Jones, and J. E. Owen-Jones in establishing Cymdeithas y Mabinogion, and my pupillage in the Chancery chambers of H. E. Salt had a tortuous Aber connection. My London-born father (Will Jenkins, 1877–1938) was secretary to many London-Welsh bodies; and on one of those there served an Aber law graduate whose brother-in-law, also an Aber graduate, had been a pupil of Salt’s and was now a member of the chambers. Through this brother-in-law I was introduced to Salt and accepted as a pupil, though I was warned that there was little chance that I could become a member of the chambers.

Henry Salt had come to practice in Lincoln’s Inn after being a fellow and Law Lecturer of Trinity College, Cambridge, from 1924 to 1926. As a former academic with a busy and varied practice, he was the perfect pupil-master, for one learnt not only what to do with the problem before one, but also the background which explained how the problem could have arisen. I remember

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1 Cymdeithas y Mabinogion was a Welsh-language Society, running parallel to the Cambridge Welsh Society whose meetings were in English. At a later date the two societies merged and used the philologically more correct Cymdeithas y Mabinogi.
particularly the one-to-one lecture in which he explained the different classes of material which could come before Chancery judges, and the way in which the practice of the Court of Chancery had ensured that a Chancery judge of one generation should be represented by a judge in any later generation, so that a long dormant case could be expeditiously handled if changed circumstances awakened it. This would happen often enough, since so much Chancery law dealt with settlements which could continue for generations. A comparatively simple example came to Salt during my pupillage of 1934–5: this concerned a family arrangement to deal with the property of an intestate killed in 1916 during the first World War. A more esoteric problem, brought to Salt as an Anglican, was whether a man required to abandon his forename of Douglas and adopt that of James could do so by confirmation in the Church of England; the judge before whom the case came took the view that it would suffice that the client should in fact use the name James. A forename, like a surname, could be created by usage – which I found satisfying, since Dafydd does not appear on my birth certificate, though it is by now the only forename on my passport.

Salt was the ideal pupil-master, and my seat as pupil was the ideal seat for work on English law – at a table in an alcove whose walls carried all the Law Reports. The long high wall behind Salt’s own seat carried books to which I had free access, and it was in Salt’s copies of Maitland’s *Collected Papers* that I found the stimulus to research in medieval Welsh law. Maitland’s Inaugural Lecture as Downing Professor of the Laws of England, given on 13 October 1888, was entitled “Why the History of English Law is not written”; it brought out the difference in approach to the sources between the lawyer for whom Coke is a better authority than Bracton and the historian, for whom “if we are really looking for the law of Henry III’s reign, Bracton’s lightest word is infinitely more valuable than all the tomes of Coke . . . The lawyer must be orthodox otherwise he is no lawyer; an orthodox historian seems to me a contradiction in terms.” Maitland went on to say that the history of English law would not be properly written until the court records had been properly studied; he thought (as I believe, rightly, though this has been disputed) that they could not be properly studied without some training in law. But “The only persons in this country who possess very fully one of the great requisites for the work are as a rule very unlikely to attempt it. They are lawyers with abundant practice or hopes of abundant practice; if they have the taste they have not the time, the ample leisure, that is necessary for historical research.” The greatest hope was that the young barrister who was not building up a practice should “know that within a quarter of a mile of the chambers in which he sits lies the most glorious store of material for legal history that has ever been collected in one place, and it is free to all like the air and the sunlight. At least he can copy, at least he can arrange, digest, make serviceable. Not a very splendid occupation and we can not promise him much money or much fame – though let it be confessed that such humble work has before now been extravagantly rewarded. He may find his reward in the work itself: – one can not promise him even that; but the work ought to be done and the great man when he comes may fling a footnote of

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gratitude to those who have smoothed his way, who have saved his eyes and his time.”

Maitland wound up with a story. “It is said that long ago a certain professor of English law” (who has been identified as Edward Christian, the first holder of the Downing chair, and a brother of Fletcher Christian of the Bounty mutiny) “was also the chief justice of an ancient episcopal franchise. It is said that one of his rulings was cited in the court presided over by a chief justice of a more august kind, the Lord Chief Justice of England. ‘Did he rule that?’ said my lord, ‘why he is only fit to rule a copy-book.’ Well, I will not say that this pedagogic function is all that should be expected of a professor of law; but still copy-books there ought to be and I would gladly spend much time in ruling them, if I thought that they were to be filled to the greater glory of the history of English law.”

So I decided to fill copy-books, to the greater glory not of the history of English law, but to that of Cyfraith Hywel, and not in the PRO but in the British Museum, where there were manuscripts of Cyfraith Hywel to be copied (in the ink which readers were still allowed to use in those days). Whatever I may have done in those days would bear more fruit later, when I spent some three weeks in Aberystwyth, copying a Peniarth manuscript. My commitment to research had been infinitely stimulated by my commitment to a member of the Library staff; by 1938 Gwyneth Owen was my fiancée and was one of the three regular attendants of the issuing desk. Under the shift arrangements for lunch, she was on duty from 1 to 2 p.m., and would be joined by E. D. Jones (the future Librarian) from the Manuscript Department. There was little call for their service during that hour, and once they had settled in, they would invite me to join them for the exchange of what Natalie Fryde would call “News Gossip and Scandal”. So I made the transcript of Peniarth Manuscript 30, which Morfydd Owen would identify as a labour of love when she came to review Llyfr Colan, nearly a quarter of a century later.

In this and other ways I came to have an effective connection with the academic life of Aberystwyth: and I had a connection with the Law Department by the 1950s, when I used its Library while preparing Law for Co-operatives, published in 1958. What follows here draws on memory, on diaries and correspondence and odd notes, and on records.

The first Law Department of the University of Wales was put at Aberystwyth because the Department was not expected “to limit itself to the teaching of practical law” as Lord Justice Vaughan Williams put it in his Inaugural Lecture delivered for the first session of 1901-2; he hoped and believed “that in a Welsh School of Law you will find jurisprudence studied, discussed, and taught as a theory in its most scientific aspect with the same thoroughness and the same enthusiasm that you will find it studied, discussed, and taught in a German university”. But this did not mean that Legal History had a place in the new department’s courses; indeed Vaughan Williams was perhaps rather dismissive of the subject when he said “The study of Roman law,

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4 *ibid.*, p 496-7.
5 *ibid.*, p.496-7.
6 [1965] 8 Llên Cymru 244, 245.
the study of the laws of Great Britain, past and present, the study of the codes of Justinian, and the Code Napoleon, the study of the laws of Howell [sic] Dda, all have a value to students of law and history, but the law of the past and the history of the past are hardly scientific ends."

The Department's prospectus in the early years, too, has little to say about Legal History. For the session 1904–5, following the practice while Jethro Brown remained on the staff, two separate courses were offered, each of three parts. The three parts of Levi's course as Professor of English Law did not name Legal History, though he can hardly have made all the modern law intelligible without giving some account of its historical development. Jethro Brown, as Professor of Constitutional and Comparative Law, did have a note in the prospectus: "N.B. (1) The student will be required to make a comparative study of Roman and English Law with respect to (i) Historical development of the two systems, (ii) the Law of obligations."

In the Inaugural Addresses by distinguished visitors, which opened the early sessions of the Department, hopeful reference was sometimes made to Legal History. In 1903 “Mr. Edward Jenks, Reader of English Law at Oxford, and Principal of the Law Society”, whose subject was “The Myth of Magna Carta”, had said that the real value of the lecture would be misunderstood if it were regarded as designed to be a final judgment on the place of the Charter in English History, and “in responding to a vote of thanks, which was moved by the Professor of Law, and supported by the Vicar of Aberystwyth, Principal Jenks . . . expressed a hope that some pupil of the school at Aberystwyth would show before long how much that great system we call English owes to Welsh Laws and Customs”. In 1904-5, Jethro Brown’s lecture “On Welsh Law and Comparative Jurisprudence” was the subject of notes in The Dragon over the initials H.J.F. Their author was surely H. J. Fleure, who would make Geography a prestige subject at Aberystwyth before moving to Manchester in the 1930s; in 1903 he had won the degree of D.Sc. Wales and had now come to Aber as Lecturer in Biology and Geology. The lecture was not published and does not appear in Vinogradoff’s Collected Papers but seems to have anticipated later understanding of Welsh “tribalism”. Fleure’s note ended “From XIVth century extents, from Giraldus Cambrensis, from story and song and tradition did Professor Vinogradoff lead us to picture Welsh life in the past, and if only

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8 R. L. Vaughan Williams, What is Jurisprudence? And is there a Science of Law?, pp.1,2. See also Andrews, supra, p.3.
9 I confess to a prejudice against Jethro Brown, arising from the fact that his The Austinian Theory of Law was the textbook from which Jurisprudence was taught to me at Cambridge in 1932-3: I did not see Austin’s own work for many years. There was more stimulus in an additional series of lectures which W. W. Buckland, Professor of Civil Law, gave for the first time in that year. When these were published in 1945 as Some Reflections on Jurisprudence (Cambridge University Press), “... Jurisprudence ... in my youth ... meant Austin. He was a religion; to-day he seems to be regarded as a disease.” If my memory is right, the Cambridge course of that year never reached what Buckland called “Austin’s real subject ... the analysis of legal concepts”, but wandered interminably in the desert of definition of law.
10 Dragon, November 1903, pp.19,20.
11 Fleure moved to Manchester, not for his own sake, but for the academic recognition of Geography; the Manchester Chair would not have been established if Fleure had not accepted it.
the outlines of the picture can be traced at present, we must venerate all the
more those whose efforts have brought them into view. May we hope that Welsh
students will step forward and utilise their unique opportunities for furthering
this fascinating study, and thereby bring added lustre to our University?"

No Welsh students stepped forward, and the heavy teaching load of both
professors can hardly have left them either time or energy for research (though
Jethro Brown must have worked hard as Editor of *The Dragon* for a couple of
years before the students took full responsibility for it). Conditions can have
been no better after the separation of the two courses ended when Jethro Brown
returned to his native Australia in 1906 and a staffing pattern of "one man and a
boy" applied for some years. The pressure on the staff was a little eased when a
second lecturer was added, in order to help in providing lectures for articled
clerks at centres in North and South Wales. The best-known of these lecturers
won fame, or indeed notoriety, not as lawyer but as playwright: John van Druten
is said to have written his first play, *Young Woodley*, in the slow trains which
carried him between Aber and Rhyl for those lectures. Another of these
travellers, W. H. D. Winder, who served from 1934 to 1946, may have worked
on his research materials in the train, but must have done so on the basis of
notes taken in libraries at Aber and elsewhere: papers by him were published in
the *Law Quarterly Review* in 1936 ("The Courts of Requests", 52 LQR 369-84)
and 1939 ("Equity in the Courts of Great Sessions", 55 LQR 106-21). These
papers seem to be the only visible fruit of any attention paid to Legal History in
the first period of the Department — with two exceptions, both in celebratory
issues of *Aberystwyth Studies*.

*Aberystwyth Studies* had begun to appear, with the sub-title "by members
of the University College of Wales" in 1912, with the imprint "Published at the
College"; it was printed by "T. and A. Constable, Printers to His Majesty at the
Edinburgh University Press". It carried a declaration of intent: "This volume of
Studies is issued under the auspices of the Senate of the University College of
Wales, and with the cordial assent of the Council. It is proposed to issue new
volumes at least once a session. They will embody the fruit of research carried
out by members of the Teaching Staff and Graduates of the College." This
volume had three papers, filling some 120 pages, and a two-page "list of
research publications by members of the College staff for session 1910-11".
Volume II came in 1914, without a list of publications; and the series was
interrupted by the War, so that Volume III came only in 1922, and in the same
year the newly-established University of Wales Press Board published Volume
IV as "a special volume published to celebrate the Jubilee of the College". The
contributions to this collection were grouped in several classes, and under (b)
("Economics, Philosophy, Law, Education") came Professor Levi's paper,
"Some sources of the English trial", at pp. 153-8. Like the regular volumes of
the series, Volume IV was a miscellaneous collection; but Volume X, published
in 1928, with the subsidiary title *The Hywel Dda Millenary Volume*, was
devoted to a single theme, and provided a special focus for the Millenary
celebrations in April and May 1928.

These celebrations were intended to be both academic and popular.
Popular celebrations in the schools of Wales were to be held on Wednesday, 9
May, and suggestions for their form were circulated to the schools by the Welsh
Department of Education. For the academic celebration the initiative was taken
by the University of Wales, which brought together a meeting at Carmarthen on
Thursday, 19 April 1928. Here, as the Western Mail put it, there was "no flourish of trumpet or pageantry": this was appropriate, for it was "a peace lover, a codifier of laws" who was being commemorated. 1928 was chosen for the celebration because Hywel went to Rome in 928; the celebration was to launch a fund to support research, for the University had been hard put to finance its primary function of teaching, "and the colleges have had a frequent and tragic experience in being unable to provide employment for brilliant students who could have enriched the edifice of learning". According to "A Lawyer" in the Western Mail of the day of the celebration, the Law of Property Acts of the 1920s (which removed primogeniture from English Law) meant that "the Earl of Birkenhead has restored Hywel Dda and brought him up-to-date by giving rights to the daughters".

Since the Carmarthen meeting was held in the Church House, it cannot have been freely open to all comers, but it is not clear how the audience was made up. Professor J. E. Lloyd (Professor of History at Bangor, once a lecturer at Aberystwyth, and certainly the best judge of the history of Hywel Dda) presided; the chief representative of the University was the Pro-Chancellor, the Hon. W. N. Bruce, who was supported by the Registrar, Capt. D. B. Anthony, and Mr Jenkyn James of the University Registry. The Principal of University College, Cardiff (A. H. Trow) was there; there were two Professors of Welsh, W. J. Gruffydd of Cardiff and Henry Lewis of Swansea, and the Director of the National Museum of Wales (Dr Cyril Fox). The Vicar of Carmarthen, Robert Williams, who was also Archdeacon, and had been Professor of Welsh at St David's College, Lampeter, was doubly qualified for the platform. The only lawyers officially present seem to have been Professor Levi and His Honour Judge Ivor Bowen, K.C., whose The Statutes of Wales had been published in 1908. To have brought the legislation together in one book was a most valuable service, and it was unfortunate that Bowen's choice of sources would lead (as we shall see) to confusion about the effect of some statutes.

The Mayor and Town Clerk of Carmarthen were there to give a civic welcome to the gathering; this was acknowledged by Professor Lloyd, and four papers were then read. The retired Indian judge, T. P. Ellis, had written a paper which he was not well enough to present; it was read by Professor Henry Lewis. Professor Levi's paper, "The place of Hywel's code in comparative law" included the suggestion that Hywel's law contained the original germ of the principle of trial by jury. Professor Gruffydd spoke in Welsh on the place of Hywel's laws in Welsh culture, and Judge Bowen on the Welsh laws as a working system: he raised laughter when he referred to Lord Birkenhead's alleged restoration of Hywel's law in the Law of Property Act: that Act contained infinitely more words than the laws of Hywel, and they were less intelligible. The Pro-Chancellor then proposed "That a Hywel Dda Commemoration Fund be established for the purpose of developing studies in Welsh law and history in the University of Wales, and that a public appeal be issued for subscriptions to the fund"; this was seconded by the Archdeacon, and carried unanimously. During the proceedings Rhiannon James of Swansea had played the harp, "and Misses Conwil Evans and M. H. Jones of Carmarthen sang Welsh folk songs";

13 Western Mail, 20 April 1928.
14 Western Mail, 19 April 1928.
and at the close of the meeting the guests were entertained to tea by the Lord-lieutenant.

Hywel Dda received attention in the press during the following weeks. "An old native of Hen-dy-gwyn ar Daf" had the most ingenious comment, in a letter in the Western Mail: "According to the old historians, Hywel Dda's old 'White house' on the Tave, was in reality a summer house built right over the river... There is nothing at Whitland to denote that Hywel lived there... Why not build a summer-house over the Tave, a little distance above the Whitland bridge?... There are plenty of farm hands and farmers' sons in the district who would be pleased to do the wattling work and thatching... Lastly, the Prince of Wales might be invited to open the summer-house of Hywel Dda." In reaction to a comment on the prohibition of the use of Welsh in the courts, Judge Ivor Bowen explained (quite correctly) that confusion had arisen because of the use of different editions of the Statutes, and asserted that "every prohibition of that kind, and every statute which formerly required proceedings in those courts to be in the English language, have been repealed by Parliament, expressly or impliedly, and have been rendered obsolete since the years 1878 and 1887 respectively" – and in this he was quite wrong, as would be shown when the Welsh Language Petition was promoted in 1938 and it was again argued in the press that the language section had been repealed.

The University's main celebration had been at Carmarthen, but its constituent colleges were to celebrate with the schools on Wednesday, 9 May; and it was soon clear that those at Aberystwyth would have the loudest flourish of trumpet, since the main speaker would be David Lloyd George. He was to motor down to Aber the day before, and to motor back after the celebration so as to be in Parliament on the following day; he stayed the night in the Queen's Hotel, where the Principal of the College, Dr H. Stuart Jones, gave a private dinner in his honour.

The meeting on Wednesday afternoon was held in the College Hall in Queen's Road, the wooden building which could hold some two thousand people and had acoustics which commended it to musicians of the highest reputation. According to the Cambrian News, "From North, West, and South Wales there gathered a large number who crowded the University Hall to hear the distinguished Welshman pay tribute to another great Welshman", and Lloyd George "was given a real Welsh welcome" – though it is not clear whether this refers to the contribution of the students, who sang their usual songs as the audience waited for the proceedings to begin. The representatives of town and gown came in procession to the platform, and "a student with a huge beard, arrayed in a white sheet and carrying a broom followed in the wake of the procession. He was 'Hywel Dda'.”

Principal Stuart Jones, who presided, explained that the celebration commemorated Hywel Dda's pilgrimage to Rome in 928, when (in spite of the poor condition of the Church and the Empire) he "had something to learn from the Eternal City, and its sights and scenes must have counted for much for his resolve to give the customs of his people the ordered form of Law". It was fitting that Hywel's work should be worthyly commemorated in Aber of all

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11 See E. L. Ellis, The University College of Wales, Aberystwyth, 1872-1972 (Cardiff, 1972), 223, and plate 7(b). Ellis does not mention the Hywel Dda celebration.
colleges, "For Aberystwyth is the home of the Law School of the University of Wales – (Applause) – from which so many brilliant lawyers have gone forth – (Applause) – none more brilliant than the great Judge, Sir Samuel Evans – (Applause) – whose historic judgments in the Prize Court during the Great War will live as long as English Law and International Law as models of their kind. Sir Samuel Evans, I venture to say, breathed the true spirit of Hywel Dda in his famous utterance: 'Precedents handed down from earlier ages should be treated as guides to lead not as shackles to bind'." Mr Lloyd George was "the worthiest exponent of this high theme whom Wales can show... it has fallen to his lot to preside over the deliberations of the greatest of all law-making assemblies – the British Parliament." Then, in a few sentences in Welsh, he called on Mr Lloyd George; and as he in turn rose, "Mr Iwan Morgan, B.A., president of the Students Representative Council, speaking in Welsh, called for the Coll Yell for the visitor. There was a hearty response."

Mr Lloyd George said that he would not attempt any analysis or summary of Hywel Dda's laws; he recommended those who wished to go further to read "the most admirable series of essays" in *Aberystwyth Studies X*, and to read the laws. He added "I was amazed how easy it was for a Welshman of the 20th century to read Welsh of the 11th and 12th centuries." The lesson which he drew from the work of Hywel was summed up in a couple of sentences and a quotation: "That great old Welsh king, with his wise eyes, calm, benign and fearless, is looking across a thousand years of carnage and fury. He sees Europe torn to-day with the same feuds as tore his little realm a thousand years ago and he says: 'A summons, a claim, a hearing, judgment and peace.' That is his message."

The vote of thanks to the speaker was proposed by Professor Levi. For him, Hywel Dda and Lloyd George "were both statesmen and great administrators. Both would be remembered in Wales for ever for the share they had in a code of laws – Hywel Dda in the Court of Wales, and Mr Lloyd George in the Court of Mankind – the League of Nations." The proposal was seconded by R. Hopkin Morris, Liberal M.P. for Cardiganshire; two other Liberal M.Ps with close Aberystwyth connections, John Hugh Edwards and Ernest Evans, who had been expected to attend, had withdrawn with apologies. After the formal proceedings, Lloyd George took tea with the students at the refectory before returning to London by car.

16 Sir Samuel was always proud of his connection with the University College of Wales, but was of course a student long before the Law Department was set up; from Aberystwyth he graduated in the University of London, and he will have become a member of the University of Wales only when he was given an honorary LL.D. in 1909. On the title-page of his Inaugural Lecture to the Faculty of Law in 1906, *The Place of Juries & Advocates in our Legal System*, he is described as "Late Scholar of the College".

17 Edwards had been M.P. for Mid-Glamorgan before the Labour takeover of South Wales, and had become M.P. for Accrington in 1923 He was the son of an Aberystwyth shopkeeper, and was renowned for his flamboyant style in speech and in print. He published in four volumes a *Life of David Lloyd George with a short history of the Welsh People* (London, 1913-?), and was mocked by pedestrian critics for this feat. To us, ninety years later, he seems to have been wise in realising that Lloyd George's Welsh background needed explanation to non-Welsh readers, naive though he may have been in showing his hand so clearly. Ernest Evans, the barrister son of the Aberystwyth solicitor Evan Evans, had been elected as Coalition Liberal M.P. in the notorious Cardiganshire by-election of 1921, when the Independent Liberal candidate was W. Llewelyn Williams; Williams had
The celebration at the University College in Cardiff "was held in the Drapers Library, the galleries being occupied by the students"; Principal Trow, who presided, saw the celebration as "an indication that Wales was at last beginning to find itself, thanks to the inuence of the University and its colleges. . . . A delightful feature of the programme was the singing of the Edmund Prys metrical version (1621) of the first Psalm, after which Professor W. J. Gruffydd read a passage from the Laws of Hywel Dda in the original Welsh, dealing with 'the nine persons whose testimony is to be believed above all else when put on their oath.' Miss Lena Doreen Jenkins, A.R.C.M., afterwards rendered Welsh melodies on the harp, and elicited enthusiastic applause." The guest speaker was Edward Jenks, and the Hywel Dda Memorial Fund for scholarships and prizes was commended; and "after a rendering of 'Dafydd y Garreg Wen' by Miss Margaret Davies to harp accompaniment, the proceedings closed with the singing of 'Hen Wlad fy Nhadau' and 'God Save the King'."

At the Technical College in Cardiff the celebrations were on two levels. The senior full-time students met in the morning "for an address on Hywel Dda by Dr E. Llewellyn Williams, a member of the Welsh Board of Health"; the junior departments met in the afternoon when the chief speaker was Councillor Sir John Daniel and a tableau "Hywel Dda proclaiming his laws" was produced "under the direction of the headmaster, Mr. J. O. Cheetham, M.A., B.Com., and was very effective".

At the University College of Swansea, the celebration "was carried out . . . in a quiet but none the less sincere manner" without outside help. The Principal (Dr C. A. Edwards) presided, and the Professor of History, Ernest Hughes, was also present. Miss Eirene M. Williams, a member of the honours history class, spoke on "Hywel Dda – the Founder of a Nation", and Mr T. J. Morgan, a student of the honours Welsh class, spoke in Welsh on "The Literary Significance of the Laws".

Celebration at Bangor "took the form of a very interesting critical lecture delivered by Mr. J. Goronwy Edwards, M.A., Fellow of Jesus College, Oxford", with Principal D. Emrys Evans presiding. The lecture was published by the University College of North Wales in a pamphlet the following year; it seems to be the only contribution to the celebrations which was thought worthy of publication. It is likely enough that of all the work offered to the meetings, this was the most substantial, being the most scholarly: Edwards defended his discussion of an admittedly rather academic point as appropriate for an

died before the General Election of 1922, when Hopkin Morris stood as Independent Liberal but Evans was re-elected. In the 1923 General Election the Conservative Party put forward a candidate, and Morris was elected. Ernest Evans returned to Parliament as M.P. for the University of Wales in 1924, and held that seat until he became a county-court judge in 1942. The University by-election which followed his retirement, in which the leading candidates were Saunders Lewis and W. J. Gruffydd, caused bitterness parallel to that of 1921. W. J. Gruffydd had become active in the context of the opposition to the Penyberth bombing school, and as a Deputy Vice-president of the Welsh Nationalist Party in 1937 caused much embarrassment to the Party by over-reacting to the Old Bailey sentence on the three defendants.

18 *Western Mail*, 10 May 1928.

19 Dr Williams was memorably depicted by his younger son, the poet, critic, and organiser of adult education, Alun Llywelyn-Williams, in *Gwanwyn yn y Ddinas* (Denbigh, Gwasg Gee, 1975). The form *Llewellyn* invites a linguistic comment which the reader will be spared.

academic audience. Experience of Edwards's lecturing technique suggests that his audience (though surely not all academic) would have happily understood his presentation.

There was plenty of talk about Hywel Dda over these few weeks, and at Pontypridd Police Court there was what the *Western Mail* called "A practical tribute to Hywel Dda". The Stipendiary Magistrate, D. Lleufer Thomas, "referred to the millenary of Hywel Dda, and speaking in Welsh, said that one special way of keeping Hywel Dda's memory alive would be to ensure a more honourable place for the Welsh language in the law courts. One result of this, as he had indicated on previous occasions in that court, was that a Welshman could not take the oath in his own language. It was high time to do away with this disrespect to their land and nation. Mr David Rees, on behalf of the solicitors, associated himself with these remarks."

The Hywel Dda Millenary Volume of *Aberystwyth Studies* is the most obvious reminder of the celebration, and was Aber's great contribution to it. Of its authors, only T. P. Ellis, who never held any academic appointment, had no connection with the University College of Wales. J. E. Lloyd, whose "Hywel Dda: the historical setting" introduced the subject in four pages, had been on the staff many years earlier; there were three papers by men who led the teaching of Welsh in the College, and a fourth was by the Professor of Law.

T. P. Ellis's "The Land in ancient Welsh law" (pp. 65–101), contains, as he noted "little that is new or which has not been dealt with, much more fully, in the writer's book on *Welsh Tribal Law and Custom*. The sole object of it is to give a summary bird's eye view of the main features of the impact of the clans and of the unfree population upon the land in old Wales." "A bibliography of the laws of Hywel Dda", by Timothy Lewis, Reader in Celtic Palaeography (pp. 151–82) is still useful for its references to published material; though its account of the manuscripts must now be recognised as providing no more than a starting-point for more detailed examination of their content, we are still struggling to find a model which will enable us to set out the content of every manuscript in a clearly intelligible way. The papers by T. Gwynn Jones, Professor of Welsh Literature ("Social Life as reected in the laws of Hywel Dda", pp. 103–28) and T. H. Parry-Williams, Professor of Welsh ("The language of the laws of Hywel Dda", pp. 129–50) both suffer, as any similar papers will still suffer, though to a lesser degree, from our lack of fully adequate knowledge of the relation of the manuscripts. Gwynn Jones made little use "of the later material printed by Aneurin Owen, interesting though it be frequently as a specimen of literary antiquarianism and a taste for terminological display", and it may well be true that this later material tells us little about the social background of the older law; but as it has become clear that Cyfraith Hywel was not wholly eradicated from West Wales until the Act of Union, such manuscripts as Aneurin Owen's S, Q, and Z are evidence for the development of legal concepts after the "Edwardian Conquest". Parry-Williams admits that his paper will be "unavoidably scrappy and sketchy", and it does not give enough weight to the likelihood of borrowing from French, directly rather than through English. The Welsh "establishment" in the University was perhaps too ready to react against the French case because its chief proponent, Professor Morgan Watkin, was (as he later admitted) inclined to pitch its claims too high.

Professor Levi's "The Laws of Hywel Dda in the light of Roman and early English law" (pp. 5–64), goes into much more detail, and more technical
detail, than was appropriate in the Carmarthen address, and (though it must be read critically), it is still valuable as suggesting directions for that critical reading. The paper naturally makes assumptions which are no longer acceptable about the relation of the versions, but the author’s profound knowledge of English and Roman law has enabled him to suggest comparisons which are illuminating though they do not imply borrowing.

The intended permanent memorial to Hywel Dda was the Fund which would encourage and reward research; but the response to the appeal for the Fund must have been disappointing. It was not until 1931 that the University Calendar recognised the Fund, under the heading “The Hywel Dda Prize”, “provided from a fund raised by public subscription to commemorate the millenary celebrations of Hywel Dda”. There were to be three judges, whose duty would be “to recommend the award of the Prize to the person who (excluding any to whom the prize has been already awarded) has, in their opinion, by work published within the previous five calendar years, done most to advance the study of ancient Welsh law and custom, or thrown most light upon its origins and history”. The value of the prize would be £20, which compares favourably enough with some of the other University prizes, but less favourably with the Sir Samuel Evans prize of £40, given to the best student in the LL.B. Honours exam. This too was awarded for the first time in 1931, the first winner being D. J. Llewellyn Davies, who would succeed Levi as Head of the Department in 1940.21

The judges set a high standard for the Hywel Dda prize. It was given in 1931 to T. P. Ellis, but after that it was not again given until 1942 when Stephen J. Williams of Swansea and J. Enoch Powell shared it, for their Llyfr Blegywryd, published by the University of Wales Press in that year. It ought surely to have been given to Enoch Powell for a paper of 1937.22 This exceptional scholar had first published an account of the Trinity College, Cambridge manuscript O.vii.1,3 which led to his collaboration in Llyfr Blegywryd. In a second paper, “Floating Sections in the Laws of Howel”, Powell compared the order of the material in five manuscripts of the Blegywryd Redaction and used the variations as a basis for a stemma of the Redaction. This paper seems to have alerted Welsh scholars for the first time to the propriety of trying to establish a stemma for manuscripts of the same text, rather than giving the variant readings indiscriminately; and its value is hardly diminished by the fact that at a few points Powell’s method makes it impossible to interpret.24

21 An Honours degree in Law was first offered in that same year, when all four candidates were placed in Class I; all four went on to distinguished careers. Llewellyn Davies and D. Seaborne Davies (later Professor of Law at Liverpool, and briefly M.P. for Lloyd George’s old seat) went on to Cambridge and took first-class honours there. Seaborne had gone to Cambridge before Llewellyn, and met him at the station to introduce him to the town, taking a roundabout route which brought them over the river into the old courts of St John’s (casually identified as Seaborne’s college) and out into Trinity Street. A right turn brought them past the impressive Great Gate of Trinity College, and a little farther on into what seems like a tunnel, in the middle of which is the insignificant gatehouse of Caius. “There’s your College” was all Seaborne needed to say.

22 (1937) 9 BBCS 27-34.

23 8 BBCS 120-24?

24 His typed transcript of the Trinity manuscript showed an eccentric avoidance of the simple. For the special form of v which occurs in the manuscript he adopted the plan of striking the v twice; the
The income for the many years of non-award was added to the capital sum, and in 1952 I was shocked to learn that I was to have the prize for a paper of 16 pages, and gratified to learn that its value had been raised to £50. The first Aber graduate to win the prize was the classical scholar, Hywel D. Emanuel, in 1967; he was followed by Glanville Jones (a graduate in Geography who had specialised in the historical side of his subject) in 1974, by Morfydd Owen (whose first degree was in Welsh) in 1981, and by the historian J. Beverley Smith in 2000. No Aber Law graduate has ever won the prize, and the continued non-award made possible an increase value to £80 in 1978 and to £550 in 1991. From 1965 the prize could be given to one who had already won it, but not within the previous five calendar years.

Meanwhile, there was at Aberystwyth some development in Legal History through the Department of Welsh History. The Principal, Ifor L. Evans, had more than once avoided the choice between two candidates for a college post by a device which secured the services of both; so when the late-modern-historian David Williams was appointed to the Sir John Williams Chair of Welsh History, the National Library of Wales was brought in to make a special appointment for the medievalist T. Jones Pierce. It was under Jones Pierce that Gwilym Pris Dafis (the future Lord Pris-Dafis) wrote his thesis "Rhwymedigaethau cytundeb bol yn y Gyfraith Gymreig (Contractual obligations in Welsh Law)", which gained for him the degree of LL.M. in 1952; and it would be through their consulting me about the thesis that I met both supervisor and student. For the student of Welsh law, Jones Pierce’s great contribution was in a new concept of the various versions of the law. Where Aneurin Owen had found a Venedotian, a Dimetian, and a Gwentian Code, each appropriate to a different part of Wales, Jones Pierce saw digests representing different stages of development: “from the point of view of content the books of Cyfnerth, Blegywryd and Iorwerth stand in related chronological sequence – and in the order named”.

Jones Pierce’s interest in Welsh Medieval Law must have been known to the Law Department when Pris Dafis wrote his thesis under his supervision; he seems to have given lectures in the Department of Welsh History, and to have given students from the Law Department the opportunity to attend. Few law students took that opportunity, and it is not clear for how many years the lectures were given; but one student who attended in 1953–4 still remembers a detailed treatment of the law of galanas, and emphasis on the dynamic development shown in the lawbooks. That student began research on an aspect of figure 6 had been used in the second (Denbigh) edition of The Myvyrian Archaiology of Wales. The University of Wales Press editions of Welsh texts too often represent this character by w: this may not mislead the reader as to the sound concerned, though it leaves him without possible evidence of a distinction between the two functions of w; this point is illustrated by the use of w and 6 in the two manuscripts V and W as published by Wade-Evans in WML.

26 “Llawysgrif Goll Llanforoda o Gyfreithau Hywel Dda”, (1951) 14 BBCS 89-104.
of the Welsh law, but the pressure of a professional career soon made research
impossible, thus once more justifying Maitland's insight.

This series was followed up by the University's Board of Celtic Studies,
which (over signatures which included that of Professor Llewellyn Davies)
convened a Colloquium on Medieval Welsh Law, to be held in Aberystwyth in
April 1962. This gathering was enthusiastically supported by Sir Goronwy
Edwards, who had become President of the Royal Historical Society in 1961,
and had given his first Presidential Address under the title "The Historical Study
of the Welsh Lawbooks" on 9 December of that year.28

The papers given at the Colloquium were published in a special number
of the Welsh History Review, and can speak for themselves; memory adds a
picture of dramatic presentation by Sir Goronwy, and especially by Professor
Jones Pierce, who had described a document which could be recognised as
applying Welsh law, and let us into the secret that the document had been
executed several years after the Act of Union had proscribed Welsh law. There
was also the feat of exposition performed by Professor Idris Foster, who
compressed forty pages of notes into a clear summary and presentation of
suggestions - and thereby ensured that he would be given the same assignment
at later colloquia.

A recommendation that a Welsh Law Sub-committee should be created
was adopted by the Board of Celtic Studies; the Board's Language and
Literature Committee and its History and Law Committee would each appoint
two members, and the new Sub-committee would have power to co-opt. The
Law Department would have no direct responsibility for this new Sub-
committee, but something must be said about its activities a little later on.

At Aber the Colloquium led to a formal connection with the Law
Department for me, for I was invited to give lectures on Welsh Medieval Law in
the Department. As I then had a full-time post with the central organisation for
agricultural co-operation in Wales, these lectures were arranged for Saturday
morning, and began with a full house on 19 January 1963; but it soon appeared
that students preferred other week-end activities, and only one student held out
to the end of the course on 27 March. My notes for these lectures were in
Welsh, and the lectures were given in Welsh when all the audience were Welsh-
speaking; when I spoke from these notes in English, I sometimes found (as I
have been told others have done) that I could not remember a simple English
word. For the course in 1964 I planned to study some lawbook texts in the
original Welsh, but though the students (like Lloyd George before them) found
the language easy enough, the experiment was not a success, even when the
sessions had been moved to Friday, and in 1965 the earlier plan of lectures on
the legal material was adopted. Questions on the Welsh law material were added
to the Legal History paper every year, but no candidate attempted any of these
in the first years: the students must have distrusted their own notes as a
foundation for revision, and there was a change when an outline of the course
and a fairly substantial set of Translated Selections of text were made available
through the Department. In the first year of this new departure I caused
consternation to Hywel Moseley when I gave one student 80% for his answer to
one of my questions: he had never given so high a mark for any question.

28 12 Transactions of the Royal Historical Society 5th Series, 141-55.
I agreed to look at the question again, and decided that I had been too generous, because of the circumstances of the marking. This answer was one page long, and excellently written, both as to the hand and as to the substance; and I had come to it after reading another student’s paper, in which all three of the Welsh law questions had been answered in a rather prolix style and a clumsy hardly-legible hand. So I reduced the mark, though still keeping it well over the 70% first-class barrier.

Session 1965–6 saw big changes in the Department. The Llandinam building on the hill was not quite ready when term began, but the Department took rooms over as they were completed; more important were the changes in staff and one change in curriculum. Two of the lecturers, Bernard Rudden and M. C. Carr, had moved to other universities, two, Hywel Moseley and D. Marshall Evans, had moved to pupillages for the bar, leaving only Professor Davies and one lecturer, J. M. Sharp (who had come to Aber a year earlier). This was a time of university expansion, and there were more teaching posts to compete with bar chambers and solicitors’ offices for law graduates. To the Aber Law Department there came five of us. Bernard Davies was an Aber graduate who had been teaching at Belfast; Christine Mummery had taken a first-year course at Cardiff and moved to Aber to take the LL.B. there and to go on to an LL.M. in the United States. Nicholas Swingler was a new graduate from Oxford; and there were two half-timers, myself and Clive Margrave-Jones. Clive had taken law degrees at Aber and Cambridge, and was a member of his father’s practice at Llandrindod, in which his older brother, another Aber graduate, also worked.

At a preliminary meeting of the staff the main business was the allocation of courses: for the three years there were in all seventeen slots to be filled, and when a reasonable distribution had been made to the lecturers, five courses remained, and the Professor calmly said that he would take those. “I’ve got the lectures. Lectures are like wine, they improve with age.” I had been given the first-year course on Contract and the third-year Legal History - and the addition of a Family Law course to the choices available ensured that the Legal History group would be volunteers committed to a study which would hardly contribute to their chances of a successful professional career. So there came to me four men and two women (one of whom was to say that the subject had meant twice as much work as any of her other subjects, but that she would nevertheless have chosen it). Of the six, Glanville Vernon Pugh had had first-class results in the previous two years, and was renowned for his commitment to study and to rugby; but the rugby led to disquieting symptoms which meant that rugby had to be given up. In the 1990s he would become known from his connection with the administration of rugby in Wales and at the international level, but my memory is of seeing him in the Law Library, looking up from Maitland’s Constitutional Law with “the light that never was on land or sea” in his eyes, and saying in Welsh “I could read this for ever”. He went on to Cambridge; Letitia Crabb, perhaps the best ever at planning her time for effective presentation of her knowledge, went to the London School of Economics for an LL.M., specialising in corporation law, and after qualifying as

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29 When Moseley returned as Professor, he gave some lectures on a particular aspect of English Legal History in my Legal History course, and set a question in the exam paper; he gave one answer 80%, and when I commented on this, said that he had learnt wisdom.
a solicitor would return to Aber some years later. Elgan Edwards wrote with a wit which charmed the external examiner; at the tea-party after the Legal History examination he came to me and said (in carefully chosen technical language) "In my paper, for 'Rowland Rees' wherever it occurs, read 'Rowland Lee'" – and explained that the slip came about because of an old friendship with one Rowland Rees. Edwards would be President of the Students' Representative Council in 1966-7; he was called to the bar at Gray's Inn in 1967 and became a Circuit Judge, based in Chester, in 1989.

Soon after this a new development changed the pattern of Aber-Cambridge relations. In the earlier years, most of the Aber graduates had gone to St John's or Caius; and when I was a student my college, Sidney Sussex, had no law don, but used the services of C. H. Ziegler of Pembroke, who, like T. A. Levi, was deaf and relied on a massive electric aid; again like Levi, he was a most effective teacher. A law don, J. W. A. Thorneley, was appointed at Sidney in 1948, as the result of a benefaction from Evan Lewis-Thomas, M.A., LL.M., K.C., who had matriculated at Sidney in 1878 and died in 1935. He was a London Welshman by birth, and I have not been able to trace his own Welsh roots; but there's no doubt about the Welsh connection of his wife, whom he married in 1924, when he was 65: she was Gwladus, daughter of the Archdeacon of St Asaph, the Ven. David Evans. Lewis-Thomas's will was to give the College the reversion of his substantial estate after the death of his widow, to provide studentships and scholarships of not less than £100 for not more than three years for members or prospective members of the College who showed proficiency in Law and Jurisprudence. The Fund was not to be used to finance a fellowship, for Lewis-Thomas feared that a practitioner whose health or practice was failing might be appointed; it could be used to help Sidney men either to pursue further legal studies at the College or to prepare for or engage in practice as barristers or solicitors. It is not surprising that the College had to wait for the reversion until 1967; the first awards were made in that year. As the College's Annual for 1967 noted, the Fund could "also be used to attract promising law graduates of other Universities or Colleges to pursue further legal study at Sidney; and in 1967 one award went to a Sidney graduate and one to a Hull graduate who would read for the Cambridge LL.B. The first Aber graduate to go up to Sidney with an Evan Lewis-Thomas award was J. L. Lambert in 1970; he was followed in 1972 by Ralph W. Evans, and in 1978 by J. Milwyn Jarman. In 1978 C. P. Rodgers also went up to Sidney, but without an award: he took first-class honours in the LL.B. exam, having presented an outstanding short thesis on an aspect of Renaissance Legal History; he and Jarman were both given awards to help in preparation for practice; they duly qualified, and after some years Rodgers returned to Aber as a lecturer, becoming Professor in 1994. Jarman took silk in 2002.

* Evans was one of four law students who came in successive years from Pontypridd Grammar School with Evan Morgan scholarships, which were available only to Welsh speakers. None of the four was a "native speaker": all had learnt Welsh at the school under an inspiring teacher who had been supported by the head master. When that head retired, his successor was less supportive, the Welsh teacher moved away, and the supply of Evan Morgan scholars dried up. The Pontypridd training was so effective that I assumed that Ralph Evans was a native speaker, and answered the question in the Cambridge form about the command of English of an applicant whose mother-tongue was not English.
In these first years on the staff I had used Welsh material to present the development of the English Common Law. Helen Cam had called the Statute of Wales of 1284 the first English colonial statute, and I used its provisions as pegs for an account of the growth of the Common Law, which I could contrast with the Welsh institutions which were partly replaced and partly left undisturbed. At some point I must have told Professor Davies that I was afraid I would not be able to bring the course up to the twentieth century, for I remember his saying that one eminent legal historian never got beyond some such date as 1400 – and I was able to say that I was confident of reaching the Act of Union of 1536.

Meanwhile Christine Mummery and Bernard Davies had married, and when they began a family in 1969, Christine and I exchanged status: she went part-time and I full-time. As a result I could separate Welsh law from the main Legal History course, and before long I was offering the Welsh law course in English and in Welsh, as a voluntary supplement to law students and also to Welsh History students. Of those who followed the course in Welsh, two must be mentioned. Huw Rhys Rogers was a Law student who had come up from a London grammar school, though his roots were in Carmarthenshire: his application for a postgraduate grant having failed, he worked as a part-time barman to finance his research, and (as a well-read native speaker of Welsh) quickly mastered the medieval Welsh of Cyfraith Hywel, and gained the LL.M. for a competent thesis “Crime and Tort in the Mediaeval Welsh lawbooks with special reference to the Book of Iorwerth” in 1972. Among the historians, one made a particular impression: this was Nia Powell, who always arrived late because she had to come up to the Penglais campus after a lecture in Old College; she took first-class honours in History, and went on to Cambridge to read law. With a Cambridge LL.B. she spent some vacation time devilling for Hywel Moseley to his great satisfaction; it was clear that my impending retirement would create a vacancy in the Department staff which she was ideally qualified to fill – but she could not be persuaded to apply, for her true love was History. She was then appointed as researcher under the Board of Celtic Studies, to work on Great Sessions records, and Professor Ieuan Gwynedd Jones and myself were asked to draw up a plan of work with her. As a basis for this she prepared a draft, to which we could only give our warmest approval. She began work, and it was agreed that she would lecture to lawyers and historians on Cyfraith Hywel in the Lent term of 1979; but before this she fell ill, so that I took over the lectures. She did not return to Great Sessions, for when she had returned to health she was appointed to a lectureship in Welsh History at Bangor.31

By then the Welsh Law Sub-committee had moved on a long way. The Aberystwyth papers of 1962 were published as a Special Number of the Welsh History Review, and a second Colloquium was held at Gregynog in September 1966; in November of that year Professor Daniel Binchy gave the Gregynog

31 Two earlier researchers had worked on the Great Sessions material, without producing anything of much value. It can be argued that the Board’s employment of researchers has its greatest value in training the researcher, who (by the time the technique has been learnt) is all too likely to find some appointment and leave the research project. Since the researcher is introduced to the project sources by a member of the National Library staff who is familiar with it, it may well be that research would be better furthered by releasing that staff member from all other Library duty, and employing a substitute for his routine functions.
Lectures at Aber. For the third Colloquium, at Gregynog in September 1970, a
general theme, Tribalism, was chosen, and the recruitment of specialist speakers
was entrusted to me. A professional anthropologist was needed, and the obvious
choice would be Professor Max Gluckman of Manchester. He could not come,
and his suggestion of other names led me to Professor Ioan Myrddin Lewis of
LSE, who accepted the invitation, but proved to be less Welsh than Scottish. For
a Celtic comparison Francis Byrne of Dublin accepted our invitation, and as his
colleague Geoffrey Hand had an engagement in England a few days later, they
arranged to travel together in Hand’s car, crossing to Holyhead and taking
Gregynog in on the way to England. This plan was frustrated by a strike, so that
we were told that Byrne would fly to Cardiff, and were left wondering how and
when he would reach Gregynog. It was a relief to be telephoned at Gregynog by
a rather dejected Byrne: he had been met at Cardiff Airport by a relative who
had hustled him to a long-distance bus, which had brought him to Newtown.
His luggage, including the paper which he was to give, had gone on to Bristol in
the plane, and at Newtown it was too early for a drink. I arranged to pick him
up at Newtown at a named time, and found him much happier, since the pubs
had opened at 5.30; and on the following day he spoke without notes and with
great panache. This Colloquium was also marked by the first appearance of
Thomas Charles-Edwards, who was studying in Dublin under Binchy, though it
must be admitted that his only connection with Aber was that he was a great-
grandson of his namesake, the College’s first Principal.

The Gregynog Colloquium, from the 14th to the 16th, was the first of a
succession of lawyers’ gatherings for me. From the 17th to the 19th the Society
of Public Teachers of Law met in Oxford, and from the 27th to the 30th I had
my first experience of the German Legal History Conference, the Deutsche
Rechtshistorikertag, in Salzburg. Here my most relevant memory is of a
conversation with Professor Hans Thieme and his wife, conducted in the best
German I could manage, so that Frau Thieme (who had studied in Manchester)
exclaimed that she had never before met an Englishman who could speak
German. She was of course told that she had not now met such a person – and I
take some pride in having got the Rechtshistorikertag to recognise the existence
of Wales. At the opening of the 1986 Conference in Frankfurt, Professor
Diestelkamp listed the countries represented, which included “Great Britain: I
don’t say England, because Herr Jenkins comes from Wales”.

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32 When I wrote to Professor Gluckman, he took it that the letter was from David Jenkins of the
Extra-Mural Department, and clearly showed his very high opinion of my namesake’s work as a
social anthropologist. There is very illuminating material in The judicial process among the Barotse
of Northern Rhodesia (Zambia) (second edition reprinted with minor amendments [and a substantial
additional preface]. Manchester University Press for the Institute of African Studies, University of
Zambia, 1973); The ideas in Barotse jurisprudence (reprinted with minor amendments and a new
prefaceconsidering later work, Manchester University Press for the Institute of African Studies,
University of Zambia, 1972)

33 Professor Diestelkamp knew of the existence of Wales, and indeed of Aberystwyth, for he lived at
Kronberg, and had a son and a daughter in the Kronberg Youth Choir whose connection with Aber
would lead in time to a twinning between the two places. In France, le rugby had ensured that Wales
was known in the southern parts, with the result that when Edmund Fryde had lectured with great
fluency from memory of his detailed draft, he was greeted by a professor from Toulouse with the
words “I see now how it is that we can beat everybody at rugby but we cannot beat Wales”. Those
were the days...
Back in Wales the study of Cyfraith Hywel was given a further stimulus by Morfydd Owen. After graduating with first-class honours in Welsh at Aber, she had gone on to Cambridge and to research in Dublin under Binchy; before completing that research, she had been appointed to a lectureship in the Department of Welsh at Cardiff, and (with the support of the head of the Department, Professor A. O. H. Jarman) she convened a seminar held in Cardiff on 12 December 1970. This seminar concentrated on the Law of Women, and was followed by others (in Cardiff, Oxford, and Aberystwyth) at intervals of a few months: they have been continued to the present time. At the fourth Colloquium, held in Aberystwyth in September 1974, papers based on those discussed in the seminars were presented; they were further revised after that, and at the fifth Colloquium in Bangor in April 1979, a paper on the European context of our subject was presented by Dafydd Walters, a London graduate on the staff of the University of Edinburgh: this was added to the collection. At the Bangor Colloquium we were glad to welcome another lawyer, the Oxford graduate Thomas Glyn Watkin, who had no Aber connection at all, but would enlist Aber support when he came to propose the formation of the Welsh Legal History Society (Cymdeithas Hanes Cyfraith Cymru) which was inaugurated at a meeting in Cardiff in May 1999 and given tangible form in the first collection of papers, *Legal Wales: its Past, its Future*, published in November 2001.

The Bangor Colloquium was followed by the publication in 1980 of *The Welsh Law of Women*, edited by Morfydd Owen and myself. This was planned as a *Festschrift* for Binchy, and designed in consultation with the printing firm of D. Brown and Sons, so that when we asked for the support of the Board of Celtic Studies, we were able to show a substantial number of subscribers; rather than make a contribution to the cost, the Board agreed to take over the publication, but emphasised that this must not be taken as a precedent. As published the book is said to have been “presented to Professor Daniel A. Binchy on his eightieth birthday 3 June 1980”; in truth, technical difficulties made publication and presentation in June impossible, and the ceremony was held in Aberystwyth on 17 September. In his reply to the address of presentation, Professor Binchy gave a summary of a paper which he had given on 13 July 1979 at the final session of the Sixth International Congress of Celtic Studies in Galway under the title “Corpus Iuris Hibernici – Incipit or Finit Amen?” Binchy’s “CIH” had been published over thirty years after he had begun what was to have been the first step in a long journey: the volumes of accurate transcripts from the manuscript sources were to be followed by studies of the characteristics and development of Irish law on the basis of the material thus made available. Various causes had delayed that first step, so that the further study must be left to younger scholars, and he saw reason to feel hopeful that this work would be done. The transcription of the manuscripts had been begun when Binchy was a Research Fellow of Corpus Christi College, Oxford, and at dinner after the ceremony, one of the small company was Judge Hywel ap Robert, who had been an undergraduate of the College at that time, and had walked with him to Jesus College for lectures by Professor Idris Foster.

For the second series of seminars, the subject was Suretyship, and the papers were combined with some papers on other aspects of Legal History in
Lawyers and Laymen, published in 1986. For the third series, the Laws of Court were the subject, and bore fruit in The Welsh King and his Court published in 2000 and dedicated to the memory of Glanville R. J. Jones, who had contributed a paper to the collection but had not lived to see it in print. The current series of seminars is working on the Three Columns of Law (Tair Colofn Cyfraith), which take a prominent place in the Laws of the Country.

The mixed content of Lawyers and Laymen reects my involvement in the new era in the study of Legal History in the United Kingdom, which began when the first legal history conference in Britain for 59 years was held in Aberystwyth. I have been given the credit for this initiative, but in fact I neither did the work nor had the vision which led to it. The new era had in fact begun a little earlier, when the first edition of An Introduction to English Legal History by J. H. Baker was published by Butterworths. Milsom’s Historical Foundations of the Common Law, published in 1969, had approached English Legal History from a new direction, and could be stimulating for those making a special historical study after substantial study of the modern law, but those coming new to law would not find it helpful, though they needed a good deal of historical background in order to understand the sources to which they would be referred as they worked on the modern law. Baker had given students at University College London that background in a course of lectures, which he very properly made into a book published in 1971, when he left London to become Librarian of the Squire Law Library and a fellow of St Catharine's College at Cambridge.

The Society of Public Teachers of Law held its Conference in 1971 in Edinburgh. By now my only memory of it is of the President, Professor T. B. Smith, in a kilt, being piped in to the Conference dinner; but apparently a seed was sown in some discussions in the intervals of the Conference. The first idea seems to have been that some Legal History sessions should be tacked on to the Anglo-American Conference of Historians, and Baker had been struck in the previous year “by the number of legal historians in London, most of them Americans at the IHR (not the IALS)” though at the time he knew nothing of the “Anglo-American”. This lack of contact between legal historians in law departments and those in history departments was typical of most universities, and if the conferences of 1972–2003 have done nothing else, they have improved contacts between law departments and history departments.

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35 The Welsh King and his Court, ed. T. M. Charles-Edwards, Morfydd E. Owen and Paul Russell (Cardiff, University of Wales Press, 2000). As the Preface noted, the editors were “deeply grateful to the University of Leeds for a most generous donation towards the cost of a volume dedicated to the memory of one of its most loved members of staff who spent much of his time wrestling with the physical aspects of the medieval Welsh court.”
36 The Institute of Historical Research occupied rooms in the University of London building; the Institute of Advanced Legal Studies was in Russell Square, to the east of the University building. University College’s buildings were to the north of that University building, and the southern exit from the University building faced the northern entrance to the British Museum. No useful purpose would be served by an attempt to define either the constitutional relation of the College to the University or the relation of their buildings—which often made it difficult to find a meeting. The Anglo-American Conference of Historians was held annually in London, for a couple of days; every five years there was a fuller programme, lasting five days.
In this matter Aber was exceptional – not so much because of the closer contacts between departments in a small institution as because of the unusual personality of one Reader in the History Department, Edmund Fryde, the polymath son of a polymath. His father, a mathematician, lawyer, economist, historian, was a legal adviser to the Foreign Office in Poland from 1936 until he escaped to Britain with his family in August 1939; after the War he settled in the United States, where he taught economics, history, and the history of economics and science. The son Edmund had been sent to Britain in 1938 at the age of 15, as a pupil at Bradfield College, and had gone up to Balliol College, Oxford, in January 1942, taking his degree in December 1944. Research under Sir Goronwy Edwards led in 1947 to the degree of D.Phil and appointment to a lectureship at Aberystwyth.\(^{37}\)

From the economic history which was his first special field, Fryde moved in several directions, most notably to the art history (underpinned by great competence in palaeography and bibliography) which was his great delight in his later years. I had introduced myself to him on the suggestion of Jones Pierce, and we became very friendly after he and his wife Natalie moved in to a flat near my maisonette. So it happened that one day I spoke of my wish to see a specialist conference on Legal History and my doubts about how one could be organised. Edmund’s response came at once, and I can still hear his voice: “We could do it here.” When I demurred, he developed his theme: he was on the College’s Finance and General Purposes Committee and would argue the case for a grant and support in other forms, and Hywel Moseley should write to the Principal to make the formal request. Hywel had recently been head-hunted by the Principal, Sir Goronwy Daniel, who wanted a practising barrister as professor in the Department; as a lecturer he had been the Department’s history specialist, and he gladly wrote the letter so that it would be considered at the next “F and G P” meeting.

At that meeting, on 15 November 1971, the matter was brought up outside the agenda by the Principal: he drew the letter from his pocket, and (since it was in Welsh) translated it as best he could; Hywel had mentioned Dr Fryde’s support, and the Principal called on him to expound. There was little enough for him to add, and the Committee minutes record Professor Moseley’s request “that the College should invite academics to a 2–3 day conference in Aberystwyth and that the College meet the cost of a speaker and reception”, and the resolution “That the matter be approved in principle, at a cost not exceeding £150.” The College Council adopted the resolution on 8 December, but before that we had begun our preparations by asking Baker to help with contacts. His reply welcomed the plan and hoped “we could keep away from the historian’s idea of legal history – Elton, Sayles &c.”\(^{38}\)

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\(^{37}\) For a fuller account, see “Edmund Fryde: An Appreciation”, by Daniel Huws, in Recognitions: essays presented to Edmund Fryde (ed. Colin Richmond and Isobel Harvey; Aberystwyth, National Library of Wales, 1996). Edmund had chosen research on a medieval subject under Sir Goronwy in preference to a Central European subject for which another don rightly thought him well qualified, as a native speaker of a Slav language.

\(^{38}\) The historian uses the records of legal proceedings as sources of evidence for social or economic or political or other conditions, according to his particular interest; for the lawyer-historian, legal history is primarily a history of ideas: see F. W. Maitland, Domesday Book and Beyond (Cambridge, 1897), 356. Hence, perhaps, the court records are more important for the historian, while for the
Baker added “We might also consider the possibility of publishing the papers, if this is feasible. The last (?) legal history conference, at the International Congress of Historical Studies in London in 1913, resulted, as you know, in the Essays in Legal History.” That Congress was held in April, and the *Essays* were published by the Oxford University Press in the same year; but as Professor Milson reminded us, the Legal History section was not a separate entity, and of the twenty essays in the book, only six were by contributors from Britain. One of these, “Numismatic Illustrations of the History of Roman Law”, by E. C. Clark, Regius Professor of Civil Law at Cambridge, was an example of the inter-disciplinary approach to Legal History which was so much neglected until our own period. Only a little over a third of the book was in English.

Two new appointments to the Law Department’s staff had brought in young lecturers on whom I would without compunction unload labour. Letitia Crabb, of my first Legal History class, came from practice as a solicitor; Hugh Beale had been a pupil of Derek Hall at Exeter College, Oxford; during his postgraduate studies he had come across my “The Essence of the Contract”, so that he introduced me to his wife as “the man who invented ‘unpigs’.” He was given the office of Secretary to the Organising Committee (of which I called myself Chairman, though I cannot say that the Committee ever had more than a notional existence): while he and Letitia did nearly all the work very

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9 The Introductory Note and Table of Contents give some of the contributors non-academic “handles” which invite comment. “The Right Hon. Sir Frederick Pollock, F.B.A.” took his handle from his appointment to the Privy Council in 1911; two of the German professors, O. Lenel of Freiburg-im-Breisgau and Otto von Gierke of Berlin, were Geheimrath, which can be exactly enough translated “Privy Councillor”. Pollock’s office gave him no special privileges, but his German counterparts had an authority which had beneficial consequences for international scholarship during the first World War. For the tale is told of a Geheimrath Professor in Berlin to whose house the police came in 1914 to pick up for internment a French scholar who was the Professor’s guest: they were sternly and legally turned away from the Geheimrath’s house.

10 In a paper which used my experience in agricultural co-operation to discuss the law in terms of a contract for regular supplies of certified pigs, I had argued that “if the essence of the contract is to supply certified pigs, as a matter of law the supply of uncertified pigs is a breach of the contract on exactly the same footing as the supply of certified unpigs—say elephants”: [1969] C.L.J. 251 at p.263.
competently without consulting me, he would from time to time come to me to insist that I should take a decision on some point – and with that insistence I had to comply.

As the result of much correspondence and consultation, we were able to issue on 11 March 1972 a notification that the Conference would be held in Aber from Tuesday to Friday, 18–21 July; the speakers would include John Baker, David Yale, Geoffrey Hand, Alan Harding, John Barton, and Derek Hall, and there were to be sessions for short papers in which kites could be flown and problems introduced.

Recipients were told that the circular was being sent to all personal members of the Selden Society in Britain and Ireland, and to SPTL members in Britain and Ireland whose Directory entry named Legal History as an interest. They were invited to name other people who should be invited to come, and to offer short communications for a list from which the Committee could choose. There would be an enrolment fee of 50p, and accommodation and meals would cost about £8.

This circular worked very well, bringing in a satisfactory number of provisional enrolments and being particularly valuable in bringing in scholars from overseas who would be in Britain at the time of the Conference. One of these was Professor W. H. Dunham jr, who gave a paper, but the most gratifying was probably Dr Margaret Hastings from the United States, who came in the company of Dr Marjorie Blatcher of London. As Dr Blatcher was to write, a few years later, it was “more than forty years since two scholars who had themselves recently edited fifteenth-century Year Books each directed the attention of a postgraduate student to the plea rolls of that period, Professor Nellie Neilson launching Margaret Hastings on a study of the court of common pleas and Professor C. H. Williams prompting me to investigate the working of the king’s bench”. Dr Hastings “produced a thesis capable of expansion into a book which could not be bettered and will not be superseded”: this was The Court of Common Pleas in Fifteenth Century England (Cornell University Press, Ithaca, N.Y., 1947; reprinted Hamden, Conn., 1971). Dr Blatcher’s “investigation could not be made to yield a useful book within the confines of the fifteenth century” and when she turned back to the king’s bench, duties of other kinds slowed her progress. At the time of the Conference her book was taking shape, and its preface and bibliography show that the Conference did something to help it forward. The Court of King’s Bench 1450–1550 would be published in 1978 by the Athlone Press in the University of London Legal Series under the auspices of the Institute of Advanced Legal Studies. The story would have a sad ending: by the time the book appeared, Dr Blatcher was terminally ill, though she was well enough to celebrate the publication in hospital, in the company of her husband, Professor S. T. Bindoff, and Dr Hastings (who did not long survive her, dying in a road accident).

The outline programme and call for firm booking went out in the middle of May. It had been decided that there should be on the Friday morning a “concluding session for general discussion of the teaching and study of English Legal History, under the chairmanship of Professor Milsom”; and those who would not be coming to the Conference were therefore given the opportunity to say that they would like to be informed about decisions. The 50p conference fee was paid by 61 participants; 52 stayed at Alexandra Hall for the whole period, and two for shorter periods; others made their own arrangements.
For the fulness of record the programme as it was issued to the participants is set out in the Appendix to this paper. In addition to details of speakers, chairmen, and subjects, it also gave some details about the difficulty of travel to Aber by road and rail; those arriving by train could take taxis from the station, but we arranged to meet the mid-afternoon train with two cars. I went down first, and stood outside the barrier to the arrival platform, holding a bamboo pole with a bilingual notice naming the Conference; when I had identified my carload, and asked for a volunteer to hold the pole, C. A. F. Meekings came forward, to the great surprise of his PRO colleagues. For them he had always seemed remote and icy, and the realisation that he was human was one result of the Conference. He had not long to wait to be picked up by Letitia, and by one way or another all the participants seem to have arrived in time for dinner at 6.30. The first session followed: this was held at Alexandra Hall in the semi-basement common room, but the main sessions were held in the Old College, so that those staying at Alexandra Hall had to get themselves from one end of the promenade to the other several times a day. The weather might well have been wet or cold or indeed both, but sunshine made the walk along the seafront a welcome relaxation, and left pleasant memories for the participants – most of all, perhaps, for the couple for whom a first meeting at the Conference led to their marriage.

The afternoon sessions at the National Library, where a selection of representative material from various collections was introduced by Daniel Huws of the Library’s Department of Manuscripts, revealed to most of those present resources previously unknown, thus suggesting possible new fields of study. Current books on Legal History were on display in the Senior Common Room, where morning coffee was served and a project for reproducing old legal works on microche was demonstrated by a representative of Professional Books Ltd. A last-minute addition to the programme brought the borough of Aberystwyth (which in those days still had the full functions of the borough chartered in 1277) into collaboration with the College: a little wire-pulling led to a sherry reception by the Mayor at the Town Hall in advance of the Conference Dinner on the Wednesday evening; and I remember with vicarious pride the reply on behalf of the Conference, made at five minutes’ notice by Professor K. O. Shatwell, from the Faculty of Law of the University of Sydney, New South Wales.

At the Dinner itself, the Principal, Sir Goronwy Daniel, presided. The chief guest was the President of the College, Sir Ben Bowen Thomas: he had gone out of his way to meet us, and the College had taken trouble to arrange to bring him from Carmarthen and to take him to Tenby on the following morning. He proposed the toast of Legal History; Derek Hall replied for the Conference. In the early publicity, Hall had been named as one of the Conference speakers: he had later withdrawn his offer of a paper in order to make room for others, and his speaking at the Dinner was now to fill the promise that he would speak. The high point of his speech was an account of his appointment to lecture at Aber: he had been invited to an interview with Professor Llewelfryn Davies, and the interview was conducted in a walk down the promenade. After kicking the bar, Professor Davies said they had better go and see Mrs Thomas: was she a Dean of Woman Students who could veto the appointment of a dangerous male? No indeed, she was the landlady of certain lodgings, and introduction to her was the indication that the appointment was being made. So for the year
spent in the Aber Law Department Hall was in these excellent lodgings, with another lecturer in the Department, C. J. Crespi, whose academic detachment may be allowed to excuse his failure to understand that continued rationing of food constricted the landlady’s provision of meals.

The rest of the Conference may have been less exciting but was equally successful, and the arrangements at Alexandra Hall, which to-day would no doubt seem primitive, were generally appreciated; the atmosphere of the Hall did much to help the contacts which are often the most valuable feature of a conference. The concluding session on the Friday morning made it clear that the Aberystwyth precedent should be followed: similar residential courses would be desirable,\(^4\) and as a first step a working party was set up. This consisted of Baker, Hall, Harding, Meekings, Milsom, with Beckerman as United States correspondent and myself as convener. From then on, the direct involvement of the Aber Law Department was at an end, but some influence persisted, and our initiative has been honoured throughout the series.

The accounts which we drew up in November, when all bills had been paid, showed that our income from all sources (which included £100 from the College grant) exceeded our expenditure by £39.60; and as we planned to publish a volume of the proceedings, we asked permission to use this balance, and to draw on the unpaid part of the grant towards the cost of publishing. This permission was given, and we began negotiations with the University Press Board, of which our Principal was then Chairman, and eventually agreed on terms which allowed us to offer *Legal History Studies 1972* to the general public at £3, and to those who ordered it through the Committee at £2.35 post free. It was at last ready to be available at the Cambridge Conference in 1975, and the circular which offered it to subscribers carried a note in the name of the then Law Librarian at Aber, David L. Jones:

> Beginning with the issue which will appear in the Michaelmas Term 1976, the *Cambrian Law Review* intends to publish an annual list of recent writings (books and articles) on Legal History, and your collaboration is invited in making the list as complete as possible. The main legal periodicals will be searched, but as so much relevant material appears in non-legal publications (and especially in those of local history societies) it will be much appreciated if you can supply particulars of anything you publish in the field — the ideal way to give the information would be to send an offprint. The first list is planned to cover material published in 1975, and will go to press early in March 1976.

After editing this bibliography, David Jones moved to London in 1977, as Deputy Librarian of the House of Lords, and became Librarian of the House of Lords in 1991; successive Law librarians have taken care that the bibliography should appear annually in the *Cambrian Law Review* ever since.

As we considered the future, we seem to have assumed from the start that there would not be a conference every year: and I was probably always

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\(^4\) The confining exit from the underground common room made it easy to collect from those who wanted to be kept informed a contribution of £1, which was also paid by nearly all those who had not been able to come to the Conference. The Continuation Committee thus had a mailing list of about a hundred.
After our Conference I had attended the German Conference in Nuremberg in September, and had spoken briefly to Professor Thieme; after coming home I had written to him to ask about the way the German conferences were organised. At Nuremberg, playing on some jurists' use of *persona cta* to define the status of corporations, he had called the *Vorstand* (the body which organised the German Conference) a *persona mystica*; in his reply to my letter he explained that this body comprised those teaching Legal History in two universities, that which had been host to the last Conference and that which would be host to the next. The location of the next conference was decided by the vote of the teachers of Legal History from the universities of Germany, Austria, and German-speaking Switzerland; in practice, I believe this usually meant approving a single invitation, though it might happen that there was a choice between invitations.

With some significant adaptation, the German pattern has been adopted for our system of Conferences. In Germany, the typical University Law Faculty has a Professor of Legal History and some others involved in teaching the subject, whereas with us chairs specifically allocated to Legal History are very rare. On the other hand, our Conferences have involved collaboration between departments of Law and History, which has not been the case in Germany; this can perhaps be explained by the nature of the sources, for no other country has anything comparable with the plea rolls, which are the great quarry for the historians who have given most of the papers at our Conferences.

From the discussions of the Continuation Committee the principle emerged that our next full conference should be held in 1975, but that there should be a one-day conference in 1974. This would be held in London on the day of the Selden Society's Annual Meeting; and as this was normally held in the Old Hall of Lincoln's Inn, it was easy to arrange that the papers should also be given there, and we were much encouraged by the Inn's willingness to provide lunch in (the new) Hall. This certainly attracted some overseas patrons of the "Anglo-American", and there was a good attendance for the sessions.

For 1975 John Baker was asked to make the necessary arrangements at Cambridge, where one of the colleges would naturally be the centre; this caused some difficulty, and accommodation was eventually booked at two colleges - Baker's St Catharine's and my own Sidney; but meetings and meals were concentrated at St Catharine's. With about a hundred participants, and *Legal*
History Studies 1972 being distributed to those who had ordered it, the conference project showed clear signs of success; it was noteworthy that countries outside the Common-Law tradition (Poland, Spain, the Netherlands, Japan, Germany) were now represented. The most distinguished of these “outsiders” was Professor H. Coing, Director of the Max-Planck Institute for Modern Legal History at Frankfurt-am-Main,43 who gave a paper, “English Literature concerning the Civil Law before 1800” under the chairmanship of the Cambridge Regius Professor of Civil Law, Peter Stein.

It was always intended that some, if not all, the proceedings of the conferences would be published, but the sales of Legal History Studies 1972 did not encourage the University of Wales Press to make it the first of a series. The Royal Historical Society, however, agreed to include a selection of the Cambridge papers in its Studies in History Series, of which the Cambridge historian G. R. Elton was the inspiration. Legal Records and the Historian, edited by Baker, appeared as number 7 of the Series in 1978, and selections of the papers given at the next three conferences were published in the same series.

The Continuation Committee in effect worked by suggesting to someone who had already been involved with the conferences that he should get his university to invite the Conference: because of the way tax was levied on university accommodation, conferences then had to be held as university projects, not as projects from outside buying services from the university. So at the end of the Cambridge conference, we were happy that Alan Harding would be leading the organisation of a conference in Edinburgh in 1977. To that conference Professor Thieme and his wife came, and told us that the Rechtshistorikertag, whose venue for 1978 had been left undecided at the 1976 meeting, would be held in West Berlin. For 1979, A. H. Manchester (who had argued at Cambridge for attention to later modern Legal History and had given a paper in Edinburgh,) was entrusted with the arrangement of an invitation to Birmingham: he would call on E. W. Ives (a historian who had given a short paper at Aberystwyth) for help, and would find ready support from the Dean of the Law Faculty, B. Z. Beinart, who had been coming to the Rechtshistorikertag from his previous post in South Africa: Manchester’s Edinburgh paper would be published in the University of Cape Town’s Acta Juridica in 1979, rather than in the RHS volume, Law-making and Law-makers in British History (published in 1980, after Beinart had died). Aberystwyth was represented at Edinburgh and in the volume, not by lawyers but by J. Beverley Smith, Senior Lecturer in Welsh History (“The Legal Position of Wales in the Middle Ages”) and Robert A. Dodgshon, Lecturer in Historical Geography (“Law and Landscape in Early

43 Professor Coing was a very tall and heavy-bodied man, who gave me the impression of one much senior to myself. At the Cambridge Conference, because I misread the room list, I took possession of a room up one flight of stairs rather than one at the top of another building; I then decided to leave this other room to Professor Coing, since there was a lift to that floor. When a Festschrift was presented to Professor Coing a little later, I learnt that he was in fact a year less one day younger than myself. As I had heard in school physics lessons about Max Planck as the quantum physicist, I wondered why a Legal History Institute should bear his name: Coing explained that before 1918 these Institutes (of which there were several, devoted to different fields of learning), were called Imperial (kaiserlich), as established under the Empire of 1870; when that Empire disappeared in 1918, Max Planck was Director of one of the Institutes, and complied with a request for permission to use his honoured name for the Institutes.
Scotland: a Study of the Relationship between Tenure and Landholding”.

The invitation for 1981 came from Bristol – for when Hugh Beale (who had moved from Aber to the Law Faculty) and J. A. Guy (who had left the PRO for a post in history) met and recognised each other, they also recognised that they would be expected to organise an invitation. But when I reached Bristol for the first session, I was astonished to hear that we already had an invitation for 1983 from the University of East Anglia (at Norwich), where the Law Department had opened in 1977, under an Aber graduate, J. Gareth Miller, who had previously been on the staff of UWIST. The invitation was gladly accepted, and the Conference well organised by the lawyer Michelle Slatter and the historian Roger Virgoe. Michelle would move away from Norwich after a few years; Roger followed our Conferences until his untimely death in 1996. For publication of the proceedings, Professor Kiralfy, Editor of the Journal of Legal History, joined Michelle and Roger in editing a special number of the Journal, which was also available separately from the publishers, Frank Cass. For Huw Pryce's contribution, “Ecclesiastical Sanctuary in 12th-century Welsh Law”, Aber can claim only that Huw attended classes in Old Irish with us while pursuing his research; after his appointment to a lectureship at Bangor, he became Secretary to the Welsh Law Sub-committee.

Meanwhile some research on Welsh law had been done in Aber, and in 1984 a very substantial doctoral thesis in the field of Welsh Legal History was presented by Christine James under the title “Golygiad o BL Add. 22,356 o Gyfraith Hywel ynghyd ag Astudiaeth Gymharol ohono a Llanstephan 116”. Christine Mumford (as she then was) had taken first-class honours in Welsh in 1975, and began research on this manuscript (the S of Aneurin Owen's Ancient Laws) under the supervision of Dr Brynley Roberts, with myself as a subsidiary on the technicalities of law. My help was not often called for, but I remember one occasion when a triad was brought to me – and puzzled me until I recognised that it named three court officers who must never get drunk, because the king might need them at any time, and therefore they were not to be given drink except when they asked for it; the rule applied to the priest, the physician, and the justice. Soon after this I met my old school friend Goulding, by then a Chancery judge, and told him of the rule in the form “You mustn’t top-up the judge’s glass”: he took it up, and said that he would give instructions to the butler at Lincoln’s Inn to apply the rule, for in the coming year he would be Treasurer of the Inn and would very often be presiding at public feasts. Christine’s research was interrupted by marriage to E. Wyn James, who had attended the Welsh Law course in his time, but she returned to it and won the degree. She has published some papers based on parts of her thesis, and is preparing an edition of the text.

The series of British Conferences was continued in Canterbury (1985), Cardiff (1987), Glasgow (1989), Oxford (1991), Exeter (1993), and Durham (1995). At Durham, four of us from Aber (two historians and two lawyers) were present, and we were thinking that we might hint that it was time the

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46 Mr Justice Goulding was invited to one of the Law Department’s occasions at Gregynog, and was particularly pleased to accept, for he had spent much time and energy on the drafting of the Davies sisters’ benefaction to the University of Wales.

47 Richard Ireland’s paper, “Perhaps My Mother Murdered Me”: Child Death and the Law in Victorian Carmarthenshire” was published in the volume of selected proceedings, Communities and
Conference returned to Aber – but found that the Cambridge college, Trinity Hall, was organising celebrations in which the Conference could appropriately take a place. This invitation was accepted, and at Cambridge we saw that Conferences in Edinburgh in 1999, and Aberystwyth in 2001 would also be celebratory. For us, the Conference was the first event of a celebration of the Law Department’s centenary, and the publication of a selection of the Conference papers as a special issue of the *Cambrian Law Review* marked the half-way stage, while the celebration can be regarded as culminating in the publication of the present volume. For 2003 the Conference goes outside the United Kingdom for the first time, in a British and Irish Legal History Conference (incorporating the 16th British Legal History Conference) in Dublin from 5 to 8 July.

To sum up the contribution of Aberystwyth to Legal History, we can claim to have brought lawyers and historians together in a series of Conferences which has taken on a life of its own. In the narrow field of Cyfraith Hywel I will recall that when I joined the staff of the Law Department Professor Llewelfryn Davies would introduce me as the specialist in Welsh law, “He can say what he likes, no-one can contradict him” – but a generation has arisen which (very gently and kindly) contradicts me from time to time.

*Courts in Britain, 1150-1900*, ed. Christopher W. Brooks and Michael Lobban (Hambledon Press, London and Rio Grande, 1997), 229-44. Professor J. Beverley Smith’s “Collective Judgement under the Law of Wales” and Dr Llinos Beverley Smith’s “Court and Community in a Medieval Welsh Marcher Lordship” were among the many papers which had to be omitted from that volume. I was present as a rather sleepy observer.
APPENDIX: the 1972 programme

Tuesday, 18 July, at Alexandra Hall
8.15 p.m. “Validity of Marriage and Bastardy in the Middle Ages”
J. L. BARTON Chairman: Professor J. A. Andrews

Wednesday, 19 July
in the Council Chamber, Old College
9.30 a.m. “The part of Plaints and Bills in the development of English law, mainly in the period 1250–1350”
ALAN HARDING Chairman: C. A. F. Meekings
11.15 a.m. Shorter Communications – “Alien Status in medieval English Law”
Professor G. J. HAND

“The Origin of the later Year Books”
Dr E. W. Ives Chairman: G. D.G. Hall
2.30 p.m. In the Council Chamber, National Library of Wales
Introduction to the Library’s Legal History materials
5 p.m. In the Council Chamber, Old College
“An American understanding of the British Constitution, 1763–1776”
Professor W. H. DUNHAM, jr Chairman: Professor J. C. Holt
8 for 8.15 p.m. at Alexandra Hall
CONFERENCE DINNER

Thursday, 20 July
in the Council Chamber, Old College
9.30 a.m. “The Dark Age of English Legal History, 1500–1700”
Dr J. H. BAKER Chairman: Professor A. K. R. Kiralfy
11.15 a.m. Shorter Communications – “The forty-shilling jurisdictional limit in medieval English personal actions”
Professor J. S. BECKERMAN

“The Equity side of Exchequer”
W. H. BRYSON Chairman: Professor Margaret Hastings
2.30 p.m. In the Council Chamber, National Library of Wales
Introduction to the Library’s Legal History materials
5 p.m. In the Council Chamber, Old College
“A view of the Admiralty Jurisdiction: Sir Matthew Hale and the Civilians”
D. E. C. YALE Chairman: Professor T. Hywel Moseley
8.15 p.m. Shorter Communication – at Alexandra Hall
“The Early Tudor Star Chamber”
J. A. GUY Chairman: Dr E. B. Fryde

Friday, 21 July
at Alexandra Hall
9.15 a.m. Concluding session: general discussion of the teaching and study of English legal history
Chairman: Professor S. F. C. Milsom